East Anglia TWO Offshore Windfarm

The Applicant's Final Position Statement

Applicants: East Anglia TWO Limited
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Applicable to East Anglia TWO

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Glossary of Acronyms

AEoI	Adverse Effect on Integrity
AONB	Area of Outstanding Natural Beauty
BEIS	Department for Business, Energy and Industrial Strategy
CIA	Cumulative Impact Assessment
CoCP	Code of Construction Practice
DCO	Development Consent Order
EA	Environment Agency
EIA	Environmental Impact Assessment
ES	Environmental Statement
ESC	East Suffolk Council
FFC	Flamborough and Filey Coast
HE	Historic England
HRA	Habitat Regulations Assessment
ISH	Issue Specific Hearing
MMO	Marine Management Organisation
NE	Natural England
NG-ESO	National Grid Electricity System Operator Limited
NGET	National Grid Electricity Transmission
OLEMS	Outline Landscape and Ecological Management Strategy
OTE	Outer Thames Estuary
PRoW	Public Right of Way
RTD	Red Throated Diver
SCC	Suffolk County Council
SAC	Special Area of Conservation
SASES	Substation Action Save East Suffolk
SCHAONB	Suffolk Coast and Heaths Area of Outstanding Natural Beauty
SEAS	Suffolk Energy Action Solutions
SLVIA	Seascape, Landscape and Visual Impact Assessment
SPA	Special Protection Area
SoCG	Statement of Common Ground
SSSI	Site of Special Scientific Interest

Glossary of Terminology

Applicant	East Anglia TWO Limited Limited
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.
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 North project Development Consent Order but will be National Grid owned assets.
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 to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia TWO North project Development Consent Order.
National Grid substation location	The proposed location of the National Grid substation.
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 substation	The East Anglia TWO 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.

1 Introduction

1. This document has been prepared by East Anglia TWO Limited (the Applicant) in relation to the East Anglia TWO North Offshore Windfarm project (the Project) Development Consent Order (DCO) application (the Application). The purpose of this document is to provide final position statements on key matters arising from the Examination. It does not seek to introduce new material or to raise any new issues. It will signpost and reflect the material that has already been submitted to the Examination.

2. This document concludes that having full regard to the relevant policies and the submissions set out below, the positive benefits of the Project outweigh any potential adverse impacts and consent should be granted.

3. This document is set out in the following sections:

- Section 2 will consider the needs case set out in National Policy Statement EN-1 and will be updated with the policy position as set out in the Government's Energy White Paper "Powering our Net Zero Future" December 2020.
- Section 3 will consider the Project's good design and the approach to connection alternatives and cumulative assessment.
- Section 4 will consider the key effects arising from the construction and operation of the onshore grid connection. This will be considered under the following topic matters:

    i. Landfall;
    ii. Warden's Trust;
    iii. Onshore cable construction works;
    iv. Ecology and in particular the Sandlings Special Protection Area (SPA);
    v. Landscape and visual effects;
    vi. Cultural heritage;
    vii. Noise;
    viii. Surface Water Drainage and Flooding;
    ix. Traffic and Transport;

x. Tourism Impact.

- Section 5 will consider offshore matters under the following topic headings:
  i. Offshore interests;
  ii. Offshore Biodiversity;
  iii. Offshore Ornithology;
  iv. Seascape
- Section 6 will examine the Decision Making Framework:
  i. CPO;
  ii. National Policy Statements;
  iii. The balancing duty;
  iv. Other Section 104 provisions;
  v. Crown Estate consent.
- Section 7 provides a conclusion.

2 National Policy Statement for Energy – EN-1

4. The National Policy Statement for Energy (EN-1) is the key National Policy Statement that contains the policy imperatives relating to further need for additional electricity generation. It should be noted that it covers all energy sources.

5. Part 2 of the document sets out the key transition that is required to 2050 and, in particular, highlights the need for new low carbon generation to come forward. In addition to the climate change benefits delivered by renewable energy, it also adds to security of energy supplies and, as we will see, also delivers an affordable transition to the low carbon economy.

6. Paragraph 1.7.6 highlights the relationship between energy costs and health. This is one of the reasons why there is such an emphasis on ensuring grid options are economic and efficient and why the Government is keen to promote effective competition where possible.

7. Part 3 sets out the need for new generation and recognises the significant change that is going to occur with older generating plant requiring to be replaced. A key passage in the document is the conclusion at paragraph 3.3.34. Even if efficiency measures are introduced there will be still be a significant need for new large scale electricity generation. Paragraph 3.4.3 sets out the likely future contributions and identifies the particular role that offshore wind is likely to play towards 2020 and beyond. The conclusions in relation to the urgency for new capacity are set out at paragraph 3.4.5.

8. Of particular relevance in Part 4 is paragraph 4.1.2 which sets out the presumption in favour of granting consent. This arises from the stated urgency of the need for infrastructure to be delivered. This applies unless a more specific and relevant policy clearly indicates that consent should be refused. This is however an important starting point and sets the framework for the consideration against the NPS policies.

9. Paragraph 4.1.3 sets out the matters that are likely to be relevant in assessing the positive aspects of the development, but also the negative. In the context of the positive aspects, the Project would deliver around 900MW of renewable electricity.This is a meaningful and material contribution to the future targets. Job creation is also identified as a key issue in the paragraph. The UK Government has created a climate which seeks to maximise the economic and employment opportunities arising from offshore wind. In the first instance this has been

supported through the Sector Deal and is further supported by the recent enhancement of the supply chain plans associated with the Contract for Difference (CfD) process. In May 2021, regulations have been laid before Parliament to put the supply chain implementation statements on a more formal footing (The Contracts for Difference (Miscellaneous Amendments) Regulations 2021. It is understood that the draft regulations have been through the various parliamentary procedures and will soon be made).

10. The Project will deliver a significant economic benefit during the manufacturing, construction and operational phases. The Applicant has signed a Framework Agreement with Siemens Gamesa (see ***Letter from Siemens Gamesa Renewable Energy Limited*** (REP4-030))and this was confirmed in January 2021. Siemens Gamesa have already made significant investment in manufacturing in the East of England and have recently announced plans to expand its facility in Hull. In addition, both the construction and operational elements will create long term sustainable employment opportunities. The Examination was able to hear evidence about the positive benefits that East Anglia One Offshore Windfarm had already delivered to the region including establishing a substantial O&M base at Lowestoft. This has provided significant new investment into Lowestoft and this was seen as a catalyst for the further port improvements (the Lowestoft Eastern Energy Facility) and the increase in employment in the port. These matters are made all the more important by the need for the Covid recovery and for the levelling up agenda. This very strongly supports further investment and employment opportunities in coastal communities in the East of England. In addition, ScottishPower Renewables already have a track record of working with local authorities, enterprise bodies and educational establishments within East Anglia. The Skills Memorandum of Understanding, which is currently in operation, commits ScottishPower Renewables, East Suffolk Council and Suffolk County Council to develop a close working relationship to maximise the education, skills and economic benefits of the SPR East Anglia Offshore Wind Projects. This has already assisted in ensuring that local training is matching the opportunities that are being created in the offshore wind sector. The Memorandum ensures that East Anglia is well placed in terms of capturing opportunities arising from the increased deployment associated with offshore wind. The development of the Project would further continue that investment and allow the further development of the sector in this region. The Project is one of a series of projects referred to as the East Anglia Hub which would have a total capacity of around 3.1GW. Each of these projects would stimulate the supply chain and provide a series of local opportunities. The benefits of the Project have been set out in the ***Statement of Reasons*** (REP11-006) and also in the ***HRA Derogation Case*** (REP12-059). The Applicant considers that significant weight should attach to these matters, arising from a

proper interpretation of EN-1 and the evidence that has been submitted to the Examination.

11. The Applicant would note that, in weighing matters against national infrastructure projects, paragraph 4.1.3 of EN-1 places greater weight on long term impacts. The Applicant will in Sections 2 and 3 go on to address those matters.

12. In terms of Section 104(3) of the Planning Act 2008, the Secretary of State must determine the application in accordance with relevant National Policy Statements.

2.1 Energy White Paper "Powering our Net Zero Future"

13. The Applicant has already made substantial submissions on this document during the Examination (***Written Summary of Oral Case ISH4*** (REP5-028) and ***Written Summary of Oral Case ISH9*** (REP6-054)). The Energy White Paper represents a significant shift in UK Energy Policy in light of the new legally binding target under the Climate Change Act to reduce emissions to Net Zero by 2050. The reasons for this shift are explained in the introductory sections which identify the need for both a global and domestic green industrial revolution and the compelling case for tackling climate change. It is clear that the needs case for the Project is intensified and given greater weight by the White Paper. As Figure 1.4 on page 9 of the White Paper illustrates, renewable electricity is no longer just replacing other higher carbon forms of electricity generation in the UK, but is likely to form the critical energy source to achieve our climate change ambitions.

14. The Applicant would also highlight that the importance of ensuring that electricity is delivered at as competitive a price as possible is another key component of the transition to a low carbon economy. This is fully reflected in Chapter 1 of the White Paper which recognises the key importance to the ultimate consumer in terms of the overall policy objectives.

