

Environment, Development & Transport Committee

Item No.

Report title:	Update on the following Offshore Windfarm Proposals: (a) Norfolk Vanguard and (b) Hornsea Project Three
Date of meeting:	11 November 2016
Responsible Chief Officer:	Tom McCabe - Executive Director, Community and Environmental Services
Strategic impact The above offshore windfarm proposals will be determined as Nationally Significant Infrastructure Projects under the 2008 Planning Act. Norfolk County Council is a statutory consultee on such projects and therefore has the opportunity to comment and influence the final decision. Responding to such consultations will ensure the County Council's views are formally taken into account prior to a final decision being made by the Secretary of State. At this stage no formal applications have been submitted and therefore this report simply updates members on each of the two NSIP proposals for information purposes.	

Executive summary

The key issues are set out below:

- The two offshore proposals have the potential to generate over 4 GWs of electricity – enough to supply 3.3 million households;
- Despite the scale of development the windfarms should not be visible from onshore given their distance out to sea;
- As these are substantial developments with a generating capacities over 100 MW, both windfarm proposals will be determined as Nationally Significant Infrastructure Projects (NSIPs) under the 2008 Planning Act;
- The ultimate planning decision for these projects rests with the Secretary of State for Business, Energy and Industrial Strategy;
- The County Council is a key stakeholder and statutory consultee in the NSIP decision-making process. Members will have an opportunity to formally comment on the applications (see internal procedures attached);
- The key onshore infrastructure requirements for each proposal is likely to include: onshore booster/relay stations situated within 0-5 km (Vanguard) and 10-15km (Hornsea) from where the electricity cable makes landfall; underground electricity cable routes; and new infrastructure will be required where the onshore cable route connects to the National Grid (i.e. a new substation at Necton [Norfolk Vanguard Project] and Norwich Main [Hornsea Project 3]);
- The principal role of the County Council in responding to the above proposals will be in respect of the Authority's statutory roles as: Highways Authority; Minerals and Waste Planning Authority; and Lead Local Flood Authority. The County Council will also provide environmental and economic development advice/comments on these proposals.

Recommendations:

It is recommended that members note the contents of this report.

1. Proposal

- 1.1. The purpose of this report is to inform and provide members with a factual background on the following two offshore windfarm proposals off the Norfolk Coast: (a) Norfolk Vanguard and (b) Hornsea Project Three. While both these proposals are for offshore projects, there will be considerable onshore infrastructure works required associated with the electricity cable routes making landfall and grid connection in Norfolk. The onshore works will form part of each application/proposal.
- 1.2. Given the scale of these projects they will be determined by the Secretary of State for Business, Energy and Industrial Strategy under legislation set out in the Planning Act 2008. Under this legislation the projects are identified as Nationally Significant Infrastructure Projects (NSIPs). The planning regime is described in more detail below.
- 1.3. This report sets out the broad scope of each of the offshore projects (see table below), together with their likely onshore infrastructure requirements. In addition the report will provide an explanation of the planning processes the projects will need to go through and the County Council's role in that process.
- 1.4. It should be made clear that at this stage no formal applications have been submitted by either of the two applicants Vattenfall (Norfolk Vanguard Project) or DONG Energy (Hornsea Project Three). As such this report is not canvassing the views of members on the merits or otherwise of the two proposals.

The Projects

- 1.5. The projects comprise the following:

	Norfolk Vanguard	Hornsea Project 3
Applicant:	Vattenfall – Swedish energy company.	DONG Energy – Danish energy company.
Proposed Capacity of Project:	1.8 GW (1.3 million household with electricity)	2.4 GW (over 2 million households)
Offshore works	Offshore turbines (numbers to be confirmed); and cable route (TBC).	Offshore turbines (numbers to be confirmed); and cable route (TBC).
Distance from Shore	47 km Will not be visible from onshore	120 km Will not be visible from onshore
Site area (see Maps in Appendix 1)	591 sq.km	696 sq.km
Onshore Works (see Maps in Appendix 2)	Landfall infrastructure; onshore High Voltage Alternating Current (HVAC) booster station (if required); underground cables connecting to the National Grid and a new substation.	Landfall infrastructure; onshore HVAC booster station (if required); underground cables connecting to the National Grid and new or extended substation.
Landfall Search area (see Maps in Appendix 2)	Between Bacton Green & Eccles on Sea	Weybourne area

