

Hearing Transcript

Project:	North Falls Offshore Wind Farm
Hearing:	Issue Specific Hearing 1 (ISH1) - Part I
Date:	H April 2025

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FULL TRANSCRIPT (with timecode)

00:00:03:26 - 00:00:40:29

So the next main agenda item is coordination and alternatives. The first two bullet points are to some extent interlinked. So I will take them together because it will be difficult to avoid having comments separately on them. If I can first summarize the submissions on this issue. So we have Essex County Council, Suffolk County Council and Tendring District Council, amongst others, who have concerns about the project's reliance on an onshore connection.

00:00:41:18 - 00:01:21:26

And many other interested parties have also expressed the view that the provision of an alternative offshore connection should be examined. The applicant's position is set out in response to the examining authority's questions. Q312 and 317. In short, the applicant considers that it is fully explored the options for an integrated offshore connection, but a viable option that can deliver a connection for the property project by 2030 has not been identified.

00:01:22:22 - 00:01:52:05

So if I could turn first to the council, I'll go to Essex County Council first. Could you indicate whether that position is accepted or, if not, what greater steps or other evidence you would have expected the applicant to show that the transmission objectives of the project could not be met using alternative offshore links. So I can go first to Essex County Council.

00:01:58:26 - 00:02:20:18

Hal Wallis, Essex County Council. Um, we have asked our applicant beforehand about, um, what alternative they have been conceded, and the response given was saying they maintained the option about the bail option for you to have an offshore provider. So we haven't got any other questions on that. But thank you.

00:02:25:02 - 00:02:57:04

You haven't got any more questions, but you've seen what they have said about this. And what else would you have expected them to do? I think that was the specific question. Um, and are you suggesting another offshore connection that could deliver a connection by 2030? So the two points would what else would you ask them to do and provide by way of evidence.

00:02:57:25 - 00:03:02:18

And is there another a viable alternative that you are putting forwards?

00:03:14:03 - 00:03:17:09

Um, Mark, would you. Essex County Council um,

00:03:19:08 - 00:03:22:20

previous to consideration of this dco.

00:03:24:21 - 00:04:06:15

Essex County Council asked National Grid's to look at the um Offshore Coordination Scheme to see if, uh, an alternative link could be made between a number of the energy provider number, the energy proposals and what's called the energy coast, and provide a sea link to, um, to distribute most of the collected power and undersea cable link. Um, it appears from the research and report that we've received in relation to the OCS, Though there is a clear indication from, from from government on the basis of that, on the basis that information is provided by grid, that the ox will not be taken forward.

00:04:07:15 - 00:04:34:08

Um, that is at some considerable regret. Essex County Council and other authorities within East Anglia, um, with the lack of that scheme being taken forward and that is, um, within public knowledge. It's not for us to suggest other proposals that we want. Evidence has been coming forward. We don't have the technical expertise to know.

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I appreciate that it was just whether there was was any alternative that you might have been aware of, that you wish to draw to our attention.

00:04:43:28 - 00:05:14:25

That depends on the technicalities of actually how how you distribute in this electricity. Um, obviously Sealink, which I know in the cumulative assessment is shown as being at pre-application stage is application stage, but I don't have sufficient technical information to say whether or not some of the offshores or the offshore that you're asked to consider here can actually key into sealing, and that to be used is the link into the UK. I don't have that technical information in front of me now.

00:05:15:13 - 00:05:29:25

Thank you. That's that's that's that's a helpful response. Um, we don't have Tendring District Council. Do Suffolk County Council want to make any comments? I mean, I appreciate your position is different on this.

00:05:30:21 - 00:06:02:26

Um, uh, Suffolk County Council. So I think we've made, you know, our in our relevant reps. And I think we continue that's still our position, our preferences for an integrated offshore connection. Um, and expects the applicant to explore such options to the fullest extent. And I, you know, building on the comments that Essex have just made about the Oakes. Um, well, that that sort of concluded what it concluded. Um, and likewise, we wouldn't be in the business of, um, proposing, um, alternatives ourselves.

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So thank you.

00:06:06:03 - 00:06:12:09

Uh, our parish council, uh, Carolyn Mason Parish Council. Um,

00:06:14:06 - 00:06:14:27

we will.

00:06:15:07 - 00:06:22:04

As part of the regional campaign, the Essex, Suffolk, Norfolk pilot campaign be challenging,

00:06:23:25 - 00:06:56:20

uh, National Grid's citing of the CN the need for it because we we don't believe they're properly considered other sites for that. And the implication of that is that we're with a fait accompli. We we we have no you know, they're not looking. They haven't looked at other alternatives. And with that, that will be being challenged. Um, and I think we've probably expressed over the last couple of days the, um,

00:06:58:14 - 00:07:18:27

deep upset that the whole community is feeling by the amount of change that's being proposed for our community. It's not only this substation, North Pole substation, the um, tank on converter station, which is huge,

00:07:20:17 - 00:07:50:06

National grid substation. We've also got trenching coming right through our parish and then cabling, um, pylons, 50 meter pylons, going right the way out around our village, 50 meter high piles and all the cabling that that's associated with that. So we, we we just think this is the wrong project in the wrong place, all of them. And we want them to be considered to go onto a brownfield site or alternative. I mean, our still our, um,

00:07:52:00 - 00:08:17:15

recommendations from from the, the campaign, um, from our parish council are the integrated offshore um remove the to more suitable site subsidy options. High voltage direct current Norwich Tilbury um other alternative underground HVDC proposals um and just generally.

00:08:19:18 - 00:08:26:21

Yeah I think I've understood where we're coming from from the community. So thank you for allowing us to express so.

00:08:28:24 - 00:08:37:00

James thank you. Are you, um, James live? Ah, the parish council. We're getting down to the meat of it now. Um.