15. In terms of power, the key policy objective is set out on page 38 and as has been previously advised, this is to accelerate the deployment of clean electricity generation through the 2020s. In order to accelerate that deployment, schemes such as the Project require to be consented as quickly as possible and subsequently delivered. The Project forms part of a number of offshore projects which represent the tail end of the Round 3 allocations. The Round 4 allocations have proceeded through their leasing auction and are currently undergoing a Plan-Level Habitats Regulations Assessment. The Round 3 projects are essential to providing the capacity which would deliver the acceleration and achievement of the policy objective. In addition such delivery will support the sustained expansion of the supply chain which will be essential to meeting the 2030 target. The Round 4 projects are unlikely to be operational until the end of this decade. Offshore wind has been selected as a key renewable technology to

drive forward the response to climate change.This is clearly reflected in the policy set out on page 45 of the White Paper. This identifies the significant cost savings that have been achieved through the highly competitive CfD process. This has driven prices for offshore wind projects down from £150/MWh for projects which became operational in 2017 to around £40/MWh in the CfD auction in 2019. This demonstrates that offshore wind can be deployed at scale and can deliver electricity at prices which also meet the other policy objectives. The Government could not be clearer in setting out its objectives on page 45 of the White Paper in the first column. The sentence, "*Our actions are a strong signal to project developers and the wider investor community about the government's commitment to delivering clean electricity*" sets out exactly what is intended by the White Paper policies. The delivery should be near term and this is reflected in the subsequent discussion on page 45 relating to the CfD auction process. The ambition is to double the auction capacity to 12GW compared with the last CfD auction. The requirement to deliver value for money is set out on page 46 and the economic benefits are set out on pages 55-57.

16. In terms of the White Paper, individuals and organisations that are opposed to the Project have cited the future changes in transmission as being reasons why this Project should either be delayed or partially consented. SEAS is an organisation dedicated to avoiding grid connections coming ashore in this part of Suffolk. Its position at the outset of the Examination was that the examination should be delayed until a new offshore grid connection framework has been brought forward. It has continued throughout the Examination to effectively seek to find ways in which to articulate a moratorium until such a framework is put in place.

17. The aspirations for the offshore grid set out in the White Paper will require technology that currently does not exist. In due course it will also require a complete restructuring of the offshore wind sector with regard to the deliverability of grid connections and also in relation to the markets created through the CfD process. The Government, in the Energy White Paper, recognises that to create a new enduring regime in this way will take time to develop.Indeed, the White Paper states at page 80: "***For the 2030s and beyond**, we will redesign the current regime to incentivise more extensive coordination and minimise environmental, social and economic costs*."(emphasis added). Moreover, this was clearly articulated by the then Minister of State for Business, Energy and Clean Growth in his response to SEAS and SASES in a letter of 1 September 2020 (***Appendix 2 of Applicants' Comments on Written Representations Volume 3 Individual Stakeholders*** (REP2-017)):

"Due to the long lead times for offshore wind projects (8-10 years) many projects connecting before 2025 are either already consented or nearing the end of the

consenting process. Introducing regulatory uncertainty and changing plans for well advanced projects would increase costs for consumers and make meeting ambitious 2030 and 2050 targets even more challenging".

18. He went on to state in further correspondence dated 18 September 2020 ***Appendix 4 of Applicants' Comments on Written Representations Volume 3 Individual Stakeholders*** (REP2-017)) as follows:

"However, as you will appreciate, it is not possible for us to mandate projects to alter existing plans given that they have been designed and funded based on the existing regime. Not only would changes to some projects at a later stage of development incur significant additional costs for consumers, it could also have a detrimental impact on investor confidence in the UK offshore wind industry and jeopardise our long-term goal to achieve net zero emissions by 2050".

19. In the first quote he identifies the timescales which are required to deliver an offshore windfarm. He is right to suggest that the timescales take 8-10 years. This was also the view of Ofgem in their letter to the ExA on the 14th January 2021 (REP4-096). They also warn that delay could prevent the achievement of the Government's targets. They are well placed to give advice on such matters and it is considered that weight should attach to the opinions expressed.

20. For example, an alternative grid connection option deploying new technology will take a number of years to develop and establish its commercial viability/reliability. A developer would then need to take the technology and establish what infrastructure was required to support it and design it to a level of information which could allow environmental surveys for the equipment and the location of ancillary development associated with it. This will inevitably, in an offshore to onshore context, take at least 2 years. The consenting would take at least a 4 year period to include the necessary surveys, pre-application consultation, Examination and decision period. Finally, there is the detailed design, participating in the CfD auction process, achieving financial close, construction and delivery which would take an estimated 4 years. This is why the Applicant has indicated that a split decision consenting the offshore development but not the grid connection infrastructure, as promoted by SEAS and SASES, is effectively a refusal. The time required to develop alternative grid transmission would take many years and would result in the Project only delivering at the earliest in the middle of the next decade.

21. In terms of Pathfinder, the only alternative provided was a rather novel HVDC scheme promoted by SASES (see ***Updated Pathfinder Clarification Note*** (REP9-076)). In effect, it was a double HVDC project where each project would connect to the grid using DC technology, but they would be connected together. The technology for this does not exist. It would breach current transmission limits

which are in place to ensure security of supply. The UK currently enjoys a very robust energy grid and no doubt any changes would have to be fully evaluated. Furthermore, the theoretical costs of the proposal would be prohibitive in the sense that it would be greater in cost than two individual HVDC connections which in themselves would not be economic. The SASES submission focused on onshore cable costs and failed to consider the extent and nature of offshore and onshore plant which would be needed (such as convertor stations). It is not a realistic alternative on any basis as set out in the ***Applicants' Comments on SASES' Deadline 9 Submissions*** (REP10-020) and the ***Applicants' Comments on SASES's Deadline 10 Submissions*** (REP11-052).

22. Against that background, whilst the transmission change has been argued against the Project, it simply does not have weight when the White Paper is properly construed. There is no evidence to support that there is a realistic and viable alternative to the HVAC connections which have been proposed.

3 Good Design, Connection Alternatives and Cumulative Impact

3.1 Good Design

23. The Applicant has throughout the development of the Project sought to refine and develop the Project to reduce its effects. This is all part of good design and is reflected in the decisions which have been taken by the Applicant. In addition, the Applicant has chosen a technology which reduces the number of export cables (275kV) and which maximises the efficiency of the infrastructure to be provided. In addition, the HVAC technology proposed presents the most effective and efficient technology relative to the location of the offshore windfarms to the coast. This is again reflected by the CION process and the choice of technology. It should be noted that this choice of technology is again part of the assessment of the Project by Ofgem in terms of the OFTO divestment process (The Electricity (Competitive Tenders for Offshore Transmission Licences) Regulations 2015 (the 'Offshore Transmission Regulations')).

24. In relation to the 400kV connection, the design of the National Grid infrastructure enables one of the overhead line circuits to connect directly into the National Grid substation. This avoids the need for a further cable sealing end compound. In addition, NGET confirmed very limited upgrades would be needed to the existing 400kV circuits to accommodate the Project and East Anglia ONE North (see ***Responses to any further information requested by the ExA for this deadline*** (REP3-111)).

25. At all stages of the development of the Project, an experienced project team (including environmental specialists, landscape architects, acoustic engineers, electrical engineers, archaeologists and ecologists)have sought to minimise environmental effects. This includes, for example, the selection of HDD technology to come ashore and the subsequent routing of the onshore cables to minimise environmental effects. In addition, the substation site was selected after careful consideration of the likely significant effects. The Applicant has also, through this process, identified that a strategic context would be required for delivering the landscaping associated with the substation. This has sought to extend the acquisition of land to be able to provide a strategic framework which delivers a range of mitigation including (i) landscape and visual; (ii) cultural heritage; (iii) provide and extend the public right of way network in and around the north of Friston; (iv) deliver ecological and biodiversity benefits; and (v)

ensure sufficient land to deliver the surface water management and integrate it within the landscape.

26. In addition to these matters, the Applicant has continued to engage with the supply chain to seek to reduce and minimise impacts. This engagement has reduced the footprint of the onshore substation, reduced the maximum height of buildings and external electrical equipment and reduced the maximum received noise levels at the nearest noise sensitive receptors. These are all examples of ongoing aspects of good design which are actively reducing the likely effects of the Project. These will be further enhanced through the design process set out in the ***Substations Design Principles Statement*** (AS-133). This identifies a process which will engage with individuals, local organisations and local public bodies. Mr Jonathan Cole, Managing Director of Iberdrola Renewables' Global Offshore Wind Business, has been designated as the design champion for the Project and the Design Council or equivalent will also be involved. Mr Jonathan Cole is a Board member of the Applicant, East Anglia ONE North Limited and their parent companies. In addition, the design principles have been clearly articulated and these will help guide the procurement of the design process.

27. The Applicant has also had regard to the wider integration of the development and this has been reflected in the Section 111 Agreement which has been entered into with East Suffolk Council. This will facilitate a further range of measures which will assist in integrating the development into the wider landscape. One of the challenges is that the current policy in relation to what can be taken into account in decision making is quite restrictive in terms of planning obligations. It is clear that current national infrastructure guidance is pushing towards a wider and more holistic approach to integration. That clearly goes beyond the current approach and that is what the Applicant has sought to do with their working relationship with the Councils.

28. Whilst good design has been focused on the onshore elements, good design is also applicable offshore. The Applicant has had regard to various offshore matters in designing the offshore elements as well, for example, in order to reduce collision risk to birds, the Applicant increased the minimum air draught of the turbines from 22m above MHWS to 24m above MHWS and prior to submission of the Application, in response to comments received during pre-application consultation, the Applicant significantly reduced the area (north/south extent) of the proposed development to materially alter the horizontal spread of the Project.

