

East Anglia THREE
Offshore Windfarm

East Anglia THREE

Written Response to Deadline III (10 August 2016)

Document reference – Deadline 3/ Applicant's Response
to Deadline III

East Anglia THREE Offshore Wind Farm
East Anglia THREE Limited

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Summary

- 1 In its letter of 6 July 2016 (the **Rule 8 Letter**), the Examining Authority (**ExA**) proposed the following submissions to be made by 10 August 2016 (**Deadline III**):
 - Comments on Written Representations (WRs) and responses to comments on Relevant Representations (RRs) – referred to in this document as Comments on Written Representations;
 - Comments on Local Impact Reports;
 - Comments on responses to the ExA's First Written Questions;
 - Comments on responses to the Applicant's revised draft Development Consent Order (DCO);
 - Information to inform the Habitats Regulations Assessment (HRA) for the Southern North Sea pSAC report to be submitted by the Applicant;
 - Statements of Common Ground (SoCG) requested by the ExA.
- 2 The submission of this Written Response to Deadline III and documents referred to in paragraph 1 above, which are to be submitted by East Anglia THREE Limited (the Applicant), is termed the Response to Deadline III. In the interests of not repeating information that is presented elsewhere, the Applicant has cross-referred to aspects covered in the Applicant's Response to Deadline I dated 13 July 2016 (the Response to Deadline I) and the Applicant's Response to Deadline II dated 27 July 2016 (the Response to Deadline II).
- 3 Where this Written Response to Deadline III references additional material, such as correspondence or tables, these documents have been submitted with the Response to Deadline III.
- 4 A full table indexing additional documents submitted by the Applicant at Deadline III is also contained in the final section of this document and within the body of each email enclosing submissions for Deadline III.

Comments on Written Representations

- 5 The Applicant has produced a Schedule of Comments on Written Representations (Schedule of Comments WR) a copy of which has been submitted as part of the Response to Deadline III. Within the Schedule of Comments WR, where appropriate, references are made to where an issue has been addressed in the Environmental Statement (ES) or in Statements of Common Ground.
- 6 The Schedule of Comments WR for ease of reference, and in line with the Applicant's previous practice, adopts a tabular format which has been used to compile paragraphs from each Written Representation followed by the Applicant's response comments on a point by point basis.
- 7 The Schedule of Comments WR contains the Applicant's comments on the Written Representations of:
 - 7.1 Anglian Water;
 - 7.2 Bawdsey Parish Council;

- 7.3 ENI (UK) Ltd;
- 7.4 Environment Agency;
- 7.5 Historic Buildings and Monuments Commission for England;
- 7.6 National Grid;
- 7.7 Natural England;
- 7.8 Network Rail;
- 7.9 National Federation of Fishermen's Organisations;
- 7.10 The Royal Society for the Protection of Birds;
- 7.11 Suffolk Preservation Society;
- 7.12 The Wildlife Trusts; and
- 7.13 Whale and Dolphin Conservation.

The Applicant's Comments on Local Impact Reports

- 8 The Applicant has prepared Comments on the joint Local Impact Report (Applicant's Comments on Local Impact Report) of Suffolk County Council, Mid Suffolk District Council and Suffolk Coastal District Council (the **Local Impact Report or LIR**) which are submitted with this Written Response to Deadline III.
- 9 The Applicant's Comments on LIR for ease of reference, and in line with the Applicant's previous practice, adopts a tabular format which has been used to compile paragraphs from the LIR followed by the Applicant's corresponding comments on a point by point basis.

