



Galloper Wind Farm Project

Consultation Report

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EXECUTIVE SUMMARY

- I** This consultation report relates to an application by Galloper Wind Farm Limited (GWFL) to the Infrastructure Planning Commission (IPC) under the Planning Act 2008 for a Development Consent Order (DCO) which would grant powers to construct, operate and decommission an offshore wind farm known as Galloper Wind Farm (GWF) and its connection to the national grid. This report has been prepared in compliance with Section 37(3)(c) of the Planning Act 2008.

- II** In accordance with Sections 42, 47 and 48 of the Planning Act 2008, GWFL undertook statutory pre-application consultation on the scheme ahead of submission to the IPC. This consultation was undertaken between 13 June and 14 July 2011 with the following:
 - prescribed bodies (under Section 42(a));
 - local authorities (under Section 42(b));
 - landowners and those with an interest in the land (under Section 42(d));
 - community and other organisations in the ‘vicinity’ of the development who may be affected both directly and indirectly by GWF (under Section 47); and
 - wider communities and organisations (national and regional) in order to seek their comments on the project proposal (under Section 47 and 48).

- III** Section 42(c) does not apply to GWF as no part of the project lies in or near Greater London.

- IV** The community consultation was undertaken in accordance with a Statement of Community Consultation (SOCC) that was consulted upon with the statutory Local Authorities (LAs) under Section 43(1) and published in its final form on 10 June 2011. Furthermore GWFL adopted advice from DCLG Guidance on Pre-application consultation (the “DCLG Guidance”) and consulted on the SOCC with a number of coastal authorities.

- V** In line with IPC Guidance Note 1 and the DCLG Guidance, GWFL was successful in aligning its Section 42, 47 and 48 consultations to run in parallel.

- VI** For a detailed tabular review of legal and guidance/advice compliance, readers are directed to Appendix A.

- VII** GWFL conducted statutory consultation primarily through the following means:
 - public exhibitions (both at statutory and non-statutory stages);

- residents meetings, particularly with the Sizewell Resident's Association, but also, on some occasions, with individual residents;
- publication of a targeted 'Have Your Say' document to provide an additional means for members of the public to understand the main issues for the project (including Rochdale Envelope and potential compulsory purchase) and lead them into the Preliminary Environmental Report (PER) comprising GWFL's Preliminary Environmental Information (EIA Regs, 10(b)). The Have Your Say document was distributed to over 3,400 properties, businesses and landowners in the area;
- provision of consultation material, including the PER and Have Your Say document in local libraries, councils offices and other outlets recommended through early non-statutory consultation on the draft SOCC;
- provision of an assistance telephone line, for anyone with difficulty utilising electronic or postal response methods;
- poster updates on agreed notice boards, including at Sizewell Beach;
- feedback on key issues, e.g. update letter to Sizewell residents on the final beach works proposals to be included in the application; and
- where possible, utilising the media to raise awareness of the project, including encouragement on primetime BBC Radio Suffolk for people to 'have their say'.

VIII Furthermore, non-statutory consultation over a significantly longer period, both before and after statutory consultation, included:

- consultation to inform the Environmental Impact Assessment (EIA) (2007 to present);
- community consultation on substation locations by National Grid Electricity Transmission plc (NGET) and GWFL (November 2010 to April 2011);
- landowner consultation and negotiations (March 2010 to present); and
- consultation on other application documents including the draft DCO and its accompanying Explanatory Memorandum (EM), deemed Marine Licence, information to inform a Habitat Regulations Assessment (HRA), and contributions to an AONB fund via the use and issue of draft Section 106 (of the Town and Country Planning Act 1990) Heads of Terms.

IX Predominant issues arising through the consultation process were:

- onshore substation location (Non-statutory and scoping stage);
- onshore visual and landscape impact (Section 42, 47, 48 stage);

- proximity of landfall cable route to coastal properties (Section 42, 47, 48 stage);
- offshore fishing impacts (non-statutory and Section 42, 47 , 48 stage); and
- offshore ornithology impacts, specifically lesser back-backed gulls (non-statutory and Section 42, 47, 48 stage).

X

In response, the main changes made to the scheme, or resulting in the provision of further information, as a result of comments received were:

- changes to the offshore scheme boundary;
- completion of a second consultation stage (treated as though it were statutory by GWFL) with the Joint Nature Conservation Committee(JNCC)/Natural England(NE)/RSPB on more detailed technical data in relation to offshore ornithology impacts and those issues potentially relating to impacts governed by the Habitats Regulations;
- selection of the onshore substation location;
- introduction of significant onshore substation visual, landscape and noise mitigation, including lowering of the substation floor level and introduction of a screening landform, directly in response to the predominant theme of comments from the community and local authorities; and
- refinement of the onshore cable route at the landfall, further away from properties at Sizewell.

XI

GWFL has adopted a precautionary approach to interpretation of the requirements of the Act and recommendations in IPC Guidance/Advice and DCLG Guidance throughout the pre-application process. In response GWFL completed an extensive programme of non-statutory consultation before choosing to commence the statutory pre-application process, whilst still allowing the statutory consultation to influence the proposals in several key areas. In doing so GWFL considers that it has achieved a comprehensive, and mutually beneficial, programme of consultation which has responded to comments in accordance with s49(2) of the 2008 Act and genuinely improved the GWF project proposal.

1 INTRODUCTION

1.1 Project background and status

- 1.1.1 GWFL is jointly owned by SSE and RWE Npower Renewables Limited, two of the UK's leading renewable energy developers and operators. GWFL will be located approximately 27 kilometres (km) off the Suffolk coast, at its nearest point, with the majority of turbines located on the seaward side of the Greater Gabbard Offshore Wind Farm (GGOWF), which is currently under construction. The project will have a total capacity of up to 504 megawatts (MW) and will encompass an area of approximately 183km² (including inter-connecting cable route). Overall the application will consist of the offshore wind farm (including offshore platforms, inter and intra-array cables and met masts), export cable route, cable landfall, onshore cable works, onshore substation compounds and other associated infrastructure to facilitate export of power to the national electricity transmission system.
- 1.1.2 As an offshore generating station with a capacity greater than 100 MW, the proposed GWFL project qualifies as a Nationally Significant Infrastructure Project (NSIP) under the Planning Act 2008 (the "2008 Act"). The application will also include grid connection works, part of which qualify as an 'electric line above ground' NSIP in their own right under the 2008 Act. As such the application and draft DCO includes provision for two NSIPs and relevant associated development to both.
- 1.1.3 In submitting the information included in the request for a Scoping Opinion in July 2010, GWFL notified the IPC under Regulation 6(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations) that they intended to provide an Environmental Statement (ES) in support of a DCO application for the proposed GWFL project. Therefore GWFL is determined as 'EIA development' in accordance with Regulation 4 of the EIA Regulations.

1.2 Purpose and structure of this report

- 1.2.1 This report details how GWFL has complied with the provisions of the 2008 Act and associated legislation in relation to pre-application consultation for the proposed GWFL project. It has been prepared in accordance with Section 37(3)(c) of the 2008 Act and as such this document seeks to clearly communicate the approach taken by GWFL regarding statutory consultation (pursuant to Sections 42, 47 and 48 of the 2008 Act) that has taken place during the development of GWFL and how the consultation responses have been taken account of (pursuant to Section 49 of the 2008 Act) and shaped the project. The report also details the considerable non-statutory consultation that GWFL has undertaken since 2007 which has had an equally prominent effect on the design and development of the scheme. A full account of how GWFL has complied with the legislation and advice/guidance for pre-application consultation is provided in Appendix A.

- 1.2.2 This report describes the consultation process in terms of when activities were undertaken, who was involved and what material they were provided with. For ease of understanding, the report has been subdivided into various categories of statutory and non-statutory consultation. Wherever possible these categories are presented in chronological order, albeit there are some categories where the timing of consultation overlapped.
- 1.2.3 **Section 1** of this report provides the reader with a background to the project and the legislative requirements regarding consultation.
- 1.2.4 **Section 2** details the consultation process and is broken down as follows:
- **Section 2.1 to 2.3** outlines the non-statutory and statutory consultation that was undertaken to inform the EIA.
 - **Section 2.4** details the non-statutory consultation that was undertaken by GWFL and NGET with respect to the onshore substation location.
 - **Section 2.5** explains the non-statutory landowner consultation that was undertaken prior to the commencement of statutory consultation.
 - **Section 2.6** outlines the process by which the content of the Statement of Community Consultation (SOCC) was developed, including non-statutory discussions with Local Authorities (LAs), two statutory stages of consultation under S47(2), and final publication of the SOCC.
 - **Sections 2.7 to 2.10** detail the statutory consultation that was undertaken in accordance with the SOCC pursuant to s47 of the 2008 Act, along with parallel section 42 and Section 48 consultation.
 - **Section 2.11** details the non-statutory consultation that has been undertaken in relation to the draft DCO and EM, the draft deemed Marine Licence, Section 106 Heads of Terms, and on the information to inform a HRA.
- 1.2.5 **Section 3** outlines the results of the various consultation stages in broadly the same order as Section 3 and summarises actions taken by GWFL in response to each stage of consultation. Full details of the main issues arising from consultation and the actions taken have been provided in Appendix N and Appendices AA to AC. **Section 4** provides the key overall conclusions of this report.

1.3 Legislation, guidance and advice

- 1.3.1 Under Section 37 of the Planning Act 2008, a promoter planning to submit an application for a DCO must also prepare a consultation report outlining the statutory consultation that has been undertaken with various stakeholders throughout the development process.
- 1.3.2 In reality, GWFL has been proactive in carrying out prior non-statutory consultation with authorities, organisations and technical bodies commencing

in 2007 to understand possible constraints, foresee project impacts and develop appropriate mitigation. In relation to statutory requirements, GWFL has complied with the following legislation (and guidance given statutory weight under s50 of the 2008 Act):

- The Planning Act 2008;
- The EIA Regulations;
- The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations); and
- Revised IPC Guidance Note 1.

1.3.3 The requirements of the National Policy Statements EN-1, EN-3 and EN-5 (and prior to publication, their emerging drafts) have also been considered during consultation. Furthermore in producing this consultation report, GWFL has paid attention to:

- IPC Advice Note 6: Preparation and Submission of Application Documents;
- IPC Advice Note 14: Consultation Report; and
- DCLG guidance on pre-application consultation (the “DCLG Guidance”).

1.3.4 In accordance with Sections 42, 47 and 48 of the Planning Act 2008, GWFL undertook pre-application consultation with:

- statutory prescribed organisations (under Section 42(a));
- local authorities (under Section 42(b));
- landowners and those with an interest in the land (under Section 42(d));
- community and other organisations in the ‘vicinity’ of the development who may be affected both directly and indirectly by GWF (under Section 47); and
- wider communities and organisations (national and regional) in order to seek their comments on the project proposal (under Section 47 and 48).

1.3.5 Section 42(c) does not apply to GWF as no part of the project lies in or near Greater London.

1.4 Key stages of consultation

1.4.1 GWFL has adopted a precautionary approach to interpretation of the requirements of the Act and recommendations in IPC Guidance/Advice and DCLG Guidance throughout the pre-application process. In doing so it has sought to set a high standard of community and organisational involvement in

the development of GWF. For a detailed tabular review of legal and guidance/advice compliance, readers are directed to Appendix A.

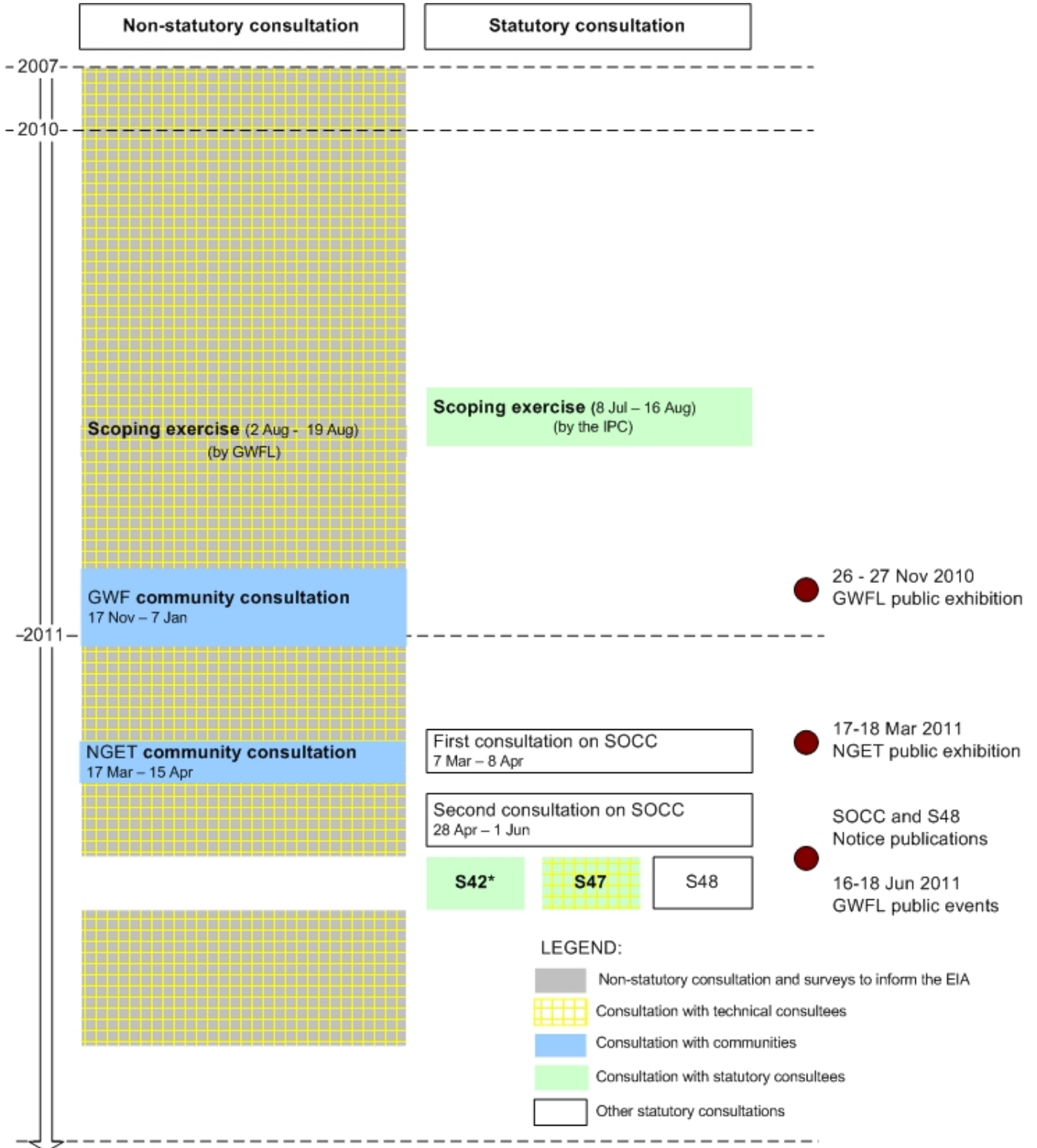
- 1.4.2 The DCLG guidance makes it clear that it is for promoters to decide the most appropriate approach to consultation in light of the particular circumstances of the project. In the case of GWF, the consultation process benefitted significantly from the prior history of GGOWF development in the area, which has been under construction both offshore and onshore in recent years. GGOWF is very similar to the GWF project i.e. it is an up to 504MW project which comes ashore at the same location and requires a new substation in the vicinity of Sizewell. This resulted in the various consultees, and the local community, already having a good understanding of the kind of issues which the GWF project is likely to give rise to. It is also important to appreciate that due to the history of Sizewell nuclear development, and the GGOWF project, the community has an unusually well developed understanding of the issues associated with nationally significant electricity infrastructure.
- 1.4.3 From the strong responses received at scoping stage, GWFL recognised that the onshore issue of primary importance at that time was the location of the substation and the nature of its connection to the existing national grid. For this reason, and in response to other discussions with Suffolk County Council (SCC) and Suffolk Coastal District Council (SCDC), non-statutory consultation including a public exhibition was carried out on this issue alone. This particularly enabled GWFL to understand the importance placed by the community and local authorities on the relative merits of different locations, particularly with respect to potential impacts upon the Area of Outstanding Natural Beauty (AONB). The selected option (which had strong public support, as explained in Section 3.3) was then progressed to a more detailed design for statutory Section 42, 47 and 48 consultation.
- 1.4.4 GWFL has worked closely with National Grid Electricity Transmission¹ (NGET) in relation to the GWF project and its electrical connection. As explained in Section 2.4, a decision was made in April 2011 to include NGET's works within the scope of the application. NGET also carried out an independent consultation in relation to the options for the location of its works, which is addressed in Section 2.4. The decision in relation to the siting of the NGET works (defined as the "transmission works" in the DCO) was made jointly by NGET and GWFL, in the light of consultation replies and relevant technical and land issues. Those works were then taken forward together with GWFL's works as a single electrical connection, without distinction between future operators, into the formal Section 42, 47 and 48 consultation for GWF. Section 2.3.1 of EN-5 recommends that "wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the IPC". In

¹ National Grid Electricity Transmission plc are the operators of the national electricity transmission system in the UK, the 'national grid', which in England comprises networks at 275kV and above. Wind farms of the scale of GWF are ordinarily connected to this high voltage network, normally at 400kV.

bringing the entire electrical connection together, comprising two NSIPs and associated development to each, GWFL has provided the opportunity for the entire project to be assessed, consulted upon and examined in detail as a single application.

