

We do not agree with the position set out by the Applicant in "9.5 Applicant's Responses to Relevant Representations Received from members of the public".

We focus here in particular on cumulative impacts. We remain of the view that 'functional interdependence is key. (Burridge v Breckland DC 2013 and Wingfield, R v Canterbury City Council 2019), where one part of a development could not function without another it may indicate that they constitute a single project.

In this case, functionally interdependent projects include Five Estuaries Wind Farm, North Falls Wind Farm, Tarchon Interconnector and National Grid's Norwich to Tilbury (NGET) project. They cannot function without each other.

The impact of these four projects must be considered as a whole. There will be four substations and one converter station, plus underground cables and pylons, associated with these four projects. All converge in a very small area at Lawford/Ardleigh/Bromley. The impacts (of all types) will be undoubtedly be MAJOR ADVERSE and must be assessed in the EIA.

We note that the NSIPs guidance says, "21. The need to consider cumulative effects in planning and decision making is also set out in planning policy, particularly the National Policy Statements. The overarching National Policy Statement for energy (EN-1), for example, specifies a range of aspects for which the applicant's assessment in the Environmental Statement should consider cumulative impacts, as relevant to the development. And 22 Paragraph 4.1.5 of EN-1 states that the Secretary of State should take any long-term and cumulative adverse impacts, along with any measures to mitigate or compensate for adverse impacts, when weighing the adverse effects of a project against its benefits. National Policy Statements for other types of infrastructure also set out sector specific requirements for cumulative assessment." The NSIPs planning guidance also says, "The Planning Inspectorate recommends that the ZOI for each aspect should be mapped, using geographic information system (GIS) software". Yet we can see no evidence that this has been done. Document APP012 contains no reference to a zone of influence. APP013 refers only to an offshore ZOI but nothing onshore.

Tarchon Interconnector has not been included in the Cumulative Assessment at all. Table 22.19 in APP036 (and all EIA chapters) indicates that only Five Estuaries and Norwich to Tilbury are included in cumulative impacts. There is no reference to Tarchon, a contiguous project, in the same location, during the same construction period. It should have been. We note that the NSIP guidance states, "Schedule 4 paragraph 5(e) of the EIA Regulations 2017 requires the Environmental Statement to include a description of the likely significant effects of the development on the environment resulting from: "the cumulation of effects with other existing and, or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources"" Existing is defined as 'reasonably foreseeable'. Tarchon can undoubtedly be defined as reasonably foreseeable: it has commenced local consultation, it has been offered a connection node and it has passed the first hurdle with Ofgem.

Other comments on cumulative impacts

We believe that impacts have been ignored or downplayed:

- In North Falls' Preliminary Environmental Information Report 2023 'Grid Connection Optionality - Worst Case Assessment', for every Environmental Impact Assessment topic listed the worst case arose from the onshore connection option.

- Table 22.19 (APP036) states that spatial and temporal impacts 'may' occur. In fact, impacts will occur with Five Estuaries and Norwich to Tilbury. These are contiguous projects in the same area and these projects, plus Tarchon, must be assessed.

- Page 62 APP036. While we agree that there are potential cumulative effects on drainage, temporary loss of agricultural land, soil degradation, soil erosion, agri environmental schemes, we do not believe that these have been adequately set out or defined, such that it is impossible to ascertain how large these effects will be. We do agree that the impact on Grade 1 farmland of the substation will be a major adverse impact (significant in EIA terms). However, there is no detail of the impact of the substation, nor any detail around length of time other effects will be experienced or exactly where.

- APP041 TRAFFIC: While agree that there is a potential for cumulative effect on severance, amenity, highway safety, driver delay but we believe that this should be set out more clearly and quantified, with particular reference to the cumulative impact with Five Estuaries, Norwich to Tilbury and Tarchon

Finally, we believe that North Falls, albeit having been offered a connection at Lawford/Ardleigh, could have endeavoured to seek a less harmful connection closer to London, with landing point at a brownfield site, as requested by many respondents to its consultations. Further, North Falls and Five Estuaries could coordinate at a platform of their own offshore (perhaps with a spare connection point for future wind farms) and made landfall together at a brownfield site such as Bradwell, Tilbury or Grain.