



# Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

The Applicant's comments on National Grid Electricity  
Transmission Plc Deadline 5 Submission

**Revision A**

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June 2023

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<b>Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects Examination submission</b>	
<b>The Applicant's comments on National Grid Electricity Transmission Plc Deadline 5 Submission</b>	
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## **1 The Applicant's comments on National Grid Electricity Transmission Plc Deadline 5 Submission**

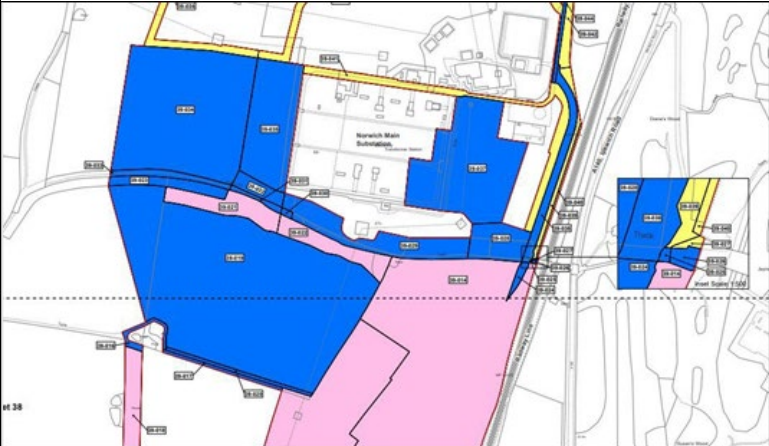
1. This document presents the Applicant's response to National Grid Electricity Transmission Plc. Deadline 5 submission [REP5-084].

**Table 1 The Applicant's response to National Grid Electricity Transmission Plc Deadline 5 Submission**

ID	Stakeholder Comment	Applicant Response
0	<p>Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore Wind Farm Extension Project</p> <p>Written Submission on behalf of National Grid Electricity Transmission Plc Deadline 5 (13 June 2023)</p>	No response required.
1	<p>We act on behalf of National Grid Electricity Transmission Plc (“NGET”) in relation to the Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore Wind Farm Extension Project (the “DCO Scheme”).</p>	No response required.
2	<p>We write further to NGET’s Written Representation dated 20 February 2023 [REP1-127 to REP1-130] (the “Written Representation”) in order to update the Planning Inspectorate on matters related to the interface between the DCO Scheme and Norwich Main Substation (the “Substation”).</p>	No response required.
3	<p>Paragraph 2.4 of the Written Representation explains NGET’s position in respect of those interfaces as follows (with emphasis now added):</p> <p>“NGET is particularly concerned about:</p> <p>(a) the effect which the Promoter’s proposed connection into the Substation (being Works No. 16A/B or C and 17A/B or 17C (defined as the “National Grid substation connection works”) in the Draft Order) may have on planned customer connections into the Substation as well as those other connections likely to be proposed at a later date;</p> <p>(b) the effect which the Promoter’s rights requested over land surrounding the Substation may have on the intended expansion of the Substation required to enable NGET to discharge its duties to its other customers. The Promoter has previously been made aware of relevant future development in areas surrounding the Substation but continues to request rights and powers related to the Authorised Development that would conflict with this development. Such rights and powers are not necessary, in NGET’s opinion, in relation to the Promoter’s connection</p>	<p>The Applicant provided the following response to paragraph 2.4 of NGET’s written representation in <b>The Applicant’s Comments on Written Representations</b> [REP2-017].</p> <p><i>“The Applicant notes NGET’s comments and will continue ongoing discussions with NGET. During a meeting with National Grid System Operator Limited (NGESO) (which was also attended by representatives of NGET) on 15 February 2023 it was indicated to the Applicant that the connection for SEP and DEP into the substation would be located to the west of the substation, although confirmed details are still subject to final detailed design. It was noted that discussions between NGESO, NGET, the Applicant and other parties connecting to the Norwich Main substation are ongoing to enable co-existence of all infrastructure. The Applicant has been and continues to be mindful of other developments proposed in the vicinity of Norwich Main and has sought and is seeking to manage these interactions with NGET and other developers through providing sufficient flexibility within the dDCO and through negotiation of appropriate protective provisions and agreements where appropriate. See the Applicant’s responses to WQ1.9.1.3 and WQ1.11.7.1 within <b>The Applicant’s Responses to the Examining Authority’s First Written Questions</b> [REP1-036] submitted at deadline 1.”</i></p>