- 1.4.5 GWFL has been engaged in non-statutory consultation since 2007 in relation to GWF and agrees strongly with the DCLG guidance when it states that formal consultation under Sections 42, 47 and 48 is unlikely to be the only consultation carried out. Furthermore, following completion of statutory consultation under Sections 42, 47 and 48, detailed discussions have continued with the two host planning authorities (SCC and SCDC) in relation to onshore mitigation measures, with the Joint Nature Conservation Committee (JNCC), Natural England (NE) and the RSPB in relation to ornithological matters, including HRA, and with the Environment Agency with respect to flood risk. There has also been a parallel non-statutory process of consulting on the draft DCO, EM, draft deemed Marine Licence and contributions linked to proposed Section 106 Heads of Terms with a variety of stakeholders. These consultations are considered in Section 2.11 and 3.8.
- 1.4.6 Under Section 49 of the Planning Act 2008, an applicant must have regard to all statutory responses received. GWFL has included a summary of all responses received during the statutory consultation period in Appendices AA to AC and Appendix N, outlining any action that has been taken as a result of the response, or providing a justification as to why no action was taken.
- 1.4.7 **Figure 1** shows the main stages of consultation that GWFL undertook, in both a statutory and non-statutory context.

Figure :1 Summary chart showing GWFL consultation



2 CONSULTATION PROCESS

2.1 Informing the Environmental Impact Assessment and early project definition

- 2.1.1 Prior to the implementation of the IPC regime, GWFL had already decided that it was essential to undertake consultation at a sufficiently early stage of the project in order for consultees to provide input and to shape the proposal from the beginning. This resulted in the early creation of a non-statutory consultee database, using experience and advice from the consultants undertaking the impact assessment for the project, by using historical data from GGOWF and incorporating anyone who had previously requested to be included. GWFL also developed a list of known statutory bodies (under existing planning regimes at the time) for consultation.

2.2 Consultation with statutory and non-statutory technical stakeholders

- 2.2.1 GWFL commenced discussions with statutory and non-statutory technical consultees in 2007, based on the above database, in order to help inform the EIA process and define the project. As identified above, this included consulting with LAs (for example SCC and SCDC), landowners and organisations (for example EDF Energy, the JNCC and MMO), representatives of the offshore community (for example Eastern Joint Sea Fisheries Committee (EJSFC), Harwich Haven Authority (HHA), Royal Yachting Association (RYA)), commercial operators (for example aggregate companies, cruising companies) and other 'technical consultees' (for example Cefas, RSPB, Chamber of Shipping).
- 2.2.2 Consultation took the form of meetings, presentations, briefing notes and letters.

2.3 Scoping

- 2.3.1 In June 2010 GWFL submitted a Scoping request to the IPC. In response the IPC provided a Scoping opinion in August 2010, following a consultation (conducted by the IPC) with prescribed consultees. At a similar time, GWFL also conducted a voluntary scoping consultation with other non-statutory consultees not covered by the IPC. This included offshore operators.

2.4 Non-statutory community consultation

GWFL's initial community consultation in response to scoping

- 2.4.1 In GWFL's Scoping Opinion, the IPC and the relevant LAs (SCC and SCDC) requested further information on the appraisal of the onshore substation location, to show the rationale behind the selection of the two locations presented and to confirm if the location decision was justified and suitably comprehensive. Subsequently GWFL undertook a more detailed site location assessment, which considered ten site locations, and from which a

shortlist of three sites was carried through to the next stage (further details can be found in the GWFL Site Option Appraisal Report in Appendix AP).

- 2.4.2 Following the process of shortlisting to three sites, GWFL sought to abide by the DCLG Guidance on pre-application consultation and undertake early engagement and consultation with the public on this important matter. Non-statutory community consultation occurred on GWFL's three shortlisted sites between November 2010 and January 2011, to find the opinions of the local community and specifically the preferred location for the onshore works.

Consultees

- 2.4.3 The aim of the non-statutory consultation exercise was to find out the community's opinions on the locations proposed, verify that the assessment was being undertaken with all available information and to induce and respond to general questions about the project. Approximately 450 local residents were identified within the Leiston and Sizewell area, using data supplied from the Electoral Register and the GGOWF project. The plan showing the extent of local residents who were contacted prior to the public exhibition is available in Appendix AN to this document).

Consultation methods

Initial meeting with Sizewell residents

- 2.4.4 A meeting took place on 17th November 2010 with members of the Sizewell Residents Association (approximately 20 people), the local Town Clerk and a local County Councillor. A presentation was given that outlined the onshore substation site selection process, the rationale behind this and the final shortlisted options. Questionnaires were also provided in order to collate feedback and responses were given to questions raised at the meeting. A copy of the presentation and questionnaire are included in Appendix AR.

Public exhibition

- 2.4.5 A public exhibition was organised which provided the community with information on the potential substation locations and the justification for the sites that had been discounted. The event took place on 26 November 2010 (Friday evening) and 27 November 2010 (Saturday morning) to facilitate the attendance of those unable to attend during the working week. Members of the GWFL team and specialist consultants were present at the exhibition to respond to questions and to listen to community concerns. Three potential substation location options were presented to the community (Option 1, Option 2 and Option 5, shown in Appendix Z and all attendees were invited to submit a feedback form on their preferred option (sample form available in GWFL Initial Community Consultation report provided in Appendix AM).

Access to information

- 2.4.6 The exhibition was advertised:
- in local media (East Anglian Daily Press and Coastal Advertiser);

- on a notice board in Sizewell (Sizewell beach) and in Lowestoft;
- posters were distributed to approximately 39 local venues (sample poster available in Appendix I); and
- letters sent to local residents (Appendix K).

2.4.7 The following project information was made available to the public:

- the GWF EIA Scoping Report and Opinion at Leiston library, SCC and SCDC offices and at the exhibition;
- exhibition panels were created which provided details on the process and options (see Appendix L); and
- a site appraisal report was produced (see Appendix AP).

2.4.8 All documents were also made available on the GWF website. The notice boards in Sizewell (Sizewell beach) and Lowestoft were updated regularly.

Results

2.4.9 The substation location consultation exercise enabled GWFL to establish an interface with the community. Views, comments and opinions were collated to establish a community preference on the location for the onshore electrical substation and presented in the GWFL Initial Community Consultation report (available Appendix AM).

2.4.10 A summary of the results and actions taken can be found in Section 3.3 of this document.

NGET initial community consultation

2.4.11 Whilst GWF requires a connection to the national grid, the location of the GWF substation and the form of its connection to the national grid are not inextricably linked. Therefore NGET undertook a similar option appraisal exercise during 2011, to find the most suitable location for the transmission compound.

2.4.12 The NGET consultation was conducted in March 2011, on the potential connection options for GWF in the locality of Sizewell, based on their three shortlisted options. A local councillor briefing was held on 18 March 2011 (Friday) and a public exhibition on 17 (Thursday) and 18 March 2011.

2.4.13 Exhibition boards showing potential substation locations were presented to the community and NGET and GWFL project members were in attendance. Members of the public were able to provide their comments via feedback forms, which were available at the exhibition and from the GWF website, via 'face to face' discussions at the exhibition or by contacting a dedicated telephone consultation helpline. Further details on the consultation process and the outcomes of NGET's initial community consultation are presented in

NGET's substation consultation report (available in Appendix AO) where a map of NGET's three shortlisted options is provided.

2.4.14 A summary of results can also be found in Section 3.3 of this document.

Inclusion of NGET's assets in GWFL's application

2.4.15 In April 2011 it was decided that NGET's infrastructure would be included in GWFL's application. Section 2.3.1 of EN-5 recommends that "wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the IPC". In bringing the entire electrical connection together, comprising two NSIPs and associated development to each, GWFL has provided the opportunity for the entire project to be assessed, consulted upon and examined in detail as a single application. Given that NGET's transmission assets now form part of the GWF application, GWFL has subsequently treated NGET's consultation as though it were its own. All onshore infrastructure that is required to connect the GWF project to the national electricity transmission system is included in this application and statutory consultation under Section 42, 47 and 48 reflected this decision.

2.5 Non-Statutory landowner consultation

2.5.1 In advance of statutory consultation, GWFL approached relevant landowners to progress discussions on a commercial basis. GWFL also has a relationship with The Crown Estate through the offshore wind lease programme.

2.5.2 The Crown Estate provides rights for development on the seabed in the UK. They formally made an announcement on extensions to operational, under construction or consented Round 1 and 2 projects on the 29 July 2009. GWFL formally submitted a tender bid for the proposed GWF project to The Crown Estate in December 2009 and was subsequently awarded exclusive rights to develop the proposed wind farm on 20 April 2010. Since then GWFL has had regular project update meetings with The Crown Estate.

2.5.3 Non-statutory consultation with the directly affected onshore landowners commenced in March 2010. Initial communication was made with Glencairn Stuart Ogilvie's (Ogilvie) representatives, Bidwells (Ogilvie's land agent) and EDF Energy (BNP Paribas act as land agents for EDF Energy) in March 2010. An initial meeting with SCDC (as a landowner) was held on 12 April 2011. Regular meetings have been held with all 3 onshore landowners since the initial contact was made.

2.6 Consultation on Statement of Community Consultation

2.6.1 The 2008 Act requires that promoters prepare a SOCC as one of the key documents to facilitate and communicate the consultation process to the local community and other groups or organisations. GWFL paid close

attention to Guidance (IPC and DCLG) and Advice (IPC) when considering the approach to consultation and its enshrinement in a SOCC.

Initial proposed content of the SOCC and consultation

- 2.6.2 GWFL used the SOCC as a focus for developing a coherent and comprehensive consultation strategy, striving to ensure that the SOCC was both informative and concise (whilst incorporating the information recommended in Guidance and Advice), so as to maintain sufficient interest from readers.
- 2.6.3 In preparing the content of the published SOCC, GWFL considered many of the example methods of consultation in the DCLG Guidance and ultimately proposed:
- arrangement of local exhibitions in Leiston, as the nearest sizeable town, as a means to receive comments and submissions.
 - a commitment to keep local elected representatives informed;
 - a commitment to engage with key marine users through meetings, letters and direct contact.
 - a commitment to keep groups and organisations (including users of the sea) informed about the public exhibition and the consultation process.
 - details of a manned telephone assistance line, particularly in case of difficulty responding by electronic or postal means;
 - a commitment to provide details in public information points, such as libraries and LAs offices;
 - where practicable, proposed updates to notice boards and stands in Sizewell, Leiston, Aldeburgh, Felixstowe, Harwich and Lowestoft area;
 - communication of a GWFL e-mail address and a commitment to maintain information on a dedicated website; and
 - where possible, using the media to provide updates.
- 2.6.4 GWFL based the geographical spread of its consultation around a proposed Community Consultation Zone (CCZ), comprising Sizewell and the eastern side of Leiston, see Appendix AN. The CCZ was proposed as the area within which direct postal contact would be made with residents to seek their comments on the scheme.
- 2.6.5 The SOCC included reference to GWF being EIA development and how to access Preliminary Environmental Information in accordance with the EIA Regulations (Reg 10).
- 2.6.6 DCLG Guidance recommends examples of the content of consultation documents for 'technical consultees' and advises that such information will

not normally be appropriate for the local community. GWFL chose to use its PER, prepared in accordance with the EIA Regulations (Reg 10(b)) to satisfy the requirements of Preliminary Environmental Information. In reality the GWFL PER was a very detailed document providing information on the proposals and potential environmental impacts. Whilst not intended to be a draft Environmental Statement, the PER did follow the chapter structure of an ES, drawing some initial conclusions on likely significance in some cases.

- 2.6.7 Adopting the recommendations of the DCLG Guidance, GWFL chose to produce a much shorter summary document targeting local community readership, but addressing the same key environmental issues and prompting the same responses. This 'Have Your Say' document, provided a further bridge for understanding the scheme, even beyond the simplified language of the PER non-technical summary. Further information on the Have Your Say document is provided in Section 3.4 and a copy is available in Appendix G.

Non-statutory consultation on the SOCC

- 2.6.8 DCLG Guidance notes that promoters may find it helpful to make contact with local authorities in advance of commencing their Section 47 consultation on the content of their SOCC, and that such authorities may have considerable expertise in consulting local people. GWFL therefore approached SCDC and SCC at an early stage to discuss consultation proposals informally and met with them on 16 February 2011 to present and discuss the initial draft of the SOCC document (see Appendix D) and to request non-statutory advice. The LAs were generally content with the level of detail and how the document read, subject to comments made at the meeting and presented in Table 1.

Table 1 Non-statutory comments from SCC and SCDC on the initial draft SOCC

No	Advice	GWFL response
1	Assessment of cumulative effects of NGET's substation should be included in the application and the SOCC should state that this will be addressed at time of consultation.	Included in the published SOCC, as National Grid's connection assets were incorporated within the GWFL application.
2	LAs would prefer substation dimensions to be included in the SOCC to give an indication of the potential scale of development.	Dimensions were included in the published SOCC.
3	GWFL should remove terms which make judgements about the scale of effects.	Such terms were removed from the SOCC.
4	It would be beneficial to the community if GWFL could deposit project details at Aldeburgh library.	Details were deposited at Aldeburgh library (and a number of other local libraries) during statutory consultation.

5	The details of where and when public exhibitions will be held should be included in the SOCC.	Dates and venues of exhibitions were included in the SOCC.
Suggestions on consultation strategy		
6	The supporting documents to the SOCC should mention that no new overhead lines are proposed.	This was made clear, albeit noting that some works were determined to be 'above ground electric line' under the 2008 Act.
7	Given the demographics of the area and the proposed consultation measures, LAs did not think there was a need to carry out any specific consultation measures for hard to reach groups or those requiring specific assistance.	Noted, however an assistance phone line was provided in case of anyone finding difficulty with electronic or postal response methods.

First statutory consultation on the SOCC

- 2.6.9 GWFL incorporated SCDC's and SCC's comments from the non-statutory consultation in a revised SOCC and forwarded it to the two local authorities, the MMO and the IPC (for information only) on 7 March 2011 to commence the Section 47(2) process. The SOCC on which the first statutory consultation took place is available in Appendix D.
- 2.6.10 A response date of 8 April 2011 was given to the LA's, this being compliant with the timescales outlined in the 2008 Act. During this period SCC requested further clarification on the CCZ, to which GWFL responded. GWFL also chose to communicate a change to the maximum onshore substation height to the consultees during the consultation period from 10m to 14m, due to a need for Gas Insulated Switchgear (GIS) requiring greater height.
- 2.6.11 In summary the following comments were received during the first statutory consultation:
- SCC requested clarification on the CCZ, for the CCZ to be shown on the GWF website and for posters to be displayed on more notice boards;
 - SCDC requested a cross reference to the CCZ and for the substation building height to be corrected, as per GWFL's change during consultation; and
 - the MMO requested that additional publications were used that would be aimed at the fishing community and where they are located.

