



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

East Anglia TWO Offshore Wind Farm

**Appendix K1 to the Natural England Deadline 1 Submission**

**Natural England's Response to Examining Authority's first round of written questions.**

For:

The construction and operation of East Anglia Two Offshore Windfarm, a 900MW windfarm which could consist of up to 75 turbines, generators and associated infrastructure, located 37km from Lowestoft and 32km from Southwold.

Planning Inspectorate Reference: EN010078

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2<sup>nd</sup> November 2020

This document is applicable to both the East Anglia ONE North (EA1N) and East Anglia TWO (EA2) applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's (ExA) procedural decisions on document management of 23rd December 2019. Whilst for completeness of the record this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it again for the other project.

General	Mammals	Benthic	DCO	Offshore Ornithology	Onshore	LVIA	SLVIA
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ExQs 1	Question to: 1	Question:1		
1.0	<b>Overarching, general and cross-topic questions</b>			<b>Natural England's Response</b>
1.0.1	The Applicant (Other Interested Parties (IPs)) with an interest in design are requested to comment at Deadline 2.)	<b>1</b>	<b>2</b>	<p><b>Good Design</b> Section 4.5 of the Overarching National Policy Statement (NPS) for Energy (EN-1) emphasises the importance placed on ensuring good design in the development of infrastructure projects. This matter is cross-cutting in relation to multiple topics identified within the Initial Assessment of Principal Issues.</p> <p>Whilst the NPS is the primary source of policy under which the applications will be considered, policy within the National Planning Policy Framework (NPPF)</p>
				Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>advocates for good design as do the 'Design Principles for National Infrastructure', developed by the National Infrastructure Commission.</p> <p>Could the Applicant outline their approach to good design in respect of the following key elements, focusing on how each element reflects the principles of development responding to setting/place and people:</p> <ul style="list-style-type: none"> <li>a) offshore wind turbine generators and associated platforms;</li> <li>b) onshore substations and grid connections;</li> <li>c) the onshore transmission cable, including any above ground ducting/chambers.</li> </ul>	
1.0.2	The Applicant	<b>1</b>	<b>2</b>	<p><b>Good Design: Substations and Connections North of Friston</b></p> <p>EN-1 section 4.5 criteria for 'good design' for energy infrastructure states that applying good design to energy projects should produce infrastructure that is sustainable, sensitive to place, efficient in the use of natural resources and energy used in their construction and operation</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>and be matched by an appearance that demonstrates good aesthetics as far as possible.</p> <p>Paragraph 4.5.3 of EN-1 requires applicants to take into account both functionality and aesthetics (including its contribution to the quality of the area in which it would be located) and encourages an applicant to take opportunities to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation.</p> <ul style="list-style-type: none"> <li>Explain how the criteria set out in EN-1 have been met in the location, layout, design and proposed mitigation in respect of the EA1N, EA2 and National Grid substations and grid connection location north of Friston.</li> </ul>	
1.0.3	The Applicant, East Suffolk Council (ESC), Suffolk County Council (SCC), Historic England, Natural England, AONB Board, Parish Councils, SASES, SEAS, SEAS, SoS	1	<p><b>2</b> <b>Design Mitigation: Adverse effects</b></p> <p>Are the measures set out in section 6.7 of the Environmental Statements (ES) (Onshore Schedule of Mitigation) sufficient to mitigate any adverse effects from the proposed substations and National Grid substation and enable the projects to satisfy the requirements of EN-1, the NPPF</p>	Because the substations are out with the Suffolk Coast and Heath AONB and the setting thereof; NE defers to the local planning authority on this matter.



ExQs 1	Question to: 1			Question:1	
				<p>and local policies for visual amenity, landscape, public rights of way and heritage matters?</p> <p>a) Provide reasons for your answer. b) If not, what further measures are required?</p>	
1.0.4	The Applicant, ESC, SCC, Historic England, Natural England, AONB Board, Parish Councils, SASES, SEAS, SEAS, SoS	1	2	<p><b>Design Mitigation: Adverse effects - AONB</b></p> <p>Is sufficient weight given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and from outside its boundary, in accordance with paragraphs 5.9.9 and 5.9.12 of EN-1?</p> <p>a) Provide reasons for your answer. b) If not, what further measures are required?</p>	Natural England has raised concerns on this matter. Please see our relevant/written representation [RR-059] and Deadline 1 response Appendix D1b (LVIA).
1.0.5	The Applicant			<p><b>Design Mitigation: built enclosures</b></p> <p>To what extent is it possible to contain all the activity and installations at the transmission substations and National Grid substation, including activity and installations envisaged to be in open areas, within buildings? If so, what are the technical and economic implications for the</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				proposed development and what scale or size would such buildings need to be? (See also ExQ1.0.11 below.)	
1.0.6	The Applicant	1	2	<p><b>Sustainable Design</b></p> <p>a) Explain the steps that have been taken to ensure the proposed substations and National Grid substation; their security fences; cable sealing-end compounds, pylons and National Grid connections achieve a good quality of sustainable design and are integrated into the landscape and how these measures are secured?</p> <p>b) Explain the measures to be taken to ensure the standard of sustainable design, how these will be maintained through to construction and operation and how they will be secured?</p>	Watching Brief (WB) on responses
1.0.7	The Applicant	1	2	<p><b>Design and plans</b></p> <p>Please provide scale drawings (which may be referred to as outline design and landscape plans) showing the preferred option layouts and three-dimensional design of the substations and National Grid substation to the maximum parameters within the Rochdale envelope and the requirements for design and sustainability</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1		
				<p>set out in the dDCOs, including, but not limited to: the proposed buildings, external electrical transmission equipment, roadways, storage areas, surface treatments, landscaping, attenuation ponds, sustainable drainage systems and fencing. Such plans to include versions at a scale to show the proposed substations and the village of Friston on the same plan, as requested by the Parish Council.</p>	
1.0.8	<p>The Applicant, ESC, SCC, Historic England, Natural England, AONB Board, Parish Councils, SASES, SEAS, SEAS, SoS</p>	1	2	<p><b>Design Principles</b></p> <ul style="list-style-type: none"> <li>a) In the context of EN-1 paragraph 4.5.5, explain how the design of the EA1N and EA2 projects meet the National Infrastructure Commission’s Design Principles for National Infrastructure (February 2020) in respect of Climate, Places, People and Value, both offshore and onshore and in all three phases of construction, operation and decommissioning.</li> <li>b) Comment on the desirability of implementing the following measures to ensure that good quality sustainable design and integration of the proposed substations and National Grid substation projects into the landscape is achieved in the detailed</li> </ul>	<p>This issue concerns the design of the substation which is outside of the AONB and its immediate setting. NE only provides landscape planning advice for elements of a scheme affecting an AONB or National Park and therefore isn’t able to contribute here. We expect that the local planning authority will wish to comment on design aspects of the substation. There are no ‘design’ issues within the AONB where the onshore cabling for the scheme would be undergrounded.</p>



ExQs 1	Question: 1		Question:1	
			<p>design, construction and operation of the projects. How might they be secured? Are any further measures appropriate?</p> <ul style="list-style-type: none"><li>i) A 'design champion' to advise on the quality of sustainable design and the spatial integration of energy infrastructure structures, buildings, compounds, security fences, landscape, heritage, woodland, new landscape features, public rights of way and visual amenity.</li><li>ii) A 'design review panel' to provide informed 'critical-friend' comment on the developing sustainable design proposals;</li><li>iii) An approved 'design code' or 'design approach document' (as approved in the Hinkley Point C Connector Project (EN020001)) to set out the approach to delivering the detailed design specifications to achieve good quality sustainable design;</li><li>iv) An outline, including timeline, of the proposed design process,</li></ul>	<p>We are content to advise the LPA on any ecology/landscaping matters where requested</p>





ExQs 1	Question to: 1			Question:1	
				<p>including consultation with stakeholders and a list of proposed consultees.</p> <p>v) In the opinion of the local authorities and other statutory agencies, would the implementation of any or all of the above measures assist in determining post-consent approvals (including the discharge of requirements) in relation to achieving good design?</p>	
1.0.9	The Applicant	1	2	<p><b>Design: Reasonable measures</b></p> <p>SCC and ESC consider that [RR-002, RR-007] all reasonable measures to minimise the impact of the substations have not been demonstrably exhausted. The ExA note the responses of the Applicant to this point of view in their response to the RR [AS-036]. While noting the site selection process undertaken and the National Grid's 'Horlock Rules' more information is requested.</p> <ul style="list-style-type: none"> <li>• Demonstrate how you have exhausted all reasonable measures to minimise the impact of the proposed</li> </ul>	



ExQs 1	Question to: 1			Question:1	
				substations, with reference to size, layout, building design and materials.	
1.0.10	The Applicant	1	2	<p><b>Design: Reasonable measures</b></p> <p>The ExAs unaccompanied site inspections (USIs) have so far included inspections of the external appearance and settings of constructed and operational Offshore Wind Farm grid connection points and substation infrastructure at Broom Covert (Sizewell) and Burstall (Ipswich) [EV-005], [EV-006], [EV-007]. In principle, these inspections disclose facilities in which the bulk and scale of infrastructure has been managed by techniques including siting (the division of compounds to reduce the apparent visual coalescence of infrastructure) (Burstall), substantial bunding, new planting and the reinforcement of existing tree cover, to a greater extent than is apparently documented to be the case for the substations proposed in these applications.</p> <p>a) Is it anticipated that any of these siting and design mitigation techniques might be used to a similar extent here?</p> <p>b) If the answer to this question is no, why are such design mitigation approaches</p>	



