

David Wagstaff  
Head of Energy Infrastructure Planning  
Department for Energy Security and Net Zero  
1 Victoria Street  
Westminster  
London  
SW1H 0ET

28th February 2025

Our Reference: Tarchon\_Planning\_001

**BY EMAIL**

**REQUEST FOR A DIRECTION FROM THE SECRETARY OF STATE FOR ENERGY SECURITY AND NET ZERO UNDER SECTION 35 OF THE PLANNING ACT 2008 IN RELATION TO THE TARCHON INTERCONNECTOR PROJECT**

Dear Mr Wagstaff,

I write to you on behalf of Tarchon Energy Limited (hereafter referred to as 'the Developer') to make a qualifying request for a direction from the Secretary of State for Energy Security and Net Zero, under section 35 of the Planning Act 2008 (PA 2008), in relation to the Tarchon Interconnector Project (hereafter referred to as 'the Project'), which is a proposed 1.4 gigawatt (GW) Interconnector between Great Britain (GB) and Germany. The qualifying request for a direction under section 35 of the PA 2008 relates to the onshore elements of the Project located on the Tendring Peninsular, Essex, (hereafter referred to as 'the Principal Development') which are requested to be designated as a project of national significance for which development consent is required.

The Project is being developed by Copenhagen Infrastructure Partners (CIP) and Volta Partners Limited. CIP is a global leader in renewable energy investments committed to making significant and meaningful contributions to the green transition, with support from a broad array of experts in their fields. CIP manages 12 funds and has to date raised approximately EUR 31 billion for investments in energy and associated infrastructure from more than 180 international institutional investors.

Volta Partners has a minority ownership stake in Tarchon Energy Limited. The company was formed by senior financial advisors with expertise in power project development. The Volta team has experience developing transmission lines and interconnectors, including the 1.4 GW NeuConnect interconnector between GB and Germany.



## 1. The Project

The Project will create a direct power link between Essex, in East Anglia, GB, and Niederlangen, in Lower Saxony, Germany. An indicative plan illustrating the geographical extent of the Project is provided at **Figure 1**. The Project will connect the two countries' energy markets and increase the security and reliability of their electrical systems. The Project will be a combination of land and subsea cables approximately 750 kilometre (km) in length and will allow 1.4 GW of electricity to move in either direction, enough to power up to 1.5 million homes.