Cable relay/HVAC booster station	Required if electricity brought ashore using AC technology within 0-5 km of landfall. (Approx. dimensions 150m x 75m x 15m ht)	Required if electricity brought ashore using AC technology within 10-15 km of landfall. Maximum height 12 m Footprint not known
Grid Connection – Location	Existing National Grid Necton substation	Norwich Main (Stoke Holy Cross)
Substation	New sub-station foot print = 300m x 250m by 20m ht.	Within vicinity of Norwich Main – size TBC

NB A booster station will only be required if HVAC transmission technology is utilised.

In addition to the Norfolk Vanguard proposal it is understood that Vattenfall will be pursuing a separate offshore wind farm proposal known as the Norfolk Boreas. The process on this “sister” project will begin in 2017. The Map in Appendix 1 shows the Norfolk Boreas location.

The Planning Process and County Council’s Role

- 1.6. As indicated above these offshore wind projects are defined under the 2008 Planning Act as Nationally Significant Infrastructure Projects (NSIPs) and as such are determined under the NSIP planning process. Under the NSIP process the final decision on the individual projects rests with the Secretary of State (SoS) for Business, Energy and Industrial Strategy.
- 1.7. The County Council is a statutory consultee throughout the NSIP Process and has in place procedures for handling such consultations, which have been agreed by this Committee in November 2015) (see Appendix 3). The principal role of the County Council in responding to the above wind farm proposals, and their onshore infrastructure requirements, will be in respect of the authority’s statutory roles as:
 - Highways Authority;
 - Minerals and Waste Planning Authority; and
 - Lead Local Flood Authority
- 1.8. In addition the County Council has an advisory environmental role and economic development function, which will feed into any response made to the above windfarm proposals.
- 1.9. The key stages NSIP Planning Stages are set out below:
- 1.10. **Pre-Application Stage**
 - The Developer will meet with LAs to discuss their project. There have been a series of officer-level meetings with both Vattenfall and DONG Energy throughout the summer (2016). This culminated in a member briefing from the two companies involving the Chair and Vice Chair of this Committee in September 2016. The Chair and Vice Chair of both EDT Committee and Economic Sub-Committee and the party spokes on both Committees have been kept apprised of these meetings and any actions arising.
 - Technical Scoping to determine the content and extent of assessment to be covered in the Environmental Impact Assessment (EIA). The EIA is the key document needed by the applicant to support their application. This technical work is undertaken at officer level and is currently on-going;
 - **Formal Pre-application Consultation** (under Section 42 of the 2008

Planning Act) – the Local Authority (LA) has an opportunity to comment on the developer's proposals which will be supported by a preliminary environmental impact report (PEIR). The LA has **28 days** to respond. This is the key stage to raise any formal representations etc. Members are involved in the decision making process at this stage under agreed procedures. The table below shows that the Section 42 consultation for both projects is not expected until the second half of 2017;

1.11. **Acceptance Stage**

Consultation from the Planning Inspectorate on the adequacy of consultation from the applicant on the preceding stage (Section 42);

1.12. **Pre Examination Stage**

Formal Consultation on the final application (under Section 56 of the 2008 Planning Act), which is accompanied by a full Environmental Impact Assessment (EIA). The LA has **28 days** to respond. Members are again involved in the decision making process at this stage under agreed procedures. The table below indicates that both applications are likely to be submitted in the second quarter of 2018.

1.13. **Examination**

This is followed by a formal Examination in Public which will last up to 6 months and will be overseen by the Planning Inspectorate (who will appoint an Examining Authority Panel). The LA will be invited to prepare and submit a Local Impact Report (LIR) indicating the likely impact the proposal will have on their area. The LA has the opportunity to make any representations at this stage.