2.6.12 All of these responses were incorporated in the published SOCC. A detailed account of all of the statutory SOCC responses is provided in Appendix C.

Second (revised) statutory consultation on the SOCC

2.6.13 In April 2011 the decision was made by GWFL and NGET to include the additional onshore works, necessary for connection to the national electricity grid, in the GWF IPC application. GWFL determined that such changes were 'material changes' (for example a change in onshore substation area) and therefore decided it was appropriate to re-consult under Section 47(2) of the Planning Act 2008 on the proposed SOCC. The SOCC was updated to include the changes to the scheme and incorporate previous comments. The opportunity was also taken to carry out a thorough review to reorder the document and provide greater clarity in some wording. A copy is provided in Appendix D.

2.6.14 In line with the DCLG Guidance footnote recommendation for offshore developments, the SOCC was issued for consultation, alongside SCDC and SCC, to the MMO and relevant coastal authorities (DCLG, Pre-app, s17). A 45km radius was identified around the offshore development to cover all the potentially significant seascape and visual impacts, using the Zone of Theoretical Visibility (ZTV) arising from the ongoing environmental studies at that time. The coastal LA's comprised:

- Essex County Council;
- Kent County Council;
- Waveney District Council;
- Babergh District Council;
- Tendring District Council;
- Thanet District Council; and
- Canterbury City Council.

2.6.15 Taking a precautionary approach, GWFL also consulted with Norfolk County Council and included the additional neighbouring authorities of Ipswich Borough Council and South Norfolk Council.

2.6.16 The revised SOCC was issued for a second statutory consultation on 28 April 2011. LAs were informed of the statutory consultation period and the deadline of 01 June 2011, this being compliant with the timescales outlined in the 2008 Act.

2.6.17 Very limited comments were received in response, the only significant comments being from:

- Suffolk County Council (statutory); and

- Kent County Council (non-statutory).

- 2.6.18 SCC felt that further details needed to be provided on landscaping mitigation. On balance GWFL did not feel in a position to provide significant details of landscape mitigation, as it considered that this needed to respond to feedback from the community on aspects such as planting types, opinions on earth bunding/landforms, and interaction with other concerns such as noise propagation. During subsequent consultation GWFL received extensive comments on landscape and visual impact and consider that the approach taken, of not showing specific mitigation, successfully engaged people to consider the most appropriate form and location of mitigation.
- 2.6.19 Norfolk County Council suggested a longer consultation, than the 30+ days proposed, of between 6 and 10 weeks. However, in the light of the near imperceptible visibility of the offshore works in Norfolk, and the lack of any other consulted authority concerns over the consultation period, GWFL considered it was appropriate to proceed with the original proposal. GWFL was also conscious of the need to avoid consultation fatigue by stipulating an unnecessarily long consultation period.
- 2.6.20 A detailed account of the responses to the second statutory consultation is provided in Appendix C.
- 2.6.21 GWFL finalised the SOCC in response to all comments received and also respected the content of the IPC's Guidance Note 1 and Guidance Note 2 (now included in Guidance Note 1) by including:
- a succinct summary of the IPC's role;
 - reference to the role and status of the relevant NPSs;
 - details of the project, including the main expected positive and negative impacts;
 - the scale of the proposal; and
 - how and where information would be provided.
- 2.6.22 The SOCC also included reference to other potential IPC consultations in the area including other offshore wind farms, overhead lines and Sizewell nuclear development.

Publication of the SOCC

- 2.6.23 Subject to the above, all relevant comments made by both statutory and non-statutory consultees were incorporated in the final revision of the SOCC which was published on 10 June 2011 in 3 primary local papers. These papers were chosen to cover a wide area potentially affected by views of the offshore wind farm and onshore electrical connection (namely east Suffolk, south Norfolk and north Essex). The SOCC was also published in fishing

and shipping journals to ensure that users of the sea were captured adequately and to respond to the MMO's previous comments. Coverage and distribution of the chosen local publications is as follows:

- East Anglian Daily Times (coverage: West Suffolk (around Bury St Edmunds) North Suffolk (around Lowestoft) East Suffolk (around Ipswich) and Essex (Colchester); distribution: 29,932);
- Eastern Daily Press (coverage: Norfolk, northern parts of Suffolk and eastern Cambridgeshire; distribution: 59,490);
- Essex Daily Gazette (coverage: Essex (Colchester, Harwich, Clacton); distribution: 59,490);
- Fishing News (coverage: England, Scotland, Wales, Northern Ireland, parts of Scandinavia; distribution: 27,140); and
- Fair Play (coverage: global; distribution: 13,770).

2.6.24 Through the above publications GWFL complied with the requirement to publicise in a newspaper circulating in the vicinity of the land and significantly beyond, particularly with respect to offshore interests.

2.6.25 All versions of the SOCC are available in Appendix D and copies of the SOCC newspaper publications are available in Appendix E.

2.7 Consultation under Section 47

SOCC compliance

2.7.1 Having prepared and published a SOCC, Section 47(7) of the 2008 Act requires promoters to consult in accordance with it. A detailed tabular review of GWFL's compliance with the GWF SOCC is provided in Appendix B. The following sections address the activities undertaken in more detail.

2.7.2 GWFL undertook a single statutory consultation process between 13 June and 14 July 2011, using the following communication methods, as outlined in the published SOCC:

- local exhibitions;
- a meeting before the public exhibition with local residents and local politicians;
- provision of a telephone assistance line;
- meetings with individual residents;
- letters/mailings within the CCZ;
- providing information at public points, such as libraries and LAs offices;
- notice boards in the Sizewell and Leiston area;

- provision of dedicated GWF e-mail address and website; and
- using internet and other media to provide updates.

Local community

Consultees

- 2.7.3 As per the requirements of Section 47 of the 2008 Act, GWFL consulted the local community including residences and businesses within the vicinity of the project. GWFL consulted all addresses within a Community Consultation Zone (CCZ) defined for the project. The principle of a CCZ was agreed with SCDC and SCC through the informal and statutory process leading up to publication of the SOCC. At that time the proposed CCZ covered the primary settlements of Sizewell and the eastern side of Leiston, comprising approximately 450 properties and businesses. On the approach to statutory consultation under the SOCC, GWFL carefully considered the extent to which the local community might expect to be contacted directly about the proposals. On this basis, and continuing with a precautionary approach, GWFL voluntarily chose to extend the CCZ to a 3km radius around the onshore substation, covering approximately 3,400 addressees and providing coverage significantly beyond that previously deemed satisfactory to statutory and non-statutory consultees to the SOCC (no negative responses were received with respect to coverage of the original proposed CCZ). The final CCZ plan is available in Appendix F.

Consultation material

- 2.7.4 As mentioned earlier in this document, GWFL benefitted from significant existing knowledge of the area as a result of previous work on GGOWF. This knowledge, coupled with extensive non-statutory consultation commencing in 2007, allowed GWFL to provide significant environmental information at the Section 42, 47 and 48 consultation stage. This information was compiled into the PER and used as the focus for consultation with technical consultees. However, adopting the recommendations of DCLG Guidance, GWFL chose to produce a shorter summary document, in more concise and 'non-EIA' language, targeting local community readership, but addressing the same key environmental issues and prompting for responses on similar issues. The document sought to:

- detail the proposed elements of the project, in separate offshore and onshore sections;
- explain the flexibility required in the project and its need, avoiding industry terminology such as the Rochdale Envelope;
- explain that the scheme might require compulsory purchase and the reason for doing so;
- describe the main potential impacts arising from the ongoing environmental studies and assessment;

- guide people to further sources of information, including details of the public exhibitions and locations where the PER and other consultation documents could be viewed; and
- to encourage comments on the proposals, both in general, but also targeting comments to areas that the community could genuinely influence, such as landscape and visual mitigation, and potential learning from experience of GGOWF works.

2.7.5 A copy of the 'Have Your Say' document is provided in Appendix G.

2.7.6 The Have Your Say document purposefully mirrored the content and structure of the public exhibition boards, so that those who read the Have Your Say and attended the exhibitions would find a familiar and understandable theme. Conversely, exhibition attendees completing the questionnaire subsequently would have found the Have Your Say questions structured around the content as they saw it at the exhibitions.

Questionnaire

2.7.7 During non-statutory phases, GWFL and NGET utilised response forms at exhibitions and other events. To provide a single informative and response based document, the Have Your Say document contained a pull-out questionnaire, the aim being to ensure that respondents to the questionnaire were always in possession of the key facts of the scheme when making their response.

2.7.8 The main elements of the proposed GWF application that GWFL sought feedback on were:

- landscaping and visual impact of the onshore scheme;
- onshore noise;
- possible impacts on wildlife and nature;
- possible impact on local traffic;
- any offshore impacts; and
- GGOWF construction activities.

2.7.9 This was achieved through targeted questioning within the Have Your Say document. The Have Your Say document also provided an opportunity for respondents to provide any other comments, regardless of whether they aligned with specific questions. The structure of the questions was based on issues arising from the ongoing environmental studies, but also issues that arose during previous consultations.

Access to information

- 2.7.10 In accordance with the DCLG Guidance, the SOCC provided commitments for easy access to information to inform responses and to provide updates on progress.
- 2.7.11 Approximately 3400 Have Your Say documents were sent on 8 June 2011 (for consultation commencement on 13 June) to those residences or businesses within the CCZ in order to explain important elements of the proposal and invite as wide an audience as possible to make comments on the project.
- 2.7.12 Approximately 120 additional consultation packs were forwarded to locally elected representatives, councillors and other political bodies. These included a cover letter and Have Your Say document.
- 2.7.13 All of the consultation materials, comprising the PER, Have Your Say, Section 48 notice, SOCC and offshore and onshore plans, were made available to be examined locally in the following locations, in line with commitments in the SOCC:
- Leiston library;
 - Aldeburgh library;
 - Harwich library;
 - Felixstowe library
 - SCDC's offices in Woodbridge;
 - SCC's offices in Ipswich; and
 - Leiston-cum-Sizewell Town Council office.
- 2.7.14 The dates and times for viewing at the above locations were as advertised in the parallel Section 48 notice.
- 2.7.15 All consultation material was made available for download from a dedicated project website (www.gallopwindfarm.com).
- 2.7.16 Information on GWFL's consultation was displayed on notice boards in Sizewell (Sizewell beach) and Lowestoft. A copy of this information is provided in Appendix H (comprising two revisions used during the consultation period).
- 2.7.17 Posters advertising the consultation period and public exhibition events were displayed on stands in venues in the area (Leiston and Aldeburgh), Harwich and Felixstowe libraries and Aldringham-cum-Thorp Parish Council notice boards located in Sizewell, Aldringham and Thorpeness. A copy of the poster is provided in Appendix I.

2.7.18 Just before the end of the pre-application statutory consultation period, GWFL updated all of the information points described above to remind the local community of the forthcoming end of consultation and how they could respond. GWFL also undertook a press release to seek coverage in local media. A radio interview on primetime BBC Radio Suffolk reminded people of their opportunity to respond, identified locations where information could be viewed and reinforced the message that people could ‘have their say’. A copy of the poster is provided in Appendix J. The website was also updated accordingly during the consultation phase.

Public events

Sizewell residents meeting

2.7.19 Following the theme from previous non-statutory consultation, GWFL used the Sizewell Beach café as a focus for meeting local residents on a closer and more intimate scale. A public exhibition preview evening with local residents, elected representatives and councillors took place in the Sizewell Beach Café on 16 June 2011. In total 29 people attended (7 councillors and 22 local residents). A sample meeting invitation and poster is available in Appendix K.

Leiston public exhibitions

2.7.20 The main public exhibitions took place at Leiston United Church on 17 June 2011 (Friday) between 4.00pm and 8.00pm and 18 June 2011 (Saturday) between 10.00am and 2.00pm.

2.7.21 GWFL provided an opportunity for members of the local community to learn more about GWF and provide feedback. The consultation materials available at the exhibitions were:

- exhibition panels (available in Appendix L);
- PER;
- ‘Have Your Say’ document, with enclosed pull-out questionnaire;
- SOCC;
- results of the non-statutory onshore substation consultation; and
- onshore and offshore plans.

2.7.22 The exhibition was staffed by experienced representatives from both the GWFL project team and NGET, who were available to explain elements of the project and to listen and record feedback.

2.7.23 The project team sought to provide all attendees with copies of the Have Your Say document and incorporated questionnaire. A response box was available for anyone wishing to submit completed questionnaires at the exhibition.

- 2.7.24 In total 43 residents attended the main public exhibition across the two dates. The majority of attendees appeared to be attending in response to the Have Your Say document they had received (as falling within the CCZ) or in response to being local residents at Sizewell.
- 2.7.25 The key themes arising from the public exhibitions, although not intended to be an exhaustive list, were:
- Concerns over visual impact of the substation, with strong support for lowering the level of the substation as much as possible and majority support for using earth mounding to provide immediate screening rather than relying entirely on longer planting to establish;
 - Limited concerns over noise propagation, on the basis that sufficient noise controls would be put in place and impacts mitigated adequately;
 - Concerns over proximity of the landfall cable route to properties, particularly Coastguard Cottages. Concerns related to the permanent proximity of the cables (including electric and magnetic fields), but also dust and construction noise in relation to experience from the implemented GGOWF cables;
 - Comments on the potential impact to fisherman utilising the area of the wind farm;
 - Limited comment, if any, on the nature of visual impact in the specific context and protection afforded by designation as an AONB; and
 - Limited comment on the inclusion of flexibility in the consent. The only query related to the need to include flexibility, rather any concern over comprehension of flexibility.
- 2.7.26 A full record of matters discussed at the public exhibitions is provided in Appendix AC.

2.8 Additional activities undertaken

- 2.8.1 Whilst GWFL understood the critical importance of the SOCC, GWFL also perceived it as a 'benchmark' document, setting the minimum standard by which the consultation should be undertaken. GWFL did not see the SOCC as precluding additional or modified consultation approaches, in light of the evolving understanding of the scheme.
- 2.8.2 During the statutory consultation period, GWFL undertook the following additional steps to seek to maximise the engagement of as many interested parties as possible and to encourage the public to comment on the GWF proposal:
- a public exhibition preview evening with local residents and locally elected representatives and councillors;

- advertising project details, the GWF website address and consultation timelines in different media:
 - on 6 July 2011 GWFL gave an interview to primetime BBC Radio Suffolk and explained basic targets and aims, reminded consultees about the end of the consultation period, mentioned the consultation material that was available to the public in local viewing points, and cited the GWF website.
 - Additional local press releases and internet publications (a copy of those notices available in Appendix AF)
 - local advertisement: on 10 June 2011 GWFL distributed approximately 30 posters advertising the pre-application public consultation start and end date and public exhibition dates to local businesses for them to place in their windows at their discretion. The full list of poster recipients is provided in Appendix M and the poster is provided in Appendix I.
 - Posters reminding people about the consultation end date were displayed in Leiston, Aldeburgh, Harwich and Felixstowe libraries, at Aldringham-cum-Thorpe Parish Council notice boards and the Sizewell notice board. The poster is provided in Appendix J.

2.8.3 A summary of responses from the statutory consultation under Section 47 can be found in Section 3.4 of this document.

Other Section 47 consultees

Offshore individuals and bodies

2.8.4 Due to the offshore nature of the GWF project, a wider community exists, not necessarily covered by the onshore CCZ or the prescribed bodies outlined in the 2008 Act. This particularly includes key marine users who could potentially be affected by the proposal (including English, Dutch, French and Belgium fishermen). Consultation with these groups and individuals was achieved by direct contact with stakeholders and by advertising the SOCC in different local and regional newspapers and in fishing and shipping journals.