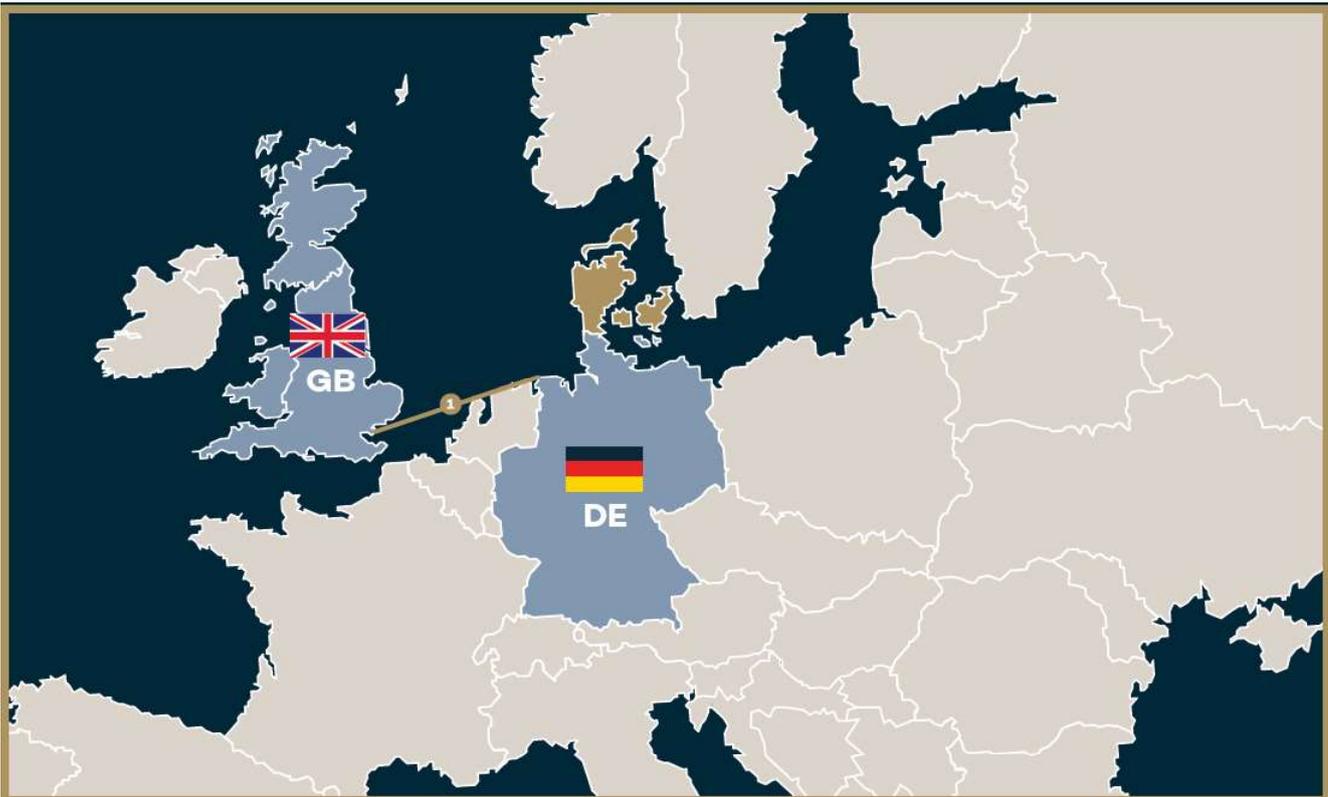


Figure 1: Indicative Plan Demonstrating Extent of the Project

By connecting GB and German energy markets, the Project will make the electricity supply in both countries more resilient and secure, benefitting consumers. The Project will enable electricity to flow in either direction, meaning in times when energy generation in either country exceeds local demand, electricity could be exported or conversely, where domestic generation was not meeting supply demands, electricity could be imported. Importantly, the Project will help both countries to decarbonise their electricity sectors by increasing the availability of renewable energy sources to the grid. By making it possible to exchange renewable energy resources between GB and Germany, it is estimated that the Project will decrease the amount of electricity produced from non-renewable sources and reduce net carbon emissions in both countries.

The Project received Initial Project Assessment stage approval from the Office of Gas and Electricity Markets (Ofgem) in November 2024, confirming Ofgem's position that the Project is "overall in the interest of GB

consumers”.

The Project has a connection agreement in place to connect to the National Electricity Transmission System (NETS) at National Grid’s proposed East Anglia Connection Node (EACN) on the Tendring Peninsular, Essex. The EACN is being brought forward by National Grid Electricity Transmission (National Grid) as part of their Norwich to Tilbury project to reinforce the high voltage power network in East Anglia. The Norwich to Tilbury project, which is a nationally significant infrastructure project (NSIP), forms part of the Great Grid Upgrade and will support the United Kingdom’s (UK) net zero target<sup>1</sup>.

The Project has been identified as a Project of Mutual Interest (PMI) by the European Union (EU) in the latest Union List of Projects of Common Interest and PMI<sup>2</sup> for cross-border energy infrastructure projects. This is the first PMI in the UK, demonstrating the Project’s contribution to the energy policy and climate objectives of the EU and UK for affordable, secure energy for all citizens, and the long-term decarbonisation of their economies.