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	<p>into the Substation, as the proposed connection bay for the Promoter will be located to the west of the Substation;</p> <p>(c) the likely interface between the Authorised Development and other future intended extension or development of the Substation which is necessary in order to allow NGET to discharge its various duties as a statutory undertaker, including to make available sufficient connection space for new customers to ensure adequate electrical supply. However, and based on a review of the submissions made to date by the Promoter, NGET is concerned that the Authorised Development may prevent such necessary developments or extensions as are necessary to accommodate those new connections; and</p> <p>(d) the effect of the rights and powers sought by the Promoter over the access road to the Substation. This is the only means of accessing the Substation, and as owner of the transmission system NGET must have unrestricted access to the Substation to ensure it is capable of discharging its duties with regard to maintenance.</p>	<p>The Applicant notes that, whilst there have been useful ongoing meetings and discussions with NGET, the position in relation to the substation connections is not yet certain. The indication is that the Applicant's connection will be to the west but that has not yet been formally confirmed.</p> <p>(a) As noted at Deadline 2 in <b>The Applicant's Comments on Written Representations</b> [REP2-017] the Applicant remains mindful of other developments proposed in the vicinity of Norwich Main. The Applicant highlights that the PPs include the following:</p> <ul style="list-style-type: none"> <li>- restrictions on exercising compulsory acquisition powers to acquire land or apparatus or override any easement or other interest of NGET otherwise than by agreement (such agreement not to be unreasonably withheld) (paragraph 6 of Part 7, Schedule 14 of the <b>draft DCO (Revision I)</b> [document reference 3.1]; and</li> <li>- Approvals of plans for 'specified works' which are works within 15 metres of NGET apparatus, which could adversely affect NGET apparatus or activities near overhead lines in accordance with certain guidance notes.</li> </ul> <p>(b) Those limits on compulsory acquisition powers and the process of approvals restricts the way in which the undertaker can act and provides NGET with sufficient control over how the substation connection works will come forward and allows NGET and the undertaker to agree the most appropriate way forward, which would include taking into account other planned customer connections. The Applicant does not see how it can be reasonable to require it to plan around unknown future connections.</p> <p>The extent of the land shown as being subject to acquisition of new rights and temporary possession around Norwich Main is necessary. Whilst the Applicant understand that the current intention is for the proposed connection bay(s) for SEP and DEP to be located to the west, the Applicant does not yet have certainty as to SEP and DEPs final connection point. It is important that flexibility remains within and around Norwich Main precisely to</p>

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		<p>allow the undertaker to micro-site and finalise designs with NGET taking into account future proposed developments and other known customer connections at the time detailed design is undertaken. The certainty which would enable the Applicant to reduce the areas of land shown on the works and land plans for the substation connection works does not currently exist.</p> <p>As previously noted at Deadline 2 in <b>The Applicant's Comments on Written Representations</b> [REP2-017], the Applicant has sought and is seeking to manage these interactions with NGET and other developers through providing sufficient flexibility within the draft DCO and through negotiation of appropriate protective provisions and agreements where appropriate.</p> <p>As set out at (a) above, the Applicant highlights that the PPs include restrictions on exercising compulsory acquisition powers to acquire land or apparatus or override any easement or other interest of NGET otherwise than by agreement (such agreement not to be unreasonably withheld) (paragraph 6 of Part 7, Schedule 14 of the <b>draft DCO (Revision I)</b> [document reference 3.1].</p> <p>(c) The Applicant reiterates the points made at (a) and (b) above. The works plans include sufficient land around Norwich Main for the purposes of being able to provide flexibility and microsite the substation connection works as appropriate at the detailed design stage. This is precisely to mitigate against any potential conflict that may otherwise arise with regards to any future extension or development of Norwich Main. The Applicant recognises NGET's statutory obligations which is why appropriate protective provisions are included at Part 7, Schedule 14 of the <b>draft DCO (Revision I)</b> [document reference 3.1]. These are based on NGET's standard terms and the Applicant considers that agreement on the final wording of the protective provisions will be reached by the end of the examination.</p> <p>(d) The Applicant again highlights that paragraph 6 of the protective provisions include restrictions on compulsory acquisition. The</p>

