East Anglia ONE North and East Anglia TWO Offshore Windfarms

Clarification Note

Land Use

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited
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Applicable to East Anglia ONE North and East Anglia TWO

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Table of Contents

Glossary of Acronyms

ALC	Agricultural Land Classification
BMV	Best and Most Versatile
DMRB	Design Manual for Roads and Bridges
EIA	Environmental Impact Assessment
ES	Envrionmental Statement
NPS	National Policy Statement
SoCG	Statement of Common Ground

Glossary of Terminology

Applicants	East Anglia TWO Limited / East Anglia ONE North Limited
Development area	The area comprising the onshore development area and the offshore development area (described as the 'order limits' within the Development Consent Order).
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive, as defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017 and regulation 18 of the Conservation of Offshore Marine Habitats and Species Regulations 2017. These include candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land, and connect to the onshore cables.
National Grid infrastructure	A National Grid substation, cable sealing end compounds, cable sealing end (with circuit breaker) compound, underground cabling and National Grid overhead line realignment works to facilitate connection to the national electricity grid, all of which will be consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order but will be National Grid owned assets.
National Grid overhead line realignment works	Works required to upgrade the existing electricity pylons and overhead lines (including cable sealing end compounds and cable sealing end (with circuit breaker) compound) to transport electricity from the National Grid substation to the national electricity grid.
National Grid overhead line realignment works area	The proposed area for National Grid overhead line realignment works.
National Grid substation	The substation (including all of the electrical equipment within it) necessary to connect the electricity generated by the proposed East Anglia TWO project / East Anglia ONE North project to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order.
National Grid substation location	The proposed location of the National Grid substation.
Natura 2000 site	A site forming part of the network of sites made up of Special Areas of Conservation and Special Protection Areas designated respectively under the Habitats Directive and Birds Directive.

Onshore cable corridor	The corridor within which the onshore cable route will be located.
Onshore cable route	This is the construction swathe within the onshore cable corridor which would contain onshore cables as well as temporary ground required for construction which includes cable trenches, haul road and spoil storage areas.
Onshore cables	The cables which would bring electricity from landfall to the onshore substation. The onshore cable is comprised of up to six power cables (which may be laid directly within a trench, or laid in cable ducts or protective covers), up to two fibre optic cables and up to two distributed temperature sensing cables.
Onshore development area	The area in which the landfall, onshore cable corridor, onshore substation, landscaping and ecological mitigation areas, temporary construction facilities (such as access roads and construction consolidation sites), and the National Grid Infrastructure will be located.
Onshore infrastructure	The combined name for all of the onshore infrastructure associated with the proposed East Anglia TWO / East Anglia ONE North project from landfall to the connection to the national electricity grid.
Onshore preparation works	Operations consisting of site clearance, demolition work, pre–planting of landscaping works, archaeological investigations, environmental surveys, ecological mitigation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of temporary means of enclosure, creation of site accesses, footpath creation, highway alterations, erection of welfare facilities and the temporary display of site notices or advertisements.
Onshore substation	The East Anglia TWO / East Anglia ONE North substation and all of the electrical equipment within the onshore substation and connecting to the National Grid infrastructure.
Onshore substation location	The proposed location of the onshore substation for the proposed East Anglia TWO project / East Anglia ONE North project.
Project	The East Anglia TWO Offshore Windfarm / East Anglia ONE North Offshore Windfarm
Projects	The East Anglia TWO Offshore Windfarm and the East Anglia ONE North Offshore Windfarm.

1 Introduction

1.1 Background

1. This clarification note has been prepared by East Anglia TWO Limited and East Anglia ONE North Limited (the Applicants) to clarify aspects of the East Anglia TWO and East Anglia ONE North Development Consent Order (DCO) applications (the Applications).

2. This clarification note relates to land use matters and addresses queries raised during the preparation of the Statement of Common Ground (SoCG) with East Suffolk Council and Suffolk County Council (the Councils).

3. This document is applicable to both the East Anglia ONE North and East Anglia TWO DCO Applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.

1.2 Purpose

4. In preparing the SoCG with the Councils, clarification was sought with regard to the assessment presented in ***Chapter 21 Land Use*** (APP-069) of the Environmental Statement (ES) for each Project. In particular, clarification on the following matters has been requested:

   - "*The Councils seek clarification as to why the significance of the impact on permanent and temporary changes to land use is based on its regional level and not site level*"; and
   - "…*the Councils have requested clarification on timings and the process of pre-construction land surveys and subsequent reinstatement. There is currently no detailed schedule or programme in place for undertaking preconstruction land surveys*".

5. The following sections of this clarification note address these matters in turn.

2 Impact Significance Methodology and Rationale

2.1 Guidance and General Approach

6. The Applicants note the Councils' first matter relates to the impact significance rating at the local scale for 'Impact 1 Permanent change to Land use' during operation of the Projects.

7. The impact assessment methodology for land use is described in ***section 21.4.3*** (Impact Assessment Methodology) of ***Chapter 21 Land Use*** (APP-069), with potential loss of each Agricultural Land Classification (ALC) (***Table 21.8***) assigned a corresponding magnitude rating / definition.