The Project is made up of three main elements as shown in **Figure 2** and summarised as:

- UK onshore energy infrastructure linking the landfall to the EACN including onshore cabling and onshore converter station (the English Onshore Scheme (EOS)). The EOS is the Principal Development which is the subject of this qualifying request.
- Subsea cabling connecting the UK and German onshore infrastructure which passes through UK offshore waters (which includes UK territorial waters and the UK Exclusive Economic Zone (EEZ)); Dutch offshore waters; and German offshore waters (the Marine Scheme).
- German onshore energy infrastructure including onshore cabling and onshore converter station (the German Onshore Scheme).

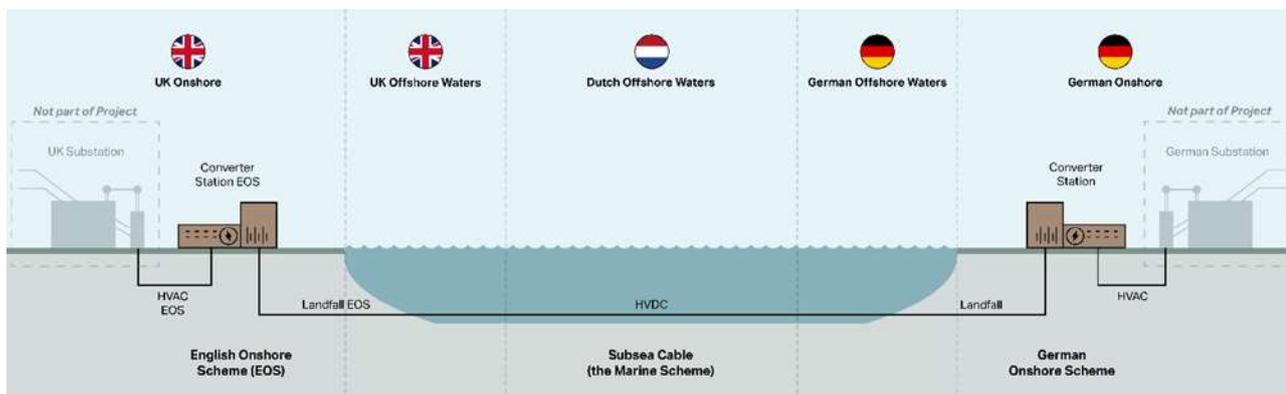


Figure 2: Sectional Diagram Demonstrating Project Elements

The EOS will make landfall on the Tendring Peninsular, with the location of the landfall site currently being subject to investigation but considered most likely to be between Clacton-on-Sea and Harwich. UK landfall represents the interface between the EOS and the Marine Scheme. The EOS will connect into National Grid’s proposed EACN to feed into and export from the NETS.

<sup>1</sup> <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects/norwich-to-tilbury> accessed January 2025.

<sup>2</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1041&qid=1712586379310> accessed February 2025.

The Marine Scheme will extend from the UK landfall through UK offshore waters to reach the median line with Dutch offshore waters. Approximately 140 km of marine cable installation is proposed within the UK offshore waters, before crossing into Dutch offshore waters, then into German offshore waters before approaching landfall in Germany. Routeing studies are currently ongoing, giving consideration to a broad range of technical, engineering, environmental and safety factors to identify a proposed route.

## 2. Development to which this Section 35 request relates

### 2.1 Overview

This request for a section 35 direction relates only to the EOS part of the Project. The EOS does not automatically qualify as a NSIP because it does not trigger any of the definitions set out in section 14 to section 30 of the PA 2008. The Developer has therefore elected to request the EOS to be directed into the PA 2008 regime via a direction from the SoS under section 35 of the PA 2008. The components of the EOS to which this section 35 direction request relates (hereafter referred to as the Principal Development) are described in section 2.2 below.

### 2.2 Principal Development

The Principal Development to which this section 35 direction request relates comprises:

- A Converter Station comprising a collection of buildings which converts electricity from High Voltage Alternating Current (HVAC) to High Voltage Direct Current (HVDC) and vice versa to allow for export and import and transfer to the NETS.
- The HVAC underground cabling from the Converter Station to the point of connection to the NETS via a transition joint bay at the EACN. The route is unlikely to be longer than 5 km subject to siting of the Converter Station.
- HVDC underground cabling from the Converter Station to the UK landfall site. This could be up to approximately 18 km in length subject to the final siting of the Converter Station and landfall.
- The UK landfall located on the Essex coastline comprising a transition joint bay where onshore cables transition into offshore cables.