The Applicant's Comments on responses to the ExA's First Written Questions

- 10 The Applicant has prepared Comments on responses to the ExA's First Written Questions (Applicant's Comments First WQ) of other parties.
- 11 The Applicant's Comments First WQ for ease of reference, and in line with the Applicant's previous practice, adopts a tabular format which has been used to compile responses to the First Written Questions of:
 - 11.1 The Environment Agency;
 - 11.2 The Historic Buildings and Monuments Commission for England;
 - 11.3 The Local Planning Authorities;
 - 11.4 Marine Management Organisation;
 - 11.5 Natural England;
 - 11.6 The Royal Society for the Protection of Birds;

11.7 The Crown Estate; and

11.8 The Wildlife Trust.

Comments on responses to the Applicant's revised draft DCO

12 Due to the nature of responses to the Applicant's revised draft DCO, being embedded within the interested parties Written Representations, any comments on responses to the Applicant's revised draft DCO have been included within the Schedule of Comments WR.

Information to inform the HRA for the Southern North Sea pSAC report

13 The Applicant has provided '*Information for the Habitats Regulations Assessment: Interim Marine Mammal Assessment Southern North Sea pSAC*'. This is an interim provision in advance of full Information to Inform the HRA for the Southern North Sea pSAC Report which the Applicant requests permission to submit at Deadline IV.

14 In its final form the report will be updated with relevant information on Conservation Objectives and conclude on the potential of LSE from the proposed East Anglia THREE project. If appropriate, the updated report will provide the relevant information required by the Competent Authority to undertake an Appropriate Assessment of the proposed East Anglia THREE project with respect to its potential implications for the Southern North Sea pSAC for harbour porpoise.

Statements of Common Ground (SoCG) requested by the ExA

15 In the Rule 6 Letter, the ExA specifically requested that certain SoCGs be agreed by the Applicant and various interested parties. The majority of SoCG were submitted for Deadline II and a note of outstanding SoCG provided to the ExA. The following SoCGs are submitted with this Response to Deadline III:

15.1 Applicant and Comité Régional des Pêches Maritimes (Nord Pas-de-Calais Picardie);

15.2 Applicant and Historic Buildings and Monuments Commission for England; and

15.3 Applicant and Suffolk Preservation Society.

16 Submission of the above SoCGs now means that the ExA has SoCGs from every party that wished to enter into a SoCG.

17 The ExA will note that it has not been possible to enter into SoCGs with the Commercial Fisheries Working Group in its entirety. Six of Seven members remain committed to the draft SoCG submitted at Deadline II on behalf of that organisation. The Seventh, Harwich Fishermen's Association (HFA) does not wish to enter into any SoCG.

- 18 The Applicant expects that a SoCG with Trinity House can be entered into but Trinity House as a pre-requisite to this require that their joint SoCG with MCA is signed and the next iteration of the draft DCO prepared.
- 19 The Applicant will continue to engage with HFA and Trinity House.

Additional documents submitted for Deadline III

20 As noted above a number of additional documents are referred to in the Schedule of Comments WR, more fully detailed in the table below:

WRITTEN REPRESENTATIONS REFERENCE	DOCUMENT / DESCRIPTION	APPLICANT'S DOCUMENT REFERENCE
BPC1	The Department for Transport Traffic Signs Manual Chapter 8 / its purpose is to show the ExA that 'convoy working' is established legal practice for low traffic roads.	Deadline 3/Applicant's Comments/WR/BPC1/Traffic Safety Measures
NE/6.5.8	Report of the ICES Working Group (2013)	Deadline 3/Applicant's Comments/WR/NE/6.5.8/ICES Report
NE/6.5.21	Flamborough and Filey Coast pSPA Seabird PVA Final Report / its purpose is to provide a written explanation of the density dependence function that has been considered in the PVA models.	Deadline 3/Applicant's Comments/WR/NE/6.5.21/Flamborough and Filey PVA
NE/6.5.31	Written Representation for Hornsea Project Two Deadline 7, Natural England / to expand on the data in relation to Kittiwakes.	Deadline 3/Applicant's Comments/WR/NE/6.5.31/NE Hornsea Two
WDC/5	Conservation Objectives and advice provided by JNCC & Natural England (2016) / its purpose is to inform the interim marine mammal assessment for the Southern North Sea pSAC.	Deadline 3/Applicant's Comments/WDC/5/JNCC & Natural England 2016

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