

TRITON KNOLL ELECTRICAL SYSTEM
APPLICATION FOR DEVELOPMENT CONSENT ORDER AND DEEMED MARINE LICENCE

WRITTEN REPRESENTATIONS
EDF ENERGY RENEWABLES

1. INTRODUCTION

- 1.1 EDF Energy Renewables Holdings Limited (EDF ERH) is a 50/50 JV between EDF EN UK Limited and EDF Energy (Energy Branch) plc. EDF Energy Renewables Limited, Bicker Fen Windfarm Limited and Fenland Windfarms Limited all sit as subsidiaries (as defined in the Companies Act 2006) of EDF ERH and within the EDF Energy Renewables Group.
- 1.2 EDF owns and operates Bicker Fen Wind Farm (“BFWF”).
- 1.3 EDF submitted a Relevant Representation in relation to the application for the Triton Knoll Electrical System (“the Proposed Development”) on 10 July 2015. BFWF became operational in 2008 and consists of 13 2MW turbines, access track and related electrical infrastructure.
- 1.4 EDF and the Applicant held an initial meeting on the 23rd August 2013 to outline the Proposed Development and the site selection process. EDF’s initial concerns were raised at this meeting and a further meeting was held on the 18th August 2015 to discuss these and the possibility of entering into a statement of common ground.

2. IMPACTS OF PROPOSED DEVELOPMENT

- 2.1 In its Relevant Representation, EDF raised concerns regarding the Proposed Development which is in close proximity to Bicker Fen Wind Farm (“BFWF”). The location of BFWF is shown on the plan at Appendix [1]. EDF also has a leasehold interest of land forming an access track to BFWF.
- 2.2 Noise and vibration
 - 2.2.1 EDF has concerns regarding noise and vibration from the operation of the Proposed Development and how this will be addressed in the event of a third party complaint during the construction and operational phases of the Proposed Development.
 - 2.2.2 The proposed DCO requirement (Requirement 17 – Control of Noise During operation) specifies maximum noise levels for the operation of the Proposed Development and a requirement for an independent noise assessment to be carried out in the event of a complaint to the relevant planning authority regarding the operational noise of the Proposed Development.
 - 2.2.3 Requirement 17 should be expanded to include a requirement for the co-operation of the [Triton Knoll] substation operator and Bicker Fen Windfarm Limited in the event of a noise complaint that might reasonably be expected to have arisen from either operation. Such a requirement will specify the steps to be taken by each party to ensure resolution of any complaint, including liability for any costs incurred.
- 2.3 Impact of construction on operation of BFWF

- 2.3.1 EDF has concerns regarding the impact that the construction of the Proposed Development will have upon BFWF.
 - 2.3.2 Without exact details of the construction works required at this stage, EDF are concerned about any potential piling that may be used when constructing the Triton Knoll electrical substation and any impact this could have on the structural integrity of the wind turbines.
 - 2.3.3 EDF understands the Applicant will create a separate access for construction traffic but requires a commitment from the Applicant that construction traffic would not impact EDF's access requirements along Bicker Drove and its rights under the lease of the access track to BFWF.
- 2.4 Energy yield of BFWF
- 2.4.1 EDF has concerns that the design of the proposed substation and associated landscaping will impact upon the energy yield of BFWF.
 - 2.4.2 Due to the location and height of the proposed development there will be an impact on the wind flow regime at BFWF which could result in lowering the energy yield from the wind turbines. In addition there could also be increased shear and turbulence which could cause a negative impact on the operational wind farm.
 - 2.4.3 In previous discussions, the Applicant has accepted that the Proposed Development may have a negative impact upon energy yield. . The Applicant has also stated that it will compensate EDF for any operational losses resulting from the Proposed Development.
 - 2.4.4 If the Proposed Development has a negative impact upon energy yields, EDF seeks a commitment from the Applicant that:
 - (i) The Applicant will re-design the Proposed Development to minimise any impact upon energy yields; or
 - (ii) The Applicant will compensate BFWF for operational losses across the remaining life of the BFWF.
- 2.5 Access to BFWF
- 2.5.1 EDF has concerns that the rights being acquired for the purposes of the Proposed Development will impact upon EDF's ability to access and operate BFWF.
 - 2.5.2 The Development Consent Order includes powers to acquire rights over plots 47/16, 47/20 and 48/02 identified in the Book of Reference. Bicker Fen Windfarm Limited and Fenland Windfarms Limited have leasehold rights over those plots for:
 - (i) the construction, installation, repair, replacement, renewal, and operation on the Premises of Wind Turbines and such ancillary equipment as is reasonably necessary for the purpose of the generation distribution and supply of electricity and uses ancillary or preparatory thereto including (without limitation) the Switchgear House
 - (ii) determining the feasibility of conversion of wind energy to generate electricity including without prejudice to the generality of