### 2.3 Associated Development

The Developer considers that the UK part of the Marine Scheme is not an element of the Project for which development consent should be required however it is likely to benefit from inclusion in the development consent order as 'associated development' under section 115 of the PA 2008 and in accordance with the 'Planning Act 2008 Guidance on associated development applications for major infrastructure projects' (Department for Communities and Local Government, April 2013)<sup>3</sup>. This guidance states "*it is for applicants to*

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/192681/Planning\\_Act\\_2008\\_-](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/192681/Planning_Act_2008_-)

*decide whether to include something that could be considered as associated development in an application for development consent or whether to apply for consent for it via other routes*". The Developer currently anticipates that the following elements of the Project would be associated development alongside other associated works to be confirmed:

- The UK part of the Marine Scheme including licensable activities within the marine environment of the UK offshore waters. This would include offshore cable protection and works to install cables within UK offshore waters. It is acknowledged that offshore HVDC cables may not require a separate marine licence because they can be exempt under section 81 of the Marine and Coastal Access Act 2009 or might be dealt with more effectively under a separate marine licence.

The approach adopted by the Developer in determining the elements of the Project which are the development to which this section 35 direction request relates closely aligns with other projects that have been subject to a section 35 direction including Nautilus Interconnector, Continental Link Multi-Purpose Interconnector, Eurolink Multipurpose Interconnector, and Xlinks Morocco – UK Power Project.

### 3. Section 35 Justification

#### 3.1 Section 35 of the Planning Act 2008

As noted in Section 2, the Principal Development does not automatically qualify as a NSIP because it does not trigger any of the definitions set out in section 14 to section 30 of the PA 2008. Section 35 of the PA 2008 provides the Secretary of State with the power to give a direction for a development to be treated as a project of national significance for which development consent is required and therefore subject to consenting via the PA 2008 route. Section 35(2) sets out conditions which must be satisfied before the Secretary of State can give a direction. These conditions are that:

- the development must be within the field of energy, transport, water, waste water or waste, or a business or commercial project of a prescribed description to satisfy section 35(2)(a);
- it must be located in one or more of the areas specified in subsection (3) to satisfy section 35(2)(b); and
- the Secretary of State thinks the project is of national significance, either by itself or when considered with one or more other projects or proposed projects in the same field to satisfy section 35(2)(c).

This section provides justification as to why the Principal Development is a qualifying request within the meaning of section 35ZA(11) of the PA 2008. This request specifies the development to which the request relates (the Principal Development) and that the conditions in section 35(2)(a), (b), and (c) of the PA 2008 have been met as follows:

Section 35(2)(a)(ii) and Section 35(2)(c)(ii) of the PA 2008 are not relevant in this case.

---

[Guidance on associated development applications for major infrastructure projects.pdf#:~:text=This%20guidance%20is%20designed%20to%20help%20those%20who, respect%20of%20associated%20development%20apply%20to%20their%20proposals](#). Accessed January 2025.

## 3.2 Development in the Field of Energy (section 35(2)(a))

The Project is for a 1.4 GW Interconnector between GB and Germany which is in the field of energy and accords with section 35(2)(a)(i) of the PA 2008. The Project will create a direct power link between energy markets in the two countries' and increase the security and reliability of their electrical systems. This will assist the UK with decarbonising their electricity sector. Section 3.5 below sets out the policy support for the Project.

