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Denise Libretto
Head of Planning
Energy Infrastructure Planning
Department for Business, Energy & Industrial Strategy
Level 3, Orchard 2water
1 Victoria Street
London
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28th June 2021

Dear Ms Libretto,

**REQUEST FOR A DIRECTION BY THE SECRETARY OF STATE UNDER SECTION 35 OF THE PLANNING ACT 2008 ("PA 2008") RELATING TO THE GREAT BRITAIN TO NORWAY MULTI-PURPOSE INTERCONNECTOR (CURRENTLY KNOWN AS "CONTINENTAL LINK")**

## 1. Overview

1.1. This is an application to the Secretary of State for Business, Energy and Industrial Strategy (**"Secretary of State"**) on behalf of National Grid Ventures (**"NGV"**) for a direction under S.35 of the PA 2008 (**"Application"**).

1.2. The Application is made in respect of the proposed Continental Link Multi-Purpose Interconnector (**"Project"**), an 1800 MW high voltage direct current (**"HVDC"**) electricity link between the British and Norwegian transmission systems connecting to the British National Transmission System (**"NTS"**) via a convertor Station near Creyke Beck, East Yorkshire, with the same components onshore in Norway. In addition to providing an electricity link between the British and Norwegian transmission systems, the Project will provide for transmission from offshore windfarms to the NTS in each country via the interconnector.

## 2. The Project and the Development

2.1. Interconnectors are high voltage cables that are used to connect the electricity transmission systems of neighbouring countries. The Project promotes a Multi-Purpose Interconnector (**"MPI"**), which also provides for the connection of offshore wind farms to the Interconnector transmission capacity. The Project enables offshore wind and interconnection to work together and to function as a pathfinder to a more integrated grid, rather than individual connections to the mainland being required for individual projects. This minimises the impact on coastal communities and the environment, since fewer connections are needed. It also makes the integration of future offshore wind developments cheaper by utilising the existing interconnector for grid access. The 1800MW interconnector could connect up to 3600MW of offshore wind, given the import and export capability of the HVDC cable to two demand centers (Great Britain and Norway).

2.2. For the avoidance of doubt, it is not the Project as a whole, but specific elements (**"Development"**), which NGV seeks to be designated as development for which development consent is required. The Development is:

*The construction and operation of:*

1. *An onshore converter station comprising a footprint of circa 5 hectares, in the vicinity of the Creyke Beck connection to the National Transmission System;*
2. *one or more offshore platforms housing switching stations that may be required as a junction point for HVDC transmission cables; and*

3. *one or more offshore platforms housing the converter stations required to transform alternating current into direct current for transmission through the HVDC interconnector cable.*

2.3. It is anticipated that the Development will be promoted alongside works that may include:

2.3.1. the installation of onshore underground high voltage alternating current (**"HVAC"**) cables between the onshore converter station and British NTS;

2.3.2. the installation of onshore underground HVDC cables between the converter station near Creyke Beck to a Transition Joint Pit (**"TJP"**) at/near the landfall of any marine cable;

2.3.3. the installation of offshore HVDC cables from the TJP at/near the landfall in UK waters to the limits of the territorial sea;

2.3.4. the installation of transmission cables between existing offshore windfarms and one or more switching stations and/or converter stations;

2.3.5. provision for the installation of transmission cables between future offshore windfarms and between future offshore windfarms and one or more switching stations and/or converter stations; and

2.3.6. the installation of HVDC transmission cables between one or more switching stations, one or more converter stations and the HVDC interconnector cable.

(the works at 2.3.1 to 2.3.6 inclusive being capable of forming the **"Associated Development"**).

2.4. Other development required to enable the Project would include:

2.4.1. the installation of HVDC cables in Norwegian waters from the limits of the Norwegian continental shelf;

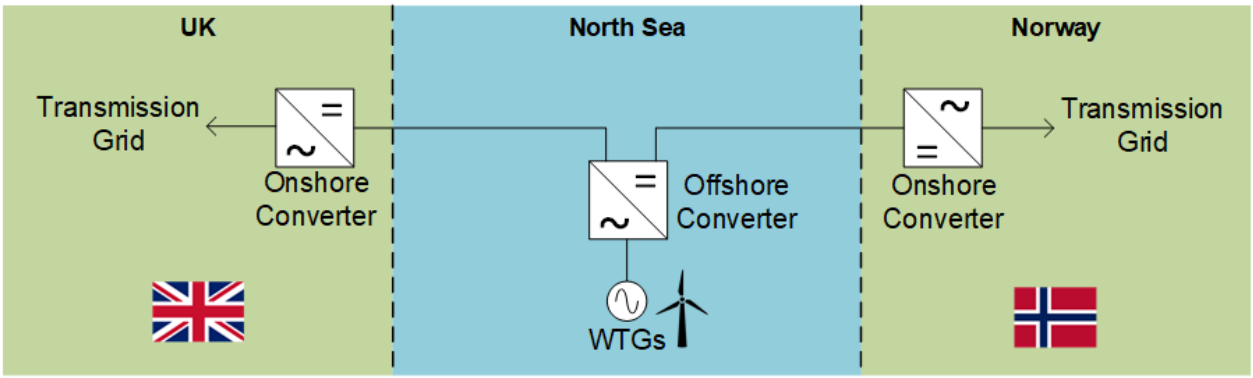
2.4.2. one or more offshore platforms housing switching stations that may be required as a junction point for HVDC transmission cables;