the foregoing studies of wind speed and direction and other meteorological data and carrying out soil tests

- (iii) for any other activities reasonably related or incidental to operation of a wind farm

Rights are also granted to exercise access over and along the easement strip with our without vehicles, plant and equipment at all times as is reasonably required to gain access to and egress from the development to and from a public highway.

2.5.3 The Applicant is seeking the acquire rights over plots 47/16, 47/20 and 48/02 for the purposes of “the construction, installation, operation, maintenance and decommissioning of the authorised project to:

- (i) Pass and re-pass with or without vehicles, plant, machinery, apparatus, equipment and materials for the purposes of the unlicensed connection works and the drainage works, the inspection, testing, maintenance, renewal, upgrading, replacement and removal of the cables and connection into any adjacent cables and associated works, plant and equipment on adjoining land and to make such investigations in or on land which is ancillary for the purposes of exercise of the rights;
- (ii) Lay down, use, repair, alter and remove steel plates for the purpose of access to adjoining land;
- (iii) Erect temporary bridges and supporting or protective structures for the purposes of access to adjacent land;
- (iv) Fell, lop, cut, coppice uproot trees or hedges or shrubs which now or hereafter may be present on the land for the purpose of enabling the right to pass or re-pass to adjoining land; and
- (v) Erect and remove temporary fencing.”

2.5.4 EDF seek a commitment from the Applicant that the acquisition of rights over plots 47/16, 47/20 and 48/02 access requirements will not obstruct, damage or disturb EDF’s permitted use of the land in accordance with the terms of its lease

3. PROTECTIVE MEASURES

3.1 In order to address the concerns raised at paragraph 2 above, EDF is seeking the following measures:

3.1.1 An amendment to Requirement 17 specifying the steps to be taken by the Applicant, the local planning authority and EDF in the event of a complaint being made about noise from the Proposed Development. Alternatively, EDF requires an agreement with the Applicant regarding setting down such requirements. That the Applicant be responsible for the costs incurred by EDF in commissioning an energy yield impact report considering the impacts upon BFWF once the final design of the proposed substation and associated landscaping is prepared. Where a negative impact is identified, the Applicant will redesign the Proposed Development in order to minimise such impact.

- 3.1.2 Where a negative impact is identified, the Applicant will enter into an agreement with EDF to include the following provisions:
- (i) To redesign the Proposed Development to minimise any negative energy yield as far as reasonably practicable; and
 - (ii) to compensate BFWF [EDF? This document needs to be clear who commitment should be made to and parties to any agreements] for operational losses across the remaining life of BFWF.
- 3.1.3 An agreement with the Applicant to address the impacts of the construction of the Proposed Development on BFWF, including dust and access including a commitment that construction traffic would not impact operational access requirements along Bicker Drove.
- 3.1.4 An agreement with the Applicant to address the impacts of the operation of the Proposed Development on BFWF, including access. The Applicant to provide a commitment that their access requirements for operation of the Proposed Development will not obstruct damage or disturb EDF's permitted use of the land.

4. CONCLUSION

- 4.1 EDF does not object to the principle of the Proposed Development. However, EDF's operation of BFWF will be affected by the Proposed Development.
- 4.2 In order to minimise the impact of the Proposed Development, EDF requires the following measures:
- 4.2.1 A requirement or agreement between the parties specifying the measures to be taken to address noise complaints;
 - 4.2.2 To take all reasonable steps not to negatively impact upon energy yield and, where such impact occurs, to compensate EDF for loss of yield'; and
 - 4.2.3 A commitment from the Applicant not to impact upon the operation of BFWF during the construction and operation of the Proposed Development.

Appendix 1

