

From: [NectonSubstationAction Messenger](#)
To: [Norfolk Boreas](#)
Subject: Deadline 13 - Cumulative Effects
Date: 26 July 2020 10:05:39

We would ask that the ExA take note of the following comments, made on Vanguard's examination, and on Boreas' examination as they directly relate to each other,

Cumulative Effects

Dudgeon on Vanguard

The VANGUARD ExA stated:

"The existing baseline already contains the Dudgeon substation and electricity pylons, along the horizon, the landscape effects would fall within a smaller area of a larger whole when viewed in the context of the wider LCA and as replacement planting became more established, the effects would become further ameliorated" 4.5.53 of Recommendations to the Secretary of State Document. (Vanguard)

Thus any cumulative effects between Dudgeon and Vanguard seemed to have been written off as the one (Vanguard) would making the other (Dudgeon) appear smaller.

Vanguard on Boreas

The VANGUARD ExA stated "...while The Norfolk Boreas offshore wind farm has been included in the applicant's LVIA cumulative impact assessment, the ExA have not considered it in this part of the assessment due to the limited amount of details available. The ExA considers that it would be most appropriate for cumulative impacts to be considered in any future examination into Norfolk Boreas." 4.5.102 of Recommendations to the Secretary of State Document. (Vanguard)

So because the applicant didn't provide enough information for the cumulative effect to be considered, it wasn't.

Boreas on Vanguard

During the Virtual Hearing on 24th July 2020, we hear the applicant's solicitor (Horton) state the following at approx 32m in.

<https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/projects/EN010087/EN010087-002324-Norfolk%20Boreas%20ISH%205%20d%2024%20July%202020%20Part%202.html>

"...there is a clear legal principal about previous decisions as material considerations in decision making and effectively what that principal boils down to is that where a decision maker proposes to depart from a previous decision which for whatever reason is very material to that decision, maybe the same type of development, or it may be in the same location, or it may be governed by the same policies, the Secretary of State or any decision maker is bound to firstly have regard to consistency in planning decision making, and secondly if that if that decision maker is going to depart from a previous decision, to give very clear reasons for doing so. ...not only about how the SofS takes the decision, but also

for the panel I suppose in their recommendations as to how they report to the SofS on the fact that the decision on Vanguard has appeared, how similar or dissimilar it is from the issues of Boreas, and perhaps bearing in mind that the panel is conducting its own examination on this application whether its recommendations differ substantially from the decision on Vanguard and if so, why.”

We appear to have been boxed into a corner where Boreas must be recommended to be passed (in the applicant's opinion), and also passed, more or less automatically so long as it is a duplicate of Vanguard, and so will have no extra major mitigation or landscaping, or material design changes and therefore will have no regard to cumulative effect. In other words the applicant will make Boreas the same as Vanguard with all its flaws, and despite the massive extra impact of doubling the development, in order to get the decision they want, based on they have claimed is a 'legal principal'.

NSAG