1.14. **Decision**

The Examining Authority Panel (Planning Inspectorate) will make a recommendation within 3 months of the ending of the Examination which is issued to the Secretary of State. The final decision rests with the Secretary of State (SoS) (Department of Business, Energy and Industrial Strategy), who has to make a decision within 3 months of the Examining Authority's recommendation.

Timescales and next steps

1.15. The provisional timetable for the two offshore projects is set out below:

	Norfolk Vanguard	Hornsea Project Three
Scoping Report – technical consultation	First week October 2016	4 th week October 2016
First round of public information days	3 rd and 4 th week October 2016	31 st October – 9 th November 2016
Statutory S.42 Consultation	Q4 2017	Q3 2017
Statutory S.56	Q 2 2018	Q2 2018
Determination	Q4 2019	2019
Construction	Early 2020s	2022 - 2025

1.16. The above timetable is very much provisional at this stage, although the key dates for the County Council are the Statutory S.42 and S.56 consultations in 2017 and 2018 respectively. This will be when the County Council has the opportunity to formally comment on the pre-application and final applications submitted by the two offshore wind energy companies.

2. Evidence

2.1. At a national level the key drivers for renewable energy are:

- Reducing greenhouse gases;
- Providing energy security; and
- Maximising economic opportunities.

2.2. The Energy Act 2008 seeks to strengthen the Renewables Obligation to drive greater and more rapid deployment of renewable energy in the UK. The government's long term aspiration is to increase the diversity of the electricity mix, thereby improving the reliability of energy supplies as well as lowering carbon emissions. The Government has a target of meeting 15% of the UK's energy needs from renewable energy by 2020.

2.3. The table below shows the UK offshore Wind Capacity as of April 2015:

UK Offshore Output

Status	Output
Total Operational /Installed Capacity	4,039 MW (4 GW)
Under Construction Capacity	1,715 MW (1.7 GW)
Consented	7,402 MW (7.4 GW)
In Planning	5,200 MW (5.2 GW)
Pre-application	5,504 MW (5.5 GW)

3. Financial Implications

3.1. Finance: - No direct financial implications at this stage. The County Council is in discussion with both companies regarding the financing of additional workloads arising from the two applications.

3.2. Staff: - Staff will engage with the two applicants at the technical scoping stage attending any necessary steering group and/or topic based meetings and provide any technical advice and information in respect of the County Council's statutory responsibilities. The County Council will where appropriate charge for any advice and/or technical data provided.

4. Background

4.1. The key potential implications on Norfolk arising from these projects will be in relation to:

1. Onshore grid connection (i.e. onshore cable route; new substations; and any relay/HVAC booster stations) and the potential environmental implications on the County in respect of its role as Minerals and Waste Planning Authority and Lead Local Flood Authority;
2. Norfolk's environment – potential implications of the cable route and any onshore infrastructure on designated sensitive sites/areas;
3. Potential highway issues associated with the onshore cable routes and any onshore construction works required;
4. Economic implications in terms of possible new jobs in manufacturing; onshore marshalling and assembly; offshore construction; and operations

& maintenance;

5. Offshore fishing - potential implications on the County's established fishing industry particularly during construction;
6. Shipping and navigation - possible implications on port activity;
7. Marine aggregates – possible implications for offshore marine aggregate being commercially viable.

4.2. At this early stage in the planning process the County Council is not being asked to provide any formal comments on the merits of the two wind farm proposals above. Member and officer-level meetings to date with the two companies have identified the above potential issues which will need to be addressed through the formal planning process.

