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East Anglia TWO Limited
Suffolk County Council
Natural England
Marine Management Organisation
All Interested Parties

Our ref EN010078

Date: 20 December 2021

Dear Sir or Madam,

Planning Act 2008 and The Infrastructure Planning (Examination Procedure) Rules 2010

Application by East Anglia TWO Limited (“the Applicant”) for an Order granting Development Consent for the proposed East Anglia TWO Offshore Wind Farm and associated offshore and onshore infrastructure (“the East Anglia TWO project”)

1. Following the completion of the Examination on 6 July 2021, the Examining Authority submitted a Report and Recommendation in respect of its findings and conclusion on the above application to the Secretary of State on 6 October 2021.
2. The Secretary of State issued an earlier consultation letter on 2 November 2021 requesting further information on a range of matters.
3. All **Interested Parties** are invited to comment on the responses received to the previous round of consultation which closed on 30 November 2021. The consultation responses have been published on the East Anglia TWO project page of the National Infrastructure Planning website listed at the end of this letter.
4. There are issues on which the Secretary of State would be grateful if the parties identified in bold could provide updates or information as appropriate.

5. **Offshore Ornithology**

Outer Thames Estuary Special Protection Area

In relation to the red-throated diver feature of the Outer Thames Estuary Special Protection Area (“SPA”), **the Applicant**, in consultation with **Natural England**, is requested to provide an updated project layout that includes a sufficient buffer between the array and the SPA boundary to remove displacement impacts on red-throated divers within the SPA.

Flamborough and Filey Coast Special Protection Area

Natural England is requested to provide comments on the updated in-combination impact assessments for the razorbill, gannet, and guillemot features of the Flamborough and Filey Coast SPA.

6. Great Crested Newt

The Applicant and **Natural England** are requested to provide an update on the progression of the Great Crested Newt District Level Licencing submission and whether an Impact Assessment and Conservation Payment Certificate has been awarded.

7. Outline Landscape and Ecological Management Strategy

The Applicant is requested to provide details of any additional measures in the Outline Landscape and Ecological Management Strategy associated with the badger and great crested newt licences. **The Applicant** is also requested to provide details of any other changes to the proposed mitigation and enhancement measures in the Outline Landscape and Ecological Management Strategy.

8. Flood Risk

The Secretary of State has identified the following issues in relation to flood risk on which he invites comment:

- i. **Suffolk County Council and Interested Parties** are asked to comment on the Applicant's response to the Secretary of State's questions in the 2 November 2021 consultation letter regarding surface water and drainage management during construction. Parties are asked to comment on the updated construction surface water drainage proposals and the proposed amendment to requirement 22 (Code of Construction Practice) in Part 3 of Schedule 1 to the Development Consent Order which was submitted by the Applicant.
- ii. **The Applicant** is requested to provide further details of how the 1 in 30 year storm event return period for the onshore substation and National Grid infrastructure locations could be accommodated within the Order Limits.
- iii. **The Applicant** and **Suffolk Country Council** are requested to provide details of any alternative mitigation measures, aside from those already within the construction surface water drainage proposal, which could be implemented to alleviate the risk to local residents if a flood event were to occur.

Changes to the National Planning Policy Framework

- iv. **Suffolk County Council** is invited to comment on the Applicant's response to the 2 November 2021 consultation letter question regarding the updates to the National Planning Policy Framework at paragraph 159 onwards in relation to flood risk assessment.

9. Marine Licence

The Secretary of State notes that the Applicant and MMO had agreed following Deadline 12 submissions that disposal sites would be dealt with post consent. The Secretary of State also notes that in Version 8 of the draft DCO submitted by the Applicant at Deadline 12, condition 14(5) of the Deemed marine licence – generation assets (Schedule 13) and condition 10(5) of the Deemed marine licence – transmission assets (Schedule 14) still include uncompleted square brackets for the co-ordinates of the disposal sites. **The Applicant and the MMO** are asked to confirm to the Secretary of State whether, in coming to a view that the disposal sites could be dealt with post consent, it was intended that these conditions be appropriately amended and if so to provide that agreed wording.

10. **Responses are requested by 23.59 on 31 January 2022.** As a result of the need for further information to be supplied as set out in this letter, the Secretary of State has set a new deadline for the decision on this application which is 31 March 2022. A statement confirming the new deadline will be made to Parliament at the soonest opportunity.

11. Due to Covid-19, responses on the information requested above should be submitted by email only to: EastAngliaTWO@planninginspectorate.gov.uk

12. Responses will be published on the East Anglia TWO project page of the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/east-anglia-two-offshore-windfarm/>
as soon as possible after the deadline.

13. This letter is without prejudice to the Secretary of State's consideration of whether to grant or withhold development consent for the East Anglia TWO project. Nothing in this letter is to be taken to imply what the eventual decision might be or what final conclusions the Secretary of State may reach on any particular issue which is relevant to the determination of the application.

Yours faithfully,



Gareth Leigh
Head of Energy Infrastructure Planning