00:08:39:01 - 00:09:09:26

If National Grid's application fails, what is your what's the application? Applicants for that position. Are they going to. What would it take for them to to actually consider connecting at sea, especially in the light of the fact that we've, uh, today received an email, uh, from our, um, parish clerk saying that the ceiling is, as has been stated at the application state stage.

00:09:10:05 - 00:09:47:19

Um, maybe they'd like to look at that. Um, because, oddly, is not the only parish council that is aligning itself against the Norwich to Tilbury route, as you may or may not know. And, uh, it's just

that we feel that we've, we've, we've got the biggest dump on us of the lot. And so, um, you know, the idea of coming across to the, um, in their own words, National grid's words It's across the challenging crossing of the A12.

00:09:48:14 - 00:10:07:24

Well, if it's that challenging, let somebody else do it. If they if they're going to and have the have the connection. Connector over on box. Box did airfield which is not grade one agricultural land and just have the it going underground or go out to sea.

00:10:09:11 - 00:10:10:00

Thank you.

00:10:11:13 - 00:10:54:21

Thank you. We are coming on to the Norwich to Tilbury under the next bullet point. Um, just wanted to check if there were any other councils or any other IPS that wanted to respond to my question on this. These first two bullet points. Could I just check, um, before I ask the applicant to respond? Um, in terms of timing, can I ask Essex County Council, whether it's accepted, um, that the aim should be to deliver a connection for the proposed development by 2030.

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In terms of meeting.

00:11:02:24 - 00:11:03:18

The need.

00:11:09:08 - 00:11:13:24

I'm sorry. My apologies. Mark Wood, Essex county Council. Would you mind repeating the question, please?

00:11:14:05 - 00:11:48:09

Apologies that certainly. I'm just sticking to the topic of potential for an offshore connection. Um, and we've we've looked at the position as we understand it. Um, with the government's announcements. And it's whether you do accept the that there is an urgent need and that You are looking for an offshore connection that could deliver the proposed development by 2030.

00:11:49:29 - 00:12:20:22

Ma'am Mark, would you Essex County Council. There is a there is a need to meet that target of 2030, which has long been publicized and held over a lot of, um, and hearings. I would suggest, if you're asking me whether I think that there is a reasonable for another alternative to come forward and be implemented, constructed and available for operation 2030 that includes an offshore.

00:12:21:05 - 00:12:22:18

I can't answer.

00:12:22:20 - 00:12:39:28

That. No, I appreciate you couldn't I? It was just in terms of the timing just to say that. Does Essex County Council question the timing and the 2030 date that the applicant is putting forward as being the aim.

00:12:42:00 - 00:12:44:23

Ma'am, ma'am. It's going to cancel. No.

00:12:45:27 - 00:12:47:01

Thank you, thank you.

00:12:48:27 - 00:12:50:04

Tamsin Fairlie.

00:12:50:06 - 00:12:50:21

Tamsin.

00:12:50:23 - 00:13:23:29

Fairlie for Tina Fairlie farms. I think I appreciate that none of us can tell them to connect to something else. But given that we do have the potential now of take on as landowners in Tendring, it would be wherever Tarquin ends up. It would be extremely frustrating for a landowner to be in a situation where they've ended up with North Falls, five estuaries and then a little while later they end up with Tarquin and they end up with three projects when actually they could have ended up with one cable corridor, one converter station, albeit perhaps it needed to be a little bit larger.

00:13:24:01 - 00:13:53:06

But I don't suppose it would need to be cumulatively as large as all of the three separate substations for the sake of not quite having met this 2030 deadline that it doesn't seem like from public sort of knowledge and people were having discussions that National Grid are going to meet anyway. I think that would be really if we got to the end of all of this, and then whoever ends up with charcoal and all these others, that's what they had to deal with when we could have just waited a couple more years, had something a bit more coordinated. That would be really upsetting.

00:13:56:01 - 00:13:59:28

Thank you. I'll ask the applicant now to respond to those points.

00:14:02:24 - 00:14:04:21

Clare project for the applicant. Um.

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As has been noted, and the applicant does very much understand the sort of disappointment with the outcome of the.

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Process.

00:14:15:06 - 00:14:16:18

Um, for, um.

00:14:16:20 - 00:14:17:22

For the councils and the.

00:14:17:24 - 00:14:18:09

Communities.

00:14:18:11 - 00:14:23:16

That were hoping for an offshore, um, connection for the, for these projects. Um, but as we've said in.

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Our.

00:14:24:21 - 00:14:31:18

In our written responses, that decision was made by the Secretary of State for the Department of Energy Security and zero back in.

00:14:31:25 - 00:14:32:10

Uh.

00:14:32:12 - 00:14:34:24

Back in September of last year.

00:14:34:26 - 00:14:37:11

Um, however, North Falls has.

00:14:38:12 - 00:14:41:23

Retained its offshore and retained elements.

00:14:41:25 - 00:14:42:11

Within.

00:14:43:09 - 00:14:44:16

Schedule one of the DCO.

00:14:44:18 - 00:14:45:27

To deliver an offshore.

00:14:45:29 - 00:14:46:22

Connection should.

00:14:46:24 - 00:15:21:15

It come forward. However, we've made it quite clear that there is no viable proposal being put forward by a third party to provide an offshore connection at the moment. The sealing project has been

mentioned. The Sea Link DCO application was submitted uh, last week. Um for uh into submitted to pins last week. The the documents are not available however that that that project doesn't contain any elements that would allow for the connection of the North Falls project offshore so that that's not a viable solution.