3.2 Connection Alternatives

29. ***Chapter 4*** of the ES (***Site Selection and Assessment of Alternatives*** (APP-052)) incorporates considerable information on the alternatives considered by the

Applicant both offshore and onshore. During the course of the Examination alternative grid connection locations have been consistently put forward at Bradwell and Bramford. The Applicant has provided full context and background to the grid connection process (see ***Regulatory Context Note*** (REP2-003), ***Written Summary of Oral Case (ISH2)*** (REP3-085) and ***Applicants' Comments on Substation Action Save East Suffolk's (SASES) Deadline 3 Submissions*** (REP4-024)). A summary of the CION process for the Project was included in ***Chapter 4***. Copies of the redacted CION Note for East Anglia TWO was submitted by SASES (see ***Appendix 1*** to ***Annex B – Redacted CION assessment document for EA2 (version 2.0 – 09/10/19) - Leiston*** (REP3-129)).

30. Bradwell was considered as a potential point of connection but it would require a new double circuit 400kV overhead line to be built to extend the existing 400 kV network from its current location to a new substation. This would require to be built closer to the coast. The development of a 400kV line in excess of 25km would not have been deliverable within the timescales for the Project and the site was discounted by NG-ESO at an early stage of the process.

31. Bramford was also considered in terms of the CION process. Contrary to various assertions, it is not a brownfield location and further land would need to be acquired adjacent to the East Anglia ONE and East Anglia THREE substation area to accommodate the Project. The existing East Anglia ONE and East Anglia THREE cable route from the coast cannot accommodate new cables and so new cable routes would have been necessary. A cable route to Bramford would be four times as long as the cable route proposed for the Project and in addition HDD would be required under numerous sensitive habitats and designated sites. The section of cable route which would require to be situated in the Suffolk Coast and Heaths AONB (SCHAONB) in order to connect the Project to Bramford would also be double the length of the section proposed in the SCHAONB within the Application. Collectively, these matters meant that a connection at Bramford was not the most economic or efficient.

32. These locations were fully evaluated in terms of the CION process. The technology conclusions from the assessments were very clear (see page 10 of 27 of ***Appendix 1*** to ***Annex B – Redacted CION assessment document for EA2 (version 2.0 – 09/10/19) - Leiston*** (REP3-129)). The Applicant would highlight particularly that the difference between HVAC and HVDC is that HVDC should only be considered as a fall back in particular circumstances. The locational conclusions of the CION note are clear and unambiguous.

33. The various substation location options in and around Leiston are set out in ***Chapter 4*** of the ES (***Site Selection and Assessment of Alternatives*** (APP-052)). Late on in the Examination, SASES made reference to a number of other

sites where the Project's substation only might be located (see ***Item 10 Guidance Notes for Site Inspection 1*** (REP5-105)). However, no consideration had been given to, and no submissions made by SASES in respect of, the cable routing to and from the locations. This is particularly important in relation to 400kV cables that would be required from the locations to the National Grid substation. Any National Grid substation must be located close to the existing network's overhead lines in order to connect into them. Otherwise, extensions of the network by way of new overhead lines or cables will be required for considerable distances. In the circumstances, these could not be considered as alternative options. It is also hard to see how they could be considered economic and efficient for an offshore windfarm connecting through HVAC technology.

3.3 Cumulative Assessment

34. The Applicant has fully assessed the Project with other known projects where the data relating to those projects is available. Very careful consideration has been given to the cumulative effects of this Project with East Anglia ONE North. In terms of the construction, the Applicant has committed that should both the East Anglia ONE North project and the East Anglia TWO project be consented and then built sequentially, when the first project goes into construction, the ducting for the second project will be installed along the whole of the onshore cable route in parallel with the installation of the onshore cables for the first project. This will include installing ducting using a trenchless technique at the landfall for both projects at the same time. This is a significant improvement to the delivery of the projects which will minimise the potential construction effects and durations associated with the installation of the onshore cables.

35. Furthermore, in terms of the substation locations, careful consideration has been given to creating an overall landscape that can effectively accommodate both the Project and East Anglia ONE North should they both proceed. If East Anglia ONE North did not proceed then the Project would retain the strategic landscaping which had been proposed and the boundaries of it. In that circumstance there would be further opportunities for enhanced landscaping in the vicinity of the substation. It was of particular note that at Issue Specific Hearing 16 Mr Turney, on behalf of SASES, acknowledged that whether one or two of the onshore substations were located at Friston did not make a significant difference to the effects. That was a very significant concession and acknowledges how the site in question has the capacity to accommodate both the onshore substations without additional material effects occurring.

36. In addition to East Anglia ONE North, the Applicant has also had careful regard to the development of the Sizewell C project and further works at Sizewell B. Account of this was taken in terms of the Environmental Statement where data

was available. It has been further supplemented by information provided to the Examination arising from the application documentation for Sizewell C. The key interface between these projects arises in the context of transportation and these are matters that have been worked through with the relevant highway authority, Suffolk County Council. Appropriate mitigation measures have been identified and can be delivered. Full agreement on the matters has been reached with the highway authority and measures to address cumulative impacts have been agreed with SCC through a ***Section 278 Agreement*** (REP8-080).

37. In terms of the cumulative and in-combination effects, a range of offshore projects have been taken into account. The approach to these matters has been largely agreed with Natural England and the MMO.

38. In addition to the above, other parties have suggested that further cumulative assessment should be undertaken with other projects. At the outset of the Examination this included a range of further offshore windfarm extensions. These projects confirmed during the course of the Examination that they are not considering grid connections at Friston. The only potential projects left standing in that regard are the National Grid Ventures inter-connector projects, Nautilus and Eurolink. These projects are currently at a feasibility stage of development. The Applicant has responded to the ability to undertake a cumulative assessment with these potential projects on numerous occasions. Simply put, the landfall, cable routes and converter station location are unknown at this stage. There are a very large number of variables and there is insufficient information to enable a cumulative assessment to be undertaken. The Applicant has engaged with NGV and no further information on the location of NGV's infrastructure is available at the current time (such information being essential for a CIA). Effectively what other parties were inviting the Applicant to do was to design the NGV projects. That is not appropriate and any assessment could only be made when sufficient information has been put in the public domain to enable that to occur. Notwithstanding that position, and noting that NGV have not yet confirmed the National Grid substation as their connection location, the Applicant has undertaken an appraisal of what would be involved in extending the National Grid substation to accommodate two extensions (see ***Extension of National Grid Substation Appraisal*** (REP8-074)). This was the extent of material that the Applicant could put before the Examination in relation to this matter. It was interesting to note that this was a matter that was raised by SASES halfway through the Examination and the Applicant challenged SASES as to what should be assessed and they, like others, have given no response to that question.

39. The Applicant has undertaken a cumulative assessment based on the publicly available information on projects. This is consistent with the relevant EIA Regulations and also Advice Note 17 produced by the Planning Inspectorate.

Other parties have raised submissions regarding the Pearce case in this matter (*Pearce v Secretary of State for Business, Energy and Industrial Strategy [2021] EWHC 326 (Admin*)). This was fully responded to by the Applicant at Deadline 6 (***Applicants' Response to Hearing Action Points*** (REP6-049)) and Deadline 7 (***Applicants' Comments on Substation Action Save East Suffolk's (SASES) Deadline 6 Submissions*** (REP7-059)). The circumstances of the Pearce case were very different in that the developers of the relevant projects had put cumulative information that was known to them into the public domain and incorporated them into their Environmental Statement. The Examining Authority and the Secretary of State failed to take this environmental information into account in reaching their recommendation and decision respectively. In the context of the Project, the Applicant has fully set out the potential cumulative impacts between East Anglia ONE North, East Anglia TWO, Sizewell C and Sizewell B.

4 Onshore Effects

4.1 Landfall

40. The Applicant, during the project development process, determined that the appropriate form for landfall was to HDD the export cables to a suitable location inland from the coast. Through this decision, the Applicant avoided interface with the coastal elements of the Leiston-Aldeburgh SSSI and the challenges of the construction, operation and maintenance in the public beach and inter-tidal zone. This is a further example of good design. The Applicant has engaged leading HDD consultants to advise on both the feasibility and the delivery of the HDD solution. This was a topic of considerable discussion at the Examination and further technical reports were lodged by the Applicant to support the position (see ***Horizontal Directional Drilling Verification Clarification Note*** (REP6-024) and ***Landfall Hydrogeological Risk Assessment*** (REP6-021)). These further assessments have concluded that the HDD is deliverable and it is unlikely that there would be adverse significant effects arising from the works.

41. Concern has been expressed, particularly by Dr Gimson representing his mother's interest and the Warden's Trust and related residents, in respect of their water source which derives from a well located in proximity to Ness House, to the north of the landfall area. The Applicant's evidence in relation to this matter was that the HDD poses a low risk to water supplies and the Applicant's evidence was fully vindicated by the Environment Agency's Deadline 11 response (***Post Hearing Submissions Including Written Submissions of Oral Case*** (REP11-112)). This confirmed the material which the Applicant had submitted and the likely risks involved, and the adequacy of the control measures stipulated within the ***draft DCO***. This is a matter which does not weigh against the granting of consent and further mitigation, both in terms of the development of the HDD and the private water supply, can be delivered if that is desired by the residents.