2.4.3. one or more offshore platforms housing the converter stations required to transform alternating current into direct current for transmission through the HVDC interconnector cable and

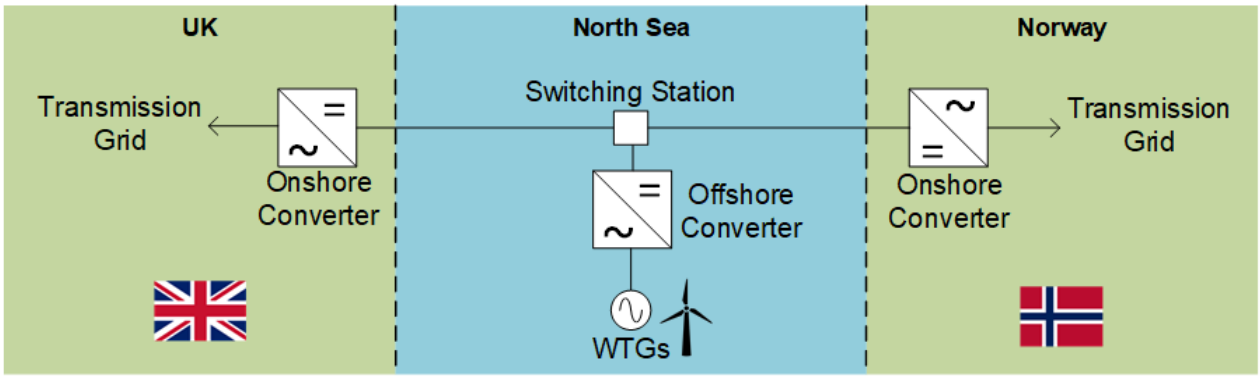
2.4.4. the installation of onshore HVDC and HVAC cables between a converter station in Norway and offshore cables (HVDC) in Norwegian waters.

2.5. The Project as a whole comprises the construction and operation of a MPI between the British and Norwegian transmission systems, connecting to the British NTS via a convertor station near to Creyke Beck, East Yorkshire, with the same components onshore in Norway. One or more offshore switching and converter stations will enable electricity transmission from clusters of offshore windfarms via the MPI. The Project will include over 600 kilometres of subsea HVDC cable, connecting to convertor stations in either country. The convertor stations will convert the electricity to alternating current and connect via HVAC cables to the NTS in each country.

2.6. The plans below demonstrate the various scenarios for development of an MPI as articulated above, which could be promoted.




Without Switching Station




With Switching Station

2.7. Set out below is a high-level schematic, which shows (on an indicative basis only), the broad route which the Project might take, the exact alignment being subject to NGV routeing processes, and public and stakeholder consultation.


2.8. For the reasons set out in this letter, the Associated Development is also likely to benefit from inclusion in a DCO made further to an application pursuant to PA 2008. However, it is not considered appropriate for such elements to be designated as development for which a DCO is **required** for the purposes of S.35 PA 2008 because these might instead be "associated development" for the purposes of S.115 PA 2008.

2.9. NGV has been actively involved and participated in the Offshore Transmission Network Review (**"OTNR"**), including involvement in several Expert Advisory Groups, being led by BEIS. MPIs have formed part of this review and are recognised as a pathway to a more integrated offshore grid. The outcome of the OTNR work will allow for a clear direction setting of policy to achieve co-ordination in this environment. Linked to this review, National Grid Electricity System Operator (**"ESO"**) has recently

sought Pathfinder Submissions from the sector detailing opportunities for co-ordination, and NGV has made a submission to the ESO for Continental Link MPI on this basis. The OTNR is an ongoing process.

2.10. In addition, at the time of writing, a review of the Energy National Policy Statements (**"NPS"**) is pending. A S.35 direction for the Project, in combination with the forthcoming consultation on revisions to the NPS, will provide an opportunity for greater policy support for transmission infrastructure in the marine environment. This in turn will allow for more holistic consideration of such matters in onshore and offshore environments from both a policy and environmental perspective. The designation of the Development pursuant to this Application is capable of being consistent with and supporting such policy evolution.