00:15:22:10 - 00:15:23:23

Similarly, um,

00:15:25:09 - 00:16:02:01

obviously there's very limited detail available at the moment, but that is not, uh, that is an interconnector project between, um, the UK and Germany, and as it does not contain elements of connecting um English onshore project offshore projects into it. We did mention in writing a number of other projects that had been looked at, including uh Line Link and uh Nautilus, which are again two other interconnector projects, um, one between the UK and the Netherlands and the other between the UK and Belgium.

00:16:02:06 - 00:16:44:26

And again, neither of those include, um, the apparatus or are proposed to connect into offshore wind farm projects. Um in the UK, they do provide connections to other offshore wind farm projects in um, in the Netherlands and in, uh, Belgium, but they are not proposed to connect to um, offshore wind projects that are UK based. So at the moment the applicant's position is as it set out in writing, that there is no viable offshore connection available, and therefore it has to proceed with including an onshore connection within its DCO application.

00:16:51:06 - 00:17:28:26

The parish council has the um. Have the sums been done to compare the cost per mile of laying, um, underground cable from the coast to oddly, compared with the cost of running a cable, which presumably wouldn't need as much of this performance to go around to Tilbury just to connect indirectly.

00:17:28:28 - 00:17:30:29

We put the same question to.

00:17:33:16 - 00:18:09:21

Talk on when they came to meet us as a parish council. No, they seemed quite amenable to it. Uh, surprisingly, uh, because, um, you know, they're coming all the way from Germany and it's only an extra 35km for them, which, you know, is not a huge increase in expenditure, apparently, compared with what, what it would have been just going to the shore and then going ashore. And I just wonder how much, um, effort has been put into finding an alternative route at sea.

00:18:16:17 - 00:18:21:05

Mr. Broderick, it may be you haven't got a an answer to that immediately to hand.

00:18:22:03 - 00:18:54:16

It to the applicant. Um, in terms of costs, that was something that was considered by the government as part of the OCS process. So the costs of um, connection were part of that process. Um, obviously

further information about that would need to be requested from um designers rather than from the applicant. Um, the point of connection for um North Falls is inwardly in that location has been determined by National Grid.

00:18:54:24 - 00:19:02:08

Um, I not much more I can say on that point. I'll just see whether there's anything further, um, that the applicant's team might want to add for any one moment.

00:19:02:22 - 00:19:39:24

David Reed for the applicant. So there is a significant cost increase from laying cables under the sea all the way into, uh, Tilbury. The rough rule of thumb is that the offshore cables cost about four times as much as the onshore cables, 4 or 5 times as much as the onshore cables. So laying an extra 35km of offshore cable does as the crow flies does add a significant cost burden to the project in terms of what we're, we're looking to do. Allied to that, we would be having to run adjacent to, um, not only Harwich and Felixstowe ports.

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Um, we would also be having to run in proximity to the London ports, Tilbury Gateway and um, Medway ports that are all in the vicinity of that Thames estuary. And there is significant shipping traffic going through that, and that is potentially something we'll need to look at in the offshore hearings. Um, and how we ensure the safety of all vessel traffic going into those ports at the same time as we're trying to lay cable. So there are a number of factors, not only cost, that need to be looked at for looking at those situations that are not exactly easy wins, particularly given some of the issues that we've been hearing in the news recently about, um, vessel.

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Vessel this that Vessel collisions offshore. So we need to try and ensure that the safety of of all of those aspects as we're going down a narrow river into a very shipping congested area.

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But compared with, as a friend of mine was actually the captain of the ship laying a cable from Norway to Scotland, I would have thought it's quite cheap. And he said that was quite an easy job. Thank you.

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Thank you.

00:21:04:21 - 00:21:07:09

Kelly Mason Parish Council.

00:21:09:16 - 00:21:43:20

I think it had been explained to me and I quote, I'd quite like clarification on the timing of of the how it will unfold as to when the proposed substations might be created. And when the first wind turbine will start generating the power onto onshore and into the substation. My understanding from how it was explained to me, is that it would be done sequentially to write word, but there'd be one

turbine and then another one and another one, and it could take years before the whole thing is generating.

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And so it's not going to be full on power. 2030.

00:21:53:07 - 00:21:54:19

David Read for the applicant.

00:21:54:21 - 00:21:59:20

Yeah. If you can explain that briefly. Otherwise we'll have the response in writing.

00:21:59:22 - 00:22:16:26

Yeah that's fine. So yes, you are correct that we do one turbine at a time. I think the intention is to build it out in one season offshore, given the number of turbine locations that we're looking at. So the first one will go in early in the season to then have the last one by the end of the season. So looking over over a summer period

00:22:18:24 - 00:22:35:10

to be confirmed at the moment, potentially 2030, depending on the type of technology we can obtain for the turbines. They've got what's called self-sustained mode, which means they can power themselves without, um, need for for the grid. So potentially 2030, possibly 2031, depending on what technology is available at the time of construction.

00:22:43:26 - 00:23:16:15

Amazon Valley towns and valley and Valley farms. I'd just like to make one point that it's quite frustrating. We've been told, you know, we're sort of talking about all these things in 2030 and all these deadlines that somebody seems to have come up with and says, we have to do these things. But it's really hard to understand the actual justification for these wind farms when we've been told that Tarquin will be exporting 80% of the time. So 80% of the electricity that's coming in effectively to this substation is then going to go straight back out to Germany.

00:23:16:17 - 00:23:46:16

How does that make this of any use to the English people and what the people who are being affected by these schemes. If 80% of that energy is going to go back to Germany, and I appreciate that, that's not necessarily a published number. That's just what they're they're telling us. And there's things in there that people are saying that that's what it's going to be. But it's really hard to understand why this is fair for all the people here who are being affected by it, when actually the only people who are really going to make any money are the wind farms. And we're not even going to use the electric gentleman. And the wind farm companies are German too.