4.2 Warden's Trust

42. During the Examination, Dr Gimson, representing the Warden's Trust raised specific concerns at hearings in January. He acknowledged that the Trust had been slow to make representations regarding the Project. This was surprising given that Dr Gimson had been made aware of the Project through acting under the Power of Attorney he holds for his mother, an Affected Person. His primary concern related to the private water supply and that is a matter which has been the subject of the further evidence referred to above and confirmation from the Environment Agency. In addition, he raised concern about the cable routing in proximity to the Warden's Trust. In that regard he stated at the second compulsory acquisition hearing in his capacity as a Trustee of the Wardens Trust

that "*our perspective, if the cable corridor was moved , not a long distance, a short distance, then we think that many of our concerns could be met*". Further to discussions with Natural England and the Councils, the Applicant, through non-material changes to the Order limits, has moved the proposed onshore cable corridor 80m further west and has made revisals further south to further distance the works from the Warden's Trust property. In addition, the Applicant has identified that further specific mitigation measures will be implemented through the Code of Construction Practice. This will include measures relating to transport dust, noise and appropriate visual screening. The ***Outline CoCP*** (REP11-015) also sets out the limited duration of the onshore cable route construction works in the vicinity of the Wardens Trust property. It is the Applicant's position that they have done what they reasonably can to ensure that the Project will not impact upon the operations to the Warden's Trust. The actions that have been taken and the mitigation proposed are appropriate and suitable. Again, this is a matter which does not weigh heavily against the application proposals.

4.3 Onshore Cable Construction Works

43. The onshore cable construction works run for approximately 9km from the proposed landfall to the substation locations to the north of Friston. The cable routes primarily run through intensively farmed arable agricultural land (over 90%). It is relatively straightforward and common to install such cables in such land. There will be temporary disruption of the land use whilst this occurs, but the land will be restored and the arable use resumed. The Applicant has worked extensively with the landowners involved and has also learned lessons from the construction of East Anglia One which will improve the delivery and reinstatement of the Project. One of the primary lessons was to ensure that the drainage works are forward planned as opposed to being reactive. This is a matter which has been incorporated into the draft land Option Agreements and full engagement with the landowners in respect of this matter and the appointment of landowner experts has been provided for.

44. Furthermore, in relation to the onshore cable route, the Applicant has committed either to a simultaneous construction programme with East Anglia ONE North, or alternatively if the Project is constructed first East Anglia ONE North would install its ducts at the same time, or if this Project were to follow it would have its ducts installed at the same time as East Anglia ONE North. This will ultimately minimise the cumulative effect of both projects proceeding and will minimise the impacts and construction duration of both projects. It also offers an opportunity to further minimise impacts through use of shared infrastructure and other related matters.

4.4 Ecology

45. The Applicant has throughout the development of the Project paid careful attention to potential ecological impacts that the onshore works could have. Phase 1 ecological surveys were instructed early in the EIA process and were conducted in a comprehensive fashion by appropriately qualified individuals. The only real substantive challenge on these matters related to the characterisation of certain woodland in the vicinity of the Hundred River. Representatives of SEAS claimed that it should have been classified as a wet woodland. This was subject to extensive discussion at the Examination and ultimately has been acknowledged by the professional ecologists from the Councils who visited the site that the Applicant's original assessment of these matters was accurate. The Applicant has now undertaken three surveys of this area by qualified ecologists and on each occasion conclude that the woodland is not wet woodland and the habitat is not suitable for hairy dragonfly. Natural England have also confirmed that it is unlikely that the area is wet woodland (***Appendix C11 – Comments to Hundred River Ecology Survey Report*** (REP12-091)).

46. In addition, the Project requires to cross the Sandlings SPA and the Leiston – Aldeburgh SSSI. Again, as part of the project design, careful consideration was given as to how the SPA could be crossed whilst ensuring that there was no significant adverse effect on the qualifying species. The Applicant was fortunate in that there was an extensive historic data set in relation to the nesting locations of qualifying features. This was confirmed by the Applicant's own surveys during the EIA process. This confirmed the nesting patterns and supported the Applicant's choice of crossing. The SPA is crossed at a location which is currently used as a horse paddock and where there is also some scrub land which does not contain suitable habitat for the SPA species. Against that background, it is acknowledged and agreed that the crossing of the SPA can be achieved without adverse effect on the integrity of the SPA (REP8-162). This can be achieved either through the open trench or HDD technique. The Applicant prefers the adoption of the former on the grounds that it would be more time efficient and would be carried out outside the breeding season of the qualifying features of the SPA. In addition to the SPA species, the Applicant has also given careful consideration to the potential impact that the works may have on the qualifying features of the SSSI. In that respect, it is proposed that habitat mitigation should be undertaken to support breeding turtle dove and nightingale. Again, suitable land has been identified where such measures can be implemented. These measures are all secured through appropriate requirements contained in the draft DCO.

47. In relation to other species, the environmental assessment has assessed the potential for a significant impact on bats and a range of mitigation is proposed.

The working width of the Project has been narrowed at specified woodland locations and at a number of important hedgerows. Pre-construction surveys would be undertaken for roosts. Construction mitigation including hurdle fencing would be provided, alternative planting would be established and an ecological mitigation area at Work No. 29 would to be designed to support bat habitats.

48. Again, in terms of decision making, the evidence confirms that there is nothing within the findings in respect of onshore biodiversity that would weigh heavily against the development in the context of section 5.3 of EN-1. International sites and SSSIs have been very carefully considered and the Project has been designed to avoid impacts through both location and timing of works. Furthermore, the Applicant has sought to minimise tree loss by adopting narrowed crossings in respect of a number of hedgerows and through wooded areas such as to the west of Aldeburgh Road. The Applicant has also sought to compensate for the loss of trees through alternative planting. Furthermore, in terms of the OLEMS, there will be real opportunities in terms of overall design and implementation of the Landscape Management Plan for biodiversity to be enhanced in relation to the area in and around the proposed substations.

4.5 Landscape and Visual Effects

49. In terms of the onshore landscape and visual effects, there will be some significant effects that arise during the construction, mostly short term and temporary in nature. For example, it is acknowledged that there is likely to be some significant effects on the AONB in visual terms during the construction period. It is however accepted that, once the construction works are completed, the ground in question can be fully restored and there would be no residual effects apart from some very limited parts of the onshore development area. These are restricted to some limited significant effects in and around Aldeburgh Road and at the substations. The impacts in and around Aldeburgh Road will be mitigated through a full landscape treatment which will also create new habitats. In that respect, the Applicant has sought to retain a boundary trees and vegetation to the south of the Order limits (to the north of Fitches Lane) to limit the effects on the residential properties located there.

50. The key residual landscape and visual effects are likely to occur at the substation site. These effects were fully evaluated during the site selection process. During the course of the Examination, SASES have sought to suggest that the site selection process was flawed. Most of their references in that context were to comments made in the Applicant's RAG assessment. As has repeatedly been stated, the RAG assessment was the starting point for more detailed consideration of various alternative sites. A selective analysis of the site selection process is not valid. The initial analysis was reported in ***Appendix 4.3*** to Chapter

4 of the Environmental Statement (***Traffic and Access – Substation Zone 7 Appraisal (formerly Zone W1) Suffolk Coasts and Heaths AONB Impact Appraisal*** (APP-444)) which considered matters relating to the AONB and also ***Appendix 4.5*** (***Summary Note on Landscape and Visual Impact and Mitigation*** (APP-446) which is the summary note on landscape and visual impact and mitigation. The Applicant would invite the Examining Authority to review those documents. It is clear that the residual significant visual and landscape effects that are to be found in respect of the substations are largely predicted at that early stage of the site selection process. In particular, the individual properties affected and the general locations of the likely significant impacts are set out in Appendix 4.5 (see page 3 landscape and visual receptors W1 and the potential mitigation page 4).

51. In terms of the site selection process, landscape and visual effects were considered to be a key issue. Careful consideration was given to a range of onshore sites which would potentially have had adverse impacts on the Suffolk Coast and Heaths AONB. During that process, the Applicant supplemented their landscape and visual team with the appointment of Mr Brian Denney from Pegasus Group. He has a very distinguished career in landscape architecture and has a particular expertise in assessing impacts on designated landscapes. He gave evidence during Issue Specific Hearing 8 on the seascape impacts. The evidence before the Examination clearly indicates that the Applicant carefully considered the relative merits of the sites from a landscape and visual perspective. Furthermore, the actual effects arising from the proposed development are very similar to those which were initially considered in Appendix 4.5.

52. It is acknowledged that there will be significant visual effects from certain locations to the north of Friston. The Applicant, during the course of the Examination, was able to engage with the supply chain which enabled refined and reduced parameters to be submitted to the Examination in January 2021. The reduced scale of the onshore substation footprint, buildings, plant and equipment associated with the onshore substation has the effect of removing visibility from some wider views south of Friston whilst also reducing the intensity of effects from the north and west. The Applicant has committed to seeking to further reduce these impacts in the final design process and this will be delivered through the discharge of requirement 12 and the substations design principles. This is likely to lead to further reductions in impact and those are most likely to be realised in viewpoints to the south and west of the substations. It is clear that because of the existing landscape framework, the substations do not have significant effects that extend eastwards or to the south and that the significant effects primarily arise in viewpoints immediately to the west, north-west and north of the substations. The significant effects extend out to approximately 1km in

those directions. In terms of the landscape effects, the substations are primarily located in a post 1950s agricultural landscape. Against that background, there are very limited features that will be lost as a consequence of the development. The field patterns have largely been altered and the large fields reflect intensive arable farming practices. These changes can be seen from plans provided in Appendix 24.3 (desk based archaeology) and in the Annex 2 figures of the ***OLEMS*** (AS-127).

