



Meeting note

File reference	EN020019
Status	Final
Author	Steffan Jones
Date	8 December 2014
Meeting with	Triton Knoll Offshore Wind Farm Limited (TKOWFL)
Venue	Room 3/03, Temple Quay House, Bristol
Attendees	Kathryn Dunne - The Planning Inspectorate Hannah Pratt - The Planning Inspectorate Tracey Smith - The Planning Inspectorate Steffan Jones - The Planning Inspectorate Oliver Lowe - Consents Service Unit, The Planning Inspectorate Melanie Bischer - Consents Service Unit, The Planning Inspectorate Sarah Green - The Planning Inspectorate Legal Team Kim Gauld-Clark - TKOWFL Gill Moore - TKOWFL Colin McAllister - TKOWFL Liz Dunn - Legal Adviser, Burges Salmon
Meeting objectives	Update meeting regarding the Triton Knoll Electrical System proposal
Circulation	All

Triton Knoll Offshore Wind Farm Limited (TKOWFL) was made aware of the Planning Inspectorate's openness policy (that any advice given will be recorded and placed on the Planning Inspectorate's website under s51 of the Planning Act 2008 (PA 2008) as amended). Any advice given does not constitute legal advice upon which applicants (or others) can rely.

Where this note refers to 'the developer' it means TKOWFL.

Update on statutory consultation

The developer informed the Planning Inspectorate it has recently been made aware of a new proposal which also intends to connect to the existing National Grid substation at Bicker Fen known as the Viking Interconnector by National Grid Interconnector Holdings Limited (a wholly owned subsidiary of National Grid

plc). The developer explained that there is very little public information of the proposal at this moment in time. However, Lincolnshire County Council has requested that the proposal be included within a cumulative impact assessment due to the connection at the Bicker Fen substation. The developer stated that due to the little amount of public information, it does not believe it will be possible to assess the cumulative impact of the Viking Interconnector project. However, it explained that they will keep the project under review and include it in a cumulative assessment should further information come to light.

The Section 42 Consultation has led to some minor changes to the proposed scheme. The developer intends to hold a further consultation prior to the submission of its application to consult with those additional landowners affected by the proposals.

The developer is extending the deadline for when the online questionnaire to respond to consultation is available on their website as it was identified that an editable version of the online questionnaire was unavailable for a period of time. The developer has decided it best to allow longer for those wishing to complete the online questionnaire to do so.

The Planning Inspectorate was told that there has been low interest from Parish Councils in the form of written responses to consultation and to the various Parish Council briefing sessions that were arranged by the developer that were held at the same time as the public exhibitions.

The Planning Inspectorate reminded the developer to reflect upon its rounds of non-statutory consultation within the Consultation Report submitted alongside its application for development consent.

Issues raised during the consultation period have mostly been regarding the site and location of the landfall; the selection of the existing National Grid substation at Bicker Fen for connecting into the National Grid and noise. The potential for an increase in traffic as a result of the construction activities for the "enabling work" which needs to be undertaken by National Grid at the existing National Grid Substation has been identified as main concern by Boston Borough Council.

The developer advised the Planning Inspectorate that both the Interface Selection Assessment Report (ISAR), which explained the reasons for the selection of the interface point into the National Grid at Bicker Fen, and the Site Selection and Design Report (SS&DR) which explains all of the site selection and design decisions that have been taken on the project, were publically available on the developer's website during the consultation period and are still available. Further, the SS&DR is being updated to reflect the further amendments to the design of the scheme made in response to S42 responses.

The developer informed the Planning Inspectorate that a No Significant Effects report would be submitted with its application and that a draft of the report will be provided to Natural England in January 2015. The developer was advised to

append any response from Natural England to the final submitted version of the report.

The developer also reminded the Planning Inspectorate that all of the key consultees for the project are involved in the Triton Knoll EIA Evidence Plan and are members of topic-specific Review Panels. Representatives from the Planning Inspectorate are chairing the Steering Meetings. It was explained that as much of the detail as possible that is being agreed with the consultees is being secured in the Evidence Plan logs and the final Evidence Plan will be submitted with the application for development consent.

Informal consultation on Draft Development Consent Order (DCO) and Deemed Marine Licence (DML)

The developer did not include a draft DCO within the statutory consultation documents. However, a draft was made available to everyone involved in the Evidence Plan process shortly after the end of the statutory consultation stage. A copy was also made available to the Crown Estate.

The developer has also produced a flow chart explaining how the requirements of the DCO would be discharged in relation to the proposed works; this has been produced to aid discussion with the local authorities and other statutory bodies on what is being proposed. The Planning Inspectorate asked for a copy to be provided to it. The developer explained that the proposed route corridor has been divided into 24 works by reference to construction compounds. The DCO has been drafted to allow for separate sections of the route to be independently signed off to avoid any potential hold-ups of works being undertaken as they move forward.