00:23:46:18 - 00:24:02:27

So if we were being cynical, we could we could put it on that. But it's just, you know, we're talking about 20, 30 like it's something we've got to meet. But realistically that's just a box ticking exercise and it doesn't feel like there's a huge amount of consideration for the people who are actually affected by it. It's just, let's get this box ticked.

00:24:07:24 - 00:24:17:25

I think, I think I am going to ask the applicant just to respond to that in writing, actually. And, um, where the 2030 date is derived from.

00:24:18:15 - 00:24:23:02

Uh, collaborate with the applicant? Yes. That's fine. We can refer to government policy that relates to 2030.

00:24:23:04 - 00:24:23:19

Thank you.

00:24:26:07 - 00:25:00:10

I also just ask whether by doing this, send it back to Germany. Uh, being really cynical as to whether R.D. is suffering, because then Germany can tick the box saying we are now that much more percentage, uh, any carbon free, and also how much carbon is being used or put into the atmosphere by the creation of this whole thing. I mean, it's an absolute anathema to to anyone living inwardly.

00:25:02:15 - 00:25:03:09

Thank you.

00:25:05:01 - 00:26:19:02

Um, so I will now move on to the next, uh, bullet point on the agenda, which is whether the application for the proposed development is premature given the stage that National Grid's Norwich to Tilbury project is reached in the development consent process. So the background to this agenda item is that Essex County Council, Suffolk County Council and Tendring District Council, um, have, amongst others, expressed concerns about the project's reliance on an onshore connection and the East Anglian Connection node as a component part of the Norwich to Tilbury project and Ardley Parish Council do not support the citing of the East Anglia connection node in Ardley, and consider the North Falls application is premature since it relies on a link to the East Anglian connection node, which itself is not yet approved, and the applicant has made responses to examining authority's questions 3.1.6 and 3.1.7 on this topic.

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Um, so if I could invite, um, I would invite firstly, uh, Essex County Council, if they want to make any additional comments on this.

00:26:33:29 - 00:26:47:09

Um. Thank you. Mark, would you Essex County Council. No additional comments in relation to what you, uh, very eloquently said. Um, um, I think quite clearly there is there is a certainly concern here that.

00:26:50:25 - 00:27:10:20

The Norwich to Tilbury proposal is, I would say, probably one of the most controversial planning proposals in Essex and the Eastern region, um, for decades and other than obviously the involvement.

Um Planning Inspectorate had in Sizewell C, which I would probably say is equally as controversial. Um,

00:27:12:13 - 00:27:56:15

from my Professional perspective. The concern that I have is that if the Planning Inspectorate, um, wish to grant consent for either of these particular wind farms, does that then add to the substantive need? Case for Norwich Tilbury. In advance of that being considered at hearing. Because what we know from the general consensus. I've gone around the room this afternoon, it almost seems to be the approach that electricity transmission is taking a piecemeal or a piecemeal proposal by adding one in, then another one and then another one, which makes the main transmission network itself

00:27:58:15 - 00:28:04:17

more needed in terms of planning. If, if, if that's if what I've said is understandable.

00:28:05:01 - 00:28:08:25

No thank you. You've put the point. Very well. Thank you.

00:28:11:24 - 00:28:15:17

Right. Do any of the other councillors want to comment on this item?

00:28:18:19 - 00:28:22:03

Suffolk County Council I don't know if you want to just. Yeah.

00:28:24:24 - 00:28:54:29

Uh, carpus and Suffolk County Council. Um, yeah. On that topic of the East Anglia and the reliance on the East Anglian connection node. Um, we have mentioned in our local impact report, 1-074. Um, the concerns we have around that reliance, and we've put in a request for a phasing restriction. Um, I'm aware that kind of possibly shows into the offshore impacts. Um, but, uh, the we know that the applicant didn't respond to this point in our, um, in their response to our local impact report.

00:28:55:01 - 00:29:15:22

And we're just concerned about if the East Anglian connection node, uh, didn't come into into play due to the fact that we didn't gain consent, uh, there would be a concern as to what the alternative options were for the, the electricity to actually end up in the grid. So that was why we, uh, requested that phasing restriction. So. Yeah, just raising that.

00:29:15:24 - 00:29:24:23

No, no, I was getting asked that question as well. So thank you for putting it. Um, right. Ardley Parish Council.

00:29:25:01 - 00:29:46:29

Carolyn Mason Parish Council. But just a final comment. We're not saying that we don't support offshore wind and security of power. What we're saying is that the RCN is in the wrong place. Yeah, it needs to go onto a brownfield site of which there are some available. Please.

00:29:49:01 - 00:29:50:04

Thank you very much.

00:29:53:23 - 00:30:27:16

So in that case, could I ask the applicant to explain further its position that the DCO application for the project is not premature? Um, on the basis that there is a contractual obligation for the connection to be provided. Um, and if you could also explain the point that was made by Essex County Council, realistically, if the project does not proceed via the East Anglian connection node, you know, how can it achieve its 2030 operational date?

00:30:30:01 - 00:31:00:09

Clare project for the applicant. Um, we set out earlier, um, the process and Mr. Reid explained why typically offshore wind farm projects are ahead in the consenting process. Um, we also, as you've noted, explained that there is a contractual commitment on National Grid to, um, for Nisso to provide a point of connection for the project. Um, and it is therefore National Grid's responsibility to consent. That connection point.

00:31:01:03 - 00:31:45:07

Um, I appreciate lots of comments have been made, um, in relation to objections to that project. However, the Secretary of State will be required to determine the application in accordance with the Planning Act 2004. In accordance in particular, section 104, which requires the Secretary of State to um consider to consider the application and determine it in accordance with the National Policy Statements. There is an entire nationally policy statement relating to electricity network infrastructure and sets out the policy, uh, need for um transmission network upgrades and new transmission network infrastructure.

