

PLANNING ACT 2008

INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

**WRITTEN SUBMISSIONS OF NFU AND LIG REGARDING THE NORFOLK VANGUARD
OFFSHORE WIND FARM DEVELOPMENT CONSENT ORDER 201 [...]**

PLANNING INSPECTORATE REFERENCE NO EN010079

**SUBMISSIONS OF NATIONAL FARMERS UNION AND THE LAND INTEREST GROUP ON THE –
COMPULSORY ACQUISITION HEARING ON 28 MARCH 2019**

DATE 5TH APRIL 2019

1.0 Introduction

1.1 Submissions on behalf of the National Farmers Union (“NFU”) and the Land Interest Group (LIG) in respect of the application for a Development Consent Order (DCO) by Norfolk Vanguard Limited for the Norfolk Vanguard Offshore Wind Farm. The NFU is making a case on behalf of its members and LIG its clients, who are affected by the DCO.

2. Impacts on farming land and interests NFU and LIG – outstanding issues and concerns

2.1 **Voluntary negotiations:** NFU and LIG confirmed that voluntary negotiations are ongoing and that Heads of Terms have been signed by the majority of landowners and occupiers. Copies of a draft Option and Easement have been received but as of the date of the hearing 28th March 2019 no meeting had been arranged with solicitors to progress voluntary negotiations on the documentation.

2.2 It was confirmed that a meeting took place with Vattenfall on Friday 22 March 2019 to discuss the issues in the Statement of Common Ground and to discuss their responses.

3.0 **Timeline/Timings of Construction:** The NFU and LIG confirmed that a detailed response over construction timings has been received from Vattenfall which confirms 2 year pre-construction works, 2 year duct installation and 2 year cable pulling for Vanguard followed by a further 2 year cable pulling for Boreas. Vattenfall have confirmed that 150m sections will be reinstated of subsoil and top soil. It is understood some areas of haul road, access and areas around the jointing bays will not be reinstated straight away and could be left for long periods during the ducting and cable pulling. The maximum time any land could be out of production would be 6 years for Vanguard but 8 years including Boreas.

4.0 **Link Boxes:** the NFU and LIG highlighted that Landowners would like link boxes to be located if possible in field boundaries so that they do not impact on day to day agricultural operations and the responses to the last submission were received:

i Discussions on siting of link boxes will take place following a cable contractor being appointed for the project and the design of the cable specifications confirmed, including length of cables, location of joint pits, technical requirements for link boxes, and therefore providing indicative siting of link boxes.

ii The configuration of the link boxes may be discussed with the landowner/occupier on any preferences of configuration once detailed design is completed, within the bounds of practicality and engineering requirements.

iii A cabinet design has been included within the design envelope of the ES and this may be preferential to some landowners.

4.1 At the hearing a Vattenfall representative stated that depending on the technical requirements for link boxes it may be preferable by Vattenfall for the link box to be a cabinet and not a manhole cover. NFU and LIG made it clear that the preference of landowners is for manhole covers and not cabinets. This is because cabinets will interfere more than a manhole cover with agricultural operations and there is a greater chance of farm machines and the cabinets getting damaged being located on field margins. If cabinets are going to have to be used landowners need more information now on the location.

- 5.0 Restrictive Covenants:** Vattenfall in the response to the last submission have highlighted: *Once the project has been constructed the assets will be handed over to the operator to manage and contact details will be made available to the landowners within 3 months of the OFTO transfer.*
- NFU and LIG believe that it is essential that landowners must be given contact details immediately when the transfer takes place and not within 3 months of the transfer.
- 6.0 Agricultural Liaison Officer (ALO):** Vattenfall have agreed to the wording that NFU and LIG would like to see to cover the role and responsibilities of the ALO but NFU and LIG have yet to see the draft wording incorporated in the draft CoCP.
- 7.0 Agricultural Field Drainage:** The wording that the NFU and LIG would like to see being included to cover how field drainage will be treated pre and post construction was detailed at Appendix B of the last submission and Vattenfall responded *“The Applicant is content with the below position and notes that much of this information is already included in the Outline CoCP”*. NFU and LIG have yet to see the draft wording incorporated in the draft CoCP.
- 8.0 Soils Management:** Vattenfall have responded that *“the Applicant will update the CoCP to ensure that the scope of the pre-construction soil survey aligns with the NFU’s expectations”* and in regard to Soil Surveys and Record of Condition wording the Applicant has stated *“it is content with the detail included in the last submission and that this will be updated within the CoCP”*. NFU and LIG have yet to see the draft wording incorporated in the draft CoCP.
- 9.0 Compound Sites:** The NFU and LIG stated in the last submission that they would like to see specific details recorded in the DCO as to what each compound site/mobilisation unit will be used for. The use will then be binding under the DCO and this will prevent an activity taking place which is not authorised. In response Vattenfall have stated *Mobilisation area is fully defined in the draft DCO as “an area associated with the onshore transmission works including hard standings, lay down and storage areas for construction materials and equipment, areas for spoil, areas for vehicular parking, bunded storage areas, areas for welfare facilities including offices and canteen and washroom facilities, workshop facilities and temporary fencing or other means of enclosure and areas for other facilities required for construction purposes;”*. It is the “areas for other facilities required for construction purposes” that is of concern and we would like further clarity as to what other facilities may be?
- 10.0 Crossing Point Orsted/Vattenfall:** The NFU and LIG would like for there to be a commitment that the cables are constructed in a way that will have the least impact on the land. We have requested information as to what would be the best formation of the cables from Orsted and Vattenfall but this has not yet been provided.
- 11.0 Names of Landowners being represented:** Please see separate document submitted to PINS.