

FIVE ESTUARIES OFFSHORE WIND FARM STATEMENT OF COMMON GROUND EAST SUFFOLK COUNCIL

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In preparation of this document Five Estuaries Wind Farm Ltd has made reasonable efforts to ensure that the content is accurate, up to date and complete for purpose.

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DEFINITION OF ACRONYMS

Term	Definition
DCO	Development Consent Order
ETGs	Expert Topic Groups
MW	Megawatts
MHWM	Mean High Water Mark
NSIP	Nationally Significant Infrastructure Project
SoCG	Statement of Common Ground
ESC	East Suffolk Council
VEOWF	Five Estuaries Offshore Wind Farm



1 INTRODUCTION

1.1 BACKGROUND

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared between Five Estuaries Offshore Wind Farm Limited (hereafter referred to as 'the Applicant') and East Suffolk Council to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Five Estuaries Offshore Wind Farm (hereafter referred to as "VE").
- 1.1.2 Following detailed discussions undertaken between the parties, the Applicant and East Suffolk Council have sought to progress a SoCG. It is the intention that this document provides the Planning Inspectorate with a clear overview of the level of common ground between both parties. This document will be updated if any additional points are identified, or any positions change during the Examination.

1.2 APPROACH TO SOCG

- 1.2.1 This SoCG sets out the topic, a brief summary of the issue or matter subject to disagreement or agreement, the position of the Applicant and that of East Suffolk Council, and a colour coding to illustrate the level of agreement and/or materiality.
- 1.2.2 A full description of the approach adopted is set out in 9.33 Approach to Statements of Common Ground [APP-266] submitted as part of the DCO application.

1.3 THE PROPOSED DEVELOPMENT

- 1.3.1 VE is the proposed extension to the operational Galloper Offshore Wind Farm. The project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea. This includes up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure near to the existing Lawford Substation to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation, which would be located nearby.
- 1.3.2 All onshore connection infrastructure would be located in the administrative area of Tendring District Council, within Essex County Council. The proposed compensatory measure for Lesser Black Backed Gulls is proposed within the East Suffolk District. VE will have an overall capacity of greater than 100 Megawatts (MW) and therefore constitutes a Nationally Significant Infrastructure Project (NSIP) under the Section 15 (3) of the Planning Act 2008.
- 1.3.3 A full Project description is included in the Environmental Statement, in particular 6.2.1 Offshore Project Description [APP-069] and 6.3.1 Onshore Project Description [APP-083].



2 OTHER PARTY'S REMIT

2.1 INTRODUCTION

- 2.1.1 As the remit of ESC extends to the Mean Low Water Springs (MLWS), representations are limited to the elements of the Project that have onshore-related impacts (including those from the construction and operation of the offshore wind turbines and associated infrastructure).
- 2.1.2 ESC role in relation to the DCO process derives from the Planning Act 2008 (the 'Act') and secondary legislation made under the Act. ESC as a district council is classified as a consultee under section 43 of the Act, meaning applicants must consult with ESC before submitting a Nationally Significant Infrastructure Project (NSIP) application.
- 2.1.3 The following application documents have informed the discussions with ESC and address the elements of VE that may affect the interests of the interested party:
 - > 6.2.10 Seascape, Landscape and Visual Impact ES chapter [APP-079]
 - 5.5.3 Lesser Black Backed Gull Compensation Evidence, Site Selection and Roadmap – Revision B [REP2-006]
 - 5.5.6 Lesser Black Backed Gull Implementation and Monitoring Plans Revision B [REP2-012]
 - 6.8.1 Lesser Black Backed Gull Compensatory Areas Environmental Impact Assessment Revision B [AS-047]
- 2.1.4 The main areas of interest raised by ESC were the following:
 - Potential impacts upon the Essex and Suffolk Coast and Heaths National Landscape (formerly the AONB) as a result of offshore infrastructure.
 - Potential impacts on Orford Ness as a result of the Lesser Black Backed Gull compensation proposals.
- 2.1.5 ESC and the Applicant have been working together to minimise possible impacts of the project on the ESC operations.

2.2 CONSULTATION SUMMARY

2.2.1 Since 2019, the project has been engaging with relevant stakeholders through different levels of activity. The project has undertaken the necessary consultations before submitting the application and has held Expert Topic Groups (ETGs) on a number of specific topics, as well as bilateral meetings with key stakeholders. ESC has replied to the Stage 1 consultation and to the Section 42 consultation. The comments received and the meetings between the project and the interested party have informed the basis for this SoCG.



3 AGREEMENTS LOG

- 3.1.1 The following sections of this SoCG set out the level of agreement between the Applicant and ESC for each relevant component of the Application identified in paragraph 2.1.3. The tables below detail the positions of the Applicant alongside those of ESC and whether the matter is agreed or not agreed.
- 3.1.2 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion, the agreements logs in the tables below are colour coded to represent the status of the position according to the criteria in Table 3.1 below. Colours were chosen in order to ensure inclusivity for the visibility of data.