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So I think that there is already a policy basis for this application that will be taken into account when the Secretary of State comes to make its decision. Um, and therefore, I think.

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The process, um, will be applied for that application, um, in terms of both need, which was mentioned, the need for the transmission network upgrade, both for the connection of these projects, but just generally, um, the purposes of of Norwich to Tilbury are to improve transmission network infrastructure, which is recognised by the government as a key priority for both um delivering net zero um and improving the ability for the decarbonisation of the electricity network.

00:32:32:09 - 00:32:32:24

Um,

00:32:34:12 - 00:33:13:16

in terms of um, the phasing restriction that was mentioned by Suffolk County Council, um, I'm aware that, um, there was quite considerable debate on this issue in the five estuaries um examination. Um, five estuaries explained quite clearly why they did not consider it to be appropriate or legally compliant to include such, um, a Grampian style of requirement. I'm happy to provide a summary of those reasons In writing and to reiterate the point that was made by the Five Estuaries team as to why that type of requirement was not necessary.

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I would have thought maybe written submission on that particular.

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That's right. But we would certainly welcome the submission of that.

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Yes, James.

00:33:24:08 - 00:33:26:15

Yep. Thank you. Um,

00:33:28:11 - 00:33:57:01

how long is the applicant prepared to wait? Not connected. Should it take longer than the expected time for National Grid to get their permission? Because I imagine that they're. They they must be a little bit time sensitive, uh, as to when they can connect. And, you know, how long will they wait before they look for somewhere else?

00:34:01:24 - 00:34:02:20

Broderick.

00:34:04:03 - 00:34:38:21

Claire Broderick for the applicant. Um, as I've said, it's for the National Grid to provide the location of the point of connection. Um, there are obviously two different elements to this question. There is the elements that are relevant, I suppose, to planning. And then there is separately in terms of when the applicant wishes to take various stages in the process of going to financial investment decision and various other stages in terms of what is, uh, what stages it goes through depending on the status of the, um, national grid planning application.

00:34:38:23 - 00:34:45:02

But I'm not sure those elements are not necessarily relevant to the planning questions that have been asked today. Okay.

00:34:46:08 - 00:35:04:29

Thank you. The reason for asking, of course, is that there are several, um, fundraising things going on to raise money for judicial reviews before it even gets to a situation similar to this for the National Grid's application and could extend the time.

00:35:17:12 - 00:35:36:22

Just to go back on what you had said was the implication was that the DCO is being considered, but whether you go ahead and implemented at a later date will be reviewed, depending on the facts and the situation pertaining at that time.

00:35:37:27 - 00:36:10:12

Clare, for the applicant, yes. That's correct. I mean, these are multi-million pound projects. Um, so, um, the applicant is fully aware of the potential risks of, um, National Grid, um, delays to it getting consent to it being subject to legal challenges has been mentioned. Um, so those are all project risks, along with many other. Project risks that are kept under review by the applicant. But we don't consider those the risks that the applicant has to to manage.

00:36:10:21 - 00:36:15:16

Um, we don't consider them to be things that need to be controlled via the planning process. Thank you.

00:36:20:14 - 00:36:59:17

Alright, I'll move on to the next agenda bullet point, which is whether the North Falls offshore wind farm and the five estuaries offshore wind farm, Tarzan interconnector and the Norwich to Tilbury projects should be examined as one application. Um, so in the evidence submitted so far, we have Ardley Parish Council who point out that they are subject to five Estuaries Wind Farm, North Falls Wind Farm, Tarzan interconnector and the Norwich to Tilbury project.

00:37:00:05 - 00:37:13:23

Their position is that these projects must be examined as one, and we do have the applicant who has provided a response to that. In rep 1048.

00:37:16:23 - 00:37:29:21

So perhaps if I could ask our Ardley Parish Council first, is there anything that you wish to add in the light of the applicant's response at deadline one?

00:37:33:21 - 00:37:56:27

No, I think I think we you know, that's our position. I think people appreciate how much our community have to cope with in terms of those four projects, plus a garden community plus mineral extraction. You know, there's there's a lot going on and it feels like it's, um, overwhelming for, for us to deal with. okay.

00:37:59:06 - 00:38:03:16

Can I check if there are any other IP's want to comment on this point?

00:38:10:27 - 00:38:42:26

If I may ma'am, I will just again to cancel. Having given you a having given you a response to my previous my previous submission to say that it would potentially be useful, I would have said yes. I note that there is currently a view of the CIP regime whereby proposals are to be considered together. Um, and I would suggest that if this proposal and North falls for a in five estuaries, for example, are being considered together, that would have been an absolute benefit in terms of that structure of conjoining entities together.

00:38:43:02 - 00:38:50:01

But I suppose if you put Norwich to Tilbury, North Falls and five estuaries together.

00:38:52:27 - 00:39:02:01

That is a huge task both for yourselves as a planning inspector in making the decision and for the huge raft of consultants that you need.

00:39:02:03 - 00:39:03:26

We don't we don't make the decision.

00:39:04:22 - 00:39:06:10

You make the recommendations.

00:39:06:12 - 00:39:06:27

We might like.

00:39:06:29 - 00:39:42:07

To make, make the recommendation to the Secretary of State, whatever that recommendation may be, ma'am. And whether or not the Secretary accepts that recommendation or not. Caveat that. Yes, because I've indicated that what we have here is potentially a piecemeal development, which leads to the whole if we were to consider the hold as one that would enable the decision making authority to have all the facts around the table, to look at all the matters in relation to all three projects, and given as an assessment based on the total commonality of that.