53. In addition to the landscape effects, there are a number of localised significant visual effects that would occur. This would include a limited number of residential properties. The most affected residential properties are those located to the north and north-west of the substations. This reflects the fact that it is harder to mitigate development in close proximity to the overhead lines which are located close to those properties.

54. The Applicant from the outset has identified that in order to mitigate the landscape and visual effects it would be necessary to take a strategic approach. This would not be achieved by simply planting around the boundary fences of the substations. The Applicant has looked to suitable locations both to expand and complement existing features whilst also, in certain parts, introducing more substantial planting. This comprehensive approach is reflected by the Order limits. This will ensure that the overall design will deliver effective mitigation which can also integrate the operational surface water drainage requirements, deliver biodiversity enhancements and deliver a revised network of public rights of way.

55. The Applicant acknowledges that there are localised significant adverse landscape and visual effects, but their approach has been to seek to minimise these effects by site selection. The site in question does already have a strong landscape framework, both in terms of trees and topography which restricts the extent and nature of both the landscape and visual effects. In addition, the existing landscape also hosts two 400kV overhead lines which already exerts a strong influence on the land to the north of the substations. Some parties have sought to downplay the influence this exerts on the baseline. However Ms Bolger on behalf of SASES acknowledges that it is already dominant (paragraph 12, Appendix 3 of ***Responses to Applicants' Deadline 11 Submissions Concerning ISH16, ISH17, Substations Design and Landscape and Heritage GIS Agenda*** (REP12-122)).

56. The Applicant's approach therefore accords with the policy set out in paragraph 5.9.8 of EN-1 and the approaches to mitigation at 5.9.21 to 5.9.23. Furthermore, paragraph 5.9.15 to 5.9.17 recognise that it is likely that electrical infrastructure will often be visible within many miles of the site of the proposed infrastructure and ultimately the impacts require to be balanced against the benefits. In respect

of the Project, the extent of landscape and visual effects is highly localised. The Applicant has carefully located the infrastructure to maximise the existing woodland framework. Furthermore, the approach adopted to mitigation has been strategic and will provide appropriate mitigation. In these circumstances, the policy balance set out in 5.9.15 is achieved.

57. A number of parties to the Examination have indicated that mitigation is only successful when it moves an effect from being significant to non-significant. That is often something which is not achievable. Reducing the intensity of a significant effect is genuine mitigation and should not be dismissed purely on the basis that it does not lead to the effect no longer being significant. Such an approach would over emphasise the mitigation of marginally significant effects as opposed to reducing the intensity of those effects of a greater magnitude.

4.6 Cultural Heritage

58. The Applicant undertook considerable work in respect of cultural heritage during the site selection process (***Appendix 24.3 Onshore Archaeology and Cultural Heritage Desk Based Assessment and Annexes*** (APP-514) - updated for submission with Environmental Statement) and in the preparation of the Environmental Statement. Further investigations were undertaken post application and further investigative trenching is currently being carried out. There is substantial agreement with Suffolk County Council in respect of these matters and that is reflected in the SoCG concluded with the Councils.

59. In terms of the heritage issues, the matters which are of most relevance to the decision making are the potential impacts of the Project on the settings of a number of heritage assets in proximity to the substations. The Applicant's assessment found that there would be significant adverse effects on the setting of the Church of St Mary Friston (Grade II *) and on Little Moor Farm (Grade II). Suffolk County Council consider that the significant effects also extend to Woodside Farmhouse and High House Farm. The difference in professional opinion in relation to the latter two heritage assets relates to the extent to which the wider rural setting contributes to the significance of those particular assets. It is important to note that the impacts on setting are not just an assessment of visual impact from parts or proximity to the asset in question. There requires also to be an assessment of how the wider landscape contributes to the heritage significance of the particular asset (see Historic England, the Setting of Heritage Assets Planning Note 3 (second edition) pages 6 and 7). In that regard, the existing overhead lines already exert a strong influence in the general landscape in proximity to Little Moor Farm and High House Farm.

60. These are matters of judgement which the Examining Authority will have to come to a view on, but it is acknowledged by the parties who have made submissions

in respect of heritage that the impacts on the heritage assets would not result in "substantial harm to the listed buildings". In addition, the Applicant acknowledges that whilst they have promoted landscape treatments which will restore some of the historic character to some of the field boundaries and other features, this in itself will not be sufficient to mitigate the impacts on the setting of the heritage assets. Against that background the adverse effects in relation to listed buildings will fall to be considered in the balance under paragraph 5.8.15 of EN-1.

61. In addition to the impacts on setting, there is one heritage asset that will be directly impacted upon and that is the track which runs from the north of the Church of St Mary Friston to Little Moor Farm. The track also forms part of a historic parish boundary. The section of the path that runs through the application site will be lost to development. The Applicant has always acknowledged the relevance of this track and its contribution to the wider setting of the church. The church can be seen from parts of this track if travelling south towards Friston. The Applicant has fully assessed this path (see ***Archaeology and Cultural Heritage Clarification Note*** (REP1-021)) and does not accept that it meets the threshold for it to be considered to be demonstrably of equivalent significance to the listed buildings and is properly classified under paragraph 5.8.6 of EN-1.

62. The Applicant will however restore a section of historic path located to the north west of the substation site which links into areas of land in proximity to High House Farm to the west of Little Moor Farm. This in turn will have a spur which will allow access to the field to the north of the church from which the walker would get a full view of the church and its setting.

4.7 Noise

63. The potential noise impacts of both operation and construction have been considered extensively at the Examination. In terms of construction noise, there is a broad consensus that the measures now contained in the draft Outline Code of Construction Practice are suitable and appropriate.

64. In terms of operational noise, there was originally disagreement about the interpretation of BS4142:2014+A1:219. Mr Colin Cobbing gave evidence on behalf of the Applicant at Issue Specific Hearing 12 in relation to noise. He was one of the authors of the British Standard and provided clear and unambiguous evidence in relation to these matters. His professional opinion is that 35dBLAeq would have been an appropriate lower limit irrespective of the background levels that may have been found. His view was that the BS Standard was being misinterpreted by certain Interested Parties with regard to absolute levels.

65. His evidence helped lead the way to an agreement with all parties in relation to construction noise and with the Councils in relation to operational noise. In

addition, the Applicant had also further engaged with the supply chain during the course of the Examination and this had allowed them to commit to lower limits than had originally been put forward. In that context, a limit of 32dBLAeq set out for two receptors and 31dB for the other have been secured within requirement 27 of the draft DCO. These levels must be achieved even if tonal penalties were to apply. These noise limits are considered to be among the lowest for any comparable onshore substation. The Applicant also produced an assessment of this level of noise on non-residential receptors. The effects were not significant (see REP4-043).

66. The Councils and the Applicant are agreed on the terms of requirement 27. Furthermore, the Applicant has committed in the Substations Design Principles Statement to engage further with the supply chain to consider further reductions through the detailed design where practicable and cost effective. It appears that on limits even SASES were coming very close to the Applicant's position in proposing a condition level of 30dB. The only other outstanding point in relation to these matters was between the Applicant and SASES regarding high frequency noise. The Applicant is very confident that it can achieve a design which will not have tonal penalties. This has already been achieved at East Anglia ONE (REP 5-022). The Applicant is confident that they can also achieve this in the context of the onshore substations here. The ***Substations Design Principles Statement*** (AS-133) confirms that the Operational Noise Design Report to be submitted for approval in accordance with Requirement 12(2) will include such information.

67. Against the above background, the Applicant considers that their approach is wholly in accordance with paragraph 5.11.9 of EN-1. The proposals would avoid significant adverse impacts arising from noise. The Applicant has already undertaken further work to mitigate and minimise the noise further and this will be further pursued in terms of the design principles. In addition, the Applicant has also fully considered construction noise and agreed measures have been identified in the Outline Code of Construction Practice. This provides both a general approach and also specific measures to further mitigate potential effects adjacent to sensitive receptors. The noise effects do not weigh against the consenting of the Project either in respect of construction or operation.

4.8 Surface Water Drainage and Flooding

68. Surface water drainage and flooding is a topic which has received considerable attention during the course of the Examination. The sensitivity of the matter was heightened by a flood event which occurred in November 2019. A number of properties were flooded within Friston arising from that event.

69. In terms of the site itself, it is largely in flood zone 1, the lowest flood zone within England. An area to the north of the proposed National Grid substation has an existing overland flow during certain rain events. This is a matter which the Applicant has known about from an early stage of the development of the Project. It has been acknowledged that this overland flow will have to be diverted further north to accommodate the construction of the National Grid infrastructure. Given the scale and nature of the overland flow, the Applicant is able to achieve this.

70. In terms of EN-1, the policy framework seeks to avoid locating infrastructure in zones where flood risk cannot be effectively managed. Secondly, the infrastructure provided must be appropriately located regarding flood risk. Thirdly, the development must provide a SUDS drainage solution and finally, the development should not increase flood risk elsewhere and where possible will reduce flood risk overall.