ExQs 1	Question to: 1			Question:1	
				proposed to be more limited in this location?	
1.0.11	The Applicant	1	2	<p><b>Design and architecture</b></p> <p>The Design and Access Statement [APP-580] states that the onshore substations would have compact layouts, with the majority of equipment contained in "agricultural style buildings".</p> <ul style="list-style-type: none"><li>a) In this context define and describe agricultural style buildings.</li><li>b) How would such buildings be respectful to the local vernacular of agricultural style buildings? Illustrate, by example, the range of architectural typologies that might be appropriate in the proposed location.</li><li>c) Would the proposed buildings be more closely related to an agricultural or an industrial/logistics type building?</li></ul> <p>Set out the range of architectural typologies, materials and colour palate that could be used for building construction to reflect the local context and how might they be used? How and where could this be secured in the dDCO?</p>	



ExQs 1	Question to: 1	Question:1		
1.0.12	The Applicant	<b>1</b>	<b>2</b>	<b>Design options</b> In design terms, assess the differences and comparative advantages and disadvantages of the National Grid substation being an Air Insulated Substation or a Gas Insulated Substation, both in terms of scale and mass but also the visual effect of a more open or enclosed layout.
1.0.13	The Applicant	<b>1</b>	<b>2</b>	<b>Design and Statements of Common Ground (SoCGs)</b> SCC and ESC [RR-002, RR-007] raise concerns over whether the outline design principles also apply to the proposed National Grid substation. The ExA note the responses of the Applicant to this point in their response to the RR [AS-036] and the commitment to discuss this during the production of SoCGs. <ul style="list-style-type: none"><li>• Outline the extent of controls and level of design principles that could be provided through the proposed SoCGs and how they might be secured in the dDCOs.</li></ul>
1.0.14	The Applicant	<b>1</b>	<b>2</b>	<b>Overall design</b>



ExQs 1	Question to: 1			Question:1	
				<p>Outline Landscape Management Plan (OLMP) General Arrangement Plan (Figure 29.11a) [APP-401] shows an overall plan of the proposed development. This appears to show the proposed substations, National Grid substation, and sealing end compounds largely sited as close together as possible, with the three main blocks sited adjacent to each other. While this has the effect of concentrating such uses in one overall block of development, a more dispersed arrangement could allow other mitigation and landscaping arrangements to be proposed.</p> <ul style="list-style-type: none"> <li>Given the extent of the land proposed to be available, was an alternative more dispersed arrangement considered as part of the design process? What advantages and disadvantages would such an arrangement have when compared to the selected arrangement? Of all the possible arrangements, which represents a 'worst case scenario'?</li> </ul>	
1.0.15	The Applicant	<b>1</b>	<b>2</b>	<p><b>Detailed substation design</b> Figure 29.33d shows a visual representation of the first year of operational phase for the proposals.</p>	



ExQs 1	Question to: 1		Question:1		
				<ul style="list-style-type: none"> <li>a) What are the square stepped towers shown on the south east of the proposed EA1N and EA2 substations and what is their function? (there are 12 shown in total)</li> <li>b) Provide an annotated plan of the proposed substation design to show the different elements of infrastructure/equipment that make up the individual elements of the substation</li> <li>c) Are these the same designs as other recently constructed substations, such as EA1, EA3 or the Galloper substations?</li> </ul>	
1.0.16	The Applicant, National Grid	<b>1</b>	<b>2</b>	<p><b>Site selection: Friston grid connection point (Grove Wood)</b>            In paragraph 17 of Appendix 4.2 (RAG Assessment for Onshore Substations Site Selection in the Sizewell Area) [APP-443]you say that "<i>The onshore study area was extended westward following consultation with Suffolk County Council (July, 2017) to look further west by potentially crossing Aldeburgh Road. This area was previously excluded due to the potential interaction with residential titles.</i>"</p>	Watching Brief (WB) on response to (c)



ExQs 1	Question to: 1		Question:1	
			<p>You also note that <i>"Aldeburgh Road would potentially act as a significant constraint, and that extension (of the study area) westwards would be counter to the achievement of economy and efficiency"</i> but nevertheless <i>"the onshore study area was proposed for extension."</i></p> <p>a) A substantial apparent reason for extending the study area westwards appears to have been that the Grove Wood pylon, being more substantial, might not require such extensive modification as other straight-through pylons to the east (ie towards Sizewell). Were there other technical reasons that bore on location selection?</p> <p>b) Given the impacts on residential property, economy and efficiency, and that the dDCO is principally intended to authorise the construction and operation of an Offshore Wind Farm, please explain why the substation site at Grove Wood was chosen and not a site further east?</p>	



ExQs 1	Question to: 1			Question:1	
				<p>c) Could the length of the onshore cable route have been reduced, removing or reducing the need to cross the Leiston-Aldeburgh SSSI or the Sandlings SPA, and eliminate the need for the remainder of the onshore cable route to follow essentially the existing National Grid overhead lines all the way to Grove Wood, with all the associated impacts, particularly on residents and the natural environment?</p> <p>To the extent that responses to this question rely on any advice to the Applicant from National Grid that this location was broadly preferred by National Grid, the Applicant is asked to document that advice. National Grid may comment at Deadline 2.</p>	
1.0.17	The Applicant, National Grid	<b>1</b>	<b>2</b>	<p><b>Site selection: Friston grid connection point</b>            In OFHs 1 – 2 (7 – 9 October 2020), a common emerging theme from oral submissions was that the Friston connection point location had perhaps been selected at least in part because it offered potential expandability.</p>	Watching Brief (WB) on responses





ExQs 1	Question to: 1			Question:1	
				<p>a) Do you understand this to be the case?</p> <p>It was suggested that a number of further grid connection offers have either been formally made or informally proposed by National Grid that could have the effect of bringing further transmission connections to this location.</p> <p>b) Please catalogue any additional connection offers that have been made on a formal or informal basis of which you are aware and submit the best available summary descriptions of the name, purpose, developer and effects of any additional connection proposals that might use this location.</p> <p>To the extent that responses to this question by the Applicant rely on any advice to the Applicant from National Grid, the Applicant is asked to document that advice. National Grid may comment at Deadline 2.</p>	
1.0.18	SCC, ESC, Parish Councils, SASES, SEAS, SEAS, SoS	<b>1</b>	<b>2</b>	<b>Site selection: Friston grid connection point</b>	



ExQs 1	Question to: 1	Question:1			
				To the extent that it was suggested at OFHs 1 – 2 that there may be additional grid connection proposals for this location, please catalogue any additional connection offers of which you are aware that have been made on a formal or informal basis and submit the best available summary descriptions of the name, purpose, developer and effects of any additional connection proposals that might use this location.	
1.0.19	The Applicant	<b>1</b>	<b>2</b>	<p><b>Site selection: Thorpeness landfall</b> Please explain the specific rationale for the location of landfall north of Thorpeness in an area prone to coastal erosion, in circumstances where other landfall locations might have been available?</p>	Watching Brief (WB) on responses
1.0.20	The Applicant	<b>1</b>	<b>2</b>	<p><b>Design and Access Statement</b> Can the Design and Access Statement (DAS) [APP-580] be a certified document included in the list in Art 36 Certification of plans etc. of the dDCO and secured through appropriate reference(s) in R 12? If not, please explain why.</p>	
1.0.21	The Applicant	<b>1</b>	<b>2</b>	<b>Finished ground levels</b>	



ExQs 1	Question to: 1		Question:1	
			<p>The dDCOs [APP - 023] state (R 12, para. 4 – Detailed design parameters onshore) that ‘finished ground level’ will be defined in accordance with the outline onshore substation design principles statement’ (OOSDPS). Section 4, para. 11 of the OOSDPS [APP – 585] sets out the anticipated finished ground levels and explains that ‘The final finished ground level will be established during detailed design post consent’. Finished ground level is a key dimension impacting on both the landscape and visual effects of the proposed substations; but is being established as an outcome of the design process rather than as a design principle. Please:</p> <ul style="list-style-type: none"><li>a) Explain the approach taken to establishing the finished ground levels for the proposed substations in relation to the current landform/landscape north of Friston;</li><li>b) Explain and illustrate the engineering, drainage, landscape and visual effect implications of lowering the current estimated finished ground level by up to 3m in 0.5m stages; and</li><li>c) Propose a finished ground level dimension as an element of the</li></ul>	



ExQs 1	Question to: 1	Question:1		
				outline onshore substation design principles to be secured in the dDCO.
1.0.22	The Applicant	1	2	<p><b>Fluorinated gases and Climate Change</b>            The Right Honourable Dr Thérèse Coffey MP [RR-225] raises the issue of SF6 gas cooling for the proposed substations, stating that the use of such gas cannot be taken for granted given the Government's ratification of various amendments to the Montreal Protocol and the Kyoto Protocol, which aim to reduce significantly the use of fluorinated gases as, if released, they are very potent greenhouse gases. She notes that air cooling infrastructure would result in larger infrastructure being required.</p> <ul style="list-style-type: none"> <li>Respond to the above point.</li> </ul>
1.0.23	The Applicant	1	2	<p><b>Public sector equality duty (PSED)</b>            Please submit an equality impact assessment to inform the ExA how your proposal would accord with the requirements of the Public Sector Equality Duty.</p>
1.1.	<b>Aviation – N/A to NE remit</b>			



ExQs 1	Question to: 1		Question:1	
1.1.1.	The Applicant, National Air Traffic Service (NATS)	1	<b>2 Civil Aviation</b> ES Chapter 15 [APP-063] confirm that preliminary analysis undertaken for the proposed offshore windfarm arrays indicates that EA1N would be within the Radar Line of Sight (RLoS) of the National Air Traffic Services' Cromer radar and that the northern section of EA2 would also be within this RLoS.  It is explained that next generation radars aim to provide the functionality of distinguishing wind turbine returns from aircraft returns, but that an interim mitigation could address this issue by blanking the relevant impacted areas either at the radar head or in the radar display system so as to remove the data containing the wind turbine returns from the radar data presented to air traffic controller. Alternative solutions could include introducing a Transponder Mandatory Zone (TMZ) or using alternative radars to infill the Cromer radar.  The ExA note that NATS objects to the proposals at the present time and that the applicants are committed to ongoing engagement with NATS to identify a suitable mitigation scheme.	