2.8.5 A key list of regional and national non-statutory consultees was originally identified by GWFL ahead of the scoping exercise (see Section 2.3) and the same list of consultees was updated and used for Section 47 consultation (the full list is provided in Appendix AE). As a result, GWFL identified and contacted approximately 220 other consultees outside the vicinity. Given their differing interests to recipients of the Have Your Say document, specific letters were sent on 9 June 2011, providing information about the proposal, notifying about the commencement of the consultation, describing the consultation process (including information about available consultation material and public events) and inviting consultees to respond and influence the final design of the project.

Access to information

- 2.8.6 GWFL committed in the SOCC to engage with key marine users through meetings, letters and direct contact with individuals and organisations. Local fishermen living in the vicinity were sent a Have Your Say document and those from the wider area were able to read about the proposal in local and national newspapers, fishing journals, on the GWF website and posters that were displayed in the area. All relevant English, Dutch, French and Belgium key marine users were sent consultation packs including an explanatory letter, Have Your Say document, offshore and onshore plans and the SOCC. All consultation was conducted in English, to which no objections were raised, or requests for translated versions received.
- 2.8.7 A sample cover letter to other s47 consultees is provided in Appendix O.

2.9 Consultation under Section 42

- 2.9.1 The IPC process places a strong emphasis on consultation with the local community, however the 2008 Act also makes provision for the consultation of prescribed bodies, landowners, or others who may be directly affected. IPC Guidance Note 1 identifies the importance of balancing the detail that can be provided to inform consultation, whilst leaving sufficient scope for amending scheme details in light of responses. GWFL provided extensive detail at the Section 42 stage (in the form of the PER), yet has demonstrated its ability to respond to comments through changes to the scheme, with respect to landfall cable location and substation floor level as prime examples. To provide a consistent deadline for all forms of statutory consultation, the Section 42 consultation was also held between 13 June 2011 and 14 July 2011.

Consultees

- 2.9.2 Consultation under Section 42 is comprised of three key groups, in the absence of the need to consult with respect to the Greater London Authority.
- 2.9.3 In compliance with Section 42(a) of the 2008 Act, GWFL consulted all prescribed authorities and organisations. To do so GWFL prepared a list of stakeholders in accordance with the Schedule 1 of APFP Regulations as shown in Appendix P.
- 2.9.4 The 2008 Act was amended to include and explain the role of the MMO in relation to application for development consent, therefore GWFL also consulted with the MMO in accordance with Section 42(aa) of the 2008 Act.
- 2.9.5 Under Section 42(b) of the 2008 Act all LAs whose land is affected by the development, as well as all those LAs who share a border with those whose land is affected by the development, should be consulted. For the GWF project the onshore land lies within the boundaries of SCC and SCDC. For a

full list of those consulted and a plan of the authority areas please see Appendices P and AD.

- 2.9.6 Section 42(d) of the 2008 Act describes those consultees who may be landowners or have an interest in the land. Desk based studies, field based assessments and the use of computer generated models to identify the ZTV of the onshore works helped to set out the criteria for GWFL to categorise those landowners who could be directly and indirectly affected by the development. In accordance with Section 44 of the 2008 Act, GWFL made diligent inquiry and identified owners, lessees, tenants or occupiers of the land to which the proposed application relates, other persons interested in the land or with the power to sell, convey or release the land and those who would, or may, be entitled to make a relevant claim. Furthermore GWFL took a precautionary approach to identifying landowners and therefore contacted occupiers of relevant beach huts (held under yearly licence from SCDC) and offshore cable operators, see further below.
- 2.9.7 Prior to the commencement of the Section 42 consultation on 13 June 2011, GWFL identified 5 entities with an interest in the land who may be directly affected by the proposal (i.e. lying within the footprint of the works) and approximately 90 addressees for properties with potentially affected land (but which were not within the proposed GWF application boundary), who may consider themselves to be indirectly affected and could become potential claimants. The full list showing people with land interests under section 44. And who GWFL consulted is available in Appendix Q.
- 2.9.8 GWFL has engaged with a number of offshore cable operators in a non-statutory capacity since early 2011. As a precautionary approach, GWFL included offshore cables operators in the list for the purposes of the Section 42(d) consultation. On 6 July 2011 GWFL issued letters and consultation packs to the offshore cables operators, with a response date of 8th August 2011. In doing so cable operators were advised that, whilst prior non-statutory consultation had been undertaken with them, this comprised their statutory opportunity to comment on the GWF proposals. A copy of the letter is available in Appendix AH and the list of consulted cable operators is included in List 2 of Appendix Q.
- 2.9.9 On 7 September 2011 GWFL wrote to the yearly licensees of the beach chalets which are rented under licence from SCDC, informing them of their opportunity to respond as statutory consultees with an interest in the land. The majority of the land occupied by the chalets lies within the proposed onshore and nearshore boundary. The export cables will pass approximately 10 metres beneath the beach chalets when the cables are installed using directional drilling. A consultation pack was sent with a response date of 8th October 2011. A sample cover letter is provided in Appendix S.
- 2.9.10 On 16 November 2011 GWFL wrote to Essex and Suffolk Water Limited (ESW). ESW had not replied to the original section 42 consultation, when it was consulted as a statutory undertaker. However, this further letter was

sent because a final engineering review of the proposed onshore works identified the requirement for a crane oversailing right over a narrow strip of arable land in which ESW have an underground pipe and associated surface right of access (plot 143 on Document 2.5, the Land Plan). Even though the proposed crane oversail would not affect ESW's interest in the land, the letter of 16 November 2011 was sent under section 42(d) as a precaution, with a response date of 18 December 2011. It is included at Appendix AU. The letter also informs ESW of the newly proposed planting next to, but not inside, their easement strip, which has been deliberately sited to avoid any impact on their apparatus. ESW replied to this consultation in writing on 21 November 2011. The only issue raised was the need to ensure that if their employees were on site carrying out planned or emergency works while the crane oversail was operational then suitable steps to ensure the employees' safety would need to be put in place. GWFL propose to address this through the final version of the Construction Code of Practice which has been submitted in draft with the application. GWFL will seek to agree an appropriate provision with ESW for inclusion in the Code. GWFL will update the IPC on the outcome of this matter in its first submission after the Examination has commenced, and, if necessary will agree a statement of common ground with ESW.

Consultation material

- 2.9.11 For prescribed bodies and technical stakeholders, GWFL utilised the PER which outlined the proposals, presented the initial findings of the EIA work undertaken to date and provided the opportunity for stakeholders to comment and be involved in the project scope and design.
- 2.9.12 Through the PER GWFL sought specific comments from consultees on the following:
- the 'Rochdale Envelope' approach and whether the realistic worst case had been correctly identified;
 - any inadequacies with the data;
 - the assessment of impact and mitigation;
 - proposed future monitoring; and
 - any suggested changes to the project or omissions.
- 2.9.13 Whilst acknowledging DLCC Guidance on the need for technical consultees to receive sufficiently detailed information, GWFL were also conscious of the mixed knowledge and experience that would be present within the specific Section 42(d) group of landowners and indirectly affected parties. In this group it was expected that there would be a mix of consultees familiar with planning applications and EIA style documents and those with very limited knowledge. For completeness, all consultees in Section 42(d) were provided

with both the PER and the Have Your Say document to reflect potentially differing experience of interpreting such material, but giving them the opportunity to review both.

Access to information

PER format preference

- 2.9.14 There is no outright guidance on the form and number of copies of consultation documents which have to be provided to consultees. Since GWFL's PER comprised approximately 1,500 pages, and in the interests of sustainability and minimising unnecessary paper copies, GWFL decided to establish format preferences with consultees. Letters were sent on 19 May 2011 (directly affected) and 27 May 2011 (indirectly affected) asking statutory consultees for their preference; this was also an opportunity to pre-warn consultees of the imminent commencement of consultation. A sample letter is provided in Appendix T.
- 2.9.15 On 7 June 2011 GWFL sent the consultation packs to consultees identified under Section 42. The pack comprised:
- cover letter with start and end date of the consultation (a sample s42 letter is provided in Appendix U);
 - hard or soft copy of the PER as per consultee format preference;
 - offshore and onshore scheme plans;
 - Section 48 Notice (as required by the EIA Regulations (11)); and
 - 'Have Your Say' document.

Errata

- 2.9.16 After issuing the PER, GWFL identified a minor error in a limited number of the photomontage images in the seascape, landscape and visual character Chapter of the PER (with respect to the alignment of 6 overhead wires in the photomontage). Errata pages were sent on 15 June 2011 to all those who were previously sent the PER in electronic and paper format. The errata was also available to download from the GWF website. A sample letter is provided in Appendix V.

2.10 Section 48 notice

- 2.10.1 At the same time as publishing the SOCC, and in accordance with Section 48 of the 2008 Act, GWFL published notice of the proposed GWF DCO including statement of a deadline for responses.

- 2.10.2 GWFL complied with the requirements of Regulation 4 (Publicising a proposed application) of The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009, which prescribes the manner in which the applicant must publicise a proposed application.
- 2.10.3 GWFL described in the notice:
- the name and address of GWFL and a summary of the proposal, including the description of the location and the route;
 - a statement that GWFL intends to make an application for development consent and that the application is EIA development;
 - details of the project, along very similar lines to the SOCC content;
 - details of times and places where the consultation documents could be reviewed or obtained, including details of free of charge items; and
 - the start and end date of consultation (13 June 2011 – 14 July 2011, in compliance with 4(3)(i)) and details of how to respond.
- 2.10.4 GWFL published the Section 48 notice as follows:
- for two successive weeks in three local newspapers (the coverage and distribution of selected newspapers can be found in Section 2.6.23 earlier in this document) on 3 June 2011 and 10 June 2011 comprising:
 - East Anglia Daily Times;
 - Eastern Daily Press;
 - Essex Daily Gazette;
 - once in a national newspaper, The Independent, on 10 June 2011;
 - once in the London Gazette on 10 June 2011;
 - once in Lloyd's List on 10 June 2011;
 - once in Fair Play on 9 June 2011; and
 - once in Fishing News on 10 June 2011.
- 2.10.5 At the same time as publishing the Section 48 notice, a copy of the notice (together with the consultation material for Section 42 purposes) was sent to the consultees and to any person notified about the application in accordance with the EIA Regulations (11); see sample s42 letter in Appendix U.
- 2.10.6 The published Section 48 notice is provided in Appendix W and copies of each of the newspaper notices are in Appendix X.
- 2.10.7 The nature of Section 48 publicity means that it is challenging to establish exactly those responses resulting from this section of the Act. Where responses were clearly received as a result of Section 42 or 47 consultation,

these are recorded as such; all other responses are assumed to be Section 48. A summary of Section 48 responses is provided in Section 3.6 of this document.

2.11 Non-statutory consultation on other application documents

Introduction

2.11.1 In addition to the statutory consultation requirements, GWFL has sought to consult on other key application documents comprising:

- the draft DCO and EM;
- the draft deemed Marine Licence;
- information to inform the HRA; and
- Section 106 (of the Town and Country Planning Act 1990) Heads of Terms.

2.11.2 Where possible, any comments received from the above non-statutory consultation have been taken into account in the final documents submitted to the IPC and it is hoped that this will assist all parties during examination of the GWF project. The sections below address the key outcomes.

Draft DCO and EM

2.11.3 There is no requirement to consult upon the draft DCO or its accompanying explanatory memorandum prior to application, however IPC Advice Note Thirteen: Preparation of a draft order granting development consent and explanatory memorandum (September 2011) notes that “The IPC can advise on the production of application documents (not their merits), and welcomes submission of a draft order in order to save time and potential problems during the process of examining an application, for example, if a draft order needed to be substantially amended.....The draft order should also be made available to other parties who may have useful comments on the operation of the order.”. GWFL submitted an initial draft DCO to the IPC on 24 November 2010 and attended a number of meetings throughout 2011 that incorporated discussions on the draft DCO. A further draft of the DCO and EM were sent to the IPC on 9th August 2011.

2.11.4 The DCO was also sent to and discussed with the MMO at a meeting on 20 May 2011, which is mentioned in the Section below on the draft deemed Marine Licence. A further meeting was held with the MMO and additional attendees (Cefas, Trinity House, MCA, the JNCC and NE) on 20 July 2011 to discuss the DCO and draft deemed Marine Licence.

2.11.5 A draft of the DCO and EM were sent to the two main local authorities (SCDC and SCC) on 9th August 2011, with a further meeting held on 25 August 2011 to discuss responses and subsequent correspondence on 8 September 2011.

2.11.6 A summary of the consultation undertaken on the draft DCO and EM is included in Appendix Y.

Draft deemed Marine Licence

2.11.7 The draft deemed Marine Licence comprises part of the DCO package, however its content was consulted upon with the MMO as a separate document on a number of occasions. GWFL met with the MMO to discuss the Marine Licence on 20 May 2011, with the MMO, MCA and Trinity House on 20 July 2011 and also with the MMO, Cefas, the JNCC and NE on the same day. Copies of the draft DCO and Marine Licence were sent to all attendees prior to the meeting. Please see Appendix Y for a summary of consultation on the draft Marine Licence.

Information to Inform the HRA

Habitat Regulations Assessment

2.11.8 The HRA Report provides the necessary information for the IPC as the Competent Authority to undertake an Appropriate Assessment (AA) where it considers this is necessary and to conclude that no Appropriate Assessment is required in other cases. It also provides the JNCC and Natural England, as the Government's Statutory Nature Conservation Agencies (SNCAs), with the necessary information to offer advice on these matters to the Competent Authority.

2.11.9 The requirement for the HRA is set out under the Council Directive 92/43/EEC on the conservation of natural habitats and of wild flora and fauna (the 'Habitats Directive') wherever a project that is not directly connected to, or necessary to the management of a Natura 2000 site has the potential to have a significant effect on the conservation objectives of the site.

2.11.10 The HRA Report with this application has been prepared with due consideration given to the information provided in the IPC Advice Note 10 'Habitat Regulations Assessment relevant to nationally significant infrastructure projects (NSIP)'. The advice note sets out the stages that must be followed for NSIPs to receive an approval as a result of a DCO application. In accordance with the recommendations made in the advice note (namely 'it is for developers to consider how best to meet pre-application requirements and give careful consideration to the point when the results of the developers' own HRA report could be usefully presented for consultation'), GWFL has undertaken non-statutory consultation at regular intervals of the assessment process. It should be noted that consultation on issues relevant to the HRA has been undertaken in unison with the EIA consultation as the two processes adopt a receptor led process and are therefore intrinsically linked.

- 2.11.11 Details of the key consultation (non-statutory) on the HRA are given below.
- 2.11.12 Technical elements of the HRA have featured in discussions with JNCC and Natural England in all meetings from November 2009. These meetings are identified in Table 5 in 3.7.6 and are not repeated here. The HRA Report was specifically addressed in all meetings with JNCC and Natural England from January 2011.
- 2.11.13 A draft version of the HRA screening report (together with a supporting ornithological technical report) was issued to the JNCC, Natural England and the IPC for discussion on 19th May 2011. The JNCC and Natural England responded with comments on 23rd June 2011 and the IPC responded with comments on 24th June 2011. Comments were considered in the final HRA screening report (submitted to the IPC in July 2011) and subsequently carried forward into the latter stages of the HRA.
- 2.11.14 At this stage of the assessment process, GWFL continued to engage with JNCC, Natural England and the RSPB with regard to key areas of concern, namely collision risk and population modeling, both being key components of the Information to Inform Appropriate Assessment being developed as part of the HRA Report. Of particular note, GWFL submitted additional information in the form of a final draft ornithological technical report with the specific purpose of consulting on the HRA related content. Comments were received from JNCC and Natural England on 14th October 2011 (and from the RSPB on 21st October) and were duly considered in the development of the final HRA report.
- 2.11.15 A draft version of the HRA Report was also issued to the IPC for discussion on 9th September 2011 and the comments raised were addressed within the final report.
- 2.11.16 This consultation has informed the scope and content of the HRA process from start to finish. Accordingly, GWFL is satisfied that sufficient information has been included within the HRA Report for the Competent Authority to make a determination during the examination period. In addition, GWFL are confident that any outstanding issues can be resolved in the approach to, and during, the examination period as the process of agreeing statements of common ground will provide ample opportunity to do this and, to this end, GWFL are continuing discussions with all of the interested parties.
- 2.11.17 A complete summary of the consultation relevant to the HRA is given in Section 3.3 of the HRA Report.