8. The impact assessment of the onshore development area (including access) on land use and agriculture, was assessed based on a methodology adapted from the Design Manual for Roads and Bridges (DMRB) (Highways Agency, 2009) and Natural England's ALC guidance (Natural England, 2012).

9. Paragraph 6.1 of the DMRB states "*The level of assessment should relate to the value to the nation of the agricultural land which a scheme is likely to take. Planning Policy Guidance 7 states that the best and most versatile agricultural land is a national resource for the future and that considerable weight should be given to protecting such land from development because of its special importance*".

10. Paragraph 7.2 of the DMRB goes on to state "*The best and most versatile agricultural land falls into grades one and two and sub-grade 3a. This land ranges from excellent (grade one) to good quality (sub-grade 3a) and is the most flexible productive and efficient in response to inputs. It is thus best suited to adapting to the changing needs of agriculture and maintaining the competitiveness of UK agriculture against international competitors*".

11. The agricultural resources of the UK are framed in the DMRB (for impact assessment purposes) as a national resource and the UK's ability to compete with international competitors. Suffolk's agricultural land therefore contributes to achieving national and regional objectives.

12. Additionally, National Policy Statement (NPS) EN-1 paragraph 5.10.15 states that "*The IPC should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may*

themselves contribute to the quality and character of the environment or the local economy". The land at the landfall and along the onshore cable route is ALC Grade 2 - 4 while the land at the onshore substations and National Grid infrastructure is ALC Grade 2 and 3.

13. In the Applicants' assessment of land use, a defining factor of impact magnitude is therefore the proportion of total available farmed resource in Suffolk associated with land take and its value to the national agricultural sector (***section 21.3.1*** of ***Chapter 21 Land Use***).

2.2 Impact 1 - Permanent Change to Land Use

14. 'Impact 1' detailed in ***section 21.6.2.1*** 'of ***Chapter 21 Land Use*** (APP-069) considers the impact of permanent changes to land use during operation of the Projects. ***Section 21.6.2.1.2*** covers the impact attributable to the onshore substation and National Grid infrastructure. This section concludes a 'moderate' adverse impact at a local level and 'minor' adverse impact at a regional level. However it should have concluded a 'major' adverse impact at a local level whilst retaining the 'minor' adverse impact at a regional level.

15. Paragraph 145 of ***Chapter 21 Land Use*** states: *"Based on a low magnitude of effect and high soil sensitivity, and without additional mitigation, the impact is predicted to be of moderate adverse significance at a local level."*

16. The impact magnitude was erroneously assigned as 'low' which, following the definition provided in ***Table 21.8*** of ***Chapter 21 Land Use,*** equates to short term loss of more than 20ha of the best and most versatile (BMV) agricultural land and permanent loss of more than 10ha of ALC Grade 4 agricultural land.

17. A magnitude rating of 'high' is appropriate as the total area of operational land take for the onshore substation and National Grid infrastructure is 33.59ha of ALC Grade 2-3 land. This corresponds with the definition in ***Table 21.8*** of 'high' which includes permanent loss of more than 20ha of the BMV agricultural land (ALC Grades 1 – 3).

18. This newly assigned magnitude results in an impact significance rating of 'major' adverse significance at a local level in EIA terms based on the methodology set out in ***section 21.4.3.3***.

19. This amendment to 'major' adverse at a site level of the substation and National Grid infrastructure has no influence on the overall conclusion reached in the ES which is that the footprint represents 0.01% of the County's farming resource and is assessed as 'minor' adverse significance in the context of Suffolk.

20. This does not materially affect the primary mitigation which will involve the Applicants entering into private agreements with relevant landowners/occupiers

within the study area shown in ***Figure 21.1*** (APP-268) regarding compensation, future land use and reinstatement.

3 Programme for Pre-construction Land Surveys and Reinstatement

21. The Councils' second query regarding pre-construction land surveys relates to "archaeological investigations" and "investigations for the purpose of assessing ground conditions".

22. The ***draft DCO*** (APP-023) provides rights to the Applicants to undertake "onshore preparation works" as *"operations consisting of site clearance, demolition work, pre–planting of landscaping works, archaeological investigations, environmental surveys, ecological mitigation, investigations for the purpose of assessing ground conditions, remedial work in respect of any contamination or other adverse ground conditions, diversion and laying of services, erection of temporary means of enclosure, creation of site accesses, footpath creation, highway alterations, erection of welfare facilities and the temporary display of site notices or advertisements"*.

23. It is not possible to confirm the timings of land surveys undertaken as onshore preparation works under the DCOs, as such timings are dependent on the final construction programme of the Projects and the extent to which surveys have been undertaken prior to the award of the DCOs under voluntary agreements with relevant land owners. The Applicants will advise the Councils prior to the undertaking of any such surveys.

24. Any land surveys undertaken as onshore preparation works will be subject to soil management measures to ensure the suitable handling, storage and reinstatement of soil during the surveys.

4 References

Highways Agency (2009). Design Manual for Roads and Bridges (DMRB) Volume 11, Section 3, Part 6 (Land Use).

Natural England, (2012) Agricultural Land Classification: Protecting the Best and Most Versatile Agricultural land