Background Papers

The Planning Act 2008 (<http://www.legislation.gov.uk/ukpga/2008/29/contents>);

Norfolk Vanguard Offshore Wind Farm Web - Site: <http://norfolkvanguard.vattenfall.co.uk/>

Hornsea Project Three Web-Site: <http://www.dongenergy.co.uk/uk-business-activities/wind-power/offshore-wind-farms-in-the-uk/hornsea-project-three-development>

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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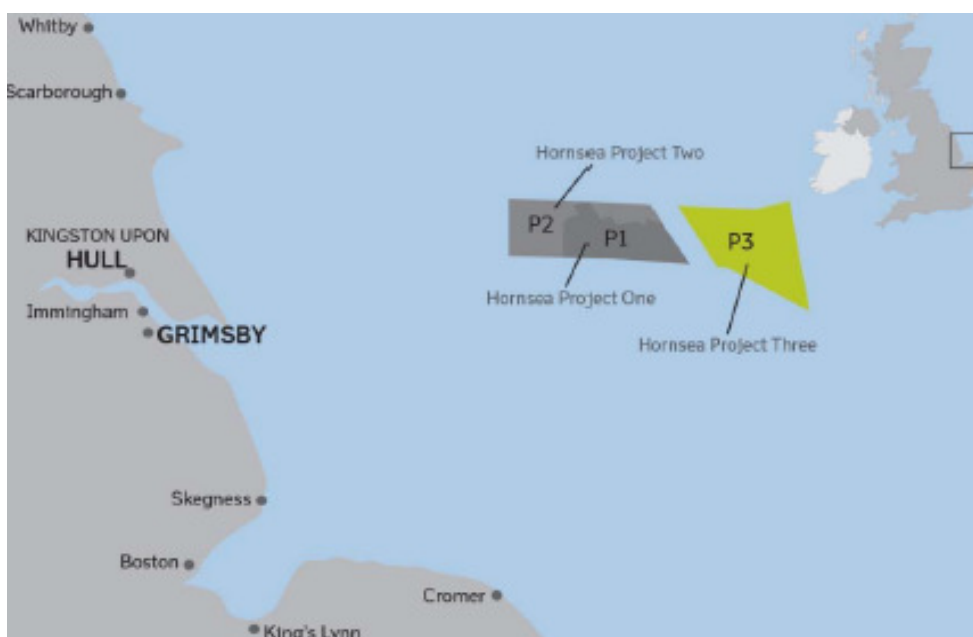
If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Location of Offshore sites

