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**E.ON Climate & Renewables UK
Humber Wind Limited**
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Matthew Swanwick

28th June 2012

Your Ref: TR030001

Dear Sirs,

Application for the Proposed Able Marine Energy Park on the South Bank of the River Humber at Immingham, North Lincolnshire

E.ON Climate & Renewables UK Humber Wind Ltd ('Humber Wind') is a subsidiary company of E.ON UK plc. E.ON UK plc has submitted relevant representations in respect of the Able Marine Energy Park (AMEP) proposal. Humber Wind is developing the Humber Gateway offshore wind farm and has recently been granted a Generation Licence. We understand that Humber Wind is, therefore, a Statutory Undertaker under the Electricity Act 1989 and, accordingly under the Planning Act 2008.

Humber Wind entered into an option in 2007 with landowners D Spetch and W White for the installation of electrical power lines across land near Old Little Humber Farm, East Yorkshire. These power lines will be laid underground and carry the power output from the Humber Gateway offshore wind farm to a substation on the National Grid transmission system, at Saltend, Hull.

The 219MW Humber Gateway wind farm will be E.ON's fifth offshore wind farm operating in the UK. When commissioned in 2015 it will provide enough power for approximately 175,000 UK homes a year. When the Humber Gateway wind farm was granted consent by DECC in February 2011, E.ON UK Chief Executive, Dr Tony Cocker, stated:

"This isn't just an important announcement for E.ON, but it is also a significant announcement for the UK. Increasing the proportion of electricity we generate

from low-carbon renewable sources is a vital part of meeting the energy challenges we all face.”

We therefore consider the Humber Gateway wind farm to be a nationally significant infrastructure project in its own right and works proposed as part of the AMEP scheme should be considered in light of any detrimental effect to the development of a scheme which has already been consented. We understand that some of the land near Old Little Humber Farm (Plot 14006) over which we have rights is now owned by Able UK, who are proposing to use it as a wet grassland compensation scheme in connection with their proposed Marine Energy Park at Immingham.

To-date, we believe that the only information that Humber Wind has received from Able UK about this proposal is as follows:

- a) An email on 25th November 2011 (from Peter Stephenson of Able UK to Richard Rogers of E.ON UK), informing us of Able UK’s intention to use land at Old Little Humber Farm as grassland for bird mitigation.
- b) A phone call on 9th May 2012 (from Jonathan Monk of Able UK to James D’Alessandro of Humber Wind), informing us of Able UK’s proposal to raise the level of the water table on this land, to create a habitat mitigation area.

Humber Wind is proposing to exercise its option and proceed with the installation of the power cables during the periods July-October 2012, and April-October 2013.

While we have no issues to raise on behalf of Humber Wind in respect of the Marine Energy Park itself, we are concerned that the wet grassland compensation scheme should not have any adverse effect upon the installation or operation of our cables running across this land.

We are particularly concerned to ensure that the powers set out in the draft Development Consent Order (notably Article 41 “Statutory Undertakers”) do not inadvertently extend to authorise Able UK to interfere with the Option referred to above. In addition, any consent under s.138 Planning Act 2008 should operate so as to expressly exclude Humber Wind’s option.

We have been in contact with Able UK regarding their proposed wet grassland scheme near Old Little Humber Farm, and are working with them to better understand the effects of their scheme upon our cables, and vice-versa. Given that Humber Wind are proposing to commence the installation of underground

cables this summer there would be significant obstacles to the installation of the cables were the land to be converted to wet grassland prior to the completion of these works. We are also concerned that access along the cable route, and repairs and maintenance of the cables, would be made more difficult once the cables have become operational were the land to be turned into wet grassland. We would therefore request that, in order to protect our construction and operational rights over these cables, the Development Consent Order contain a protective provision prohibiting the wet grassland mitigation work near Old Little Humber Farm, on Plot 14006, from affecting our cable route (which is shown on the attached map).

In the light of the above, we request that your proceedings take into consideration our rights to install the Humber Gateway cables across the land near Old Little Humber Farm, and the fact that we are working with Able UK to avoid adverse effects of the wet grassland scheme upon our cables.

Should you require any further information regarding the above please do not hesitate to contact us.