## 3.3 Development Wholly in England (section 35(2)(b))

Section 35(2)(b) of the PA 2008 requires development to be wholly located in one or more of the areas specified in subsection (3). Subsection (3) identifies the following areas:

*“(a) England or waters adjacent to England up to the seaward limits of the territorial sea;  
(b) in the case of a project for the carrying out of works in the field of energy, a Renewable Energy Zone, except any part of a Renewable Energy Zone in relation to which the Scottish Ministers have functions.”<sup>4</sup>*

The land required for the Principal Development will be located within the administrative boundaries of Tendring District Council (TDC) and Essex County Council (ECC) in England.

## 3.4 Development of National Significance (section 35(2)(c))

The Developer considers the Principal Development to be of national significance in accordance with section 35(2)(c) of the PA 2008 for the following reasons:

- i) The Principal Development forms the critical onshore part of a multi-national linear electricity transmission interconnector project with a capacity of 1.4GW. This capacity is enough electricity to power up to 1.5 million homes which is approximately 57% of the homes in the East of England region<sup>5</sup>. The 1.4 GW capacity proposed is above the capacity of a generating station that would qualify to be considered under the PA 2008 process as nationally significant (50 Megawatts (MW) for an onshore generating station and 100 MW for an offshore generating station).
- ii) The principle of connecting GB and German energy markets is supported by government policy including the National Policy Statements (NPS) for Energy, as discussed in Section 3.5.
- iii) The Project will benefit GB consumers by making the electricity supply in GB more resilient and secure. Interconnectors play an important role in supporting the NETS by balancing peaks and troughs in energy demand by enabling access to other energy markets for import or export of electricity.
- iv) The UK has clear targets for reaching net zero by 2050 and its enabling policy 'Clean Power 2030 Action Plan: A new era of clean electricity' (UK Government, December 2024). This action plan states *“At the end of 2023, Great Britain had 9.8 GW of interconnector capacity across 9 interconnectors,*

<sup>4</sup> It is acknowledged that the Renewable Energy Zone was revoked by the Exclusive Economic Zone Order 2013. Article 3 of this order explains that the boundaries of the Renewable Energy Zone are the same as the EEZ with the exception of some small differences.

<sup>5</sup> <https://www.ons.gov.uk/census> Accessed February 2025. Data confirms there are 2,628,700 in the East of England region. This includes Bedford, Central Bedfordshire, Luton, Peterborough, Southend-on-Sea, Thurrock, Cambridgeshire, Hertfordshire, Norfolk, Suffolk, and Essex. There are 626,500 households in Essex and 67,500 households in Tendring.

*with a further 2 interconnectors (1.9 GW of capacity) in construction. Based on both government and NESO modelling of clean power trajectories, we expect 12-14 GW of interconnector capacity by 2030 to deliver clean power". It goes on to state "Interconnectors can bring a wide range of system and consumer benefits. Electricity interconnectors support security of supply by enabling access to more diverse generation over a wider geographic area. They also provide system flexibility by helping the system rapidly respond to changes in supply and demand. This means that, when we generate more electricity than we need, a strong interconnector system will allow us to export the excess electricity, thus contributing towards the clean energy superpower role of the United Kingdom. Finally, interconnectors contribute to European-wide decarbonisation, as they can allow for more efficient use of intermittent renewables between connected countries".*

To meet its net zero ambitions, the UK needs to connect huge volumes of renewable energy resources in the next decade, particularly offshore wind. Interconnectors maximise the use of renewable energy by giving countries an efficient way to both import and export clean power. Electrical energy is traded on a market like other commodities where supply and demand drive prices. With the implementation of more renewable energy, it becomes more challenging to manage the supply versus the demand. The Project will satisfy requirements to significantly and urgently upgrade the electricity transmission network in light of UK electricity generation targets (the British Energy Security Strategy (2022) and other relevant policy).

By making it possible to exchange renewable energy resources between the two countries, the Project will contribute towards a reduction in the amount of electricity produced from non-renewable sources and reduce net carbon emissions in both countries. The Project will play an important role in creating an energy system that meets the UK's commitment to reduce carbon emissions.

