



Triton Knoll Offshore Wind Farm Limited Triton Knoll Electrical System



**Appendix 8: Written
Representation Response to
National Farmers Union**

Date: October 2015

**Appendix 8 of the Applicant's
Response to Deadline 2**

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1. National Farmers Union (NFU)

- 1.1 The Written Representation submitted by the National Farmers' Union (NFU) raised a number of general issues in connection with the proposed development, namely

“Routeing of the cable duct.

Land drainage and the depth of the cable duct.

Siting of jointing bay link boxes.

Other projects using the same route, e.g. the Viking Link.

A lack of consultation.”

- 1.2 The Applicant recognises the NFU as an advisory body and has held several meetings with the NFU during the evolution of the proposals for the Triton Knoll Electrical System. The Applicant's response to the Written Representation is set out below.

Site selection and Cable routeing

- 1.3 The Written Representation queries the interface connection point of Bicker Fen, and suggests Killingholme as an alternative. The Written Representation questions the selection of Anderby Creek North as a landfall and suggests the south of Anderby Creek as an alternative.
- 1.4 The Applicant has described the site selection process in Volume 1, Chapter 4 *Site Selection and Alternatives* of the ES (document reference 6.2.1.4). Further detail is provided in the *Site Selection and Design Report* (document reference 8.17). The Applicant's response to Question **Alt 1.21** of the ExA's First Written Questions also addresses the landfall location at Anderby Creek North. The Applicant is confident that the concerns raised in the Written Representation with regards to site selection and cable routing are addressed by the Application documents referred to.
- 1.5 The Applicant can confirm that it has considered the cost of installing cables in agricultural land, including the costs of embedded mitigation offered as part of the application, the cost of adhering to the management plans, compliance with which would be secured through the Development Consent Order and the potential cost of compensating landowners for any loss throughout the lifetime of the project, as part of its overall consideration of project economics.

Land drainage and cable depth

- 1.6 The Applicant recognises that the issue of land drainage is of great importance to landowners and is a topic which has been brought to the Applicant's attention through the various rounds of non-statutory and statutory consultation with landowners and other stakeholders as well as through discussions with landowners and their representatives and landowner organisations such as the National Farmers' Union. (Please refer to the section 'Consultation with Occupiers' below). Recognising the importance of this issue, the Applicant consulted with Land Drainage Services, a local specialist drainage contractor as part of the 2014 Cable Route Consultation.
- 1.7 The Applicant's responses to Questions **SE 1.11** and **SE 1.12** of the ExA's First Written Questions address concerns with regards to land drainage. In summary:
- The Applicant considers that the application documents (including Appendix Five to the Outline Code of Construction Practice, *Outline Soil Management Plan* (document reference 8.7.5); Appendix One to the Outline Code of Construction Practice, *Outline Construction Method Statement* (document reference 8.7.1); and Volume 3, Chapter 1, *Onshore Project Description* of the ES (document reference 6.2.3.1)) illustrate how potential impacts on land drainage have been addressed in the design of the onshore cable route;
 - The Applicant's proposal to landowners for private treaty agreements includes offers to:
 - reinstate drainage systems to the landowner's reasonable satisfaction ensuring that the drainage system is put back in a condition that is at least as effective as the previous condition;
 - adhere to best practice for field drainage installations when restoring drainage;
 - take into account site specific conditions;
 - consult with the landowner, prior to the installation of the cables, on the design of any land drainage works required, both pre- and post- installation; and
 - employ a suitably qualified drainage consultant to act as an independent drainage expert prior to the installation of the cables.
- 1.8 In addition, the Applicant has submitted a clarification paper in relation to land drainage at Appendix 26 of the Response.
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- 1.9 The Applicant has sought to ensure that the most suitable approach to land drainage for each specific location can be put in place once the detailed design of the onshore electrical infrastructure has been settled during the pre-construction phase, rather than attempting to design drainage schemes for each land parcel before detailed design is settled. The latter approach would have resulted in schemes being designed that would need to be revisited, and in all likelihood substantially reworked, once the detailed cable design had been undertaken.
- 1.10 For the reasons given in the land drainage clarification paper referred to above, it is neither reasonable nor practical for the Applicant to be required to produce detailed drainage designs on every parcel of land prior to entering into private treaty agreements.
- 1.11 The Applicant has included in the HoTs a request that landowners provide drainage plans, where available, to the Applicant prior to installation of the cables, to benefit the design of site specific drainage reinstatement tailored to the individual requirements of each field.
- 1.12 The Applicant notes that the Written Representation acknowledges that *“The ducts will be buried so most farming operations can take place on top of them...”* Furthermore, the Applicant notes that the NFU’s response to Question SE 1.16 of the ExA’s First Written Questions states that *“Very few field cultivations go as deep as 60 cm...”*.

Link Boxes

- 1.13 The Written Representation raises a concern regarding the location of link boxes within fields. In common with the wishes of landowners, it is the Applicant’s firm preference to seek to locate link boxes at field boundaries, as requested by the NFU.
- 1.14 Paragraph 1.143 in Volume 3, Chapter 1, *Onshore Project Description* of the ES (Document Reference 6.2.3.1) explains that:
- “The jointing pits will require separate, smaller cable-testing pits (known as link boxes) to allow for fault testing. These will consist of a manhole set in a concrete plinth at ground level....One link box will be required for each circuit every c.600 to 1000 m and will be located within the 60 m cable corridor, but no more than 15 m from its corresponding jointing pit. There will be a preference to locate link boxes in close proximity to field boundaries where practical.”*
- 1.15 The Applicant’s latest draft Heads of Terms therefore contains a commitment to locate cable joints at field boundaries where reasonably practicable.