(a) Norfolk Vanguard Proposal and Norfolk Boreas

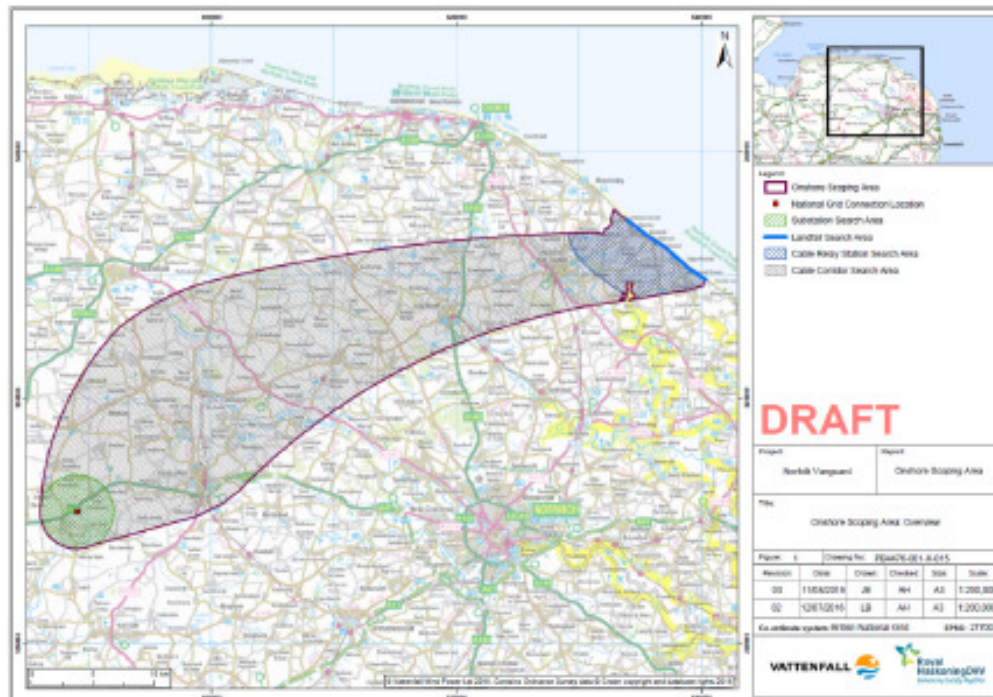


(b) Hornsea Project Three

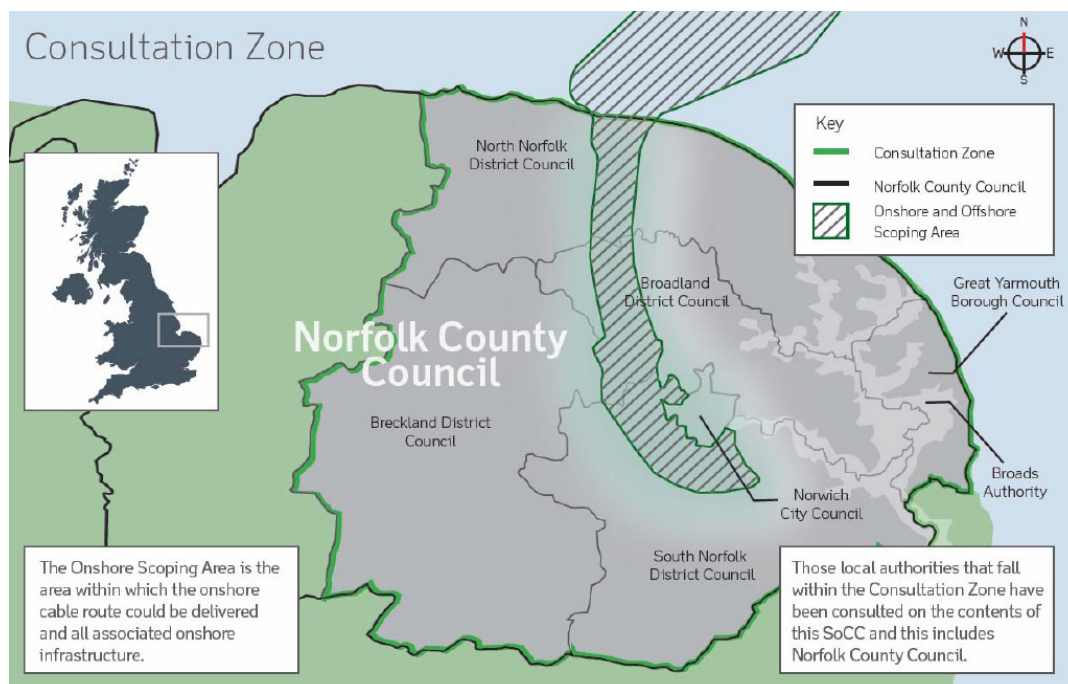


Onshore Land fall; Cable relay/booster station; Cable Route and Substation search areas

(a) Norfolk Vanguard



(b) Hornsea Project Three



Norfolk County Council Agreed Procedures for handling NSIPs - November 2015

Internal Procedures for dealing with Consultations on Nationally Significant Infrastructure Projects (NSIPs)