ExQs 1	Question to: 1			Question:1	
				a) Will next generation radars be able to distinguish between wind turbine returns from aircraft returns? b) If so, when is a next generation radar programmed to be installed at Cromer (if at all?) c) How large would the area be required to be blanked on the radar, under current assessments? (Please describe this with reference to a plan or plans.) d) Would radar blanking ensure that the safety of UK airspace is maintained? e) Is there sufficient confidence that the identified mitigation techniques would work in this situation to ensure that the safety of UK aircraft and airspace is not adversely affected? f) Outline previous and ongoing discussions/negotiations between the Applicant and NATS (you may do this by reference to an updated Statement of Common Ground (SoCG).)	
1.1.2.	The Applicant	1	2	<b>Military Aviation</b> ES Chapter 15 [APP-063] confirms that preliminary analysis undertaken for the proposed sites of the offshore windfarm arrays indicates that the EA1N site is within the RLoS of the Trimmingham radar and that	



ExQs 1	Question to: 1			Question:1	
				<p>the northern section of EA2 would also be within this RLoS.</p> <p>Interim mitigation measures are proposed in the form of the application of a Non-Auto Initiation Zone (NAIZ) or the installation of a long range Aveillant Theia Holographic Radar™ on the Norfolk coast to provide infill radar cover for inclusion in the MoD Air Defence air picture over the impacted areas of the EA1N offshore windfarm arrays, if the application of a NAIZ is not feasible.</p> <ul style="list-style-type: none"><li>a) Is a next generation radar programmed to be installed at Trimingham, and if so, when?</li><li>b) Is there sufficient confidence that the identified mitigation techniques would work in this situation to ensure that the safety of UK aircraft and airspace is not adversely affected and that air defence requirements will be met?</li><li>c) Are the applicants content and able to provide the necessary funds to install a new Aveillant radar of the type described, if necessary? How would this be secured?</li></ul>	
1.1.3.	The Applicant	<b>1</b>	<b>2</b>	<b>Military Aviation</b>	



ExQs 1	Question to: 1			Question:1	
				<p>The Ministry of Defence (MoD) [RR-054] does not accept the wording of R 34 in the draft Development Consent Order (dDCO) and proposes an alternative wording in Annex B to their representation. The ExA note the responses of the Applicants in their responses to the RRs [AS-036] and that alternative wording is under consideration.</p> <ul style="list-style-type: none"> <li>• Confirm your views on the replacement R34 proposed by the MoD</li> </ul>	
1.1.4.	Ministry of Defence (MoD)	1	2	<p><b>Military Aviation</b></p> <p>The Applicant proposes interim measures in the form of a NAIZ or the installation of a long range Aveillant Theia Holographic Radar™ if necessary to overcome issues caused by the proposed windfarms on Trimingham radar.</p> <ul style="list-style-type: none"> <li>• Confirm if either of the proposed mitigation solutions would be feasible and acceptable to you.</li> </ul>	
1.1.5.	MoD	1	2	<p><b>Cumulative Effects</b></p> <p>As well as the effects of the proposed EA1N and EA2 offshore windfarm arrays sites on Cromer and Trimingham radars, Chapter 15</p>	





ExQs 1	Question to: 1		Question:1	
			<p>of the ES [APP-063] acknowledges that there is a potential adverse cumulative effect with the East Anglia THREE site for the Trimingham radar, but that the applicant is content that technical or design mitigation measures can be put in place that would reduce the impact to 'not significant'.</p> <ul style="list-style-type: none"><li>• Is the MoD content that mitigation measures are available which would suitably mitigate any impact on the Trimingham radar from the three projects?</li></ul>	
1.1.6.	MoD, NATS	1	<b>2 Cumulative Effects</b> ES Chapter 15 [APP-063] states that the distance between EA1N windfarm site is approximately 39km, 43km and 40km from the offshore windfarm sites of Galloper, Greater Gabbard, and Scroby Sands respectively, with EA2 12km, 7km, and 46km from the same sites. The ESs consider that these three operational windfarms are would not have a cumulative impact on aviation operations in the area of the proposed windfarms.  a) Do you agree with the above assessment?	



ExQs 1	Question to: 1		Question:1	
			b) If you do not, please identify any outstanding concerns.	
1.2.	<b>Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))</b> <ul style="list-style-type: none"> <li>• Over-arching HRA</li> <li>• Offshore ornithology</li> <li>• Marine mammals</li> <li>• Benthic ecology (subtidal/intertidal)</li> <li>• Fish and shellfish ecology</li> <li>• Terrestrial ecology</li> <li>• Onshore ornithology</li> </ul>			
	<b>Over-arching HRA</b>			
1.2.1.	The Applicant, Natural England		<b>2 Habitats Regulations Assessment (HRA)</b> <b>Project Description: EA2</b> There appear to be some differences between the project description reported in Chapter 6 of the submitted Environmental Statement (ES) [APP-054] and that in the HRA Screening Report [APP-044]. Specifically, the former states that the offshore array area would be	The screening was for a larger area given the pre May 2019 array footprint. Therefore Natural England is content that the difference in scoping area doesn't impact on the advice we have already submitted at RR-059.



ExQs 1	Question to: 1		Question:1	
			<p>approximately 218.4km<sup>2</sup> whereas the latter states that it would be approximately 255km<sup>2</sup>. There are also differences in the overall area of the offshore export cable. The ES explains that a reduction in the wind farm area was made in May 2019. The HRA Screening Report [APP-044] states that the screening conclusions drawn from the project description at the time of screening (before that time) remain the same.</p> <p>a) Could the Applicant please explain how the updated project description has affected the zone of influence of potential impacts on European Sites? How would the updated Project Description change the screening exercise reported?</p> <p>b) Does Natural England have any comments on the Zone of Influence applied to the screening assessment, in addition to its request for additional screening of the sites listed on page 2 and 3 of [APP-043]?</p>	
1.2.2.	The Applicant	1	<b>HRA Screening Matrices: EA1N</b> There are a number of sites listed in the HRA Screening Report [APP-044] which are not present in the Screening Matrices [APP-045].	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>a) Please can the Applicant provide its rationale for excluding the following sites from the Screening Matrices:</p> <ul style="list-style-type: none"><li>- Minsmere to Walberswick Heaths and Marshes SAC</li><li>- Plymouth Sound and Estuaries SAC</li><li>- Severn Estuary SAC</li><li>- River Avon SAC</li><li>- Havet Omkring Nordre Ronner (SAC or SPA - not stated)</li><li>- Knudergrund SAC</li><li>- Lønstrup Rødgrund SAC</li><li>- Sandbanker ud for Thorsminde SAC</li><li>- Sandbanker ud for Thyboron SAC</li><li>- Thyboron Stenvolde SCI</li><li>- Littoral Cauchois SAC</li><li>- Panache De La Gironde Et Plateau Rocheux De Cordouan (Système Pertuis Gironde) SAC</li><li>- Pertuis Charentais SAC</li><li>- Mühlenberger Loch / Neßsandsci</li><li>- SchleswigHolsteinisches Elbastuar und angrenzende Flächen SAC</li><li>- Untereibe SCI</li></ul> <p>b) If additional matrices are required, please revise the numbering references of the matrices accordingly.</p>	



ExQs 1	Question to: 1	Question:1	
1.2.3.	The Applicant	<p><b>2 HRA Screening Matrices: EA2</b></p> <p>There are a number of sites listed in the HRA Screening Report [APP-044] which are not present in the Screening Matrices [APP-045].</p> <p>a) Please can the Applicant provide its rationale for excluding the following sites from the Screening Matrices:</p> <ul style="list-style-type: none"><li>- Havet Omking Norde Ronner SAC</li><li>- Knundegrund SAC</li><li>- Littoral Cauchois SAC</li><li>- Lonstrup Rodgrund SAC</li><li>- Muhlenberger Loch/Nessand SCI</li><li>- Panache De La Gironde Et Plateau Rocheux De Cordouan (Systeme Pertuis Gironde) SAC</li><li>- Pertuis Charentais SAC</li><li>- Plymouth Sound and Estuaries SAC</li><li>- River Avon SAC</li><li>- Saxa Water SPA</li><li>- Saxa Water Ramsar</li><li>- Sandbanker ud for Thyboron SAC</li><li>- Sandbanker ud for Thorsminde SAC</li><li>- Schleswig-Holsteinisches Elbastuar und angrenzende Flächen SAC</li><li>- Severn Estuary SAC</li><li>- Thyboron Stenvolde SCI</li><li>- Untereibe SCI</li></ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				b) If additional matrices are required, please revise the numbering references of the matrices accordingly.	
1.2.4.	The Applicant	1	2	<p><b>HRA Screening Matrices: Footnotes</b>            The footnotes in the HRA Screening Matrices [APP-045] do not refer to the specific paragraph numbers of the application documents in which the evidence can be found.</p> <p>a) In line with advice on page 11 of the Planning Inspectorate Advice Note Ten (HRA), could the Applicant please provide a revised version of the matrices with document and paragraph number references included as part of the updated reports that it intends to submit at Deadline 1.</p>	
1.2.5.	The Applicant	1	2	<p><b>HRA Screening: Approach to Ramsar Sites</b>            The Applicant appears to have combined Special Protection Areas (SPAs) and Ramsar sites in the Screening Matrices and in the Screening Report introduction section, but not always elsewhere in the Screening Report. In some cases, only the SPA is discussed in the Screening Report.</p>	This is confirmed in NE and Applicant SoCG.