71. The position that has now been reached with Suffolk County Council as the lead local flood authority is that all these policy objectives can be delivered. In the first place, the infrastructure is appropriately located as far as flood risk is concerned. The electrical infrastructure is located in flood zone 1 and the minor overland flow to the north of the National Grid substation can be relocated further north thereby removing that risk.

72. In terms of the SUDS provision, infiltration tests have been undertaken and this has determined the likely outturn of the infrastructure that is to be provided. The lead local flood authority agree with the findings of this assessment and the Applicant has agreed to undertake further testing to finalise the level of infiltration that might be provided.

73. In addition, given the nature of the SUDS basins that are likely to be required being an attenuation basin for the National Grid infrastructure and a hybrid for the onshore substations, a discharge to the Friston watercourse is required. Technical details regarding the provision of this connection have now also been agreed with the lead local flood authority and relevant highway authority.

74. The lead flood authority have sought to apply very high standards of surface water management and these will ensure that there is no increase in flood risk downstream and indeed, in extreme events, there will be a material reduction in flood risk downstream.

75. The operational aspects have been agreed with the lead local flood authority and in those circumstances, meet the tests in 5.7.18 to 5.7.25 of EN-1.

76. The Applicant has acknowledged that one of the aspects that did not work as effectively as it could have done during the construction of East Anglia ONE was the management of construction surface water along the onshore cable route.

The lessons learned from that project indicated that better forward planning was required. In that context, the Applicant has sought to put in place contractual arrangements in their Option Agreements to provide for landowners to engage professionally with the Applicant in relation to drainage issues. The Applicant has demonstrated how surface water would be managed in terms of the updated ***Outline Code of Construction Practice*** (REP12-021) submitted at Deadline 12. This illustrates the proposed arrangements that could be utilised along the cable route and also in and around the substation construction site.

77. There are no specific standards for the management of surface water, but it is generally related to the length of the construction programme. In terms of linear construction projects, guidance has suggested provision for a 1 in 10 year event. Against that background, the Applicant has proposed a general standard to accommodate a 1 in 10 year storm event for the onshore cable route and a 1 in 15 year storm event for the onshore substation site. The Applicant has however confirmed that the detailed design would have regard to the specific circumstances of particular locations and works and this would be taken into account as part of the detailed design process and would require to be approved in terms of the discharge of Requirement 22. The proposal of Suffolk County Council of a blanket 1 in 100 year event is unprecedented in that the Applicant does not know of any offshore wind farm scheme that has adopted (or been requested to adopt) such an over-precautionary design standard pre-consent. Commitments to design standards for other schemes have been agreed post-consent when, at the detailed design stage, the temporary drainage design is undertaken.

78. The main claim regarding flood risk is SASES continue to assert that the Project fails a sequential test because it has an overland flow. This is not flooding and is a flow which can be managed. It is not a matter which fails the sequential test either in terms of EN-1 or indeed, as SASES suggest, in terms of paragraph 158 of the NPPF. However, even if this was the case, the development would inherently meet the exceptions test in paragraph 160 of the NPPF. The development would provide sustainability benefits that outweigh the flood risk (noting the presumption in favour of development in EN-1). The development is safe for its lifetime and it would not increase flood risk elsewhere and indeed will reduce flood risk.

79. This is another matter which was canvassed extensively before the Examination and is not a matter which weighs against the granting of the order.

4.9 Traffic and Transport

80. The Applicant has reached a very high level of agreement with Suffolk County Council in relation to transport matters. This relates both to the potential impact

of the Project individually and cumulatively with East Anglia ONE North and also with Sizewell C and Sizewell B, and the measures to deliver the mitigation.

81. Transportation was one of the issues that was very carefully considered after the PEIR consultation. At PEIR it had been proposed that there should be convoys of vehicles travelling along the B1353 to Thorpeness to service parts of the onshore construction. Part of the feedback from PEIR was a concern that that had the potential to impact on tourism traffic to the coast. As a consequence of this feedback and noting concerns raised, the Applicant reconsidered the transportation strategy and greater consideration was given to how the haul roads and transport routes could be structured in a manner that would work more effectively. This has been further refined during the Examination with, for example, the use of the site accesses on Aldeburgh Road being restricted to when the haul road to the east is not available. In addition, it was determined that it would be more appropriate to service the landfall construction from the north (via Sizewell Gap). The consequence of these decisions has minimised the potential impact on key parts of the road network. In addition, the road network that has been selected ensures that 90% of the HGV movements are on designated HGV routes. This is a very high percentage relative to construction of a rural substation.

82. A further key issue was whether the development could be accommodated within the context of the Friday Street junction. After extensive consultation and work with Suffolk County Council, a solution has been agreed and secured in a ***Section 278 Agreement*** (REP8-080). Signalisation of the junction will manage traffic flows more effectively and will also make the junction safer compared to the existing conditions. No doubt the Panel will have experienced the "challenges" of the Friday Street junction during their inspection of the area. The current junction arrangements are complex and signalisation will enhance safety and also maximise the capacity for movements through the junction itself. The Applicant has demonstrated that the junction will work effectively to manage traffic flows associated with construction. In addition, the assessments also illustrate that appropriate measures can be put in place to mitigate the impacts of the cumulative construction together with Sizewell C at Marlesford, Theberton, Yoxford and Snape.

83. Section 5.13 of EN-1 sets out the appropriate considerations. Again, this is a topic matter which does not bear against the granting of the order.

4.10 Tourism Impact

84. The Applicant has conducted assessments of the potential impacts on tourism, both in terms of impacts on expenditure and impacts on availability of tourist accommodation. These were reported in the Environmental Statement. The

Suffolk Coast Destination Management Organisation (DMO) have undertaken a visitor survey. The Applicant was advised by Biggar Economics who have particular expertise in assessing impacts on tourism. They were able to give evidence to the Examination that tourist perception surveys were not a reliable indicator of impact.

85. In particular, what people say in response to particular stimuli is not borne out by their subsequent activity. This is a very basic point, but a very important one given the fact that a number of parties appear to have attempted to place great weight on the Suffolk Coast DMO visitor survey data.

86. In addition, the way in which the survey was conducted is essentially that the Project was depicted after pictures and views had been taken on the proposal to construct Sizewell C. Furthermore, the indications of the works did not accurately depict what was proposed in relation to the Project. The cumulative figure was then put forward by various organisations as being the effects of the Project. This is despite the fact that the primary driver to the potential impact derived from the individuals being shown pictures of the construction of a nuclear power plant.

87. In the Applicant's submission this is a complete distortion and does not reflect the potential effect of the Project. In addition, the Applicant commissioned Biggar Economics to review economic data relating to areas where offshore windfarms had been constructed to see whether there had been any reductions in tourist employment. This is a very good proxy for tourist expenditure. This does not disclose any pattern of impact. The reality is that the construction element of the Project is not going to be readily visible from Thorpeness or Aldeburgh. In order to gain visibility, the visitor would have to travel on the coastal footpath up to Sizewell. The claims of impact are not credible when this is the scale of the likely impact.

88. Furthermore, concerns were expressed about being able to get to the tourist destinations and in particular, Thorpeness and Aldeburgh. Again, the Applicant made significant changes to the transportation routing arising from the PEIR consultation. This sought to remove anything other than a very limited number of traffic movements from this route. In addition, the Applicant has committed to providing a signalised solution at the Friday Street junction. This will actually aid traffic movements coming from the south and traversing on to coastal routes to the east.

89. The Applicant does not accept the Suffolk Coast DMO outcome and on the evidence that they have submitted there will not be substantial impacts on the tourism industry within the vicinity.

5 Offshore

5.1 Offshore Interests

90. The Applicant has engaged extensively with the offshore interests and there are no material outstanding matters offshore in relation to other users including existing and proposed nuclear stations and local commercial fishing stakeholders. This reflects the effective engagement that the Applicant has undertaken in this regard.

5.2 Offshore Biodiversity

91. In terms of offshore biodiversity matters, again the Applicant has worked with the relevant bodies to manage the potential construction impacts on marine habitats and species and the Southern North Sea SAC. Mitigation measures have been agreed and secured through the draft DCO. With respect to the Southern North Sea SAC, measures have been incorporated within the DCO to ensure that there would be no adverse effect on the integrity of the site.

5.3 Offshore Ornithology

92. There has been very extensive engagement and dialogue with Natural England over offshore ornithological interests. In relation to East Anglia TWO, a range of potential impacts have been identified. In particular, potential impacts were identified on a number of SPAs including the Flamborough and Filey Coast SPA, the Alde-Ore Estuary SPA and the Outer Thames Estuary SPA. It is not proposed to repeat the extensive submissions that have been made in this respect including potential compensation measures if there were to be a finding of an adverse effect on integrity (AEoI). It is however worth noting the revision in the Natural England position regarding the conclusion for AEoI on gannet, razorbill and guillemot at Deadline 12 (***Appendix K8b – Comments on the Updated RIES*** (REP12-093) and ***Appendix A15d – Comments on Habitats Regulation Assessment Derogation and Offshore Ornithology Compensation Measures*** (REP12-089)).

