

From: [Louise Staples](#)
To: [Norfolk Boreas](#)
Cc: ["Jane Kenny"; Alice Sharlot](#)
Subject: RE: Norfolk Boreas - Deadline 2
Date: 12 December 2019 15:08:00
Attachments: [Boreas Answers to First Written Questions 12.12 .2019.pdf](#)

Dear Sirs

Please find attached the NFU submission in regard to the Examining Authority's first written questions. Apologies for the submission being submitted late.

If there are any questions please do get in touch direct.

Yours faithfully

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PLANNING ACT 2008

INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

WRITTEN SUBMISSIONS OF NFU REGARDING THE NORFOLK BOREAS OFFSHORE WIND FARM

DEVELOPMENT CONSENT ORDER APPLICATION BY NORFOLK BOREAS LIMITED

PLANNING INSPECTORATE REFERENCE NO EN010087

SUBMISSIONS OF NATIONAL FARMERS UNION ON THE – EXAMINERS FIRST WRITTEN QUESTIONS

DATE 12TH DECEMBER 2019

1.0 Introduction

1.1 Submissions on behalf of the National Farmers Union (“NFU”) in respect of the application for a Development Consent Order (DCO) by Norfolk Boreas Ltd for Norfolk Boreas Offshore Windfarm. The NFU is making a case on behalf of its members who are affected by the DCO.

2.0 First Written Questions – 13.3 Land Use and Agriculture

2.1 **Link Boxes: 13.3.1:** The NFU and LIG would like to see the wording from the RRs (As-024, table 2, row 3) to be included in the outline CoCP so that this is binding on Norfolk Boreas. The NFU would like Norfolk Boreas to agree to work out a design before construction starts which will enable most of the link boxes to be located near to hedge/fence boundaries. Otherwise we believe that the length of cable on a drum if at 800m will override all other factors as this will be the most cost efficient.

2.2 **Access Routes: 13.3.2:** The Applicant as stated in their response to RRs (table 19, row 10) are still engaged with landowners and are agreeing acceptable access routes. It is understood that not all access routes have yet been agreed.

2.3 **Voluntary Agreement and CoCP: 13.3.3:** The Outline CoCP as drafted at November 2019 covers in detail the wording that the NFU would like to see for the

- **Agricultural Liaison Officer** – wording agreed except would like to see the following wording added to paragraph 177.
 - Contact details for the ALO must be included in the final CoCP and the Applicant must notify any landowner of a change in personnel.
 - Liaise with landowners prior to any proposed discharges to existing drains if any such discharge is necessary.
- **Requirement 20: Code of Construction practice:** The NFU would like to see the contact details of the ALO added to the list of details to be submitted prior to commencement.
- **Irrigation** – wording fully agreed
- **Agricultural Field Drainage** – wording fully agreed.
- **Scope of the Soil Management Plan** – the wording that is highlighted at Appendix A of the Outline CoCP is agreed but further wording needs to be added to cover soil aftercare. Please see Annex A.
- **Soil Management Ch 8** – At paragraph 106 it is stated that Appendix A contains further details of the scope of the SMP. We would like this to actually state that the wording at Appendix A will be included in the final SMP.
- **Private Water Supplies** – wording needs to be included in the Outline CoCP to cover Private Water Supplies. Please see Annex B

The above wording requested to Norfolk Boreas will need to be agreed and subject to the post consent approvals.

- 2.4 Onshore Cable Depth: 13.3.4:** The NFU and LIG will require Norfolk Boreas to bury all the cables at 1.2m with the depth to the top of the tile at 1.05m. As all agricultural land over a time will be an area which requires 'deep ploughing'.
- 2.5 Article 16:Q5.1.7: Authority to survey and investigate land:** The NFU would like to see the following wording included in this Article:
- A new paragraph (3) 'The notice required under paragraph (2) must indicate the nature of the survey or investigation that the undertaker intends to carry out'.
 - Further to highlight any equipment to be used for the survey, an estimate of how long the surveys are expected to take.
- If the Applicant does want to carry out boreholes under this Article then the NFU would like to see this stated.
- 2.6 Article 26: Temporary Use of Land:** The NFU believes strongly that all DCOs going forward should fall in line with changes to compulsory purchase powers under the Neighbourhood Planning Act 2017. Taking land for temporary possession and only giving 14 days notice has become an issue on other infrastructure schemes especially HS2. HS2 already gives 28 days notice before temporary possession and 28 days notice has now been agreed on two DCO applications by Highways England for the A30 Chiverton to Carland Cross and A303 Stonehenge Scheme. Therefore the NFU would like to see the notice period at paragraph (2) of Article 26 changed to 28 days.
- 2.7 Grid Connection: Offshore Ring Main: Q7.0.4:** NFU and LIG have been party to campaigning for the Government to produce a strategy such as an offshore ring main to prevent triplication and quadruplication of the onshore energy infrastructure required by the offshore wind farm industry. It has to be the responsibility of everybody involved to protect our environment and find a way that supports green energy that is sustainable to our countryside.
- 2.8 Effects of Electro Magnetic Field (EMF): Q13.4.2:** There is considerable concern over the lack of detail in respect of EMF in regard to the interference on soil sense technology, RTK and other agricultural software.

Annex A

Soil Aftercare – Cultivations: The restoration of soils will be assessed against the baseline schedule of soil condition taken preconstruction this will include soil testing and a schedule of aftercare maintenance, appropriate to the target specification should be drawn up for a period of up to five years (subject to paragraph 23.2) following completion of the relevant construction work

During the aftercare period, there will be annual monitoring of physical soil characteristics and soil nutrient levels to set aftercare management requirements for the following year. The land will be handed back to the owner at the earliest opportunity once the restored land is in a suitable condition to be returned to its former use. A final report will be drafted to determine the final handover condition of the agricultural soil.

The reinstated soils will be cultivated to enable the initial aftercare crop to be established. The cultivations required will vary according to soil type, site and weather conditions at the time but could include the use of plough, power harrow and roll. In addition, stone picking may also be required where excessive stone volumes have become incorporated in reinstated topsoil areas.

The specified cultivations will be subject to discussion with the landowner prior to implementation.

The reasonable cost of meeting the aftercare by the relevant landowner shall be borne by the Norfolk Boreas save where such cost has been compensated under the compensation code.

Annex B

Water Supplies: The Applicant has been asked how any remedial action (such as an alternative supply) would be provided in the event that private supplies are adversely affected through supply levels and contamination. The NFU as a minimum requirement has requested that the following wording is included in the OCoCP:

Agricultural Private Water Supplies

- *Where an existing private water supply to a farm is adversely and directly, affected by the construction of the Proposed Works, the Developer will, if requested by the farmer or landowner to do so, provide or procure or meet the reasonable cost of the provision of an alternative supply of water*
- *Where the supply is so affected temporarily by the construction of the Proposed Works, then the alternative supply need only be supplied for the period during which it is so affected.*
- *Where a request is made by the farmer or landowner for a permanent supply due to permanent severance of the existing supply caused by the construction of the Proposed Works the Developer will where provision of an alternative means of supply can be demonstrated by the land owner/farmer to be reasonably required for his business, provide or procure or meet the reasonable cost of a permanent means of alternative supply of water.*