00:39:44:08 - 00:40:07:13

Thank you. So perhaps if I could turn to the applicant and if you could respond to that, those uh, comments, uh, and uh, uh, explain why you consider it reasonable and lawful for the proposed development to be pursued independently of the Norwich to Tilbury project.

00:40:10:24 - 00:40:12:10

Uh, Claire, the applicant. Um.

00:40:12:16 - 00:40:30:01

I'm sorry. Bear in mind the reference to lawful that some IPS have made reference to case law and the case of Berridge and Breckland and Wingfield and uh, are in Canterbury City Council.

00:40:32:01 - 00:41:02:08

Uh Clare project for the applicant. Um, I think as we set out in our um written response, um, these are all separate projects being promoted by, um, separate, uh, developers, albeit that some of the projects have common shareholders. and they are therefore being put forward as separate DCO applications. Um, because they are separate DCO applications, they are being examined individually.

00:41:02:19 - 00:41:33:01

Um, and they are not being examined. Um, there's been no conjoining of the examinations, um, for these projects. Um, in terms of, um, ensuring the effects of all of the projects are fully assessed, as was mentioned by Essex County Council. That is the purpose of the cumulative effects assessment to ensure that um projects are assessed both individually and cumulatively with other projects.

00:41:33:18 - 00:42:12:15

Um, we have explained in our written response why we consider it not to constitute a single project. Um, taking into account the various case law that has been mentioned on on single project and typically Those projects are looking up. Where? Where projects are sort of trying to, I suppose, divide up the projects into. Separate projects to try and make the appearance of them being a reduced. Effect. Whereas these are all individually, um, EIA projects that are subject both to an environmental impact assessment of um, themselves, but also, uh, cumulatively.

00:42:13:04 - 00:42:48:05

Um, we referred to the um, Sizewell C case, which looked at um, physical and functional um, connections. Um, and whether that should be considered as a single project or whether they could be considered separately, um, and cumulatively. Um, and the court in that case held it was appropriate to consider those two elements of the project separately, and it was correct to take into account ownership of the developments and specific statutory obligations that a developer is subject to.

00:42:48:17 - 00:43:24:12

And we say that on the basis that obviously, uh, North Falls is a is a generator of electricity. It is, is a licensed as a holder of a licensed, um, as a generator, whereas National Grid is the operator of the transmission network. It is subject to separate statutory obligations and is licensed separately. Um, I don't think we have anything more to to add on on this particular point. Um, in terms of it being quite common for transmission and, uh, elements to be consented separately to the generation element.

00:43:24:14 - 00:43:25:05

Thank you.

00:43:28:05 - 00:43:28:26

James.

00:43:29:19 - 00:44:08:29

Thank you. Um, would it be the applicants intention, uh, supposing that they got approval from yourselves to, um, proceed with this application Nation as if National Grid were going to definitely get their permission. Or will they wait until they see what the outcome is of that separate application? Because otherwise it's I believe that will be a deliberate attempt to influence the outcome of the National Grid's application.

00:44:15:07 - 00:44:16:27

The applicant, I believe, already.

00:44:16:29 - 00:44:19:08

Was that the moment we met, we dealt with earlier.

00:44:19:10 - 00:44:21:09

Yes. I don't have anything further to add. Yeah.

00:44:21:20 - 00:44:22:18

Okay. Thank you.

00:44:26:02 - 00:44:27:09

Tamsin. Fairly.

00:44:29:02 - 00:45:04:07

Fairly. Farms. I think this the separation of North Falls and five estuaries has been the biggest issue for for landowners, really. But that sort of horse has already left it stable now. Um, but the it's really difficult to understand why we're being told that. We've got to sign one agreement, you know, voluntarily. We're being given one agreement by both by both North Falls and five estuaries. Yet there are two separate projects being considered separately. It's a real half and half approach. It should have been entirely together or entirely apart, and entirely together would would be preferable.

00:45:04:09 - 00:45:37:02

It would have. It would have been a lot less stressful for landowners. You know, we wouldn't have all been required to sit here twice that. You know, that's sort of a waste of everybody's time and money. Um, but then you're giving us a single, a single document to sign and some appreciation of the fact that without North Falls and five estuaries, the ECN probably would never have been put at that particular location in Ardleigh. Because if you take away North Falls on five estuaries, Norwich to Tilbury could have continued all the way down without a light, without that substation having to make that inroad into Ardleigh.

00:45:37:07 - 00:45:55:05

So even just some appreciation when people come to to see when they want to talk about these things that actually they are responsible for the arson. We're not saying necessarily that it has to be considered as one thing, but but they do need to look at their cumulative impact because they are responsible for that particular piece of apparatus being located there.

00:45:59:19 - 00:46:04:09

Thank you. I'll just check if there's anything the applicant wanted to add.

00:46:11:20 - 00:46:24:24

For the applicant, I think we've made many of the the main points just in terms of, um, coordinate. There's a sort of a conflation of two points. We are trying to coordinate the various.

00:46:24:26 - 00:46:27:03

Coordination is the final point.

00:46:27:05 - 00:46:59:00

Isn't it? Um, so in terms of, um, negotiations with landowners, as we talked about in other areas, in terms of, um, trying to minimize impacts, there's quite there's a lot of coordination that has been undertaken as being committed to, whilst recognising that these are two separate projects subject to separate DCO. So I think coordination is is a is a positive and we are trying to do that within the context of them being two separate DCO applications. So happy to talk more about coordination later.

00:46:59:02 - 00:46:59:17

Yeah, I think.

00:46:59:19 - 00:47:00:07

We're just about to.

00:47:00:12 - 00:47:01:11

It was almost being.

00:47:01:15 - 00:47:02:00

We're just.