- v) The Project is also considered to be of national significance in the context of other interconnector projects that have been directed under section 35 of the PA 2008, such as the Nautilus Interconnector – a National Grid Ventures interconnector project of equivalent capacity (1.4 GW) which links the UK to Belgium. Similarly, the Continental Link Multi-Purpose Interconnector (1.8 GW) and the Eurolink Multipurpose Interconnector (1.8 GW) have also been designated as projects of national significance. Most recently, XLinks Morocco-UK Power Project (3.6 GW) was granted a section 35 direction by the Secretary of State, demonstrating a precedent for this type of infrastructure being considered nationally significant at this scale.

### 3.5 National Policy Context

In addition to the reasons set out in paragraph 3.4, the Developer is seeking a section 35 direction for the Principal Development in order to engage the overwhelming support provided by national policy contained within the NPS for energy infrastructure published by the Department for Energy Security and Net Zero and which came into effect in January 2024.

#### Overarching NPS for Energy (NPS EN-1)

The UK Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, which includes, for energy infrastructure which is directed into the NSIP regime under section 35 of the PA 2008, and fit within the normal definition of "low carbon", such as interconnectors, Multi-Purpose Interconnectors, or 'bootsraps' to support the onshore network which are

routed offshore (paragraph 4.2.5). The urgent need for CNP infrastructure will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy (paragraph 3.3.63).

The role of interconnector projects is widely recognised in national policy by Government as being part of the suite of electricity infrastructure needed to meet the UK's decarbonisation targets:

*"There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable to meet these objectives in isolation."* (Paragraph 3.3.4)

The need for interconnectors and CNP is discussed throughout NPS EN-1. Paragraphs 3.3.32 to 3.3.35 set out the role of interconnectors in transitioning the UK's energy system to deliver the net zero target, indicating support for the principle of development. Paragraph 3.3.32 states *"interconnection across national borders has an essential role in delivering a secure, low carbon electricity system at low cost. The UK recognises the importance and benefits of increasing levels of interconnection and has an ambition to realise at least 18 GW of operational interconnector capacity by 2030"*. This should be considered in the context of only 8 GW of interconnection capacity having been delivered to date.

NPS EN-1 goes on to state at paragraph 3.3.34 *"interconnection provides access to a diverse pool of generation, enabling the import of cheaper electricity, while also providing a route for electricity export. Interconnectors provide the system with additional flexibility, reducing the curtailment of renewable energy, and can also provide a range of ancillary services, such as voltage and black start services"*.

Further, paragraph 3.2.11 of NPS EN-1 states that where an energy infrastructure project is not covered by sections 15-21 of the PA 2008 but is considered to be nationally significant, there is a power under section 35 of the PA 2008 (which applies in England, English waters and the Renewable Energy Zone, except any part of the Renewable Energy Zone in relation to which the Scottish Ministers have functions) for the Secretary of State, on request, to give a direction that a development should be treated as a NSIP for which development consent is required. This could include novel technologies or processes which may emerge during the life of this NPS.

Paragraph 3.2.12 NPS EN-1 goes on to say that in these circumstances, any application for development consent would need to be considered in accordance with this NPS. It states that *"where the application is for electricity network infrastructure not covered by sections 15-21 of the Planning Act, including underground or offshore infrastructure, the Secretary of State should give substantial weight to the need established at paragraphs 3.3.65 to 3.3.83 of this NPS."*

Accordingly, the NPS EN-1 anticipates that interconnector projects may need to be specifically directed under section 35 and recognises that in making decisions accordingly, the Secretary of State should have regard to and place substantial weight on the need for such projects established at length in the NPS.