Norfolk County Council (NCC) November 2015

Planning Inspectorate (PINs) Key statutory deadlines for Local Authorities (LAs)	Time - scale	NCC procedure
(1) Projects in Norfolk This includes those projects located in the County as well as those projects which have ancillary development in the County e.g. offshore wind farms with ancillary onshore (grid connection) development.		
(a) Pre-Application Stage		
Promoter/Applicant meet/discuss their proposal with LA		Case Officer will meet with promoter/applicant on request. Case Officer to inform local member/s affected by the proposal of discussion/s. This will normally be done by email.
LA consulted on applicant's Statement of Community Consultation (SoCC)	28 Days	Officer-level response needed at this stage (i.e. dealt with under delegated officer powers)
Community Engagement exercise – e.g. public exhibitions (informal)		Case officer to attend where necessary and inform local County Council member
LA consulted on applicant's Environmental Impact Assessment (EIA) Scoping Opinion consultation.	28 Days	Delegated Officer-level response needed at this stage
Pre-application consultation (S42 of 2008 Planning Act) Assess Preliminary Environmental Impact Report (PEIR)	Min 28 Days	<ol style="list-style-type: none"> 1. Consult local members directly effected by proposal (i.e. in or adjacent to their division); 2. Depending on scale and type of the proposed development the case officer will need to: <ul style="list-style-type: none"> • Prepare a Report to a scheduled Committee

		<p>meeting; or</p> <ul style="list-style-type: none"> • Prepare a Report to an extraordinary meeting of the Committee where a meeting cannot be fitted into the scheduled Committee cycle: or • Urgent Decisions will be taken in accordance with the Procedures set out in Part 7.1 of the County Council's Constitution; • Where appropriate delegated officer-level comments may be made if there are no demonstrable impacts on the County Council; the local member is in agreement or has raised no strong concerns; and the proposal is consistent with County Council Policy. <p>3. Case officer to respond to Applicant and PINs accordingly.</p>
(b) Acceptance		
Consultation from PINs on adequacy of consultation statement	14 days	Delegated Officer-level response needed at this stage
(c) Pre-examination		
<p>Submission of relevant representation (Section 56 of the Planning act 2008) i.e. comment on the merits of the application</p> <p>In practice this timescale unlikely to be extended given that PINs have a very tight timescale to turn around the examination.</p>	Min of 28 days	<ol style="list-style-type: none"> 1. Consult local members directly effected by proposal; 2. Depending on scale and type of the proposed development the case officer will need to either prepare: <ul style="list-style-type: none"> • Prepare a Report to a scheduled Committee meeting; or • Prepare a Report to an extraordinary meeting of the Committee where a meeting cannot be fitted into the scheduled Committee cycle: or • Urgent Decisions will be taken in accordance with the Procedures set out in Part 7.1 of the County Council's Constitution; • Where appropriate delegated officer-level comments may be made if there are no

		<p>demonstrable impacts on the County Council; the local member is in agreement; or has raised no strong concerns and the proposal is consistent with County Council Policy.</p> <p>3. Case officer to respond to PINs accordingly.</p>
LA invited to prepare Local Impact Report (LIR) – timescale set at Preliminary Meeting		Case officer to assemble information which will underpin the LIR and consider whether there is any opportunity for preparing a joint LIR with another LA.
(d) Examination		
<p>LA to prepare and submit LIR to IPC (i.e. setting out the impact of the development on the LA area).</p> <p>(LIR referred to under s60(3) of the 2008 Planning Act)</p>	Approx . 6 weeks	Case officer to prepare LIR – this will be a factual paper highlighting local policies and issues. The LIR can be prepared jointly with another LA/s. The LIR may consider S106 issues and draft planning conditions (i.e. mitigation measures needed).
Submission of detailed Written representations –	Min 21 days	Case office to prepare a formal statement of case.
(e) Decision		
PINs make a recommendation to the SoS within 3 months of the end of examination process		No action required at this stage.
Secretary of State makes decision within 3 months of PINs recommendations		Case Officer to inform the Committee members of the SoS's decision via email and whether any further action is needed (such as whether there is a need for mounting a legal challenge).
(f) Post decision		
Period of legal challenge	6 weeks	Where appropriate the Case Officer will instruct legal service to mount a legal challenge should the need arise and if this action has been sanctioned by members.
Key stages involving members is highlighted under stages (a) and (c) above.		