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		<p>Applicant is therefore attempting to recommence discussion with NGET in relation to the access road in order to progress an option agreement. As set out within 5.4 of the <b>Statement of Reasons Appendix 1: Summary of Land Referencing and Engagement with Landowners</b> [APP-028], the Applicant made attempts to progress this in 2021 but was advised that NGET would respond with proposed terms in due course.</p>
4	<p>NGET remains particularly concerned that both the Book of Reference (Revision E) and the Land Plans (Revision C) continue to show both the temporary occupation and use and the permanent acquisition of rights in Plots 39-032, 39-034, 39-035 and 39-037, each of which is immediately adjacent or proximate to the Substation and are highly likely to be required by NGET in relation to the planned extension of the same. An extract from Sheet 39 of the Land Plans is included below:</p> 	<p>The Applicant reiterates the points already made at ID3 above. The land included is necessary to provide sufficient flexibility to microsite the connection works at detailed design stage whilst there remains uncertainty with regards to the precise location of the SEP and DEP connection. In addition, the protective provisions place restrictions on SEL and DEL's ability to exercise compulsory acquisition powers or to undertake works in the vicinity of NGET assets without approval of plans from NGET. The Applicant considers that with appropriate protective provisions in place, there will be no material impact upon the delivery of NGET's substation extension.</p>
5	<p>Whilst NGET recognises that the Applicant needs to ensure that sufficient rights are acquired to enable its planned connection to the Substation (referred to elsewhere as the 'National Grid substation connection works'), the extent of temporary possession powers and rights being sought is entirely disproportionate to the nature of the works required to be</p>	<p>As per ID 4 above.</p>



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	<p>undertaken. Indeed, NGET considers that the exercise of those powers and acquisition of those rights could materially impact upon the delivery of its planned Substation extension and, in turn, hinder the effective discharge by NGET of its statutory duties at a critical location in the electricity transmission network.</p>	
6	<p>It is therefore crucial that NGET is able to agree terms with the Applicant which effectively and proportionately regulate and manage the interface between the DCO Scheme and future works proposed by NGET in relation to the Substation. Appropriate terms must be in place before any powers are exercised pursuant to the Development Consent Order (if made).</p>	<p>The Applicant highlights that the DCO, if made, will be granted with substantive protections in place for NGET which would provide protection for both NGET assets and land interests. By their very nature, the protective provisions require the Applicant to continue working with NGET to reach appropriate agreements and ensure the interface between SEP and DEP and future planned works at Norwich Main can be effectively and proportionately regulated and managed. The relevant restrictions and approval processes are set out above and will provide sufficient protections to NGET. The Applicant considers that with appropriate protective provisions in place, there will be no serious detriment suffered by NGET. The Applicant is continuing to work hard to agree those provisions with NGET before the end of the examination.</p>
7	<p>As matters stand, terms have not been agreed, although NGET remains hopeful that terms will be agreed with the Applicant in good order before the end of the Examination. NGET must, therefore, still prudently maintain its objection to the DCO Scheme.</p>	<p>Noted.</p>
8	<p>We recognise that the Examination is already at an advanced stage, but must note that NGET may need to make further representations should matters not progress satisfactorily and ask that the Examining Authority have regard to these.</p>	<p>Noted.</p>
9	<p>We hope this update assists the Examining Authority. If you have any queries for us please do not hesitate to respond to this letter.</p>	<p>No response required.</p>