ExQs 1	Question to: 1			Question:1	
				a) Please can the Applicant explain its approach to the assessment of Ramsar sites and explain why these have been combined with the relevant SPA in the Screening Matrices? b) Has this approach been agreed with Natural England for all of the listed Ramsar sites? c) If additional matrices are required, please revise the numbering references of the matrices accordingly.	
1.2.6.	Natural England	1	2	<b>HRA: Screening Conclusions</b> Could Natural England please comment on its satisfaction with the scope and conclusions of the Applicant's HRA screening exercise as reported in [APP-044] and [APP-045]? If this is dealt with through the SoCGs due at Deadline 1 there is no need for repetition here.	Natural England are satisfied with the HRA Screening exercise.
1.2.7.	The Applicant	1	2	<b>HRA: Conservation Objectives</b> a) Can the Applicant please provide the conservation objectives for the following European sites, which do not appear to have been included with the assessment [APP-043]: - Breydon Water SPA; - Broadland SPA; and,	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				- North Norfolk Coast SPA. b) Please could the Applicant explain how those conservation objectives have been considered in its assessment [APP-043]?	
1.2.8.	The Applicant	1	2	<b>Consultation with Other EEA States on HRA Matters</b> The submitted HRA material ([APP-043] – [APP-047]) contains limited evidence of consultation with other European Economic Area (EEA) states in relation to Likely Significant Effects on European sites. <ul style="list-style-type: none"> <li>Can the Applicant please clarify what, if any, consultation with other EEA states in relation to the LSE identified for European sites has been undertaken?</li> </ul>	
1.2.9.	The Applicant and Natural England	1	2	<b>HRA: Draft Review of Consents for Major Infrastructure Projects and Special Protection Areas</b> In August 2020, the Department for Business, Energy and Industrial Strategy (BEIS) published a Draft Review of Consents for Major Infrastructure Projects and Special Protection Areas. <ul style="list-style-type: none"> <li>Could the Applicant and Natural England please comment on the relevance of that</li> </ul>	Natural England’s view is that the BEIS Review of Consents for Major Infrastructure Projects and SPAs is highly relevant. Natural England and JNCC have advised that the Appropriate Assessment should include red throated diver as an interest feature for the Outer Thames Estuary SPA. Natural England also advised that East Anglia One North and East





ExQs 1	Question: 1		Question: 1	
			draft review to the HRA for the EA1N and EA2 projects?	<p>Anglia Two are among the list of projects that should be considered in the in-combination assessment.</p> <p>Please see Deadline 1 Appendix A5.</p>
<b>Offshore ornithology</b>				
1.2.10.	Natural England	1	<p><b>2 Outer Thames Estuary SPA: Operation and Maintenance Vessel Traffic</b></p> <p>The Applicant has responded (Point 2, Table 35 of [AS-036]) to Natural England's advice in relation to red-throated diver impacts arising from offshore site maintenance vessel traffic during the operation phase.</p> <ul style="list-style-type: none"> <li>a) Please could Natural England comment on its satisfaction with the Applicant's response?</li> <li>b) Specifically, to what extent does Natural England consider that the '<i>best-practice protocol for minimising disturbance to red-throated divers</i>' referred to by the Applicant would assist and is it adequately secured by the DML conditions pertaining to a project environmental management plan?</li> <li>c) Is Natural England satisfied that adequate safeguards against red-throated diver disturbance are secured</li> </ul>	<ul style="list-style-type: none"> <li>a) Partly satisfied, but as the location of the O&amp;M port is not known at this stage, Natural England recommends that the Applicant commits to mitigating impacts from vessels in future by commitment to best practice measures. Please see NE Deadline 1 Appendix A1b.</li> <li>b) Natural England notes that within both DMLs a condition requiring the production of an Environmental Management Plan is included. Within this condition it is secured that they will need to provide procedures to minimise disturbance to red-throated diver. We are content that</li> </ul>



ExQs 1	Question to: 1	Question:1		
			<p>in that event that helicopters are used for maintenance activities?</p>	<p>this ensures the mitigation can be secured.</p> <p>c) We are not aware of any evidence which recommends a minimum safe flight height for helicopters to avoid disturbance of divers. We would wish to see a minimum flight height restriction (based on best available evidence) to apply anywhere within the OTE SPA. This needs further consideration and securing within the DML.</p>
1.2.11.	The Applicant	1	<p><b>2 Red-Throated Diver: Project Environmental Management Plan (PEMP)</b>          Responding to Natural England's [RR-059], the Applicant states (Table 35 of [AS-036]) that the PEMP should be produced post-consent, once details of the project are confirmed. Accordingly, no draft of the document, which is secured by DML conditions, has been submitted.</p> <p>a) Can the Applicant explain why the DML conditions relating to the PEMP refer only to the purpose of minimising</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>disturbance to red-throated divers, whereas the Schedule of Mitigation [APP-574] in relation to operation effects (Mitigation Reference 6.4) states a wider purpose of reducing risk of physical injury or disturbance to offshore ornithology?</p> <p>b) Given the strong rationale for as much certainty as possible in respect of measures to minimise disturbance to red-throated divers, does the Applicant consider that it would be possible for a document akin to a 'Draft PEMP' to be produced at this stage, to be a certified document within the DCO and with which the eventual PEMP must accord in respect of red-throated diver mitigation?</p>	
1.2.12.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Assessment of Displacement of Red-Throated Divers by Offshore Cable Laying</b></p> <p>With reference to section 4.3.1.2.2 of [APP-043], the Applicant explains why the 10% displacement mortality for red-throated diver is considered to be highly precautionary and improbable, and a 1% rate is stated as applied to the assessment of integrity of the population which is a feature of Outer Thames Estuary SPA.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Could the Applicant please explain, with reference to supporting information, why a 1% rate was chosen.</li> </ul>	
1.2.13.	Natural England	1	2	<p><b>Outer Thames Estuary SPA: Seasonal Restriction on Cable Laying</b></p> <p>a) Please could Natural England respond to the Applicant's comments [AS-036] with regard to Point 5 of the Natural England relevant representation (RR) [RR-059], on the question of whether a seasonal restriction on cable-laying activity is necessary to minimise effects on red-throated diver?</p> <p>b) Could Natural England please clarify whether its comment at Point 5 that '<i>we are already unable to rule out AEOI in-combination from displacement as a result of disturbance within the SPA</i>' is referring to in-combination displacement due to already consented and operational projects, notwithstanding the East Anglia ONE North and TWO projects?</p>	<p>a) Please see NE Deadline 1 Appendices A1b, A4 and A5</p> <p>b) Yes, our response is referring to in-combination displacement due to already consented and operational projects. Please see NE Deadline 1 Appendix A4.</p>
1.2.14.	Natural England	1	2	<p><b>Collision Risk Modelling (CRM) Parameters</b></p>	<p>NE is aware that the applicant is updating and therefore we will respond at Deadline 2 once submitted into examination.</p>



ExQs 1	Question to: 1	Question:1		
			<p>The Applicant has responded to Natural England's advice about CRM parameters at Section 2 of Table 35 of [AS-036].</p> <ul style="list-style-type: none"> <li>a) Please could Natural England comment on any aspects of the Applicant's response that it still considers to be a cause for concern.</li> <li>b) In particular, how does Natural England respond to the Applicant's position that option 1 collision estimates are unreliable to an unknown extent due to limitations in the method for estimating seabird flight height estimates in this case?</li> </ul>	<p>Please also see Deadline 1 Appendix A1b in relation to our response on [AS-036].</p>
1.2.15.	The Applicant	1	<p><b>2 Flamborough and Filey Coast SPA: Project Alone Effects on Gannet</b></p> <p>In response to a request from the RSPB, the Applicant has agreed (Table 61 of [AS-036] and [AS-054]) to provide an updated project-alone assessment on gannet presented as a Population Viability Analysis output in the form the Counterfactual of Population Size.</p> <ul style="list-style-type: none"> <li>a) Could the Applicant please indicate at which deadline this updated assessment will be submitted into the Examination, noting that this should be made</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>available as early in the Examination as possible.</p> <p>b) When submitting this material, please could the Applicant set out the extent to which it has been seen and/or agreed by RSPB and Natural England.</p>	
1.2.16.	Natural England	1	<p><b>2 Avoidance Rates for Kittiwake and Gannet</b></p> <p>Natural England acknowledges that higher avoidance rates for gannet and kittiwake have been recommended by Bowgen &amp; Cook (2018) and notes in [RR-059] that it is currently considering its response to those recommendations.</p> <ul style="list-style-type: none"> <li>• Can Natural England provide an update on its response to these recommendations; is it likely to be forthcoming within the timescale of this Examination?</li> </ul>	<p>Natural England and the Statutory Nature Conservation Bodies (SNCBs) are currently reviewing the evidence on avoidance rates presented in Bowgen &amp; Cook (2018), and its applicability to SNCB advice on CRM. As part of this work, Natural England have recently commissioned the BTO to undertake work, including combining Avoidance rates from the 2014 review with the Avoidance Rates from Bowgen &amp; Cook (2018). Until that work is complete, Natural England's position remains that the appropriate Avoidance Rates to use with Band (2012) model are those set out in the SNCB guidance note JNCC et al. (2014), i.e. 98.9% for gannet</p>



ExQs 1	Question to: 1			Question:1	
					<p>and kittiwake with the 'Basic' Band model (i.e. Options 1 and 2).</p> <p>The work by the BTO required to inform the revision of the SNCB advice will be completed by March 2021 at the latest, and may be forthcoming within the timescale of the Examination, but unlikely.</p>
1.2.17.	The Applicant	1	2	<p><b>Flamborough and Filey Coast SPA: Effects on Breeding Seabird Assemblage Alone and In-Combination</b></p> <p>a) Please could the Applicant indicate when its assessment of effects on the seabird assemblage feature of the Flamborough and Filey Coast SPA (as referred to in Table 61 of [AS-036]) will be submitted to the Examination, noting that this should be made available as soon as possible?</p> <p>b) In doing so, please could the Applicant set out the extent to which the material has been seen and/or agreed by RSPB and Natural England.</p>	Watching Brief (WB) on responses



ExQs	Question: 1	Question: 1		
1.2.18.	Natural England and the Applicant	<b>1</b>	<b>2</b> <b>Cumulative and In-Combination Assessments for Offshore Ornithology</b> The Applicant has responded to Natural England's advice about cumulative and in-combination assessments at Sections 3 and 4 of Table 35 of [AS-036], albeit that its responses on many aspects of this topic were deferred until after the decision deadline for the Norfolk Vanguard and Hornsea Three projects.  a) In providing its updated information to inform appropriate assessment at Deadlines 1 and 3 (as confirmed in [AS-061]), please could the Applicant respond in full to those aspects of Natural England's advice [RR-059] and RSPB's representation [RR-067] to which it has not yet responded.  b) Where the Applicant has provided a substantive response to Natural England's points in [AS-036], please could Natural England comment on its satisfaction with those responses.	NE confirms we will provide further advice once further updates are provided. However, further NE advice is provided at Deadline A1b which responds to [AS-036].
1.2.19.	Natural England	<b>1</b>	<b>2</b> <b>Cumulative and In-Combination Assessment for Offshore Ornithology: Applicant's Precaution Note</b>	Please see NE Deadline 1 response Appendix A3.