00:47:02:02 - 00:47:32:06

Being presented negative and almost negatively. Whereas actually we are trying to do positive steps to try and minimise things through, um, the coordination. Um, but I don't think we've explained the reason for all the process that's been, um, that has led to the, to the East Anglia connection node. I don't think anybody is. We tried to suggest that it's not for these projects, obviously. It is to provide a connection for both North Falls and pedestrians. Thank you.

00:47:33:00 - 00:47:33:19

Thank you, thank.

00:47:33:21 - 00:47:34:06

You.

00:47:34:16 - 00:47:35:21

Tamsin, fairly.

00:47:36:06 - 00:48:07:05

And fairly for Tina Fairley Farms. The only other point I'd like to make is that these two north walls and five estuaries are still presenting two different substation designs, and I don't I don't understand how one planning inspector can sit and make a recommendation based on what they think is going to be built based on what one project is proposing with. That takes a completely different two completely different areas of land acquired compared to the other one.

00:48:07:07 - 00:48:17:18

It means that one panel's examination was effectively a complete waste of time, because what they consented is not going to be built, because we've been told at the end of it, you're only going to get one scheme.

00:48:19:05 - 00:48:23:12

It doesn't make sense that they're proposing two different things.

00:48:24:24 - 00:48:42:07

No, I, I appreciate the position that, you know, you as landowners are in and but we have covered design of substation earlier today and I will ask the applicant to cover the additional points and your concerns in writing at deadline for.

00:48:47:17 - 00:48:59:07

So the next bullet point we did also cover this morning when we were considering agricultural land. So I will move on now to the final bullet point.

00:49:11:03 - 00:49:44:15

So that is whether any greater degree of coordination between the applicant and the five Estuaries Offshore wind Farm project can be achieved in order to minimize the impact on farmland of the onshore substation and the onshore cable route. Um, so in response to the examining authority's question 3.1.8. The applicant explains how it is sought to minimize impacts on best and most versatile land.

00:49:45:12 - 00:50:37:07

Um, and then I also we also have the submission the recent submission of Louis fell on behalf of Stratton Parker Farms Limited and Yan Enterprises. That's ISO five zero which states that should both projects proceed, then they would encourage the building of both projects at the same time to limit the damage to the land. They also say that if the examining authority are minded, proceed on the basis of the inclusion of land sufficient for five estuaries, they request that we ensure the land is only opened up once during construction, and ducks laid for the second development, and again to fairly make the point that to prevent the land from being unnecessarily impacted.

00:50:37:09 - 00:51:13:18

Twice, you request that whichever developer proceeds first. If not together, they must lay the ducting for the second developer or allow the second developer to install ducting at the same time. Um, so you avoid the scenario where the land is reopened or a separate trench required further away from the first. Um, we have the applicants deadline. Three comments on that. Um, the applicants position is that it can't confirm that build option two will be take the approach taken.

00:51:14:04 - 00:51:19:22

Um, if I could go first to Louis. Phil, if you are online.

00:51:23:15 - 00:51:24:27

Hello? Yes, I'm still here.

00:51:25:23 - 00:51:26:08

Uh.

00:51:26:24 - 00:51:27:11

Good.

00:51:28:07 - 00:51:31:13

Good, good. Uh, it's been a while. Yeah.

00:51:31:17 - 00:51:35:03

Yeah, yeah, I heard all that. I think my.

00:51:35:05 - 00:52:04:17

So I just wondered just one point, um, you have made that suggestion. What I am asking you to do is if you could provide a draft provision, that deadline for that would, within the DCO, secure what you seek in terms of ducting being carried out at the same time. And I also wanted you to clarify what is the Yorkshire project to which you refer.

00:52:05:27 - 00:52:10:02

Yeah, okay I will do you want me to put that on deadline for. I can't remember which.

00:52:10:04 - 00:52:10:19

Yeah that'd.

00:52:10:21 - 00:52:11:10

Be, that'd be.

00:52:12:04 - 00:52:13:11

Fine. That'll be fine.

00:52:13:13 - 00:52:29:09

They, they have done it there and uh, and coming back to the soil, managing the construction hall Road. That was a really good project, by the way. And the landowners have been really happy with the restoration and how it all went on. So it is a good model to follow.

00:52:31:15 - 00:52:37:22

Right. Is there anything you want to? I mean, we've read your latest submission. Is there anything you want to add on this? Mr..

00:52:38:04 - 00:53:10:00

I know, I think, I think it's just for me, it's those offline from our point of view is the the interaction with the potential development and and the conversations that we've been having proactively with, with both North Falls and Five estuaries is to try and locate the cable to the very northern edge of the cable corridor, so that the 40 meter easement within that 160 meter corridor is on the northern edge, which will which will enable us to do that.

00:53:10:02 - 00:53:40:10

Now, it's difficult to document accordingly. And there are technical reasons why, uh, you know, we need to sort of work with our designers. But I think our point is, is that we control a lot of that land. You know, all that land on the north side is all owned by Strand Park and that we're very open to having the cable route amended slightly to take in land outside the DCO routes to avoid our future development proposals. So, um, that's that's one big thing.

00:53:40:12 - 00:53:54:02

And then the other thing is these, these offline haul roads, which are only for poor maths. But we can talk about that tomorrow. I'm going to join in tomorrow morning on the dormouse bit or is it next week. Sorry.

00:53:54:04 - 00:53:54:22

No I.

00:53:54:24 - 00:53:55:20

Think I think.

00:53:56:10 - 00:53:58:17

That that that's next week.