93. The Applicant would invite the Examining Authority to consider the scale of the effects in relation to collision risk in respect of kittiwake at Flamborough and Filey Coast SPA and lesser black-backed gull at Alde-Ore Estuary SPA. The relative contribution from the East Anglia TWO Project to the cumulative and in combination effects is exceptionally small and that is what would need to be considered in the proper evaluation to be undertaken in respect of an IROPI case if it applies or in the context of the overall decision making in terms of National Policy Statements.

94. In addition, in respect of East Anglia TWO, there is also the matter of potential impact on the redistribution of red-throated diver within the Outer Thames Estuary SPA. Again, this is a matter where substantive material has been submitted. The Applicant, on the advice of Natural England, has undertaken considerable work to demonstrate the likely effects. The Applicant has set out their position in detail (see ***Displacement of red-throated divers in the Outer Thames Estuary SPA*** (REP11-026), Appendix 1 of ***Applicants' Responses to Hearing Action Points (CAH3, ISH10, ISH11, ISH12, ISH13, ISH14 and ISH15)*** (REP8-093) and ***Applicants' Response to Natural England's Legal Submissions Concerning Displacement of Red-Throated Divers in the Outer Thames Estuary SPA*** (REP6-020)) and it appears to be acknowledged by Natural England that there would be no substantive biological impact on the red-throated diver population even on a worst case displacement basis. It is clear that the SPA is in good health and there is no reason to believe that the development of East Anglia TWO in combination with other projects would have any adverse effect on the integrity of the SPA and that when the matter is properly analysed, this does not weigh against the granting of the order.

5.4 Seascape

95. The Applicant considered representations made at the time of the PEIR consultation in relation to seascape. As a consequence of those submissions, the Applicant significantly reduced the area (north/south extent) of the proposed development and as a consequence the horizontal spread of the project was materially altered in terms of the application proposal.

96. The Councils' position is set out in the ***Statement of Common Ground with East Suffolk Council and Suffolk County Council*** (REP12-070). The positions between the Applicant and Natural England are set out in written submissions. None of the objector groups who participated in proceedings raised particular issues.

97. Issue Specific Hearing 8 considered seascape matters. At the hearing the Applicant was represented by two landscape architects. The first being Mr Simon Martin of Open Ltd who explained the approach which had been adopted to the assessment of effects on the seascape including coastal receptors. He also explained the approach which had been adopted in relation to the assessment of the effects on the AONB and in particular, the special qualities. In addition, the Applicant also led evidence through Mr Brian Denney, a director at Pegasus Planning Group Ltd. Mr Denney is a very experienced landscape architect with a particular expertise in assessing the impact of major projects on designated landscapes. It is submitted that of all the witnesses at this hearing, Brian Denney gave the best overall explanation of the nature and character of the AONB and it

was from these explanations that he was able to reach very clear conclusions about the lack of effect on the reasons for designation.

98. At the hearing Natural England was specifically asked what could be done to make the Project acceptable. The response was that if the turbine tip heights were brought down to 210m and the first row of wind turbine generators on the western side of the windfarm site were removed, then that would likely result in acceptability. This demonstrated that Natural England has placed too much weight on the perceived height of the turbines and has not had proper regard to all factors and in particular, the distance from the coastline. The coastline in question is not complex and the seascape is described as vast with large open skies. This is the type of seascape which is better able to accommodate large scale windfarm development as opposed to complex coastlines where there is greater scope for discordant relationships and greater impacts. Indeed, to some extent, that is exactly the challenge that was faced by the Navitus Bay application. In contrast, the Rampion relationship was more logical and related more to the horizontal coast.

99. The tests set out in paragraph 5.9.12 of EN-1 is that a project should aim to "avoid compromising the purposes of designation". The Applicant does not accept that the effects on the AONB approach compromising the purposes of designation. In addition to this policy, the Applicant would also refer to the section of EN-3 which specifically deals with the seascape and visual effects of offshore windfarms (see paragraphs 2.6.198 to 2.6.210).

100. In particular, the Applicant considers that the benefits of the proposal outweigh the marginal significant effects on certain elements of the coast. It is of note that in paragraph 2.6.210 the policy recognises that reducing the scale of wind turbines cannot occur without significantly affecting the electricity generation output. It specifically identifies that reduction in scale is not likely to be feasible. The Applicant has indeed had careful regard to layout and has sought to alter the scheme to reduce the horizontal spread and thus reduce the scale and magnitude of effects on the coast.

6 Decision Making and Balancing Duties

6.1 Compulsory Acquisition

101. Section 122 of the Planning Act 2008 sets out the statutory framework for the consideration of incorporating compulsory acquisition powers within the order. Three compulsory acquisition hearings have been held. The evidence presented by the affected persons has largely been restricted to two main individuals. The first is Mr Mahony who owns property (residential and agricultural) to the west of the National Grid substation and onshore substation and over whose land overhead line realignment works need to be carried out. These were discussed in detail during the compulsory acquisition hearings and NGET were able to demonstrate why the rights were required in order to safely implement the overhead line works. In addition, various clarifications were provided to Mr Mahony arising from the compulsory acquisition hearings.

102. The second party to appear extensively at the compulsory acquisition hearings was Dr Gimson on behalf of his mother who is the owner of Ness House. The Applicant had proposed to route part of the cable works potentially through land in her ownership. During Compulsory Acquisition Hearing 2, Dr Gimson supported the movement of the cables further west. This was achieved by the non-material variations promoted by the Applicant (***Change Request: Amendment to Order Limits at Work No. 9 (Plot 13)*** (AS-104) and ***Deadline 11 Project Update Note*** (REP11-053)). As a consequence of these changes, it is no longer proposed to route the cables through land in the ownership of Mrs Gimson.

103. A small number of other parties made representations about potential impacts on their access arrangements. The access strategy set out by the Applicant would ensure that access would be maintained at all times to the affected properties.

104. Representations were also made by parties in respect of works potentially required at Marlesford Bridge and requested further information about these works. The Applicant provided further clarifications to the parties through their representatives.

105. The Applicant has also explained its approach to the compulsory acquisition of both land and rights. Along the cable corridor the Applicant proposes to take temporary possession during construction and the acquisition of formal rights would only occur at a point in time when it was known precisely where the cables had been placed within the corridor. This approach minimises the extent to which

any land would be subject to the permanent acquisition of rights for the cables. There was also discussion about working widths and the Applicant was able to explain the rationale for what was being sought.

106. The Applicant considers that the evidence before the Examination has demonstrated that there has been exceptionally low levels of opposition from those from whom rights and land are proposed to be acquired. The Applicant has worked extensively with the land interests to ensure that the effects of the proposed construction would be minimised. That is reflected in the lack of substantive objection from almost all of the landowners affected.

107. The Applicant has developed effective working relationships and that is further reflected in, for example, the ongoing site investigations which have been achieved entirely through voluntary agreement with landowners. Against the above background, it is evident that the test set out in Section 122(3) of the 2008 Act is met. There is undoubtedly a compelling public interest for the reasons set out at the outset of this submission and within the ***Statement of Reasons*** (REP11-006) and it is appropriate for the order to incorporate the temporary possession powers, the acquisition of rights and compulsory acquisition. Furthermore, there is now no substantive issue regarding the Secretary of State's equality duties under s149 of the Equality Act 2010.

6.2 National Policy Statements

108. In terms of Section 104(3) of the Planning Act 2008, the Secretary of State must determine the application in accordance with relevant National Policy Statements.

6.2.1 EN-1

109. In terms of EN-1, the Applicant has set out in broad terms throughout the Examination their interpretation of policy in that regard. This is also summarised in terms of the strategic case earlier in this submission. In addition, where appropriate, the Applicant has also made reference to the relevant passages of EN-1 in relation to the particular effects, both positive and negative, arising from the Project.

6.2.2 EN-3

110. There are aspects of EN-3 which are also relevant (commencing on pages 26 – paragraphs 2.6.1 to 2.6.210). It is perhaps illustrative to review EN-3 as it demonstrates how many of the issues the Applicant has been highly successful in resolving relative to this Project. The Applicant would also highlight the Grid Connection advice in paragraphs 2.6.33 and 2.6.34. It acknowledges the importance of working within the regulatory regime for offshore transmission networks. This is a matter which has been extensively canvassed during the Examination, but the National Policy Statement specifically advises that the

Applicant requires to work within it. This is highly relevant to submissions which essentially advance the view that the Applicant should be working beyond that framework. In addition, the aspects relating to offshore impacts on birds (paragraphs 2.6.100 to 2.6.110) are likely to be relevant in the consideration of this application.

6.2.3 EN-5

111. There are aspects of EN-5 that are applicable to the onshore grid elements of the Projects. There was some discussion particularly about the regulatory context and the application of certain of the Electricity Act 1989 provisions (***Applicants' Comments on Substation Action Save East Suffolk's Deadline 10 Submissions*** (REP11-052)).

112. In terms of EN-5 it is important to note that Section 2.2 does not set out policy but provides context. The text is however helpful in understanding the full range of issues that are faced in a grid connection. It is not simply about the Project, it also is about how the Project will fit within the overall network.

113. In that context, NGET confirmed that the Project and East Anglia ONE North could be connected to the double circuit 400kV overhead lines with minimal alteration to the existing lines. In essence, there are some interventions required whenever a connection is made, but these are the absolute minimum in the context of the application proposals. No reconductoring works of the existing lines would be required to connect the projects (see REP3-111). This demonstrates again the inherent suitability for the particular location of the Project's grid connection.