ExQs 1	Question: 1		Question:1	
			<p>The Applicant submitted an Offshore Ornithology Precaution Note as Appendix 4 to its Rule 9 submissions [AS-041].</p> <ul style="list-style-type: none"> <li>Please could Natural England provide its comments on the content of this note as it relates to the proposed development?</li> </ul>	
1.2.20.	The Applicant and Natural England	1	<p><b>2 Ornithological Population Effects of Predicted Mortality Rates: Monitoring Studies</b></p> <ul style="list-style-type: none"> <li>Are the Applicant or Natural England aware of any monitoring studies having been undertaken on the observed ornithological population effects of predicted mortality rates from offshore wind farm impacts (displacement and/or collision), and the outcomes of these studies? If so, please provide details.</li> </ul>	<p>i) Displacement Natural England is not aware of any studies providing evidence of mortality effects as a result of displacement.</p> <p>ii) Collision For impacts on collision, there have been very few empirical studies looking at collisions at offshore windfarms. The only UK published study Natural England is aware of is the ORJIP (Offshore Wind Joint Industries Project) at Thanet which recorded a total of 6 collisions. However this study covered a small number of turbines on a single windfarm, and therefore not of a scale that allows population effects of</p>



ExQs 1	Question to: 1			Question:1	
					<p>predicted mortality rates to be fully considered.</p> <p>For more information please see NE Deadline 1 response Appendix A1b</p>
1.2.21.	Natural England	1	2	<p><b>Cumulative and In-Combination Assessment for Offshore Ornithology: Update Following Recent Decisions of the Secretary of State (SoS)</b></p> <p>The ExAs note Natural England’s intention [AS-063] to submit further advice at Deadline 1 about the Applicants’ information to support appropriate assessment in light of the recent SoS decisions and in response to the questions raised in Procedural Decision 18(a).</p> <ul style="list-style-type: none"> <li>The ExAs welcome additional clarity on Natural England’s position in these respects and requests that its Deadline 1 submissions are as full and reasoned as possible.</li> </ul>	<p>Our position on the HP3 and Norfolk Vanguard decisions hasn’t changed since our Norfolk Boreas responses which we have been included at NE Deadline 1 response Appendix A6, A7 and A8.</p>
1.2.22.	Natural England	1	2	<p><b>Cumulative and In-Combination Assessment: Natural England Submissions to the Norfolk Boreas Examination</b></p>	<p>Please see Norfolk Boreas responses which we have included at NE Deadline 1 response Appendix A6, A7 and A8.</p>



ExQs	Question: 1		Question: 1	
			<p>Natural England's [AS-063] suggests that its submissions to Deadline 14 of the Norfolk Boreas examination are of relevance to the ExA's consideration of the EA1N and EA2 applications.</p> <ul style="list-style-type: none"> <li>Please could Natural England submit a copy of the relevant parts of that response (and any other submissions to the Norfolk Boreas examination that it considers to be of relevance to these projects) into the examinations for EA1N and EA2?</li> </ul>	
1.2.23.	The Applicant and Natural England	1	<p><b>2 Post-Construction Monitoring for Offshore Ornithology</b></p> <p>The ExA notes both the concerns of Natural England at section 5 of [RR-059] with respect to post-construction monitoring provisions and comments from the RSPB about the need for a more detailed post-construction monitoring plan at this stage.</p> <p>a) Please could the Applicant respond to the comments of Natural England on this matter. What scope is there to include the areas suggested by Natural England for post-construction monitoring within the existing provisions of the</p>	<p>b) Natural England disagrees with the assertion made in Section 1.6.7.2 of [APP-590] that the findings of the EIA suggest no monitoring is required. We advise that the requirements for project specific monitoring are reviewed following a robust and thorough <b>HRA</b> process in particular for the OTE SPA.</p> <p>c) Natural England is not satisfied that sufficient monitoring has been secured in the DMLs and there are no conditions within the</p>



ExQs 1	Question to: 1			Question:1	
				<p>dDCO/DMLs and/or Offshore In-Principle Monitoring Plan?</p> <p>b) Could Natural England please respond to the Applicant's clarification that the strategic monitoring to which it refers in section 1.6.7.2 of [APP-590] would not be secured within this DCO?</p> <p>c) On the basis of this clarification, is Natural England satisfied that sufficient post-construction monitoring provisions for offshore ornithology are secured within the dDCO, DMLs and Offshore In-Principle Monitoring Plan? If not, what changes would it advise?</p>	<p>DML to secure a requirement for ornithological monitoring. Please see Deadline 1 response Appendix A1b highlighting residual impacts where monitoring will be required.</p>
1.2.24.	Royal Society for the Protection of Birds and the Applicant	1	2	<p><b>Royal Society for the Protection of Birds (RSPB) Representations</b></p> <p>The ExA notes the content of the RSPB's [RR-067] which sets out a number of outstanding concerns in relation to onshore and offshore ornithology. The ExA also acknowledges the RSPB's intention to engage with the Examination primarily through the Statement of Common Ground process due to resource limitations. The ExA has therefore refrained from directing written questions to the RSPB at this stage but makes the following requests:</p>	<p>Watching Brief (WB) on responses</p>



ExQs 1	Question to: 1			Question:1	
				a) Please could the Applicant and RSPB ensure that the SOCG captures and charts progress with all of the main points contained in [RR-067]. b) Should the RSPB wish to respond to any of the questions directed to other parties within ExQ1, it is welcome to do so.	
1.2.25.	Rijkswaterstaat and the Applicant	1	2	<p><b>Transboundary Effects: The Netherlands</b>            The ExA notes the content of the RR [RR-066] from Rijkswaterstaat (the Directorate-General for Public Works and Water Management/ Ministry of Infrastructure and Water Management of the Netherlands) regarding the Applicant's assessment of transboundary offshore ornithology effects. The draft SoCG [AS-048] notes that there is not yet agreement on this matter and that the next step is for the Applicant to respond to the RR. That response is set out in the Applicant's submission [AS-036].</p> a) Does Rijkswaterstaat accept the Applicant's explanation of its approach? If not, please respond to the points raised in the Applicant's justification set out at Table 59 of [AS-036]. b) In particular, does Rijkswaterstaat agree with the Applicant's statement that its	



ExQs 1	Question to: 1		Question:1	
			<p>HRA screening report [APP-044] and offshore ornithology cumulative impact assessment [APP-060] adequately take account of the effects on 'non-UK' birds?</p> <p>c) Could the Applicant please provide an updated position in the SoCG requested for Deadline 1.</p>	
	<b>Marine Mammals</b>			
1.2.26.	Marine Management Organisation (MMO) and the Applicant	<b>1</b>	<p><b>2 Inclusion of UXO Clearance Activities within DMLs</b></p> <p>The ExA notes the MMO's [RR-052] position that UXO (Unexploded Ordnance) clearance activities should not be included within the DMLs and rather should be determined via separate marine licence applications after the DCO consenting process and prior to construction. In Table 29 of [AS-036] the Applicant has set out the reasons why it has taken the approach it has taken and seeks to demonstrate how the DMLs adequately control UXO clearance activities. The submitted early draft SoCG [AS-051] states that discussion between the Applicant and the MMO on this matter is ongoing.</p> <p>a) Could the MMO please respond with reasons to the position set out by the Applicant, specifically that:</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<ul style="list-style-type: none"><li>- UXO clearance activities are adequately assessed in the submitted ES;</li><li>- the draft DML conditions provide adequately for post-consent approval by the MMO of mitigation for UXO clearance activities via the method statement for UXO clearance, the Marine Mammal Mitigation Protocol and the Site Integrity Plan;</li><li>- to request that a separate marine licence application (or applications) is made would be contrary to one of the intended purposes of the DCO regime, to streamline multiple consenting processes;</li><li>- a European Protected Species licence for any UXO campaign is capable of being applied for separately from the marine licensing of such activity, in an analogous way to the approach for piling activity authorised by DMLs; and,</li><li>- in the event that UXO clearance activities are required beyond the scope of what has been assessed in the ES and applied for via the DMLs, then a separate marine licence can</li></ul>	



ExQs 1	Question to: 1			Question:1	
				<p>be applied for, rather than needing to vary the DMLs?</p> <p>b) Please could the MMO provide a copy of the marine licence conditions for UXO clearance in its cited example of the Hornsea 2 project?</p> <p>c) Can the Applicant please provide any examples of other consented offshore wind projects which include UXO clearance works within the licensed marine activities covered by their DMLs? Where examples exist, please provide the text of deemed marine licence conditions dealing with UXO clearance activities.</p> <p>d) Please could the Applicant and MMO ensure that the SoCG requested for Deadline 1 provides an update on this matter.</p>	
1.2.27.	Marine Management Organisation	1	2	<p><b>UXO Clearance and Habitats Regulations Assessment</b></p> <p>In [RR-052], the MMO states in relation to UXO clearance and potential noise impacts on the Southern North Sea Special Area of Conservation (SAC) that <i>'a more detailed Habitats Regulations Assessment of this activity should follow post-consent together with the submission of a detailed marine</i></p>	Watching Brief (WB) on responses