Section 106 Heads of Terms

- 2.11.18 In discussions with SCDC and SCC in relation to potential visual and landscape impacts of the onshore substation, the two relevant local authorities have recommended the consideration of a contribution by GWFL to the 'AONB Fund'. The principle of an 'AONB Fund' has been established

in relation to the Sizewell B dry store development and involves a contribution towards a fund by EDF Energy to secure enhancements to the Suffolk and Coastal Heaths AONB. GWFL understands that the dry store AONB Fund will be administered by a partnership comprising SCDC, SCC, the AONB Unit and EDF Energy.

- 2.11.19 GWFL continue to seek a commercial agreement with EDF Energy (strictly British Energy Generation Limited with respect to land negotiations) for the onshore electrical connection and substation works. This potentially provides an opportunity to secure a contribution to the Fund, in part administered by EDF Energy, via the commercial agreement. However in the absence of an agreement with EDF Energy, GWFL has deemed it appropriate to secure the contribution via a Section 106 agreement (of the Town and Country Planning Act 1990). SCDC and SCC are in agreement that this is an appropriate means of securing a contribution to the Fund and GWFL has therefore drafted Heads of Terms for a future agreement. The proposed Heads of Terms were issued to SCDC (as a party to the proposed terms, and by cc to SCC) for consultation.
- 2.11.20 The draft Heads of Terms are included with this application and it is expected that an agreement can be reached with SCDC prior to the examination stage.

Transboundary

- 2.11.21 The need to consider the potential for transboundary effects was highlighted in the Scoping Opinion provided by the IPC in August 2010. This has been adopted throughout the technical Chapters of the ES, which include summary statements on the likelihood of significant transboundary effects.
- 2.11.22 Subsequent to the Scoping Opinion, the IPC published advice in June 2011 (Advice Note 12) relating to the screening of likely transboundary effects for NSIPs. Advice Note 12 suggests the use of a 'screening matrix' by applicants as a way of indicating to the IPC, prior to application and normally at the time of scoping, the likelihood of significant transboundary effects so that the IPC can decide on the need for consultation with potentially affected European Economic Area (EEA) member states.
- 2.11.23 Given the timing of the publication of this advice in relation to the GWF application, it was not possible to complete this 'screening' process at the project scoping phase, which had been completed in July 2010. However in light of the advice note, GWFL has since completed a summary of the key potential transboundary issues drawn from the main assessment and for each of the EIA topics considered. This is presented in Chapter 31 of the ES. It does not specifically follow the 'screening matrix' format suggested in the advice note since this form is considered to be superseded by the detailed EIA which has been completed. It should be noted that the assessment presented in the ES allows the clear conclusion to be drawn that there would be no likely significant effect on the environment of another EEA member state nor on the interests of any such states within the UK REZ.

2.11.24 Chapter 31 of the ES also provides a summary of consultation carried out relevant to the issue of potential transboundary effects. Direct consultation with Government departments in other EEA member states has not been conducted but rather the consultation has focused on specific 'user groups' (namely commercial fishing, shipping and telecommunication cables) known to have some interest in the GWF area based on available data, surveys and the expert knowledge of the project team. This has been undertaken as an integral part of the overarching EIA consultation process and details of particular meetings or other such events relevant to transboundary effects are included in the relevant ES chapters.

3 RESULTS AND RESPONSE TO CONSULTATION

3.1 Summary of responses

- 3.1.1 Whilst Section 49 of the 2008 Act only requires consideration of responses to statutory consultation, this section addresses all the primary comments received through scoping, non-statutory and statutory consultation. Full details of all responses are provided in the Appendices AA to AC and Appendix N, broken down by these categories. GWFL has been shaped by non-statutory responses as much as statutory responses and therefore considers it important to report on these with significant weight in this report.
- 3.1.2 This section is therefore provided primarily in chronological order, following the process from scoping, through the bulk of non-statutory consultation, to statutory consultation and beyond. However readers are directed to Sections 3.4 to 3.7 if they wish to review only those items covered specifically by Section 49 of the 2008 Act.

3.2 Scoping and informing the EIA process

- 3.2.1 GWFL undertook a formal scoping process with the IPC. Whilst this would ordinarily feed into the form of environmental assessments and the aspects which they should cover, the scoping stage for GWF also provided some important comments which resulted in fundamental changes to the scheme design, outlined further below.
- 3.2.2 GWFL submitted a request to the IPC for a scoping opinion in accordance with the EIA Regulations (8) in June 2010. In response to GWFL's scoping request the IPC provided a scoping opinion, including 30 responses received from organisations consulted by the IPC. Responses incorporated in the IPC opinion included joint comments from the JNCC and NE and from the MMO and Cefas. Two responses were received after the IPC's scoping deadline (Health and Safety Executive (HSE) and the Maritime and Coastguard Agency (MCA)) and were forwarded by the IPC under separate cover.
- 3.2.3 The main issues identified by the IPC in their opinion included:
- degree of flexibility (the Rochdale Envelope) and the ability to assess potential effects;
 - need for up-to-date baseline and survey information;
 - need to describe impact assessment methodology;
 - need to identify the physical scope of the assessment;
 - safety and navigation impacts;
 - nature conservation impacts;
 - cumulative impacts both on and offshore;
 - substations and grid connection works;

- construction phase impacts;
- need to consider the assessment as a whole; and
- consideration of alternatives (particularly onshore).

3.2.4 Comments received in response to scoping, regarding the onshore substation location, led to the commencement by GWFL and NGET of a comprehensive non-statutory community consultation process. Details of this are included in Section 3.3.

3.3 Non-statutory consultation

GWFL community consultation on substation options

3.3.1 Following receipt of the IPC scoping opinion, GWFL reconsidered the basis for the selection of the onshore substation location and chose to progress a comprehensive process of consultation.

3.3.2 The consultation was conducted as a public exhibition with utilisation of response forms, presenting 3 shortlisted options, from an original list of 10. 74 people attended the public exhibition and 48 completed feedback forms were received.

3.3.3 The completed questionnaires, received between November 2010 and January 2011, showed that 84% of respondents preferred Option 1 (the site ultimately proposed in this application) for the location of the onshore substation. 16% preferred Option 5 and no respondents favoured Option 2. Comments were also made about the suitability of the Sizewell A nuclear power station land, however this was deemed unsuitable by GWFL, see Section 3.3.9 and Chapter 6 of the ES for further details. Please see Appendix Z for a map showing the options.

3.3.4 The local community also advised that the following were the most important aspects of the development to them:

- the ability to visually screen the substation;
- impact of onshore construction;
- learning from experience on GGOWF;
- the proximity of the substation to the Sizewell nuclear site; and
- the impact of the substation on the AONB.

3.3.5 An Initial Community Consultation report with further details was produced, which was published on GWFL's website, provided to SCC and SCDC, and made available at the subsequent Section 47/48 public exhibitions and in Leiston library and LAs offices. A short summary of this report was also

compiled and sent to residents with a cover letter. The summary is available in Appendix AM.

NGET's community consultation on connection options

- 3.3.6 Approximately 460 people were invited to NGET's non-statutory consultation event and 41 people attended (including local and district councillors). 26 questionnaires were returned and 1 telephone call was made to NGET's information line.
- 3.3.7 A summary of the feedback given is shown in **Table 2** below.

Table 2 NGET's consultation results²

Site option	In favour	In favour with caveat	Not in favour
NGA	17	5	1
NGH	1	0	21
NGI	10	6	2

- 3.3.8 The most favoured option was NGA (adjacent to Sizewell A) followed by NGI (location proposed in this application). Please see Appendix AO for an initial consultation report where a map showing the options is included at page 14. At the time of NGET's consultation, GWFL's discussions with EDF Energy had progressed further to a point of understanding that options at Sizewell, within the nuclear licensed boundary, would not be viable. Therefore, subsequently, NGET and GWFL agreed that NGI should be used as the location for NGET's assets. Whilst NGI did not receive such numerous support, it is notable that NGA and NGI were very similar with respect to numbers not in favour, or favouring subject to caveat. Both NGA and NGI were eclipsed by the opposition to NGH adjacent to Sizewell Gap.
- 3.3.9 Sizewell A is owned by the Nuclear Decommissioning Authority (NDA). It has the benefit of a nuclear site licence under the Nuclear Installations Act 1965. This means that any activity on the nuclear site requires management control by the Site Licence Company (Magnox Ltd) and the Nuclear Installations Inspectorate. The decommissioning programme indicates that demolition activity on the Sizewell A site would continue up until at least 2016 (British Nuclear Group, 2005). This timeframe is based on the assumption that de-fuelling activities would begin in 2006; however, this did not actually begin until 2009, and as such the overall decommissioning programme would be expected to be delayed until 2019. Whilst a proportion of the Sizewell A site will eventually become available during decommissioning, this is not expected to be available for new development until 2019 at the earliest. As an area of land, sufficient for GWFL's onshore works, is unlikely to be available within the timescales required for GWFL, the area of land within the Sizewell A site was treated as unavailable. EDF Energy and the owners of

² Some respondents were in favour or not in favour of more than one proposed site

Sizewell B also commented that although the necessary land requirements associated with the potential new nuclear build project at Sizewell are not yet known, there is a strong requirement to maintain the possibility of using nuclear licensed land at Sizewell A wherever practicable. As such there would be a significant potential, even if decommissioning timescale constraints could be overcome, that EDF Energy would seek to re-acquire the land at Sizewell A for this purpose. In addition to the question of timing, and EDF Energy's intentions for the site for potential nuclear-related uses, there were space constraints and safety considerations, which resulted in GWFL discounting Sizewell A as an option.

3.3.10 A further site adjacent to Sizewell A, at Coronation Wood, was also examined by GWFL to ascertain whether this could be suitable for locating the onshore works, however EDF Energy indicated that this site may be affected by or required by the Sizewell C development. Coronation Wood was therefore not taken forward into the options appraisal study.

3.3.11 Further detail on site selection and alternatives is provided in **Chapter 6** of the ES. NGET's substation consultation report is available in Appendix AO.

GWFL response (non-statutory)

3.3.12 The results of the non-statutory consultation enabled GWFL to understand the community's preferred location for the onshore works (comprising both GWFL's substation and NGET's transmission works). In addition to planning considerations, this had a significant impact on the submitted scheme. The final location of GWFL's proposed assets received 84% of the community's vote in GWFL's consultation exercise. The substation location that was finally selected was shown to the community during the formal consultation period under Section 42, 47 and 48.

3.4 Statutory consultation under Section 47 – summary of responses

Section 47

3.4.1 GWFL adopted a comprehensive consultation approach, both through statutory and non-statutory means. In the context of the approximate 3,400 copies of the Have Your Say document issued under statutory consultation, the relative response rate under Section 47 (comprising 10 questionnaires and 78 attendees at exhibition events) could be considered low. However GWFL did not consider such response rates surprising given the following circumstances:

- previous completion of extensive non-statutory consultation (by GWFL and NGET);
- the majority of interest arising from Sizewell residents, many of whom are categorised as potentially affected Section 42 landowners rather than Section 47;

- a relatively sparse population in the immediate vicinity of the onshore works, the majority comprising the aforementioned landowners;
- existing experience of the onshore and offshore GGOWF works, potentially reducing fear among residents over a wider area than would normally be the case with the introduction of new infrastructure into an area; and
- development in close proximity to existing large scale energy generating infrastructure.

‘Have Your Say’ questionnaire results

3.4.2 The pull-out questionnaire within the Have Your Say document (see centre pages of Appendix G) included 9 questions comprising:

- 1 question related to the offshore elements of the project;
- 7 questions related to the onshore elements of the project; and
- 2 general questions.

3.4.3 This balance of questions reflected that the Have Your Say was a document focussed primarily at the community around the onshore works, as a result of negligible impacts arising at the coast from the offshore works and that there was limited opportunity to influence the design of the offshore scheme. The onshore questions focussed on key areas which respondents were able to influence.

3.4.4 The following sections provide a summary of consultation replies and how GWFL responded to them, grouped by topics within the PER and ultimate ES. Readers should note that each ES Chapter also has table noting the responses received and how GWFL responded to them.

Offshore Comments

3.4.5 3 out of the 8 questionnaire respondents had no comments with regard to the offshore aspects of the project. 2 respondents were concerned about the impact on coastal erosion. A further 2 respondents questioned the use of different energy generation technologies instead, such as nuclear or solar. Increased risk of shipping collisions, developers making short term profit and encouraging other sea users to enter the wind farm site area were the other main points from respondents on the offshore elements of the project.

GWFL response

3.4.6 Coastal erosion – this was assessed in **Chapter 9 Physical Environment** of the ES for both the onshore and offshore works. The physical environment assessment identified that both construction and operation would have no effect on coastal erosion.

- 3.4.7 Different energy generation technologies – **Chapter 2 Project Need, Policy Framework and Guidance** of the ES provides a summary of the need for renewable energy and the benefits associated with offshore wind generation, in turn related to the relevant NPS.
- 3.4.8 Shipping collisions – A marine Navigation Risk Assessment (NRA) was undertaken for GWF. Further details are included in **Chapter 16 Shipping and Navigation** of the ES and mitigation measures which have been proposed.
- 3.4.9 Short term profit – No action as such was undertaken regarding this comment, but Section 2.4.7 of **Chapter 2 Project Need, Policy Framework and Guidance** of the ES details the principal fiscal incentive that applies to offshore wind farm projects.
- 3.4.10 Encouraging other sea users to enter the site area, in particular fishermen – The impact on commercial fisheries is assessed in **Chapter 15 Commercial Fisheries**. Whilst fishing activity will not be prohibited within the entire offshore site area during construction, skippers may choose not to fish between structures, where they feel there is potential to snag gear and where vessel safety risks are heightened due to levels of construction activity. During the operational phase, when smaller 50m safety zones are expected to be applied for (compared with 500m during construction), certain vessels and gear types have indicated a willingness to continue fishing within the operational site; however other gear types such as trawlers and beam trawlers have not indicated whether they would continue fishing within GWF post construction.
- 3.4.11 GWFL has ultimately proposed an exclusion area within the site in Area A, over the primary sandbank, to permit the continuation of fishing activity (namely drift netting). Turbines or other surface infrastructure will not be built in this area. The proposed exclusion area over the sandbank is of a similar scale to that at the neighbouring GGOWF, where the approach has not solicited any negative comments. The exclusion area shown (as illustrated in the application Order Limits plan) does not extend to the outer edges of the wind farm, due to the possible mobility of the sandbank at its northern and southern ends, meaning any permanent exclusion zone might not, in future, align with the sandbank itself in these areas. However, given the minimum spacing between turbines of 642m x 856m, and that the larger spacing is likely to run in a generally SW to NE direction, a significant corridor some 600m to 700m wide is expected to be available for vessels to steam into and out of the exclusion zone in order to access the sandbank for fishing.

Onshore comments - Landscape and visual impact

- 3.4.12 The majority of respondents believed that views from the Sizewell Gap road were the most important. The next most common response was in relation to Sizewell Belts, which lies further north from Sizewell Wents and Leiston Common and can be seen on the plan in Appendix Z. Types of landscaping

that were suggested were earth bunds, hedgerows and trees, but it was requested that landscaping was in keeping with the existing environment.