114. Section 2.3 sets out the general assessment principles. In this particular case the Project meets the very specific support for integrated applications. Paragraph 2.3.1 builds upon the text in Section 4.9 of EN-1. The Government's position could not be clearer, "*wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the IPC*".

115. SASES and others have suggested that the National Grid infrastructure should have been a separate application. That is contrary to the Government guidance as the National Grid substations comprised within the application are required to connect the Project to the grid. Furthermore, the proposals only incorporate sufficient National Grid infrastructure to connect the Projects. It is likely that if the Applicant had lodged an application that did not contain the National Grid infrastructure there would have been complaints about the failure to fully assess and provide the full implications of the grid connection.

116. Other key passages relevant to the matters raised during the Examination are to be found in paragraph 2.3.5. This is consistent with other passages of National Policy Statements regarding the need to have regard to the framework and sets out the duties incumbent upon National Grid ESO. This clearly illustrates the role that National Grid ESO has, in its regulatory function, in providing grid connections which account for the specific circumstances of the project in question, but also how that fits with the future generation demand and other grid network issues. This is further supported in offshore terms through regulation 4 of the Offshore Transmission Regulations, a regime that was conveniently ignored by SASES. Section 2.6 of EN-5 relates most of the assessment of impacts back to EN-1.

117. The Applicant would submit that when properly construed, the granting of consent would be consistent with the National Policy Statements. It would invite the Panel to make such a recommendation to the Secretary of State.

6.3 Balancing Duty

118. Section 104(7) of the Planning Act 2008 provides a balancing consideration whereby the adverse effects of the development require to be considered against its benefits. In part, the relevant matters will have already been considered when evaluating the various positives and negatives in the context of the National Policy Statements. This provision does however enable the Secretary of State to have regard to other factors over and beyond the National Policy Statements.

119. In that regard, the Applicant would submit that the Energy White Paper "Powering our Net Zero Future" has further intensified the needs case over and above that which is set out in EN-1. In particular, the role that offshore wind should play in this decade and beyond has been given an enhanced status due to the offshore wind 2030 deployment target of 40GW. This increases the "benefit" of the new renewable electricity generation aspects of the proposal. Furthermore, the White Paper also explains the critical role that the CfD auction system has played in driving electricity costs down in respect of offshore wind. Again, offshore wind is seen as a technology that has developed extensively and that is the reason why it is now being selected as a key technology for responding to climate change. The revolution and the speed of change identified in the White Paper needs to be delivered through the deployment of further offshore wind generation at scale this decade. In addition, the economic benefits arising from offshore wind deployment have increased through policies designed to promote a higher local content for projects. This was commenced through the Sector Deal, and the White Paper has further encouraged the development of the supply chain plans process for large offshore wind projects so as to take this further, and, in May of this year, regulations were introduced to bolster this approach to the supply chain plan process.

120. All of the above increases the importance of the early delivery of offshore wind projects. This will ensure that the UK supply chain is developing in order that it can play a full part in the massive deployment which requires to occur by the end of the decade. Again, this particular benefit of the Project has an increased weight. It has been demonstrated through the Examination that the development of this Project will further develop the supply chain and will help put the UK in a position to be able to meet its longer term offshore wind aspirations.

121. In addition, the Applicant has sought to ensure that the Project can be brought forward as soon as practicable. They have undertaken early engagement with the supply chain to support further design. This is evident from the revised submissions made in January in relation to the onshore substation plant and equipment and the further commitments made regarding noise reduction. In addition, the Applicant has also undertaken early site investigation work onshore and offshore. All this is designed to enable the projects to be delivered as quickly as possible. This again is a key component of the Energy Policy set out in the Energy White Paper which seeks to accelerate the deployment of offshore wind through this decade. Projects need to be deployed in the middle of the decade and the policy will not be delivered upon if this does not happen. Again, this reinforces, and indeed is a stronger position, than that reflected originally in EN-1.

122. The Applicant has previously addressed the Government's ambition to undertake a strategic change to the offshore transmission system. The Applicant submits however that the Energy White Paper and other communications clearly indicate that this will not be readily achievable until the end of this decade. Whilst a number of parties before the Examination have sought to delay both the Examination and the delivery of the Project, for example, by promoting a split decision, such an approach runs counter to the ambitions of the Energy Policy which requires the early deployment of offshore wind projects at scale this decade. The importance of the delivery of offshore wind capacity is also an integral part of the National Infrastructure Strategy published in November 2020.

123. Finally, no realistic Pathfinder Project is available to the Applicant. This derives from their current proximity to shore. The Project is not suited to HVDC technology and the HVAC technology is the most efficient and economical solution. This is both a legal requirement of the Electricity Act 1989 (Section 9) and also of the Offshore Transmission Regulations (regulation 4).

6.4 Other Section 104 Provisions

124. During the course of the Examination, SASES have made submissions which sought to argue matters relating to Section 9 of the Electricity Act 1989 and

Schedule 9 to the Act. These submissions were directed potentially at subsections 5 and 6 of Section 104 of the Planning Act 2008.

125. In the first instance none of the duties referenced are directed towards the Secretary of State in the context of the Planning Act 2008 and therefore subsection 5 is not applicable. Schedule 9 does direct that consideration is potentially given to various matters in the determination of Section 36 and Section 37 applications. This was not extended to Planning Act determinations.

126. Section 104(6) deals with the situation of deciding an application in accordance with any relevant National Policy Statement which would be unlawful by virtue of any enactment. The Applicants have responded in detail to the SASES submission (***Applicants' Comments on Substation Action Save East Suffolk's Deadline 10 Submissions*** (REP11-052)) and simply put the point they make regarding Schedule 9 does not arise and in our submission SASES have completely misinterpreted Schedule 9 to the Electricity Act.

6.5 Crown Estate Consent (Section 135)

127. In terms of sub paragraph (2) an order granting development consent may include a provision applying to Crown land or rights / benefits in the Crown only in circumstances where the Crown consents to the inclusion of the provision. The Crown Estate have confirmed their consent to the draft DCO by letter (see ***Comments on the Applicant's updated draft DCO (dDCO) submitted at Deadline 8*** (REP9-054) and letter from The Crown Estate to PINS dated 30 June 2021).

7 Conclusion

128. **Policy and presumption in favour of consent:** As identified at the outset of this submission NPS EN-1 contains a presumption in favour of granting consent for energy Nationally Significant Infrastructure Projects. This presumption was based on the needs case articulated at the time EN-1 was adopted and applies to all energy projects. At the end of last year, the UK Government reformulated the nation's energy policy in the Energy White Paper in light of the new legally binding Net Zero target for 2050. The outcome from that policy review is clear: the UK needs to ramp up its response to combatting climate change. Offshore wind has been selected as a key technology to achieve this. The policy increases the needs case for this Project. The policy seeks to accelerate the deployment of renewable energy through this decade whilst keeping costs low through competitive CfD auctioning. Thus, the UK Government has an aim to double the capacity awarded in the next CfD auction compared to the last round in 2019. Planning consents are required to facilitate competitive pressures in relation to such an enlarged CfD allocation round.

129. **The Applicant's response to policy:** The Applicant has already reacted to the policy challenge. Extensive dialogue has been conducted with the supply chain and the Applicant has continued to commission work which ordinarily would have been delayed to the post-consent phase. The actions of the Applicant have already helped to stimulate the UK supply chain. Furthermore, local businesses are also reacting and gearing up to the opportunities which are now in sight. This all adds to the overwhelming policy support for the Project to be delivered as soon as possible.

130. **Extensive Engagement:** The Applicant has continued to engage with consultees and interested parties and has taken on board points raised. The outcome of this is reflected by the very limited number of outstanding issues at the close of this Examination. In particular the Applicant has engaged extensively with the Councils in relation to onshore issues.

131. **Continued refinement and improvement:** As well as specific technical issues, the main concerns raised during the Examination related to the residual impacts at the substation locations. The Councils requested in their Local Impact Report that more consideration should be given to those matters. The Applicant undertook further engagement with the substation supply chain and in January 2021 was able to revise the design of the substation by reducing the footprint and the height of buildings plant and equipment. This has enabled aspects of local landscape to be retained. In addition, the design engagement allowed the Applicant to commit to one of the lowest onshore substation noise levels in the UK.

132. **Further commitments:** These measures have resulted in East Suffolk Council, the local Planning Authority, withdrawing their objection to the project. In addition, the Applicant has made very good progress with Suffolk County Council in respect of matters within their remit. All material transportation issues have been resolved and outstanding drainage issues are restricted to the level of return period for the construction works. The Applicant has also committed to a further comprehensive design process which will deliver further design improvements during the detailed design process. This is an approach that delivered material reductions in the extent of the substation equipment during the finalisation of the East Anglia ONE project.

133. **Extensive mitigation:** The Applicant considers that it has done what it can to mitigate the effects that the Project is likely to have. Particular focus has been given to mitigating the long-term residual effects of the Project. Specific construction mitigation has also been proposed to manage potential interactions with sensitive receptors. The Applicant's commitment to either a simultaneous construction programme with East Anglia ONE North, or installing the cable ducts for the Project and East Anglia ONE North at the same time in the event of a sequential construction programme, limits the scope for cumulative construction impacts to arise as a result of construction with East Anglia ONE North.

134. **Conclusion**: Having full regard to the relevant policies and these submissions, the positive benefits of the Project outweigh any potential adverse impacts and consent should be granted.