2.11. The East Yorkshire region currently hosts a number of linear transmission projects, in development, construction and operational stages. These developments have typically been consented through the DCO regime, and the S.35 direction requested by this Application would allow a project of comparable scale to utilise the DCO regime in which local and regional stakeholders are now well versed.

## 3. Current status

3.1. The Project does not fall within the existing PA 2008 definition of a 'nationally significant infrastructure project' (S.14 to S.30 PA 2008). As such, NGV respectfully requests that the construction, operation and maintenance of the following (together, the **"Development"**) so far as the same are located in England and/or waters adjacent to England up to the limit of the territorial sea be treated as development for which development consent is required:

3.1.1. a converter station near Creyke Beck in the East Riding of Yorkshire;

3.1.2. one or more offshore platforms housing switching stations that may be required as a junction point for transmission cables; and

3.1.3. one or more offshore platforms housing the converter stations required to transform alternating current into direct current for transmission through the HVDC interconnector cable.

3.2. This Application demonstrates that the Development:

3.2.1. is or forms part of a project (or proposed project) in the field of energy (S.35(2)(a)(i) PA 2008);

3.2.2. is wholly in England and/or waters adjacent to England up to the limit of the territorial sea (S.35(2)(b) PA 2008); and

3.2.3. is a project of national significance (S.35(2)(c) PA 2008).

## 4. Supporting documents

4.1. National Grid publication *Unlocking offshore wind: Why a new generation of interconnector holds the key* (September 2020).

## 5. The Promoter

5.1. NGV is a ringfenced division of National Grid plc, responsible for both developing and operating businesses in our UK and US territories. Given the nature of the Project, it may be promoted by another National Grid plc entity, or through a joint venture arrangement whereby a third party promotes the Project. As such, this submission under S.35 of the PA 2008 is not expressed to be personal to NGV or any other party and focusses upon the Development.

5.2. NGV's portfolio includes:

5.2.1. all the UK's existing electricity interconnectors to continental Europe – 5GW of capacity which gives consumers access to lower price electricity markets and is critical to security of supply;

5.2.2. the largest Liquefied Natural Gas (LNG) terminal in Europe – with capacity equivalent to 20% of UK's gas demand; and

5.2.3. a pipeline of further interconnector projects linking to Europe – including 2.4 GW coming online from 2021.

5.3. Through these activities, NGV has developed and demonstrated its credentials as a safe, innovative, and consumer focused developer. It is well-placed to adjudge the significance of projects and its view should be afforded great weight by the Secretary of State in considering whether the Project should be treated as development for which development consent is required.

## 6. Consultation

6.1. The principal Local Planning Authority (**"LPA"**) area of relevance to the Project is the East Riding of Yorkshire. The LPA for this area has confirmed that they are supportive of the Secretary of State making the directions requested by NGV. Should the Project extend to additional LPA areas, those LPAs would be notified during the pre-application process.

6.2. East Riding of Yorkshire Council's full response is set out in the Appendix.

## 7. Section 35 submission

7.1. NGV invites the Secretary of State to exercise the powers under S.35(1) PA 2008 to direct that the Development should be treated as development for which a development consent is required.

7.2. The test that the Secretary of State must apply in determining whether to make a direction in this case is that the Development:

7.2.1. is or forms part of a project (or proposed project) in the field of energy (S.35(2)(a)(i) PA 2008);

7.2.2. is wholly in England (S.35(2)(b) PA 2008); and

7.2.3. is a project of national significance (S.35(2)(c) PA 2008).

7.3. From the details provided in Section 2 of this Application, it is apparent that the Development is or forms part of a project (or proposed project) in the field of energy and is wholly within England.

7.4. NGV considers that the Development constitutes and should be directed to be treated as a nationally significant infrastructure project for the reasons set out at Section 8 of this Application.

7.5. In addition to the request for a direction in respect of the Development, NGV requests a further direction from the Secretary of State pursuant to S.35ZA(5) PA 2008 that development consent *may* be granted for the Associated Development and any additional development (other than the Development) comprised in or associated with the Project as "associated development" for the purposes of S.115 PA 2008.

7.6. Considering the Development together with the Associated Development, the Project will be a project in the field of energy which would extend into waters adjacent to England up to the seaward limits of the territorial sea and/or a Renewable Energy Zone (S.35(3)(a) and (b) PA 2008). Appropriate details will be set out in any application for development consent.

7.7. Further, in any application for a DCO, NGV will set out which elements of the Project (other than the Development) it considers upon advice to be "associated development" for consideration during examination under the PA 2008 in the usual manner.

7.8. This Application is a qualifying request within the meaning of S.35ZA PA 2008. NGV confirms that no application for a consent or authorisation mentioned in S.33(1) or (2) has been made in relation to the Development.