The developer requested that the Planning Inspectorate review the draft DCO in the New Year; the developer should prepare to allow the Planning Inspectorate 4 – 6 weeks in order to review any draft documents.

The developer explained that the consented offshore substation platforms (OSPs) would not be included within the DCO for the electrical system. Nevertheless, the DCO boundary will encompass the whole of the offshore array area as the locations of the OSPs have not yet been determined and the export cables that are included within the Electrical System consent envelope need to connect into the OSPs.

Plans to be included with submission

The developer sought clarification from the Planning Inspectorate on whether hedgerow plans should be included within its suite of plans bearing in mind that all hedgerows have been classed as low quality and no protected hedgerows will be affected. It was confirmed that the developer should include all hedgerows in its application.

The offshore area will be shown on a single plan including grid co-ordinates. Onshore plans will not include coordinates. The developer queried if a centre line should be produced for the route alignment and the Planning Inspectorate stated that this would be helpful.

The developer explained that there are some areas of land within the order limits which are proposed for access only. They do not intend to seek permission to undertake any "development" on this land and will be identifying them all as a single works number in the draft DCO and on the works plans. The developer explained that these strips of land are solely required to gain access to every field within the proposed site to undertake the pre-construction surveys (prior to the construction of the haul road) and also to allow access during the operational phase, by which points the temporary haul roads will have been removed. Further, it was explained that these have been designed to use existing farm tracks; hence no "development" is required to take place on them. The developer explained that the intention is for these strips of land not to be included within any figures of the ES as it was not considered necessary to provide an assessment of their use within the ES as no works (development) will be undertaken on them. The Planning Inspectorate advised the developer that at least one figure in the ES should include a red line boundary that encompasses all land within the application site and that the ES should clearly explain why the developer does not consider it necessary to assess this land. The Planning Inspectorate advised it would provide further advice on this matter to the developer following the meeting.

Clarification was also sought on whether access to works plans should be included on a separate plan or included on the works plans; the Planning Inspectorate advised it would clarify this matter to the developer following the meeting.

The Planning Inspectorate advised the applicant to clearly demonstrate how all management plans referred to within the ES and included in the DCO relate to one another.

Proposed submission date

The developer intends to submit its application for development consent to the Planning Inspectorate in late April 2015.

Applicant name

Although a decision has yet to be made, the developer informed the Planning Inspectorate that RWE may set up another special project vehicle to take the application forward to assist any future transfer to an Offshore Transmission Owner (OFTO). The company structure would be identical to TKOWFL. This would essentially result in a change in the name of the applicant for this project. If the decision was made to do so, it would be prior to the submission for development consent to the Planning Inspectorate.

The Planning Inspectorate confirmed it will look into any potential issues involved with a change of name for the developer.

Approach to other consents required

Three Internal Drainage Boards and the Environment Agency have been provided a copy of the DCO for comment. The developer intends to disapply the Water Resources Act, Land Drainage Act and Byelaws and instead rely upon protective provisions within the DCO. The developer is aiming to include agreed protective provisions in the DCO submitted as part of the application.

The developer declared that it does not intend to submit draft licences for European Protected Species (great crested newts and bats) and water voles as the survey work undertaken to date indicates that EPS licences won't be necessary (no Great Crested Newts identified to-date and no suitable habitat for bats identified within the Order Limits). However, pre-construction surveys will be undertaken in accordance with the methodology agreed with Natural England and where relevant species are identified at that time, EPS licence(s) will be applied for and the appropriate mitigation will be applied.

The developer was reminded that given it had not been able to access all of the land for ecological surveys, it should be confident that it has sufficient ecological survey data prior to submitting its DCO application and may wish to consider including evidence of any agreements it has in place with relevant consultees within its application. Clarification is also needed as to when the developer intends to carry out surveys on Great Crested Newts ponds. (Following the meeting, the developer informed the Planning Inspectorate that it has clarified their timings for surveys on Great Crested Newts ponds with Natural England and have also clarified that a Water Vole licence is unlikely to be required.) The developer explained that the final position agreed with Natural England will be secured within the Terrestrial Ecology Review Panel log which will form part of the Triton Knoll EIA Evidence Plan that will be submitted with the DCO application.

The Consents Service Unit mentioned that the developer may also require an environmental permit for a water discharge activity during construction; unless they meet certain criteria which would mean that they are exempt. The developer will clarify this matter.

ExAs on other Nationally Significant Infrastructure Projects have requested mitigation trackers which have assisted them in identifying where mitigation has been secured within the DCO. The Planning Inspectorate advised the developer may want to consider such a document within its application; should the application be accepted for examination this would benefit an appointed ExA.