GWFL response

3.4.13 Following analysis of responses received during the statutory consultation period, extensive work was undertaken on developing the landscaping and visual impact mitigation. Further details of the mitigation are described in **Chapter 20 Seascape, Landscape and Visual Character** of the ES, but in summary they are:

- lowering the finished floor level of the substation by a minimum of 2m from that shown at PER stage;
- reducing the loss of existing trees from that shown in the PER, including by rerouting some cables;
- providing a profiled screening landform;
- providing a wider continuous belt of woodland around the substation development;
- provision of low level planting to avoid gaps in the woodland screening;
- extending woodland planting southwards from the substation to screen oblique views of the development;
- reinstating trees, shrubs and hedgerows where they can be included in the completed development;
- replacing existing gaps in hedgerows; and
- using dull, recessive colours for structures including buildings, equipment and fencing.

3.4.14 GWFL has also commenced a process of agreement of Section 106 Heads of Terms to provide a contributions to an AONB Fund to provide landscape and access enhancements within the AONB.

Onshore comments – noise

3.4.15 No specific comments were provided on onshore noise, just a general concern about any noise and suggested mitigation to take the form of enclosing equipment and earth mounds.

GWFL response

3.4.16 GWFL sought to utilise the lowering of the substation floor level and the creation of a new landform to maximise noise attenuation, in parallel with providing visual benefit. Earth landforms provide an effective means on reducing the transmission of noise, particularly at the low frequencies associated with some substation equipment. GWFL therefore proposed a new landform, created using material excavated to lower the substation level,

to surround the north, south and western sides of the onshore substation. This has been successful in reducing noise levels at the reference receptors agreed with SCDC. Further details of these are provided in **Chapter 26 Noise** of the ES.

Onshore comments – wildlife and nature impacts

- 3.4.17 No specific comments were provided regarding onshore wildlife and nature.

Onshore comments – traffic

- 3.4.18 Theberton, Leiston, Sizewell Road and Lovers Lane (Sizewell) were locations that were raised as areas of concern with regard to traffic.

GWF response

- 3.4.19 A detailed Traffic Management Plan will ensure that any requirement for intensive HGV movements will be agreed beforehand with SCC (the local highway authority) and the local community. Further details are provided in **Chapter 25 Traffic and Transport** of the ES, and will be secured within a Construction Code of Practice enforced under the DCO. Traffic impacts were only found to rise briefly above minor (with respect to pedestrian severance) during the most intense concrete pouring operations. Temporary traffic calming measures (speed restrictions) are proposed along Lover's Lane and Sizewell Gap Road, to minimise pedestrian severance.

GGOWF construction experience comments

- 3.4.20 No specific detailed comments were provided regarding lessons that could be learned from GGOWF construction.

General comments

- 3.4.21 1 respondent expressed concern that extra pylons would be needed. Others made general comments about different forms of energy generation and the need for renewables and 1 respondent made comments about onshore substation design.

GWFL response

- 3.4.22 No additional pylons are included in the application as a result of the GWF project, although exhibition boards did make the legal classification of the 'above-ground electric line' clear. Further details on the necessary infrastructure for the project are detailed in **Chapter 5 Project Details** of the ES. Comments on different forms of energy generation were made in response to the offshore question and the action taken is shown under that section. The actions taken with regard to the design of the substation are detailed in the onshore landscaping and visual impact section.

Verbal public exhibition feedback

- 3.4.23 The section addresses general themes from the public exhibitions. It should be noted that recording every individual response during a public exhibition can be challenging and capturing themes is more appropriate, whilst also relying on attendees subsequently completing and returning the pull-out questionnaire they were provided with, which was captured in the previous section in this report.
- 3.4.24 Questions included in the Have Your Say document were often used as a prompt for questions at the public exhibition. In general comments were received in relation to:
- Onshore visual impact;
 - Commercial fishing;
 - Beach works, particularly in relation to dust and disturbance to nearby properties;
 - Substation location;
 - Socio-economics, in relation to predicted economic efficiency (payback of wind farm in energy terms) and contribution to community by creating new jobs, setting up a fund; and
 - Feedback on GGOWF works.
- 3.4.25 Full details of the responses are shown in Appendix N and Appendix AC.
- 3.4.26 Whilst covering a number of topic areas, the majority of attendees focussed on visual impact of the substation and cited a preference to undertake earthworks to provide immediate screening to the onshore substation. There was also a strong and regular preference among attendees to seek to lower the substation to make it less visible. There was an approximate balance in opinions with regard to using slower growing native species rather than faster non-native species which might screen the development more quickly.

GWFL response

- 3.4.27 As a result of comments received from the local community regarding the beach works and the cable corridor, the proposed cable corridor has been reduced in area, moving its northern boundary further south away from the nearest properties at Coastguard Cottages. The different areas of the beach works have also been defined more explicitly, showing that the majority of the area shown in statutory consultation would only be used briefly for landing anchors from cabling vessels. This was communicated to Sizewell residents by letter on 11 October 2011 (see Appendix AI for a copy of the letter) and has received a number of positive responses.

- 3.4.28 With regard to the substation location, a full assessment and the results of the non-statutory consultation are provided in the GWFL Site Option Appraisal Report (see Appendix AP) and were the subject of extensive prior non-statutory consultation, as detailed in Section 2.4 of this report. Further details are included in **Chapter 6 Site Selection and Alternatives** of the ES.
- 3.4.29 **Chapter 21 Socio-Economics** of the ES assesses the potential socio-economic effects arising from the construction, operation and decommissioning phases of the proposed GWF.
- 3.4.30 The comments concerning GGOWF were largely onshore construction related. GWFL has subsequently refined the potential location of any beach access along the foreshore, and has also committed to providing protective matting on the upper beach route to avoid impacts experienced in relation to using the same access as GGOWF. GWFL have ensured that, where possible, measures to cover concerns raised are included in the draft Onshore Code of Construction Practice, which is enforced through the proposed draft DCO.

General correspondence

- 3.4.31 Members of the local community also contacted the telephone assistance line and used the dedicated email address during the statutory consultation period. This communication is shown in Appendix N, but generally related to clarifications in relation to the project, rather than to convey specific comments.

3.5 Statutory consultation under Section 42 – summary of responses

Consultation under Section 42(a) – summary of responses and action taken

- 3.5.1 The following is a summary of the main issues raised by Section 42(a) consultees during the formal consultation process (13 June – 14 July). A full list of responses is provided in Appendix AA.

Onshore – landscaping and visual impact

- 3.5.2 Leiston Town Council, EDF Energy and Theberton and Eastbridge Parish Council all responded with comments regarding the visual impact of the onshore substation and stated that attention should be paid to mitigation measures. Leiston Town Council commented that they believed that Sizewell A would be the best location for the onshore works. The Forestry Commission responded that they would advocate that any loss of ancient woodland should be mitigated by planting new woodland at a ratio of 6:1.

GWFL response

- 3.5.3 Following the formal consultation period extensive work was undertaken on developing the landscaping and visual impact mitigation. A summary of the mitigation is included in Section 3.4. With regard to the substation location,

this was selected following the non-statutory community consultation exercise, which is detailed in Section 3.4 and includes justification as to why the Sizewell A option was ruled out.

- 3.5.4 The Forestry Commission comment about replacing ancient woodland was not matched at a ratio of 6:1 as the woodland at Sizewell Wents is young plantation woodland (i.e. not ancient woodland). The landscaping proposals include the creation of habitats in keeping with the wider heathland restoration vision and achieve a like-for-like area replacement as a minimum.

Onshore – traffic

- 3.5.5 Leiston Town Council, EDF Energy and Theberton and Eastbridge Parish Council all also responded with comments on traffic impacts. Main comments were related to the increase in the construction onshore traffic and proposed mitigation.

GWFL response

- 3.5.6 **Chapter 25 Traffic and Transport** of the ES assesses the potential impacts of the onshore electrical connection for GWF upon traffic and transport. A detailed Traffic Management Plan will ensure that any requirement for intensive HGV movements will be agreed beforehand with SCC and the local community. Residual traffic impacts were found to be minor to negligible in all respects except briefly during the most intense periods of concrete pours.

Electric and Magnetic Fields (EMF)

- 3.5.7 NHS Suffolk and the Health Protection Agency (HPA) both commented that they would like to see further information on EMF and the potential impacts.

GWFL response

- 3.5.8 As a result of consultation comments GWFL has produced a dedicated ES Chapter on EMF, **Chapter 28**. The Chapter assesses the potential human health impacts associated with EMFs, finding them to be negligible, and in turn addresses points raised by NHS Suffolk and the HPA.

Socio-Economics

- 3.5.9 The East of England Development Agency (EEDA) requested that the wider socio-economic benefits and costs are identified and port and supply chain activity were to be included.

GWFL response

- 3.5.10 **Chapter 21 Socio-Economics** of the ES assesses the potential socio-economic effects arising from the construction, operation and decommissioning phases of GWF. It considers project expenditure and its effect on the local economy; it also considers direct employment (GWF construction and operational workers) and indirect employment (local services employing additional staff) associated with GWF and the effects on local employment.

Archaeology

- 3.5.11 English Heritage (EH) and the SCC Archaeological Service both responded with comments on archaeology. SCC stated that they were satisfied that all comments that they raised during scoping had been addressed. Both EH and SCC recommended that an on-site trenched evaluation was undertaken. EH stated that the effect on historic landscape character, cumulative impacts and an understanding of the significance of the heritage asset should be included in the ES. EH also requested that the study area for visual impact is widened to include sites beyond 2km. With regard to offshore, EH requested that their Historic Landscape and Seascape Characterisation programme is taken account of in the ES.

GWFL response

- 3.5.12 GWFL undertook an on-site trenched evaluation in July 2011 following feedback from SCC and EH. All other comments were taken account of in **Chapter 19 Archaeology and Cultural Heritage** of the ES.

Offshore – Aviation

National Air Traffic Services Limited (NATS) responded to state that there is no need to mitigate based on the proposed project envelope. The CAA agreed that the GWF project is outside the physical aerodrome safeguarding limits. The CAA did request that the potential impact on helicopters accessing GGOWL is assessed and requested further discussions regarding turbine lighting.

GWFL response

- 3.5.13 Following the comments received, the impact on GGOWL's helicopter operations was assessed, including contact with the operator, and it was concluded that there will be no impacts. Further details are included in **Chapter 17 Military and Civil Aviation** of the ES. Additionally, a provision is included in the Marine Licence controlling lighting requirements.

Offshore - Shipping and navigation

- 3.5.14 The MCA, EEDA and Trinity House responded with comments on shipping and navigation during the formal consultation period.
- 3.5.15 The MCA commented that the cumulative and drifting vessel collision risk assessments needed to be expanded. They agreed with Harwich Haven Authority's (HHA) suggestion of implementing a fully serviced radar solution. Confirmation was provided to GWFL that the TSS extension has NAV57 endorsement. The MCA stated that an Emergency Response Co-operation Plan (ERCoPS) and Active Safety Management Plan (ASMS) would be required for the project.
- 3.5.16 Trinity House commented that they would like to have further discussion, in due course, regarding required markings during construction and operation and that in-combination effects should be fully examined.

3.5.17 EEDA commented that the expansion of port functions of Haven Gateway (including expansions at Felixstowe South and Bathside Bay) may be relevant in the assessment of shipping impacts.

GWFL response

3.5.18 A number of the comments made have been provided for in the Marine Licence. Aids to navigation, such as lighting and markings, are to be used as Trinity House, in consultation with the MCA, may from time to time direct. The Marine Licence also includes a provision that development cannot commence until an ASMS, that includes an ERCoPs, has been submitted and approved.

3.5.19 The cumulative and drifting vessel collision risk assessments and the in-combination effects have been expanded upon in **Chapter 16 Shipping and Navigation** of the ES compared to what was included in the PER. The impact on Haven Gateway has been assessed.

Late responses

3.5.20 GWFL received some late responses to the statutory consultation from Section 42(a) consultees. Whilst these were received outside the statutory deadline, GWFL considered all such responses as though they had been received in the statutory period:

- The JNCC and Natural England (joint response), received 29 July 2011;
- Environment Agency, received 27 July 2011; and
- MMO and Cefas (joint response), received 19 July 2011.

3.5.21 NE, JNCC, MMO and Cefas raised a wide variety of points relating to EIA methodology, data, consultation and other related matters. These points have all been taken into account in preparing the ES.

3.5.22 The JNCC/NE response also specifically addressed ornithology issues in relation to a potential HRA. This aspect of consultation is addressed in more detail later in this report.

3.5.23 The Environment Agency confirmed that they had no objection in principle to GWF from a flood risk perspective and no comments on shoreline management. They noted that land contamination was adequately assessed in the PER. However, they were not convinced that the proposed mitigation for the landscape and visual impacts was sufficient. Since this response GWFL have undertaken substantial work on landscape and visual mitigation as detailed in Section 3.4.

Consultation under Section 42(b) – summary of responses and action taken

3.5.24 Of the 26 LAs that were contacted, 4 responded with comments. The other LAs either did not respond or responded confirming that they had no comment to make.

Section 43(1) Authorities

3.5.25 SCC responded that they deemed that the “Rochdale principle approach” for the offshore elements of the proposal appeared appropriate, but they did not accept that it is suitable for the onshore works due to the potential landscape and visual impacts. SCC also considered that the cumulative landscape and visual effects for the onshore elements had not been assessed adequately in the PER. They also proposed that the onshore bat survey data needed to be updated and suggested inclusion of extra land for the creation of a reptile habitat for any potential re-location.

3.5.26 SCDC’s response was broadly similar to SCC’s, with the addition of suggested conditions relating to noise limits during construction and operation.

GWFL response

3.5.27 GWFL met with SCDC and SCC on 25 August 2011, having issued a draft Landscape and Visual Impact Assessment, and discussed:

- refinements and constraints placed upon the onshore envelope in response to SCDC, SCC and the AONB unit’s comments, resulting in agreement that the concern over Rochdale Envelope onshore had now been overcome;
- SCDC and SCC’s response to the proposed landscape (including landform) mitigation designed following Section 42 comments, including requests for some changes to landform heights;
- suitable locations for reptile translocation;
- SCC/SCDC recommendation for a contribution to the AONB Fund; and
- minor comments on DCO provisions.

3.5.28 The outcome of the above meeting was positive (see Appendix AJ for notes of the meeting) with all matters generally agreed, albeit with some caveats and subsequent information to be provided by GWFL.

3.5.29 GWFL also held a separate meeting with SCDC on the same day to discuss and agree noise limits to be included in the DCO.

3.5.30 Subsequent to the meetings on 25 August 2011, GWFL made further submissions to both councils, resulting in agreement that the mitigation proposed around the substation was the 'minimum required'. In the event that compulsory purchase is not required, the application seeks to preserve the ability to extend the mitigation area beyond the above 'minimum', in line with requests from both councils.

3.5.31 The approach to the Landscape and Visual Impact Assessment (LVIA), including cumulative assessment, has since been agreed with SCDC and SCC and an LVIA is included with the application as an appendix to **Chapter 20 SLVC**.

3.5.32 Further onshore bat survey data was collected in 2011 following feedback from SCC, SCDC and NE. A reptile re-location area, in accordance with discussions on 25 August 2011, has been included in the final scheme design.

Section 43(2) 'A' Authorities

3.5.33 Mid Suffolk District Council stated that they did not expect that GWF would have a significant adverse impact on tourism, but that this should be assessed.

3.5.34 Canterbury County Council queried whether fishing vessels from Whitstable used the GWF site area.

GWFL response

3.5.35 **Chapter 24 Land Use, Tourism and Recreation** of the ES assesses tourism impacts.

3.5.36 **Chapter 15 Commercial Fisheries** of the ES provides further details of the fisherman that may be impacted by the GWF project. Kent & Essex Inshore Fisheries and Conservation Authority have been consulted by GWFL's Fisheries Liaison Officer (FLO) in order to confirm that all potentially affected fishermen, or a group that they belong to, have been consulted.

3.5.37 Further details of all Section 42(a) responses received can be found in Appendix AA.

Consultation under Section 42(d) – summary of responses and action taken

3.5.38 2 of the 3 directly affected landowners responded, although only EDF Energy provided a response in the statutory time period.