## 8. National Significance

8.1. The Project, of which the Development forms part, is of national significance. The Project is to transmit 1800MW of electricity to the UK – providing power for 1.8 million homes in the UK. As highlighted at paragraph 2.1, above, this 1800MW connection provides for up to 3600MW of offshore wind capacity given the import and export capability of the HVDC cable to two demand centers (GB and NO). By way of comparison, S.15 PA 2008 provides that generating stations with capacities of respectively 50, 100 and 350 MW each constitute infrastructure projects of national significance. By its transmitting capacity, the Project far exceeds this threshold. Indeed, the Development alone has the capacity to convert 1800MW and is therefore in its own right of national significance. This position reflects that in relation to the Nautilus Interconnector (a proposed 1400 MW link between the British and Belgian transmission

systems), for which a S.35 Direction was issued on 29 April 2019, and the AQUIND Interconnector (a proposed 2000 MW link between the British and French transmission systems), for which a S.35 Direction was issued on 30 July 2018.

8.2. Not only will the Development enable the transmission of up to 1800MW of power between GB and NO, and connection of up to 3600 MW of offshore wind, it will also enable offshore wind and interconnection to work together as an integrated grid. By providing a combined connection for offshore wind farms, the Project will allow multiple offshore wind farms to be linked to a single connection point offshore. This circumvents the existing challenges associated with individual points of connection being required for new wind farms, increasing viability and allowing for the development of further offshore wind capacity.

8.3. The Project will enhance security of supply for the UK by diversifying sources of energy, increase competition in energy markets by offering alternatives to consumers and contribute to the Government's energy and climate goals by facilitating the integration of an increasing share of energy from variable renewable energy sources. These are national objectives and the project should therefore be considered at this level.

8.4. The UK Government's stated vision is to ensure safe, secure and affordable supplies of energy for the future. This involves the construction of a new fleet of nuclear generation, rapid expansion of renewable energy (mainly through offshore wind) and the development of interconnector projects. This is set out in the overarching National Policy Statement (NPS) EN-1:

8.4.1. Paragraph 2.2.16, EN-1 sets out that *"about a quarter of the UK's generating capacity is due to close by 2018 and new low carbon generation is required which is reliable, secure and affordable.*" This paragraph also notes that "*with the total investment requirement in the electricity sector alone estimated to be over £100 billion by the end of this decade, much more has to be done to unlock this investment*".

8.4.2. Paragraph 3.3.31 of EN-1 sets out that the "*Government expects that demand side response, storage and interconnection, will play important roles in a low carbon electricity system*" (emphasis added).

8.5. The Project is likely to require multiple consents or authorisations and may have effects across an area wider than a single local authority area. It would, in consequence, benefit enormously from the single, unified authorisation process offered by the nationally significant infrastructure regime, including compulsory purchase powers, temporary possession rights, highways powers and other consents which would expedite its delivery.

## 9. Conclusion

9.1. The Development:

9.1.1. is or forms part of a project (or proposed project) in the field of energy (s.35(2)(a)(i) PA 2008);

9.1.2. is wholly in England or waters adjacent to England as far as the limit of the territorial sea (s.35(2)(b) PA 2008); and

9.1.3. is a project of national significance (s.35(2)(c) PA 2008).

9.2. This Application is a qualifying request within the meaning of S.35ZA PA 2008. No application for a consent or authorisation mentioned in S.33(1) or (2) has been made in relation to the Development.

9.3. Accordingly, NGV respectfully invites the Secretary of State to direct that:

9.3.1. the Development be treated as development for which development consent is required; and

9.3.2. development consent may be granted for any development (other than the Development) comprised in or associated with the Project (including the HVAC, HVDC and transmission cables) as "associated development" for the purposes of S.115 PA 2008.

9.4. NGV respectfully requests that the Secretary of State **does not** include the words in bold and struck through in the direction in the following formulation commonly included in such directions: "THE SECRETARY OF STATE DIRECTS that the Development, **~~together with any matters/development associated with it,~~** is to be treated as development for which development consent is required". Read

together with S.35 PA 2008 the words in bold could be misconstrued as meaning that the entire Project would become development for which development consent will always be required.

9.5. Whether S.35 PA 2008 offers the most appropriate route to consent for a project is highly dependent on the facts and circumstances of each case and in the first instance a matter for the promoter. NGV therefore wishes to record that nothing in this letter or the direction which it seeks may be taken as prejudicing NGV's decision as to the appropriate route to consent in respect of any other interconnector projects.

9.6. If the Secretary of State requires any further information, he should not hesitate to contact NGV.

Yours sincerely

Liz Wells

Consents Manager – National Grid Ventures

**Encs**

Appendix – East Riding of Yorkshire Council letter of support