ExQs 1	Question to: 1		Question:1		
				<p><i>licence application for the required UXO campaign'.</i></p> <ul style="list-style-type: none"> <li>Given that the Applicant seeks to include UXO clearance within the DMLs, does the MMO consider that the submitted Information to Support Appropriate Assessment and supporting material ([APP-043] – [APP-047]) provides sufficient information about, and assessment of, the potential effects on the integrity of the Southern North Sea SAC?</li> </ul>	
1.2.28.	The Applicant, Natural England, Marine Management Organisation, The Wildlife Trusts	1	2	<p><b>Disturbance of Harbour Porpoise from UXO Detonation and Piling: 20% Threshold</b></p> <p>Following Natural England's [RR-059], the Applicant notes in [AS-036] that its Information to Support Appropriate Assessment Report [APP-043] does not reflect the updated Conservation Objectives for the Southern North Sea SAC insofar as they state that disturbance of harbour porpoise will not exceed '<i>20% of the relevant area of the site in any given day</i>'. The Applicant accepts that two events of either UXO clearance or piling (or a combination of both) in a single day would</p>	<p>a) No comment  b) No comment  c) Please refer to NE Deadline 1 Appendix B1b  d) No further comment</p>



ExQs 1	Question: 1		Question:1	
			<p>exceed the 20% limit for the winter area only, with no exceedance for the summer area.</p> <ul style="list-style-type: none"><li>a) Please could the Applicant update the relevant sections of its Information to Support Appropriate Assessment Report [APP-043] (for example, by submission of an Addendum to that Report) to reflect the current Conservation Objectives for the Southern North Sea SAC. This should include the revised findings in respect of the effects on site integrity of more than one UXO clearance event, piling event or combination of both in any 24 hour period.</li><li>b) Could the Applicant clarify whether, in light of the above updates, it still considers there is a sound basis for the In-Principle Site Integrity Plan provisions at section 6.1, including that potentially more than one UXO detonation, piling event or combination of both could occur in any 24 hour period?</li><li>c) Do Natural England, the MMO, The Wildlife Trusts or any other relevant party wish to comment on the Applicant's reasoning in Table 36 of [APP-036] for not limiting UXO</li></ul>	



ExQs 1	Question to: 1			Question:1	
				<p>detonations and piling events to a total of one in any 24 hour period?</p> <p>d) Could all relevant parties please also ensure that the status of discussions on this issue is covered within the SoCGs requested for Deadline 1.</p>	
1.2.29.	The Applicant	1	2	<p><b>Restrictions on Concurrent UXO Detonation and Piling: Points of Clarification</b></p> <p>Could the Applicant please clarify the following points of detail:</p> <p>a) Please could the Applicant review paragraph 1035 of [APP-043], which states that it has been assumed that UXO clearance could be undertaken in the offshore cable corridor concurrently with piling in the array area. This appears to be inconsistent with the commitments at section 6.1 of the In-Principle Site Integrity Plan, which refers to the 'offshore development area', defined as the offshore order limits including both array area and export cable area, and the provisions of the draft Marine Mammal Mitigation Protocol (MMMP) [APP-591]. Could the Applicant please confirm what it is committing to</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>in terms of restrictions (spatial and temporal) on concurrent underwater piling and UXO events within the offshore order limits?</p> <p>b) Paragraph 634 of [APP-044] states '<i>the Applicant, if required, would ensure UXO detonation and piling would not occur at the same time...</i>'. Could the Applicant clarify whether 'if required' refers to piling/UXO clearance or mitigation in this statement?</p>	
1.2.30.	Natural England, Marine Management Organisation, The Wildlife Trusts	1	2	<p><b>Restrictions on Concurrent UXO Detonation and Piling: Security</b></p> <p>The ExA notes the Applicant's points at Table 36 of [AS-036] in response to Natural England's requests for security in the DMLs to limit UXO detonations and piling events to a total of one in any 24 hour period.</p> <ul style="list-style-type: none"> <li>Do Natural England, the MMO, The Wildlife Trusts or any other relevant party wish to comment on the Applicant's reasoning in Table 36 of [APP-036] that Site Integrity Plans, agreed post-consent in accordance with the In-Principle SIP, are an appropriate mechanism to manage this matter? If not, why not?</li> </ul>	Please refer to NE Deadline 1 response Appendix B1b.



ExQs	Question to: 1			Question:1	
1.2.31.	The Applicant, Natural England, Marine Management Organisation, The Wildlife Trusts	1	2	<p><b>Concurrent Piling at East Anglia ONE North and East Anglia TWO</b></p> <p>The In-Principle Site Integrity Plan [APP-594] states at bullet four of section 6.1 that '(t)here would be no concurrent piling or UXO detonation between the proposed East Anglia ONE North and East Anglia TWO projects if both projects are constructed at the same time'. However, it does not appear to limit the overall number of piling or UXO detonation events that could potentially occur within any 24 hour period across the two projects.</p> <p>a) Do Natural England, the MMO, The Wildlife Trusts and the Applicant consider that it should? Please given reasons for your position.</p> <p>b) Could Natural England please explain why it considers in [RR-059] that a DML condition would be a more appropriate way to secure the particular mitigation commitments relating to concurrent piling between the East Anglia ONE North and East Anglia TWO projects?</p> <p>c) Whilst noting the Applicant's response at Table 45 of [AS-036], could it please respond specifically to Natural England's suggestion that a 'Co-operation Plan /</p>	<p>a) Please refer to NE Deadline 1 response Appendix B1b</p> <p>b) Please refer NE Deadline 1 response Appendix B1b and G1b</p> <p>c) No comment from NE</p>



ExQs 1	Question to: 1		Question:1	
			<p>Agreement' is required to be secured via DML condition for both projects to manage and mitigate underwater noise from piling and UXO activities in the event that construction periods for the two projects overlap?</p>	
1.2.32.	Natural England	1	<p><b>2 Harbour Porpoise of the Southern North Sea SAC: Assessment of Effects - SNCB Advice</b></p> <p>In their RR [RR-091], The Wildlife Trusts express disagreement with the SNCB's advice in relation to underwater noise management in the Southern North Sea SAC and the approach to assessment of impacts on harbour porpoise populations.</p> <ul style="list-style-type: none"> <li>• Please could Natural England respond to the concerns raised by The Wildlife Trusts in this regard, specifically statements that:             <ul style="list-style-type: none"> <li>- The science underpinning the advice on underwater noise management is weak and the proposed approach will be difficult to deliver; and,</li> <li>- A site-based assessment based on an estimate population number for the Southern North Sea SAC is</li> </ul> </li> </ul>	<p>The science and evidence used to underpin the SNCB advice on managing noise in harbour porpoise SACs, including why we consider it most appropriate to undertake assessments at the Management Unit scale, can be found in the short document '<i>JNCC (2020). Background to the advice on noise management within harbour porpoise SACs in England, Wales and Northern Ireland.</i>' <i>JNCC Report No. 653, JNCC, Peterborough, ISSN 0963-8091</i>, which is available here <a href="https://data.jncc.gov.uk/data/2e60a9a0-4366-4971-9327-2bc409e09784/JNCC-Report-653-FINAL-WEB.pdf">https://data.jncc.gov.uk/data/2e60a9a0-4366-4971-9327-2bc409e09784/JNCC-Report-653-FINAL-WEB.pdf</a></p>



ExQs	Question: 1			Question: 1	
				required, rather than an assessment on the North Sea Management Unit?	
1.2.33.	Natural England	1	2	<p><b>Commercial Fishing in Cumulative and In-Combination Marine Mammal Assessments</b></p> <p>The Wildlife Trusts [RR-091] make the case that commercial fishing activities should be included in cumulative and in-combination assessments as opposed to the Applicant's approach of including them as a part of the environmental baseline for the marine mammals assessment. The Wildlife Trusts refer to the Waddenzee judgement and judicial review proceedings in relation to the Dogger Bank SAC. The Applicant's response refers to the approach taken in the draft HRA for the BEIS Review of Consents and by other consented or planned offshore wind farms.</p> <ul style="list-style-type: none"> <li>Does Natural England consider that the Applicant's approach of including commercial fishing in the environmental baseline is sound in this case? Please explain the reasoning behind your position.</li> </ul>	When assessing the effects of a plan or project it is a requirement of the Habitats Directive that consideration is given to whether those effects are likely to be significant either individually or in combination with other plans or projects. In seeking to avoid deterioration and to properly assess the likely effects of a plan or project it is appropriate to take account of the prevailing factors acting on the site to the extent that they are capable of influencing the conservation objectives for the site. Where there is ongoing fishing activity on the site, it is appropriate to consider the effects of the plan or project that is the subject of the assessment in the context of those prevailing conditions, of which fishing impact may be one.
1.2.34.	The Applicant	1	2	<b>Southern North Sea SAC: Thresholds for the Significance of Disturbance Effects</b>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1		
			<p>Thresholds for the significance of disturbance effects in relation to Southern North Sea SAC conservation objectives for harbour porpoise are set out in Section 5.3 of [APP-043].</p> <ul style="list-style-type: none"> <li>Can the Applicant explain how the significance of disturbance effects for grey seal and harbour seal has been determined?</li> </ul>	
1.2.35.	The Applicant	1	<p><b>2 Marine Mammals: Acoustic Deterrent Devices</b></p> <p>The Applicant's marine mammal assessment [APP-043] makes reference to the use of acoustic deterrent devices (ADDs) as part of the mitigation to be secured within the final MMMP, and the assessment considers the adverse effects of this mitigation. The characteristics of the ADDs on which the assessment has been based appear not to be described in [APP-043] or in the draft MMMP. It is not clear, for example, what types of deterrents have been considered, which species / life history stage of a species these deterrents would target, where and how such deterrents would be implemented / fixed, any commitments to their ongoing upkeep, and the anticipated effectiveness of such deterrents (such as avoidance).</p>	Watching Brief (WB) on responses





ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Please could the Applicant confirm where this information is provided? If it is not included within the application documents, please provide it.</li> </ul>	
1.2.36.	The Applicant, Marine Management Organisation, Natural England and The Wildlife Trusts	1	2	<p><b>Marine Mammals: In-Principle Site Integrity Plan - Certainty</b></p> <p>Under the provisions of the dDCO, the future SIP(s) must accord with the principles set out in the In-Principle SIP (IPSIP), which is to be a certified document under Art 36. The submitted IPSIP [APP-594] appears to indicate (for example at Table 2.1) that the document itself would continue to be revised and updated following the grant of DCO consent.</p> <p>a) If the IPSIP is necessary to ensure the avoidance of Adverse Effects on Integrity of the designated features of the Southern North Sea SAC, does the scope for review and change to the IPSIP post-DCO consent provide sufficient certainty that it can be relied upon for its intended purpose in the DCO consenting process?</p> <p>b) In [APP-036] the Applicant refers to a statement in Table 2.1 of [APP-594] that '(a) alongside the in-principle SIP for UXO clearance an implementation plan and</p>	<p>a) Yes, Natural England considers that when the SIP is revisited post consent and prior to construction, the HRA will need to be updated. Therefore any changes to existing mitigation methods or new/additional mitigation measures can be implemented prior to construction commencing.</p> <p>b) No comment from NE.</p>



ExQs 1	Question to: 1			Question:1	
				<p><i>any monitoring requirements will also be drafted for any required measures'.</i>            Could the Applicant please expand on this statement?</p> <ul style="list-style-type: none"> <li>- What would be the function of the implementation plan relative to the IPSIP/SIP?</li> <li>- Is it envisaged that this would be within the scope of the material to be submitted to and approved in writing by the MMO under the relevant DML conditions?</li> </ul>	
1.2.37.	Natural England, Marine Management Organisation, The Wildlife Trusts and the Applicant	1	2	<p><b>In-Principle Site Integrity Plan – Potential Mitigation Measures</b>            The Applicant notes that the In-Principle SIP needs to retain a level of flexibility until the extent and nature of mitigation becomes clear, and that finalised SIPs must, under the conditions of the DMLs, be approved by the MMO prior to construction.</p> <ul style="list-style-type: none"> <li>a) In this context, do the MMO, Natural England and The Wildlife Trusts consider that the draft In-Principle Site Integrity Plan provides sufficient detail on potential mitigation measures?</li> </ul>	<ul style="list-style-type: none"> <li>a) NE is satisfied that the draft IPSIP provides sufficient detail at this time and will enable the consideration of advances in mitigation methods and technology between consent and when the review of the SIP is undertaken. However, we maintain our position with regards to securing essential mitigation to ensure no adverse effect on integrity. Please see NE Deadline 1 response Appendix B1b.</li> <li>b) No comment from NE</li> <li>c) No comment from NE</li> </ul>



ExQs 1	Question to: 1			Question:1	
				b) If not, what additional information should be included to provide sufficient detail? c) How does the Applicant respond to The Wildlife Trusts' request for underwater noise modelling at this stage to demonstrate the degree of noise reduction which could be achieved through mitigation?	
1.2.38.	Marine Management Organisation	1	2	<b>In-Principle Site Integrity Plans – MMO/BEIS Advice</b> The ExA notes the MMO's statement that the Department of Business, Energy and Industrial Strategy (BEIS) and MMO intend to provide further advice about the content of In-Principle SIPs for harbour porpoise SACs. <ul style="list-style-type: none"> <li>Can the MMO provide an estimate as to when this advice is expected to be available? Will it be within the timescales of this Examination?</li> </ul>	Watching Brief (WB) on responses
1.2.39.	Marine Management Organisation	1	2	<b>Site Integrity Plans – Mechanisms for Coordination</b> Natural England and The Wildlife Trusts state that they do not consider it possible to conclude that there would be no Adverse Effect on Integrity of the Southern North Sea	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>SAC due to the absence of a regulatory mechanism to manage, monitor and review multiple Site Integrity Plans across a range of offshore wind farm projects. This concern relates to the potential for in-combination underwater noise impacts affecting harbour porpoise populations.</p> <p>a) Can the MMO provide any reassurance in respect of how multiple SIPs will be managed, monitored and reviewed to avoid adverse effects on the integrity of the Southern North Sea SAC?</p> <p>b) The Applicant refers in [AS-036] to SIPs already in place for other consented projects. Is the MMO able to offer any emerging evidence from practice in those cases which may assist in providing reassurance that SIP coordination is capable of being managed successfully?</p>	
1.2.40.	The Applicant	1	2	<p><b>Site Integrity Plans: Point of Clarification</b></p> <p>The dDCO [APP-023] appears to provide for the production of separate Site Integrity Plans for UXO Clearance and piling activities.</p> <ul style="list-style-type: none"> <li>Can the Applicant clarify what is the maximum number of Site Integrity Plans</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				in relation to the Southern North Sea SAC that may be produced for a single project?	
1.2.41.	The Applicant and The Wildlife Trusts	1	2	<p><b>SIP and MMMP - Post-Consent Approvals</b>            The Applicant states in [AS-036] that it has agreed through the SoCG process that it will consult The Wildlife Trusts in respect of the Site Integrity Plans and Marine Mammal Mitigation Protocols for Unexploded Ordnance (UXO) clearance and piling. A SoCG between the Applicant and The Wildlife Trusts has not yet been submitted to this Examination.</p> <p>a) Do The Wildlife Trusts consider that this addresses their comments in [RR-091] on post-consent engagement?</p> <p>b) Could the Applicant please ensure that this is included in the SoCG requested for Deadline 1 and confirm whether and how this will require a change to relevant DCO / DML wording?</p>	
1.2.42.	Marine Management Organisation	1	2	<p><b>Marine Mammal Mitigation Protocol – Permanent Threshold Shift Range</b></p> <ul style="list-style-type: none"> <li>Please could the MMO respond to the Applicant’s explanation (in Table 29 of</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				[AS-036]) as to why it considers single strike sound exposure level (SELss) to be appropriate for the assessment of noise from UXO detonations and therefore used as the basis of proposed mitigation?	
1.2.43.	The Applicant, Marine Management Organisation	1	2	<p><b>Marine Mammal Mitigation Protocol: Point of Clarification</b></p> <p>The draft DMLs [APP-023] require that a final Marine Mammal Mitigation Protocol (MMMP) is approved prior to construction in respect of UXO clearance and piling activities associated with both the generation and transmission assets for each project. The submitted draft MMMP [APP-591] appears to indicate that separate MMMPs may be produced, at least in relation to piling and UXO clearance.</p> <ul style="list-style-type: none"> <li>a) Can the Applicant clarify what is the maximum number of Marine Mammal Mitigation Protocols that may be produced for a single project under the provisions of the draft DMLs?</li> <li>b) In the event that there would be more than one final MMMP, is there a need for coordination of their provisions?</li> </ul>	Watching Brief (WB) on responses



ExQs	Question: 1			Question: 1	
1.2.44.	The Applicant, Marine Management Organisation	1	2	<p><b>Construction Monitoring: Cessation of Piling Condition</b></p> <p>The Applicant states in Table 29 of [AS-036] that it does not consider it necessary to add provisions recommended by the MMO to the DML construction monitoring conditions which would require piling to cease if noise levels are significantly higher than those assessed in the ES, with recommencement dependent upon an updated MMMP and MMO agreement to further monitoring requirements.</p> <ul style="list-style-type: none"> <li>a) Does the Applicant maintain this position in light of the inclusion of similar conditions for recently consented projects such as at condition 19(3) and 14(3) of the Norfolk Vanguard DMLs?</li> <li>b) If so, please can the Applicant explain why the circumstances of the projects before us justify a different approach to that taken in the Norfolk Vanguard case?</li> <li>c) Please could the MMO respond to the Applicant's statement that the necessary enforcement powers already exist under the Marine and Coastal Access Act 2009?</li> </ul>	<p>Natural England supports the provisions recommended by MMO which would require piling to cease if noise levels are found to be significantly higher than those assessed in the environmental statement. We also note that this condition has already been applied to other projects and therefore we consider it a standard condition.</p>
1.2.45.	Marine Management Organisation and the Applicant	1	2	<p><b>Post-Construction Monitoring Commitments for Marine Mammals</b></p>	<p>Watching Brief (WB) on responses</p>



ExQs 1	Question to: 1			Question:1	
				<p>In Table 29 of [AS-029] the Applicant suggests amended wording to DML conditions relating to post-construction monitoring to remove reference to a three-year timescale. The Applicant also states that it will set out details of timescales for post-construction monitoring in the In-Principle Monitoring Plan [APP-590].</p> <p>a) Does the MMO consider that these changes adequately address its concerns?</p> <p>b) Does the Applicant intend to submit an updated version of the In-Principle Monitoring Plan to this Examination?</p>	
1.2.46.	The Wildlife Trusts, Natural England, Marine Management Organisation	1	2	<p><b>Southern North Sea SAC: Adequacy of Monitoring Commitments</b></p> <p>Concerns have been expressed by The Wildlife Trusts about the monitoring secured in the dDCO in respect of harbour porpoise and the Southern North Sea SAC. The Offshore In Principle Monitoring Plan [APP-590] signposts to provision for monitoring (if required) in the Draft Marine Mammal Mitigation Protocol [APP-591] and In-Principle Site Integrity Plan [APP-594]. All three are to be certified documents under Art 36 of the DCO.</p>	<p>a) Discussions regarding marine mammal monitoring are ongoing and we will provide an update at a future deadline.</p> <p>b) No comment from NE</p> <p>c) No comment from NE</p>