3.5.39 EDF Energy stated that "*the GWF onshore development, as now proposed (and subject to finalisation of detailed plans and specification), would appear to be generally acceptable and represents least disruption in the context of both ongoing Sizewell C development planning and existing nuclear operations at Sizewell B*". However they did advise that a comprehensive

landscaping plan needed to be prepared and further work undertaken on related environmental impacts such as noise and traffic. Other comments related to cumulative impacts and emergency planning.

- 3.5.40 Greater Gabbard Offshore Winds Limited (GGOWL) responded on 26 July (after the statutory consultation period) stating that they were aware of and believed they could reach agreement on any potential impacts on GGOWF including:
- the cable crossing onshore and the close proximity of the offshore cables;
 - surrender of the GGOWL substation land that is required by GWF;
 - part of the GGOWL substation lease area to be used as a reptile release area; and
 - relocation of the Outer Gabbard buoy.
- 3.5.41 12 of the indirectly affected landowners, and those with a land interest, responded during the consultation period. The majority completed the questionnaire that was provided in the “Have Your Say” document. Most of the responses stated that they were concerned about the visual impact of the onshore works and suggested lowering the substation, planting trees and hedgerows and creating a landform/bund to mitigate visual impact. Those living in close proximity to the cable corridor were concerned about its width and location, particularly Coastguard Cottages. A table with responses received from indirectly affected landowners and those with a land interest can be found in Appendix AB.
- 3.5.42 GWFL has been in negotiations with the freehold landowners within the onshore project boundary over an extensive period, before, during and after the formal consultation period under section 42. During the course of these negotiations GWFL has regularly updated them on any changes to the extent of their land required. A letter summarising those changes and the reasons for them was sent to each of these landowners prior to the application submission.
- 3.5.43 In addition, GWFL has been in negotiations regarding cable crossing agreements with the cable operators, whose cables will be crossed by the GWF export cables.
- 3.5.44 Lastly, GWFL has had discussions, involving three meetings and correspondence, with the offshore aggregates operator (Cemex UK Marine) with rights over Area 507/5. These discussions have taken place before, during and after the formal section 42/47 consultation period in June/July 2011 and are continuing. Whilst the export cable corridor is wide enough to avoid GWFL’s cables passing through this aggregates area, if a commercial agreement can be reached the cables may do so as part of the final route selection. Cemex were consulted formally in June 2011 as part of the main

consultation exercise, as a non-statutory consultee, and not specifically under section 42(d). Strictly, they ought to have been consulted under section 42(d) as they have legal rights to dredge in this area. This was not addressed because an internal decision had been made to remove the aggregates area from the project red line, but a decision was then made to restore it in the light of the progress of the commercial discussions. An email from Cemex is included at Appendix AV which confirms that it is content that the GWF application is submitted while these negotiations continue. In the circumstances, the fullest possible consultation has taken place with Cemex in relation to its land rights and GWFL has not sent Cemex a section 42 letter merely for the sake of form.

GWFL response

- 3.5.45 Following the consultation period extensive work was undertaken on developing the landscaping and visual impact mitigation. A summary of the mitigation is included in Section 3.4. Action taken with regard to comments on noise and traffic are also detailed in the same Section. The same section details amendments made due to responses on the beach works and the cable corridor. A specific meeting, in response to comments during statutory consultation, was also held with residents of Coastguard Cottages to discuss the cable corridor on 12 August 2011, which helped to shape the amendments that were made.
- 3.5.46 The consultation period for the cable operators in the vicinity of GWF was undertaken from 6 July until 8 August (See Section 2.9 for further details). GWFL received responses from two of the cable operators during the consultation period, these being BT and Global Crossing. Both confirmed that they were aware of GWF and that the final design of the offshore wind farm is not yet finalised. BT issued a letter of comfort subject to a number of conditions. Global Crossing stated that they were currently in discussions with GWFL about an agreement regarding the offshore crossing and that they had no objection to the planning consent on the condition that consensus can be reached prior to the start of construction.
- 3.5.47 Interoute responded on 15 June 2011 and confirmed that they had no objection to the planning consent in principle; subject to an agreement being reached and that no physical work takes place until an agreement is reached.
- 3.5.48 Letters of comfort from the cable operators (whether non-statutory or statutory responses) are included in Appendix AH.
- 3.5.49 As detailed in Section 2.9, GWFL consulted with yearly licensees of the Sizewell beach huts. GWFL received one response from a licensee in relation to EMF effects. **Chapter 28 Electric and Magnetic Fields** of the ES assesses the potential human health impacts associated with EMFs produced by GWF and finds that impacts are negligible.

3.5.50 Further details of all responses under Section 42(d) can be found in Appendix AB.

3.6 Section 48 – summary of responses

3.6.1 As detailed in Section 2.10.7, GWFL notes that Section 48 responses can be difficult to categorise and as such, following publication of the Section 48 notice, GWFL categorised two comments by e-mail as falling under this Section. One was concerning the general merits of wind generation and the other related to offshore ornithology issues addressed in **Chapter 11 Ornithology**.

GWFL response

3.6.2 **Chapter 2 Project Need, Policy Framework and Guidance** of the ES provides a summary of the need for renewable energy and the benefits associated with offshore wind generation. **Chapter 11 Ornithology** of the ES provides full details on the surveys that have been undertaken and the anticipated impacts on the project.

3.7 Responses covered in the ES

3.7.1 The above sections have summarised all the main comments received during the statutory consultation stage and GWFL's response to those comments under Section 49 of the Act.

3.7.2 However, GWFL has also provided a table, in every technical chapter of the ES, where specific responses raised during scoping, non-statutory and statutory consultation are addressed in that chapter. **Table 3** provides a reference for the relevant section for the table present in each ES chapter.

Table 3 Reference to Consultation listed in each ES Chapter

Chapter Number	Section
Chapter 8 Nature Conservation Designations	8.2.10
Chapter 9 Physical Environment	9.2.10
Chapter 10 Marine and Water Quality	10.2.23
Chapter 11 Ornithology	11.2.22
Chapter 12 Marine and IT Ecology	12.2.8
Chapter 13 Fish and Shellfish Resource	13.2.12
Chapter 14 Marine Mammals	14.2.120
Chapter 15 Commercial Fisheries	15.2.20
Chapter 16 Shipping and Navigation	16.2.6
Chapter 17 Military and Civil Aviation	17.2.10
Chapter 18 Other Human Activity	18.2.9
Chapter 19 Archaeology	19.2.15
Chapter 20 SLVC	20.2.16
Chapter 21 Socio-Economics	21.2.15
Chapter 22 Geology, Hydrology and Land Quality	22.2.14
Chapter 23 Terrestrial Ecology	23.2.17
Chapter 24 Land Use Tourism and Recreation	24.2.26
Chapter 25 Traffic and Access	25.2.11
Chapter 26 Noise	26.2.15
Chapter 27 Air Quality	27.2.16
Chapter 28 EMF	28.2.10

Scheme changes beyond consultation

3.7.3

Where possible, GWFL has responded positively and proactively to responses received during statutory consultation. The IPC and DCLG Guidance notes that consultation will be a balance between providing sufficient detail for consultation and leaving the scheme sufficiently open to

changes. In doing so GWFL has carefully considered each of the changes made following statutory consultation, to consider whether such changes warrant any further consultation and if they do, to what extent. This has been guided by the potential influence that any subsequent consultation, if undertaken, could have had on the revised proposals.

3.7.4 Noticeable changes to, or within, the order limits made since the statutory consultation are shown in Table 4 with associated reasoning.

Table 4 Significant changes following consultation

Extension of land or rights	Purpose	Justification for no further consultation
Explicit stipulation, and refinement of, the areas within which beach access and other works will occur	To address comments in relation to sensitive habitats on the beach foreshore	Explicit stipulation of beach areas was a refinement in response to comments. Letters were provided to residents and received positive responses to the changes.
Changes to the area west of the proposed transition bays, to achieve a satisfactory crossing arrangement of the GWF cables and existing GGOWF cables	In response to comments from GGOWF with respect to impacts on existing cable capacity	The changes do not bring the order limits noticeably closer to any relevant properties and do not change the form of works taking place there.
Explicit confirmation of the intention to utilise the same access, from the unnamed road south of Sizewell Gap passing Home Farm, as was used by GGOWF	To avoid impacts resulting from the creation of a new highway access in the existing hedgerow to the west of the unnamed road to Home Farm	No other alternative is available which does not involve breaking through existing hedgerows. The access was used for GGOWF works and there would be no realistic prospect of agreeing a new access when the landowner was comfortable of its use previously and in the proposed commercial agreement in relation to GWFL.
Proposals for a landform comprising earthworks around the proposed	To address comments in relation to visual and landscape impacts of the	The design of extensive mitigation was in response to a majority of comments requesting

<p>western GWF compound, impinging to a greater extent to the north, west and south of the proposed compound</p> <p>Extension to the temporary construction area (substation) as a consequence of the landform mitigation proposals.</p>	<p>proposed substation</p>	<p>that this occur. The design of the mitigation meets with the recommendations of almost all consultees.</p>
<p>Amendments to the angle of entry of the cable route into the GWF compound</p>	<p>To reduce the impact on views (from the tallest substation buildings) from users heading west on Sizewell Gap due to a lesser extent of planting on the landform over the cable corridor</p>	<p>The change does not lead to any material change in impact on any receptors.</p>
<p>Rights over an area north of Sizewell Gap to facilitate successful reptile translocation from the works area</p>	<p>To respond to comments in relation to the successful relocation of affected reptiles</p>	<p>Included in response to requests from consultees and agreed with SCC's ecologist. The works are extremely minor to create log piles and fall within an area already subject to extensive discussion with the land owner EDF Energy.</p>
<p>Relocation of the 400kV cable corridor (through the north of Sizewell Wents) to run outside of the eastern boundary of Sizewell Wents</p>	<p>To respond to comments in relation to the extent of tree loss in Sizewell Wents</p>	<p>Lies near an area of extensive works and is a direct response to consultation comments on tree loss. No other options available that minimise tree loss and respect overhead line and land owner constraints.</p>
<p>Enlargement of the cable jointing area south of the easternmost sealing end</p>	<p>To address construction practicalities in a constrained area and to</p>	<p>Minor works already in an area subject to discussion with the land owner EDF Energy.</p>

compound	respond to a detailed survey of the existing GGOWF cable location	
Inclusion of a planting strip east of Sandy Lane and planting reinforcement south of the bridleway which runs east-west from Sandy Lane	To respond to comments with respect to visual impact	Proposals for landscaping have been the subject of ongoing discussions with EDF Energy. They have been deliberately positioned to avoid the ESW water pipe and easement strip so as not to affect this apparatus. Such works are of minor interest to others as they do not result in likely negative impacts.
Introduction of cable routing outside the southern boundary of Sizewell Wents	To respond to comments in relation to the extent of tree loss in Sizewell Wents	Lies within an area of extensive works and is a direct response to consultation comments on tree loss. Options were considered and all others would create a greater impact.
Inclusion of a relocated communications mast within the southern periphery of Sizewell Wents	To respond to comments from GGOWF regarding impacts of the proposed transmission compound on their existing communications	The statutory consultation occurred on the basis of multiple lightning masts, which have since been removed from the proposal. A single retained mast is a significant reduction in this context.

Other key non-statutory or extended statutory consultation

HRA (offshore ornithology) consultation

3.7.5

GWFL recognised the importance of ornithological matters at the earliest stage of the GWF project and it was the first area that GWFL started consultation upon. As a natural continuation of the consultation that was ongoing for GGOWF at the time, the scope of GWF EIA baseline surveys was first discussed with the JNCC in 2007. A number of meetings specifically addressing GWF followed, with the inclusion of Natural England (approximately one meeting every six months from May 2009 and then more frequently in 2011), further details of which are presented in **Chapter 11**

Ornithology of the ES, in **Appendix A** of the **HRA Report** and summarised below in Table 5.

3.7.6 The initial discussions focussed on the scope of the baseline surveys, for which GWFL gave careful consideration on account of the possible effects of construction activity at the neighbouring GGOWF. Subsequently, attention turned to the treatment of the collected data and the specific nature of the assessments and as results from the preliminary assessments became available, GWFL arranged more frequent meetings. The discussions covered a broad range of topics, including the scope of the collision risk modelling, HRA and cumulative impact assessment (CIA) (Table 5).

Table 5 Summary of non-statutory consultation undertaken for ornithology

Consultee name	Type of consultation	Date	Principle subject of consultation [action taken]
JNCC	Meeting	02/11/2007	Scope of EIA baseline surveys. [A boat based ornithological survey programme for the GWF area was designed and commissioned following advice from JNCC. JNCC advised that one year's worth of survey data from GWF would be sufficient.]
JNCC	Meeting	15/05/2009	Scope of EIA baseline surveys. [JNCC recommended that two years of data would now be required to inform the EIA – the assessment proceeded on this basis]
JNCC, Natural England	Meeting	17/11/2009	Scope of EIA baseline surveys, including effects of construction activity at GGOWF. Scope of technical reporting and CRA. [GWF agreed to continue surveying the GWF site through 2009 and up to and including early June in 2010, on the understanding that the 2nd year's data would represent an impacted baseline for much of the site] [Key species for inclusion within the

			collision risk model agreed]
JNCC, Natural England	Meeting	06/07/2010	Scope of technical assessment including use of baseline data, CIA, CRA. [It was agreed that initially the CRM should be based on only the first year of un-impacted baseline data]
JNCC, Natural England	Meeting	18/01/2011	Scope of technical assessment following comments received from scoping including CRA, AA for LBBG, assessment of SPA-related red throated diver and CIA. [Agreed to scope the following other wind farms into the CIA: London Array II, Kentish Flats Extension Project and East Anglia ONE]
JNCC, Natural England	Meeting	15/04/2011	Continued discussions on the scope of the technical assessment, preliminary CRM results, HRA. [Agreed to refine CRM for input parameters including species biometrics, flight behaviour and avoidance rates) [Agreed to use the lesser black-backed gull(LBBG) population estimate from the Alde-Ore Estuary SPA citation as the basis for the assessment]
JNCC, Natural England	Meeting	12/07/2011	Preliminary comments on Section 42 consultation, refinements to CRA, CIA, scope of a basic population viability analysis, vantage point surveys [Agreed to look at avoidance rates cited from other wind farm studies in more detail] [Agreed to produce a draft proposal for JNCC/NE comment for a basic step-wise PVA model]

JNCC, Natural England	Letter	29/07/2011	Comments received on PER (s42)
JNCC, Natural England	Letter	17/08/2011	GWFL provided a response to all comments received on the PER consultation and communicated the intention to provide a final draft technical report to JNCC, NE and RSPB on 9/09/2011 for a further 28 day consultation period.
RSPB	Meeting	18/08/2011	Similar theme to 12/07/2011 meeting with JNCC and Natural England.
JNCC, Natural England, RSPB	Letter and technical report	09/09/2011	GWFL submitted final draft technical report including collision risk and population modelling results.
JNCC, Natural England, RSPB	Email	29/09/2011	GWFL confirmed agreement to extension of consultation deadline to 14th October.
JNCC, Natural England, RSPB	Letter	14/10/2011	JNCC and NE responded with 'preliminary' comments on the final draft technical report that was submitted in September. These focussed on lesser black-backed gull collision risk and the population modelling only. RSPB provided a similar response on 21/10/2011.

3.7.7 At the completion of the second consultation period with JNCC/NE, both organisations jointly confirmed that they considered further work was required to satisfy their comments. GWFL considers that the information provided in the application, amended in light of extended consultation with the JNCC and NE, is sufficient for consideration of ornithology impacts and to inform a conclusion of no significant effects on a European designated site.