00:53:59:05 - 00:54:34:22

Yeah. Next week. Sorry. Next week on the, on that which is the reason for those offline all haul roads which I'm very keen to avoid if we possibly can. Um, but I think the main thing is, you know, trying to optimise the land because it, you know, there is a conflict. You know, government policy is also for renewable energy, but it's also for housing development. So we need to try and in my mind try and accommodate both, which we can perfectly do. And my clients are very welcome to those Discussions. I appreciate that there are order limits, but there's nothing stopping us going outside those order limits by by, um.

00:54:34:26 - 00:54:36:02

By negotiation.

00:54:36:15 - 00:55:15:08

No thank you. So if I turn to the applicant. So this is an important point for landowners and people living in the area that might be disturbed by construction activity, only to be disturbed again by the works. So really, it's to ask the applicant whether there is no scope for further coordination of this matter. Uh, what is the latest on the prospect of any such cost being underwritten? Uh, as reported to Ofgem in May 2023, or both.

00:55:15:10 - 00:55:23:06

Projects independent investment and procurement programmes fully aligning post grants of the DCO.

00:55:26:24 - 00:56:04:12

Project for the applicant. Um, yes. As you've, um, summarized. Um, the both north walls and five estuaries have, um, allowed for the ability for both either project to lay the ducks for the other. Uh, but neither project is able to commit to doing so, um, at this stage in the process, for the reasons, um, that have been set out. Um, both, um, draft echoes include a requirement requiring each undertaker to specify which build out option is being taken forward.

00:56:04:17 - 00:56:38:01

Um, before, um, commencement of those construction works. So there will be certainty at the pre pre construction as to what option is being selected. But at this point in time, um, the position remains the same, which is that neither project can commit to um laying the ducting for the other project, or for the either of the other scenarios that have been set out and, and therefore each project has assessed the worst case for the purposes of each of environmental impact assessment.

00:56:38:03 - 00:56:43:09

I will just check to see whether any of the other applicants team have anything. No, that's that's right.

00:56:43:11 - 00:57:15:28

It was really just, you know, I, I would like you to explain fully and, uh, show your consideration of further scope for further coordination of this matter. You know, for example, there might have been a commercial agreement agreeing to share or underwrite costs. I mean, I I'm not putting forward ideas for you, but I really want to know how you've explored this and what the or call coordination with North Falls has been on this point.

00:57:17:14 - 00:57:45:08

Uh, Clare project the applicant um, yes. We can provide some more detail in writing, there is, um, an agreement between, um, the parties. Um, that is, um, almost in, uh, is in an agreed form, um, which deals with a number of points. Um, uh, is the question regarding all elements of coordination or particularly the point about the playing of particularly.

00:57:45:10 - 00:58:01:18

At this point? I mean, it's it's the point of the prospect of people being disturbed by construction activity and then being disturbed again by the works for the later project. So at that particular point.

00:58:21:04 - 00:58:55:07

Uh, Claire, project the applicant. Um, I've been informed that at this point, there is no further information available from Ofgem on on the topic of anticipatory investment. However, that is something that we will keep under review during the examination and should there be a change to the regulatory position, um, then we will obviously provide an update. But at the moment, um, it remains the same, um, as we set out in writing, but we will have a review of the various responses that we've made on this point to see whether there's anything additional we can say at this point in time.

00:58:58:04 - 00:58:58:20

Right.

00:58:58:22 - 00:59:01:20

Can I, uh. Essex County Council.

00:59:02:18 - 00:59:39:20

Thank you. Ma'am. Um, Mark, was it Essex County Council? Just noting the point you made about the impact on the amenity of nearby residents. If, for example, one proposal was to follow the other, you know, just also draw your attention to the fact that, according to the applicant's figures, 26.9% 9% of the route that's going to be taken by the cable car. It always is. Grade one best value of agricultural land. And if you were to look at the anticipated build program for the whole road, in particular, because that has the main yes, the substation has an impact on agricultural land, but the whole range is much, much bigger in terms of area.

00:59:40:06 - 01:00:19:00

If you if you factor in one three year build program, not only will that impact on the amenities, it will also impact significantly, I would suggest, on the productivity of that best, most valuable agricultural land. So if if this could be done, all done together, that impact would be a three year build program, not three plus three, which I think is something that you should take into account and making your

decision on this particular matter. One of the things that we mentioned at the Five Estuaries hearings was the possibility of a Grampian condition linking the linking the two developments together.

01:00:19:11 - 01:00:33:09

We will go away and have a look at that and aim to get our response back on this specific matter and on that potential Grampian condition by deadline for thank you.

01:00:34:20 - 01:00:37:19

No thank, thank you for that. Right.

01:00:40:05 - 01:00:45:08

Can I. Oh did you. Would you like to respond before I.

01:00:46:13 - 01:01:14:14

Uh, Claire project for the applicant? And yes, the point is very much noted in terms of the additional impacts that would be associated with a sequential build out of the two projects, and those have been assessed in the environmental impact assessment. Just in terms of the requirement drafting. Um, as I mentioned, there is already a requirement in there stating that we have to um, notify of which build option is being selected. Um, so we can comment on any further.

01:01:14:16 - 01:01:18:00

No, there is. And we'll be looking at that requirement next week.

01:01:18:02 - 01:01:41:08

Yeah, but happy if we will. We will. Um, in preparation for the hearing next week, we will take an action also to just have a look at the suggested wording that was put forward by Essex County Council. On that particular point, I believe we've got what was the final five estuaries drafting already, but we can have a look at what their proposal was and the reasons why it wasn't accepted by five estuaries.

01:01:43:14 - 01:01:44:08

Thank you.

01:01:47:01 - 01:01:56:03

So that brings us to the end of the agenda. Can I just check if there are any other matters that anyone wishes to raise?

01:01:59:14 - 01:02:10:11

In that case, I shall close the hearing. And thank you all very much indeed for your attendance and participation. The hearing is now closed.