<p>(2) Projects in Adjacent Local Authorities or Offshore</p> <p>This includes all those projects outside Norfolk where there will not be any direct development or ancillary development in the County.</p>		
(a) Pre-Application Stage		
Promoter/Applicant meet/discuss their proposal with LA		<p>Case Officer will meet with promoter/applicant on request.</p> <p>Case Officer to inform all local member/s affected by the proposal of discussion/s. This will normally be done by email.</p>
LA consulted on applicant's Statement of Community Consultation (SoCC)	28 Days	Officer-level response needed at this stage (i.e. dealt with under delegated officer powers)
Community Engagement exercise – e.g. public exhibitions (informal)		Case officer to attend where necessary and inform local County Council member
LA consulted on applicant's Environmental Impact Assessment (EIA) Scoping Opinion consultation.	28 Days	Delegated Officer-level response needed at this stage
<p>Pre-application consultation (S42 of 2008 Planning Act)</p> <p>Assess Preliminary Environmental Impact Report (PEIR)</p>	Min 28 Days	<p>1 Consult local members directly effected by proposal (i.e. in or adjacent to their division);</p> <p>2 Delegated officer-level comments will be made providing:</p> <p>(a) there is no demonstrable impact on the County Council;</p> <p>(b) the local member is in agreement or has raised no strong concerns and</p> <p>(c) the proposal is consistent with County Council Policy.</p> <p>Where the above criteria are not met the case officer will need to:</p> <ul style="list-style-type: none"> • Prepare a Report to a scheduled Committee meeting; or • Prepare a Report to an extra-ordinary meeting of the Committee where a meeting cannot be fitted into the scheduled Committee cycle: or • Urgent Decisions will be taken in accordance with the Procedures set out in Part 7.1

		<p>of the County Council's Constitution.</p> <p>3 Case officer will respond to the Applicant and PINs accordingly.</p>
(b) Acceptance		
Consultation from PINs on adequacy of consultation statement	14 days	Delegated Officer-level response needed at this stage
(c) Pre-examination		
<p>Submission of relevant representation (Section 56 of the Planning act 2008) i.e. comment on the merits of the application</p> <p>In practice this timescale unlikely to be extended given that PINs have a very tight timescale to turn around the examination.</p>	Min of 28 days	<p>1 Consult local members directly affected by proposal;</p> <p>2 Delegated officer-level comments will be made providing:</p> <p>(a) there is no demonstrable impact on the County Council;</p> <p>(b) the local member is in agreement or has raised no strong concerns and</p> <p>(c) the proposal is consistent with County Council Policy.</p> <p>Where the above criteria are not met the case officer will need to:</p> <ul style="list-style-type: none"> • Prepare a Report to a scheduled Committee meeting; or • Prepare a Report to an extra-ordinary meeting of the Committee where a meeting cannot be fitted into the scheduled Committee cycle: or • Urgent Decisions will be taken in accordance with the Procedures set out in Part 7.1 of the County Council's Constitution. <p>3 Case officer will respond to the Applicant and PINs accordingly.</p>
LA invited to prepare Local Impact Report (LIR) – timescale set at Preliminary Meeting		Case officer to assemble information which will underpin the LIR and consider whether there is any opportunity for preparing a joint LIR with another LA.

(d) Examination		
LA to prepare and submit LIR to IPC (i.e. setting out the impact of the development on the LA area). (LIR referred to under s60(3) of the 2008 Planning Act)	Approx 6 weeks	Case officer to prepare LIR – this will be a factual paper highlighting local policies and issues. The LIR can be prepared jointly with another LA/s. The LIR may consider S106 issues and draft planning conditions (i.e. mitigation measures needed).
Submission of detailed Written representations –	Min 21 days	Case office to prepare a formal statement of case.
(e) Decision		
PINs make a recommendation to the SoS within 3 months of the end of examination process		No action required at this stage.
Secretary of State makes decision within 3 months of PINs recommendations		Case Officer to inform the Committee members of the SoS's decision via email and whether any further action is needed (such as whether there is a need for mounting a legal challenge).
(f) Post decision		
Period of legal challenge	6 weeks	Where appropriate the Case Officer will instruct legal service to mount a legal challenge should the need arise and if this action has been sanctioned by members.