- 3.7.8 In line with the final paragraph of the JNCC/NE letter of 14 October 2011, GWFL has confirmed its intention to pursue ongoing discussions with both organisations in the coming months, with an aim to reach agreement on all matters and to inform a Statement of Common Ground.
- 3.7.9 During the consultation process, commenced in 2007, consultation with the JNCC and Natural England has resulted in GWF making the following changes:
- monthly ornithology boat based surveys increased from 1 year of survey effort to 2 years;
 - 2 years worth of survey effort increased to ongoing;
 - key species for inclusion amended and agreed;
 - CRM refined for input parameters including species biometrics, flight behaviour and avoidance rates;
 - LBBG population estimate from the Alde-Ore Estuary SPA citation used as the basis for the assessment;
 - offshore vantage point surveys of the GGOWF operational turbines undertaken to provide further information on collision risk for LBBG;
 - review of avoidance rates cited from other wind farm studies in further detail; and
 - completion of a step-wise, deterministic population model.
- 3.7.10 As noted in Table 5, detailed discussions continued following the statutory consultation that was undertaken. In particular, GWFL delayed the planned date of application to the IPC on account of these issues and undertook to provide further information to the JNCC, Natural England and the RSPB in the form of a final draft technical report, to be finalised for the application. The proposal to do this was advised in advance and the report was submitted on 9 September 2011, with a further 28 day period provided for comment. The comments were received on 14 October 2011, with GWFL having agreed to extend the second consultation period. The technical report provided to the JNCC/NE/RSPB contained the most up to date information that was available at the time. Specifically, it included the results of the CRA and population viability analysis for the LBBG population of the Alde-Ore Estuary Special Protection Area, being two of the core elements of the Information for AA, submitted as part of the HHRA report.
- 3.7.11 GWFL recognises that further discussion will be necessary on the following areas in relation to LBBG:
- the potential for further population modelling; and
 - the investigation of management intervention options.

- 3.7.12 It is noted that the IPC's Advice Note 10 makes clear that it is the developer's responsibility to include 'sufficient information' to enable the Competent Authority to determine whether an AA is required. Whilst it is recognised that there will be ongoing consultation and discussion with JNCC and NE regarding further LBBG population modelling and management intervention options, in view of the detailed consultation undertaken to date and the results of the assessment reported in the ES (**Chapter 11 Offshore Ornithology**) and accompanying documents (Technical Appendix 11.A and the HRA report), GWFL is satisfied that sufficient information has been included within the DCO application for the Competent Authority to make a determination during the examination period. In addition, GWFL are confident that outstanding issues (with the JNCC, NE and RSPB) can be resolved in the approach to the examination period through the process of agreeing Statements Of Common Ground. To this end GWFL are continuing discussions with JNCC, NE and the RSPB with a view to resolving all remaining issues and have arranged a further meeting beyond the application submission.

Offshore site boundary consultation

- 3.7.13 The Crown Estate awarded the offshore site in 2010 and the strategic area for the offshore elements of the development was confirmed as part of this process. Although the final scheme layout within the DCO red line will be subject to detailed design following the approval process (as per the Rochdale Envelope approach, see **Chapter 4** of the ES for further details), consultations that have taken place with key stakeholders as part of the iterative EIA process have assisted in refining the application boundary. Boundary refinements have also responded to further investigation into the existing environmental and human parameters of the site.
- 3.7.14 The eastern boundaries of Areas A and B were reduced, following initial early consultation due to concerns relating to shipping, ornithology and technological constraints posed by deep water, whilst the northern boundary of Area A was reduced to lessen conflict with the Round 3 East Anglia Zone and shipping.
- 3.7.15 Fixing the final application boundary involved striking a balance between responding to technical and environmental constraints, and external consultation, while maintaining critical design and layout flexibility.

3.8 Non-statutory consultation on other application documents - summary of responses

Draft DCO and EM (including Rochdale Envelope provisions)

- 3.8.1 As detailed in Section 2.11 GWFL submitted an initial draft DCO to the IPC on 24 November 2010 and attended a number of meetings throughout 2011 that contained discussions on the draft DCO. A further draft of the DCO and EM were sent to the IPC on 9th August 2011. A key comment that was

made by the IPC was surrounding the proposed flexibility required by GWFL. Following these meetings, the need for the flexibility in the project has been explained in greater detail in the EM. This addresses the issue in general terms as well as explaining the reasons for each of the main elements of flexibility within the project details.

- 3.8.2 The control of the flexibility required in the DCO takes the form of limits in the project description (e.g. maximum total MW of the project), and requirements (or conditions in the Marine Licence) which set the parameters of specific features of the project (e.g. maximum height of each blade tip above LAT).
- 3.8.3 To demonstrate the care and thoroughness with which the flexibility in the DCO has been assessed in the EIA, Chapter 5 Project Details of the ES reproduces, in a series of tables, the key limitations and parameters within the DCO and Marine Licence and explains the flexibility which the relevant parameters allow. In addition, the tables contain comments as to what is most likely in practice, though the EIA has taken into account the full range of variations, not just the most likely ones.
- 3.8.4 This provides the foundation for ensuring that the ES has been undertaken in line with the requirements of the EIA Regulations (Schedule 4, Part 1, 19).
- 3.8.5 As detailed in Section 2.11 a draft of the DCO and EM were sent to SCDC and SCC on 9th August 2011. The general content and form of the DCO was discussed at the meeting of 5th July 2011. Initially concern was expressed on 14th July 2011 regarding the Rochdale Envelope and the proposed landform surrounding the onshore substation. Further work was undertaken on the onshore envelope and the modelling of the landform. A revised onshore scheme was presented to SCDC and SCC at a meeting on 25 August 2011 and they confirmed that they considered that the onshore proposals were now within acceptable boundaries of the Rochdale Envelope, subject to some minor changes to the landform which were adopted and agreed on 8 September 2011. Minutes of the meeting with SCC and SCDC on 25 August 2011 are available in Appendix AJ.
- 3.8.6 A summary of the consultation undertaken on the draft DCO and EM is included in Appendix Y. Wherever appropriate, GWFL has sought to incorporate comments and proposals as a result of the above non-statutory consultation, however the draft DCO and EM should not be regarded as formally agreed with any of the consultees.

Draft deemed Marine Licence

- 3.8.7 As detailed in Section 2.11, GWFL consulted on the draft deemed Marine Licence with the MMO, the JNCC, Cefas, NE, MCA and NE. The document was sent to all consultees and meetings were held.
- 3.8.8 Following the meetings GWFL received comments from the MMO, Trinity House and the MCA. The amendments suggested were accepted and the Marine Licence was consequently altered.

- 3.8.9 In a meeting held on 20 July 2011, GWFL took the JNCC, NE, MMO and Cefas through the draft Marine Licence and suggestions were made in the meeting by the consultees on monitoring at the pre-construction, construction and post-construction phases. These suggestions were discussed and the submitted Marine Licence reflects these discussions. Wherever appropriate, GWFL has sought to incorporate comments and proposals as a result of the above non-statutory consultation, however the draft Marine Licence should not be regarded as formally agreed with any of the consultees.
- 3.8.10 A summary of the consultation undertaken on the draft deemed Marine Licence is included in Appendix Y.

4 CONCLUSION

- 4.1.1 GWFL has taken a proactive yet precautionary approach to consultation since first commencing in 2007, ensuring that the requirements of the Act, Guidance and Advice are interpreted in favour of the consultee. GWFL has frequently benefitted from the extensive knowledge obtained from the construction of GGOWF, allowing it to prepare detailed information at the Preliminary Environmental Information stage. However such detail has not prevented GWFL from making significant changes to the scheme, particularly onshore, in light of comments received. Significant changes have been made in response to both statutory (under Section 49) and non-statutory consultation.
- 4.1.2 All responses have been considered, and wherever practicable, have been taken into account by GWFL in preparing its DCO application for submission.
- 4.1.3 A variety of methods were used to engage with the community and other stakeholders, including, but not limited to:
- public exhibitions (both at statutory and non-statutory stages);
 - residents meetings, particularly with the Sizewell Resident's Association, but also, on some occasions, with individual residents;
 - publication of a targeted 'Have Your Say' document to provide an additional means for members of the public to understand the main issues for the project (including Rochdale Envelope and potential compulsory purchase) and lead them into the PER comprising GWF's Preliminary Environmental Information (EIA Regs, 10(b)). The Have Your Say document was distributed to over 3,400 properties and landowners in the area;
 - by providing consultation material, including the PER and Have Your Say document in local libraries, councils offices and other outlets recommended by others in early non-statutory consultation;
 - through provision of an assistance telephone line, for anyone with difficulty utilising electronic or postal response methods;
 - poster updates on agreed notice boards, including at Sizewell Beach;
 - feedback on key issues, e.g. update letter to Sizewell residents on the final beach works proposals to be included in the application; and
 - where possible, utilising the media to raise awareness of the project, including encouragement on primetime BBC Radio Suffolk for people to 'have their say'.
- 4.1.4 In addition to the statutory requirements of the 2008 Act, GWFL has also undertaken extensive non-statutory consultation including:
- informing the EIA (2007 to present);

- community consultation on substation locations by NGET and GWFL (November 2010 to April 2011);
- landowner consultation (March 2010 to present); and
- consultation on the other application documents including the draft DCO and its accompanying EM, deemed Marine Licence, information to inform a HRA and s106 Heads of Terms.

4.2 Key issues

- 4.2.1 This report has identified the many categories of respondents and the nature of their comments. Whilst the consultation has provided feedback on many issues, the key issues raised during non-statutory and statutory consultation and how these have been addressed are set out below:

4.3 Onshore substation location and mitigation

- 4.3.1 GWFL noted the strong responses received at the scoping stage in relation to the location of the onshore substation. In response both GWFL and NGET undertook non-statutory consultation, resulting in the final chosen location of the onshore substation. This consultation also determined that a site in the AONB was favoured to one outside.
- 4.3.2 Landscaping and visual impact was a key concern raised by a number of consultees during the statutory consultation period. Following the end of the statutory consultation period, extensive work was undertaken to develop a comprehensive suite of landscape and visual impact mitigation. This included, amongst other measures, lowering the finished floor level of the substation in line with a significant number of requests, providing a profiled screening landform and providing a wider continuous belt of woodland. This approach was ultimately agreed by SCDC and SCC as the minimum required. GWFL has included provision in the application, should a compulsory purchase scenario not arise, to create a wider extent of landform and mitigation.

4.4 Onshore beach works

- 4.4.1 A number of local residents raised concerns during statutory consultation to the width of the foreshore cable route and its proximity to local properties, specifically Coastguard Cottages. Concern was also raised with respect to access along the beach and general disturbance.
- 4.4.2 In response GWFL has narrowed the proposed width of the cable corridor and moved it as far south as practicable to create a greater separation to the nearest properties. GWFL has also defined the foreshore works more explicitly, identifying that the majority of the works area will only be used for anchorage during cable landing works. Furthermore two explicitly defined routes have been proposed for beach access and GWFL has made a commitment in a draft Construction Code of Practice to provide matting to the upper route, which was the cause of concern from GGOWF works.

4.5 Offshore site boundary

- 4.5.1 Consultation with shipping and ornithology stakeholders identified potential concern regarding areas to the east of the current offshore project boundary. As a result, the eastern boundaries of Areas A and B were reduced. The northern boundary of Area A was also reduced to lessen conflict with the Round 3 East Anglia Zone and shipping.

4.6 Offshore fishing impacts

- 4.6.1 Consultation with local fishermen has identified potential concern over loss of fishing grounds. In line with the approach taken on GGOWF, GWFL has identified an exclusion area (for turbines or other above water structures) overlying the main sandbank in the northern Area A. This will minimise the impact on fishing activity carried out over the sandbank.

4.7 Offshore ornithology

- 4.7.1 The potential impact on LBBG has been identified as an issue during extensive statutory and non-statutory consultation with the JNCC/NE, commenced in 2007. During 2011 GWFL has undertaken two periods of consultation (one statutory s42, and another as though it were s42) and extended both at the request of the JNCC/NE. In doing so GWFL has delayed the submission of the application to the IPC to allow sufficient time for the additional consultation to be completed and, where necessary, update the technical assessments.
- 4.7.2 Having responded to the JNCC/NE comments, GWFL is confident that the information provided in this application is sufficient for the Competent Authority to undertake an AA. However GWFL does not see submission to the IPC as the completion of engagement with consultees and will continue to progress discussions in the coming months with an aim to seeking final agreement with the JNCC/NE through a Statement of Common Ground prior to the examination phase. GWFL has already discussed the IPC programme moving forward with the JNCC/NE.

4.8 GWFL consultation

- 4.8.1 GWFL has undertaken robust, inclusive and accessible pre-application consultation in accordance with GWFL's SOCC, relevant legislation and both IPC and DCLG guidance. As identified throughout this report (and in the Appendices) the pre-application consultation has positively contributed to and shaped the submitted GWF project in accordance with GWFL's statutory duty (under Section 49 of the Planning Act 2008) to have regard to the views expressed during pre-application consultation.

5 GLOSSARY

Abbreviation	Explanation
AA	Appropriate Assessment
AONB	Area of Outstanding Natural Beauty
APFP	Application: Prescribed Forms and Procedures
ASMS	Active Safety Management Plan
CAA	Civil Aviation Authority
CCZ	Community Consultation Zone
Cefas	Centre for Environment, Fisheries & Aquaculture Science
CIA	Cumulative Impact Assessment
CRA	Collision Risk Modelling
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
DECC	Department of Energy and Climate Change
EAOW	East of England Offshore Wind
EEDA	East of England Development Agency
EH	English Heritage
EIA	Environmental Impact Assessment
EJSFC	Eastern Joint Sea Fisheries Committee
EM	Explanatory Memorandum
EMF	Electric and Magnetic Fields
ERCoPS	Emergency Response Co-operation Plan
ES	Environmental Statement
FLO	Fisheries Liaison Officer
GGOWF	Greater Gabbard Offshore Wind Farm
GGOWL	Greater Gabbard Offshore Wind Limited
GIS	Gas Insulated Switchgear
GWF	Galloper Wind Farm
GWFL	Galloper Wind Farm Limited
HGV	Heavy Goods Vehicle
HHA	Harwich Haven Authority
HPA	Health Protection Agency
HRA	Habitat Regulation Assessment
HSE	Health and Safety Executive
IPC	Infrastructure Planning Commission
JNCC	Joint Nature Conservation Committee
Km	Kilometre
Km ²	Square kilometre
LAs	Local Authorities
LBBG	Lesser black-backed gull

m	Metre
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
MW	Megawatt
NATS	National Air Traffic Services
NAV57	NAV57 – the 57 th session of the IMO Sub-Committee on Safety of Navigation
NE	Natural England
NGET	National Grid Electricity Transmission plc
NHS	National Health Service
NPS	National Policy Statements
NRA	Navigation Risk Assessment
NSB	Non-statutory bodies
NSIP	Nationally Significant Infrastructure Project
PA 2008	The Planning Act 2008
PER	Preliminary Environmental Report
PVA	Population Viability Analysis
RSPB	The Royal Society for the Protection of Birds
RWE NRL	RWE Npower Renewables Ltd
RYA	Royal Yachting Association
SCC	Suffolk County Council
SCDC	Suffolk Coastal District Council
SOCC	Statement of Community Consultation
SPA	Special Protection Areas
SPB	Statutory Prescribed Bodies
SSE	Scottish and Southern Energy plc
TSS	Traffic Separation Scheme
WTGs	Wind Turbine Generators
ZTV	Zone of Theoretical Visibility

6 REFERENCES

HM Government (2008), The Planning Act 2008

The Secretary of State for Communities and Local Government (2009), The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

The Secretary of State for Communities and Local Government (2009), The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

Infrastructure Planning Commission (2009), IPC Guidance Note 1

Infrastructure Planning Commission (August 2011), IPC Guidance Note 1

Infrastructure Planning Commission (2009), IPC Guidance Note 2 (withdrawn)

Infrastructure Planning Commission (September 2011), IPC Advice note thirteen: Preparation of a draft order granting development consent and explanatory memorandum

Infrastructure Planning Commission (October 2011), IPC Advice note fourteen: Compiling the consultation report

Department of Communities and Local Government (September 2009), Planning Act 2008: Guidance on pre-application consultation