Cumulative impacts of other projects, including Viking Link

- 1.16 The Written Representation refers to the potential cumulative environmental impacts of the proposed development with other projects, such as the proposed Viking Link project.
- 1.17 The Applicant's response to Question **EOn 1.1** of the ExA's First Written Questions refers the reader to Volume 1 Annex 3.1 *Approach to Cumulative and Inter-relationships Impact Assessment for the Triton Knoll Electrical System* (document reference 6.2.1.3.1) of the ES, which provides details of the approach the Applicant has taken to cumulative impacts assessment, and the assessment of cumulative impacts relevant to any given environmental topic is presented in that topic specific chapter of the ES.
- 1.18 With regard to the Viking Link project specifically, paragraph 1.61 of Annex 3.1 of the ES explains that the Viking Link project has been classified as a 'Tier 3' project (i.e. a proposal which is likely to become the subject of a planning application in future, in respect of which a notice has been submitted to the local planning authority advising the authority of the same).
- 1.19 As noted at paragraph 1.59 of Annex 3.1 of the ES, the lack of information for projects categorised as Tier 3, with attendant low data confidence, prevents a meaningful assessment of such projects from being undertaken. Where environmental impact assessment scoping reports were provided to the Applicant, which included sufficient detail, the projects were elevated to Tier 2 status to ensure that comprehensive cumulative impact assessment, commensurate with the level of information available, was undertaken.
- 1.20 No scoping report was submitted for the Viking Link prior to the submission of the application for the Triton Knoll Electrical System (TKES) project so it was not possible for the Applicant to undertake a detailed cumulative assessment pre-application. Further, no further information has been made available to date which could be used to inform an updated assessment. This is a point of agreement between the Applicant and National Grid Viking Link Limited (the promoters of the proposed Viking Link project) as set out in paragraphs 3.7 and 3.8 of Appendix 22 of the Applicant's response to Deadline 1.
- 1.21 Applicant notes that National Grid Viking Link Limited were directed to respond to Question **EOn 1.2** on the subject of cumulative impacts and route selection and that National Grid Viking Link Limited have provided a response.

1.22 In response to question **DCO 1.34** of the ExA's First Written Questions, the Applicant has provided clarification of the consideration that has been given to the cumulative impacts of the TKES and the Viking Link Interconnector Project.

1.23 With regards to the loss of agricultural land raised in the Written Representation, Paragraph 5.57 in Volume 3, Chapter 5 *Land Use, Soils and Agriculture* of the ES states:

"...Following completion of the works, the working width will be fully reinstated as near as practically possible to its former condition. Full reinstatement will allow normal farming practices to continue (i.e. crop growth, ploughing, machine loads)."

1.24 Additionally, the Statement of Reasons (Document Reference 4.1) explains at paragraph 4.69 that:

"Once the cable installation work is completed, the cable route haul roads will be removed and the ground reinstated using the separately-stored subsoil and topsoil. The temporary construction compounds will be removed and the land reinstated to its former condition."

1.25 With the proposed development installed and the land reinstated, other subsequent infrastructure projects would undoubtedly have their own criteria for route selection and assessment.

Consultation with Occupiers

1.26 Contrary to the suggestion made in the Written Representation that there has been a lack consultation with occupiers, the Applicant has included agricultural occupiers in consultations on the proposed development. The Consultation Report (document reference 5.1) details the extensive non-statutory and statutory consultations undertaken with all persons with an interest in land. The Applicant has sought to acquire land, and rights in land, from those persons able to grant such rights, being the freeholders. HoTs have therefore been provided to freeholders, rather than occupiers. However, the Applicant has not sought to exclude occupiers from the consenting and land acquisition process, but rather, has provided every opportunity for occupiers to be involved and consulted. The Applicant last wrote to those occupiers who do not also have a freehold interest in land affected by the proposed development in September 2015, to keep them up to date with the proposals and to inform about the ongoing discussions with their landlords.

1.27 The Consultation Report (document reference 5.1) details the extensive non-statutory and statutory consultations undertaken with landowners and other stakeholders, and

the changes made to the proposed development as a result of those consultations. With regards to landowners particularly, attention is drawn to:

- Section 2, Non Statutory Consultation commencing prior to s42/s47 consultation, which includes
 - A subsection entitled '*The Alternatives Consultation*' - a consultation on shortlisted sites for the above ground infrastructure and associated cable corridors, which included 7 public exhibitions attended by 888 visitors;
 - A subsection entitled '*2014 public, landowner and Parish Council consultations*'. This subsection includes an explanation of the '*Onshore cable route consultation*', which was an iterative process of onshore cable route alignment; and the '*Landowner Consultations*' which was a process of information sharing with landowners, including 2 landowner-specific exhibitions.
- Section 5, Community Consultation under section 47, which includes 6 public exhibitions attended by 293 people;
- Section 7, Land Interest Consultation (including consultation under s42), which explains the consultation carried out under the provisions of the Planning Act 2008, including 6 rounds of land interest consultation.

1.28 Since the Heads of Terms (HoTs) for a private treaty agreement were issued to affected landowners and/ or land agents (where appointed) in December 2014, the Applicant has offered meetings to all those with whom it is seeking an agreement. A large number of affected landowners and representatives have taken up that offer. The Applicant's response to Question **CA 1.3** provides further explanation of the engagement with landowners.