## NPS for Renewable Energy Infrastructure (NPS EN-3)

The NPS for Renewable Energy Infrastructure (NPS EN-3) identifies CNP for low carbon infrastructure, including supporting onshore and offshore network infrastructure reinforcements. Paragraph 1.6.3 states NPS EN-3:

*“will apply to offshore transmission infrastructure projects in English waters which are directed into the NSIP regime under section 35 of the Planning Act 2008. This could include interconnectors, Multi-Purpose Interconnectors (MPIs) or ‘bootstraps’ to support the onshore network which are routed offshore. EN-5 also applies to offshore transmission”.*

## NPS for Electricity Networks Infrastructure (NPS EN-5)

The NPS for Electricity Networks Infrastructure (NPS EN-5) highlights in paragraph 2.12.4 that *“it is important that the network planning for offshore transmission is much more closely co-ordinated with the planning and development of the onshore transmission network than previously. This includes all types of offshore transmission including interconnectors, multi-purpose interconnectors (MPIs) and subsea ‘onshore’ transmission or ‘bootstraps’ reinforcing the onshore transmission network.”*

Paragraph 2.12.7 states that *“government has concluded that there is a CNP for the provision of nationally significant low carbon infrastructure. This includes for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System.”*

## 4. Stakeholder Engagement

The Developer has commenced engagement with key stakeholders in advance of submitting this request for a section 35 direction. The onshore elements of the Project are located in the local authority areas of TDC and ECC. Both TDC and ECC have been engaged to date and would be formal consultees under section 43(1) of the PA 2008.

The offshore elements of the Project fall in the jurisdiction of the Marine Management Organisation (MMO) and it would be a formal consultee under section 42(1)(aa) of the PA 2008.

Letters of support have been received from TDC, ECC and the MMO which support this request for a direction under section 35 of the PA 2008. Copies of the letters of support accompany this request.

In addition, the Developer has been or will be engaging with the following stakeholders:

- National Grid in relation to the Norwich to Tilbury project.

- RWE in relation to the Five Estuaries Offshore Wind Farm project.
- SSE Renewables and RWE in relation to the North Falls Offshore Wind Farm project.
- Neuconnect Interconnector.
- Harwich Haven Authority (HHA).
- Hutchison Ports.
- Local Parish and District Councillors.
- Maritime and Coastguard Agency (MCA).
- London Port Authority (LPA).
- Joint Nature Conservation Committee (JNCC).
- Natural England (NE).
- Wildlife Trust.
- Royal Society for the Protection of Birds.
- Local nature conservation groups.
- The Environment Agency.
- Historic England.
- The Crown Estate (TCE).
- Landowners.
- Fisheries organisations.
- Local Communities (including residents, farmers, and businesses).
- Corresponding stakeholders in Germany.

Stakeholder engagement remains on-going and will continue to do so throughout the life of the Project.

## 5. Conclusion

In conclusion, the Developer considers the Principal Development to be a project of national significance for which development consent is required under the PA 2008 for the following reasons:

- The Project is in the field of energy as required by section 35(2)(a)(i) of the PA 2008.
- The Project is wholly located in England as required by Section 35(2)(b) of the PA 2008.
- The Project is of international status with a 1.4 GW capacity, which is above the capacity of a generating station that would qualify to be considered under the PA 2008.
- The principle of connecting GB and German energy markets is supported by government policy including NPS for energy infrastructure.
- The Project will benefit GB consumers by contributing towards achieving a more resilient and secure electricity supply.
- The Project will satisfy requirements to significantly and urgently upgrade the electricity transmission network to meet targets.
- The Project is comparable in size and scale to other interconnector projects that have been directed under section 35 of the PA 2008.

This request is a qualifying application within the meaning of section 35ZA of the PA 2008. No previous request for consent or authorisation mentioned in section 33(1) or (2) of the PA 2008 has been made in relation to the Principal Development nor any element of the Project. Accordingly, the Developer respectfully requests the Secretary of State to exercise his power under section 35 of the PA 2008 in respect of the Principal Development.

Yours sincerely,



Lindsay Smith  
Senior Development Manager  
Copenhagen Offshore Partners on behalf of Tarchon Energy Limited



enclosures: Letter of support from Essex County Council  
Letter of support from Tendring District Council  
Letter of support from Marine Management Organisation