Yours faithfully,



Matthew Swanwick

Project Manager

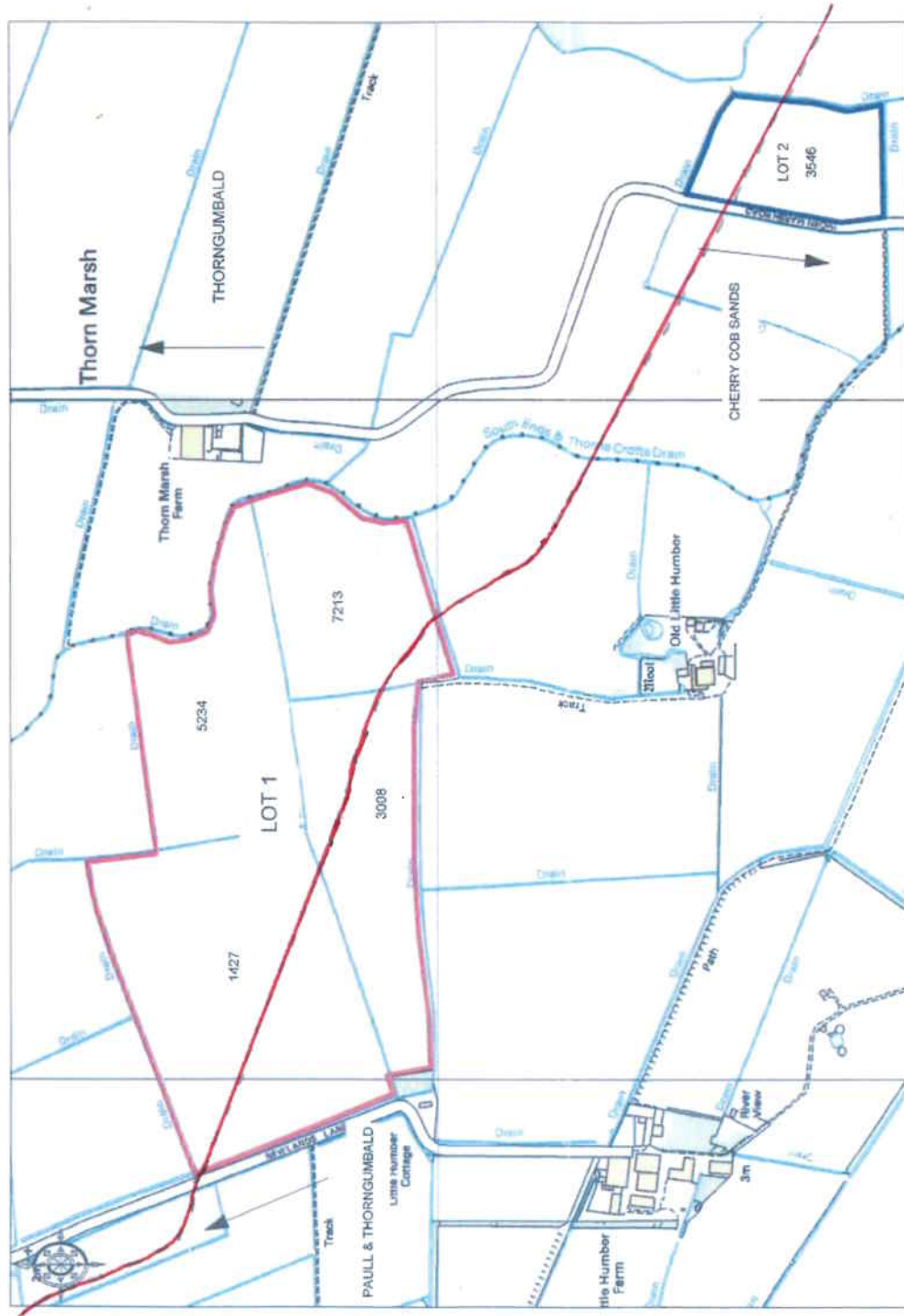
(Signatory on behalf of E.ON Climate & Renewables UK Humber Wind Ltd)

Humber Gateway Offshore Wind Farm

On behalf of E.ON Climate & Renewables UK Humber Wind Limited

Humber Wind Cables route across Able UK plots of land: 'Lot 1' & 'Lot 2'.

(Cables route marked by continuous red line: —)



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