Table 3.1: Position Status key

POSITION STATUS	COLOUR CODE
The matter is considered to be agreed between the parties.	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties.	Not agreed



Table 3.2: Status of discussions

Reference Number	Topic	Applicant's Position	ESC's Position	Position Status
	Seascape and Landscape Impacts	The Applicant has fully considered the likely significant effects of the VE array areas on the special qualities of the SCHAONB in 6.2.10 Seascape, Landscape and Visual Assessment [APP-079] (pages 208-227 and Table 10.26). The conclusion of this assessment is that the VE array areas will not have significant adverse impacts on the natural beauty and special qualities of the SCHAONB. The SLVIA has found that the VE array areas would not give rise to significant effects on these views or the perceived character and qualities of the coastline, owing principally to its location at long distance offshore from both the SCHAONB coast of Suffolk (over 37 km to the array areas), together with the position of the VE arrays subsumed behind operational wind farms and the limited additional lateral spread of the VE WTGs on the sea skyline.	ESC considers that there will be adverse impacts on the designated National Landscape coastline within East Suffolk, however we accept that these impacts are likely to be Moderate/Minor at worst in LVIA terms, and they are not significantly adverse to justify ESC's objection for landscape and visual impact related reasons. We come to this conclusion principally because of the influence of meteorological/atmospheric conditions in determining the frequency of visibility, and because of the presence of existing and already consented wind farms which mean that the magnitude of change arising from this proposal is moderated in comparison to there being no existing windfarms (despite the presence of existing offshore wind turbines potentially increasing the sensitivity of the view to additional offshore wind turbines). In addition, we do not consider that the statutory purposes for designation of the National Landscape are compromised to an extent that justify grounds for objection by ESC. ESC also notes the Applicant's reduction in the maximum height of wind turbine generators from 399m to 370m above lowest astronomical tide. This further reduces the level of any anticipated seascape and landscape visual impact, which at a closest distance of approximately 37km offshore, is not likely to result in significant adverse visual effects on the Suffolk coastline or its designated landscapes. This conclusion is based on the currently submitted proposals, should these change at any stage, ESC would need to revisit our position in terms of seascape visual impacts. Finally, ESC recognises that discussions between the Applicant and the statutory body are ongoing, however we note that agreement is yet to be reached. ESC wishes to see agreement reached between the parties, with the statutory body's concerns being addressed.	Ongoing discussion – Agreed in relation to the conclusions of the EIA. However, regarding the ongoing discussions between the Applicant and the statutory body, ESC wishes to see agreement reached between the parties, with the statutory body's concerns being addressed.



Reference Number	Topic	Applicant's Position	ESC's Position	Position Status
	Lesser Black Backed Gull (LBBG) compensation impacts at Orford Ness	The Applicant has assessed the potential impact of constructing and maintaining the LBBG compensation measure at Orford Ness (specifically the installation of predator proof fencing and ongoing maintenance and monitoring) and concluded that, following mitigation, there would be no significant effects as a result of these works.	ESC is not objecting to the proposed LBBG habitat compensation for the North Falls and Five Estuaries projects, in light of our overarching ecological position set out in our submitted Relevant Representation [RR-024] and Local Impact Report [REP2-041]. We support both Applicants' ongoing engagement, working collaboratively and seeking to possibly provide a coordinated approach to LBBG compensation delivery. However, a cautious approach is warranted, with any possible cumulative impacts of a combined approach to LBBG habitat compensation (by Five Estuaries on behalf of the North Falls project) being fully considered.	Agreed
	Construction method statement for LBBG compensation measures	Requirement 18 provides that a construction method statement must be approved by the relevant planning authority (ESC) prior to commencing the works at Orford Ness. This provides suitable control to ensure works associated with the compensation measure are appropriate and do not lead to significant effects.	ESC agrees this is a necessary requirement. ESC also notes that the predator-proof fence works at Orford Ness may be provided via a planning application to be determined under the Town and Country Planning Act 1990 (as amended). This and / or the potential for ESC to be members of the Offshore Ornithology Engagement Group (OOEG) under Schedule 13 of the dDCO, provides ESC the opportunity to further assess and shape the forthcoming compensation measures at Orford Ness.	Agreed
	Offshore Connection Support Scheme (OCSS)	In September 2024 the Secretary of State decided not to grant further funding to the OCSS. Based on this, along with 10.6 Independent Review of OCSS Qualifying Coordinated Projects OCSS 01 North Falls, Five Estuaries and Sea Link [PD4-008], the Applicant is progressing with the assumption of the deliverable radial, onshore connection set out in its application. The Applicant has provided a response as to why the OCSS/ OTNR offshore option is no longer being considered in the Application in Table 2 of 10.4 Applicant's response to Relevant Representations [REP1-050].	Should an offshore connection scenario become viable for the Five Estuaries offshore wind farm project, ESC would need to monitor such a scenario closely in case either directly or indirectly this introduced a need for additional onshore transmission infrastructure within East Suffolk. However, in light of the Secretary of State's decision not to grant further funding to the OCSS consortium, ESC understands that any plans for an offshore connection with SeaLink have effectively ceased.	Agreed



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