ExQs 1	Question to: 1			Question:1	
				a) Do the MMO and Natural England consider that the monitoring provisions included in the draft DMLs and subsidiary plans and protocols are fit for purpose in respect of marine mammals? b) Do The Wildlife Trusts wish to comment on the Applicant's response to its concern at line 011 of Table 66 in [AS-036]? c) What function do The Wildlife Trusts consider that any additional monitoring commitments would have and what form might they take?	
1.2.47.	Whale and Dolphin Conservation and the Applicant	1	2	<b>Whale and Dolphin Conservation: Participation in the Examinations</b> The Applicant states in [AS-036] that Whale and Dolphin Conservation (WDC) have advised that it will be making no further representations to these Examinations, however the ExA appears not to have received confirmation of this.  a) Please could WDC confirm whether this is the case? b) In any event, please could WDC indicate whether the concerns set out in their RRs [RR-090] continue to stand or whether the response provided by the	



ExQs 1	Question to: 1			Question:1	
				Applicant in Table 67 of [AS-036] has altered its position? c) Please could the Applicant provide a copy of the correspondence dated 15 April 2020 to which [AS-036] refers?	
	<b>Benthic ecology</b>				
1.2.48.	Natural England	1	2	<b>HRA screening (EA2)</b> Document 5.3.4 [APP-047] at page 44 states Natural England is content with the screening of sites with respect to marine mammals, but there is no equivalent statement with respect to other features of the marine environment, or the overall screening exercise. The screening exercise is not raised in Natural England's RR [RR-059]. Is Natural England satisfied with the scope and conclusions of the Applicant's HRA screening as reported in [APP-044] and [APP-045] and does it agree that there are no issues arising in relation to benthic ecology?	Natural England can confirm that no designated site for benthic features will be impacted by either EA1N or EA2. However, the DCO limits contain supporting habitats to the Outer Thames Estuary SPA and Southern North Sea SAC. In addition there is the Coraline Cragg feature which should be avoided.
1.2.49.	The Applicant, MMO	1	2	<b>HRA Screening (EA2)</b> Can the Applicant please respond to comments made by the MMO in its RR [RR-052] regarding benthic ecology and comment on how these may affect the conclusions drawn in the screening exercise? (The MMO is asked to comment on responses at Deadline 2.)	Watching Brief (WB) on responses



ExQs	Question to: 1	Question:1			
1.2.50.	MMO	1	2	<p><b>Micro-siting: benthic habitats</b></p> <p>Is the MMO [RR-052] content that the dDCO and DML are adequately drafted to ensure micro-siting to reduce or avoid impacts on valuable benthic habitats? Does anything else need to be provided for?</p>	Natural England notes that the Applicant intends to submit an Outline <i>Sabellaria spinulosa</i> reef Management Plan at Deadline 1 so NE will provide further advice at Deadline 2 or 3.
1.2.51.	The Applicant	1	2	<p><b>Sediment deposition: in-combination effects</b></p> <p>Please explain why it has been considered that no pathway exists for significant indirect in-combination effects to benthic ecology interest features from sediment deposition, given that East Anglia TWO and East Anglia ONE North may be constructed at the same time (or overlap) and that they partly share an offshore export cable route?</p>	Watching Brief (WB) on responses
<b>Fish and shellfish ecology</b>					
1.2.52.		1	2	<p><b>HRA screening (EA2)</b></p> <p>Document 5.3.4 [APP-047] at page 44 states Natural England is content with the screening of sites with respect to marine mammals, but there is no equivalent statement with respect to other features of the marine environment, or the overall screening exercise. The screening exercise is not raised in Natural England's RR [RR-059]. Is Natural England</p>	Natural England can confirm that we are satisfied with the marine environment HRA screening and conclusions and agree that there are no other Annex I or II designated site features significantly impacted by the proposals which haven't already be highlighted in our RR-059. We



ExQs 1	Question to: 1			Question:1	
				satisfied with the scope and conclusions of the Applicant's HRA screening as reported in [APP-044] and [APP-045] and does it agree that there are no issues arising in relation to fish and shellfish ecology?	can confirm that there are no HRA issues for fish and shellfish.
1.2.53.	The Wildlife Trusts	1	2	<p><b>In-combination Assessments: Inclusion of Fishing</b></p> <p>In [RR-091] The Wildlife Trusts raise a concern that fishing should be included in all cumulative and in-combination assessments. The Applicant responds to this position in [AS-036] (Comments on Relevant Representations - Volume 3: Technical Stakeholders). Are The Wildlife Trusts content with the explanation provided there? If not, please describe your outstanding concerns and set out the action that you consider the Applicant needs to take.</p>	
<b>Terrestrial ecology</b>					
1.2.54.	The Applicant	1	2	<p><b>Ecological Mitigation Plans (EMPs)</b></p> <p>Does the Applicant intend on submitting draft (outline) EMPs into the Examination? If this is not the case could the Applicant please explain the rationale in submitting an outline LMP but not EMP?</p>	Watching Brief (WB) on responses



ExQs	Question to: 1	Question:1	
1.2.55.	Natural England/ESC/SCC/Suffolk Wildlife Trust	<b>1</b>	<b>2</b> <b>EMP</b> As drafted, the DCO would allow individual EMPs to be brought forward for each stage of the transmission and grid connection work (onshore) under R11. Does the OLEMS provide a robust framework within which each of these separate EMPs could be produced?
1.2.56.	Natural England/ESC/SCC/Suffolk Wildlife Trust	<b>1</b>	<b>2</b> <b>Schedule of Mitigation, R21 and EMP</b> The Schedule of Mitigation [APP-575] repeatedly refers to adherence to the EMP as the mitigation but no draft EMP is provided. R21 requires the EMP to accord with the OLEMs. Are you satisfied that the OLEMs provides sufficient detail/certainty of specific mitigation measures and is there sufficient information for preparing future LMP(s)/EMP(s)?
1.2.57.	The Applicant	<b>1</b>	<b>2</b> <b>Ecological mitigation works</b> In the dDCO [APP-023], some ecological mitigation works are described as temporary and some as permanent. Work no 28 is described simply as ecological mitigation works. Could the Applicant consider whether the description needs to be amended to reflect if the works are permanent or temporary?



ExQs 1	Question to: 1			Question:1	
1.2.58.	The Applicant	1	2	<b>Ecological mitigation works</b> There is no definition of ecological mitigation works provided in the dDCO and it is not readily apparent how mitigation in the OLEMs for works no 14, 24, 28 and 29 relate. Can the Applicant provide a schedule setting out the nature of the ecological mitigation works envisaged under works no 14, 24, 28 and 29 <sup>1</sup> and provide evidence of the likely land requirement and making clear whether any of these works are required to support the HRA assessment conclusions.	Watching Brief (WB) on responses
1.2.59.	The Applicant/Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<b>Pre-construction surveys</b> A number of pre-construction ecological surveys are proposed prior to the production of the EMP(s). a) How are the pre-construction surveys secured? b) Should they be individually listed in R21?	After review of requirement 21 Natural England considers that the pre-construction surveys are not secured. It is our opinion that the surveys should be secured through the wording of Requirement 21 and that individual monitoring should be conducted. We will work with the Applicant to secure this.
1.2.60.	The Applicant/Suffolk Wildlife Trust	1	2	<b>Suffolk Wildlife Trust participation in the Examinations</b>	

<sup>1</sup> Refer to dDCO Question 1.5.21: Schedule of Mitigation



ExQs 1	Question to: 1			Question:1	
				<p>Applicant states in [AS-036] that Suffolk Wildlife Trust, in an email dated 29 April 2020, advised that they were stepping away from responding to casework and therefore would not be taking part in the Examination of the projects. The ExA appear not to have received confirmation of this.</p> <p>a) Please could Suffolk Wildlife Trust confirm whether this is the case. b) In any event please could Suffolk Wildlife Trust indicate whether the concerns set out in their RRs [RR-086] continue to stand or whether the response provided by the Applicants in [APP-036] has altered its position.</p> <p>Please could the Applicants provide a copy of the correspondence dated 29 April 2020.</p>	
1.2.61.	The Applicant/ ESC/SCC/Suffolk Wildlife Trust	1	2	<b>Biodiversity Net Gain and enhancement</b> SCC and ESC have raised concerns regarding the lack of commitment to biodiversity and net gain. Whilst noting that DEFRA has confirmed that Net Gain is not applicable to NSIPs in the UK Government's' draft Environment Bill, paragraph 5.3.4 of NPS EN-1 states that the Applicant should show how the project has taken advantage of	Natural England notes reference to paragraph 5.3.4 of EN-1; it is our view that this para. refers to general conservation and enhancement of <u>all</u> biodiversity incl. protected sites and species. It would be helpful if the ExA could please provide further clarification on what they are



ExQs 1	Question to: 1			Question:1	
				<p>opportunities to conserve and enhance biodiversity and geological conservation interests.</p> <p>a) Please could the Applicant provide an explanation of how they consider the application has taken advantage of enhancing biodiversity?</p> <p>b) Please could Natural England/ESC/SCC/Suffolk Wildlife Trust give a reasoned response on whether they consider the project accords with paragraph 5.3.4 of NPS EN-1.</p> <p>Please can you ensure that matters pertaining to biodiversity enhancement are included in the SoCGs</p>	<p>seeking advice on as depending on the response our answer could be wide ranging.</p> <p>In order to be as helpful as possible on this matter if wider biodiversity <u>outside</u> of designated site features and protected species, which would be subject to Biodiversity Net Gain considerations, then we advise that the Applicant/the decision maker must give consideration to the potential impacts on these as required by the NPS EN – 1 (e.g. paras 5.3.13 – 5.3.17 on pp. 71-72). Re conservation, this should include assessment of impacts against the current baseline and consideration of any necessary mitigation/compensation for these habitats and species within the ES.</p>
1.2.62.	Natural England	1	2	<p><b>Monitoring</b></p> <p>Can Natural England please confirm that they are content with the Applicant’s response in point 25 of Table 37 in [AS-036] with regards to grasslands and hedgerows monitoring?</p>	<p>Natural England notes that discussion on this issue is ongoing and will be progressed through the SoCG process Please see Deadline 1 response Appendix C1b.</p>





ExQs 1	Question to: 1	Question:1			
		1	2		
1.2.63.	The Applicant	1	2	<p><b>Mitigation</b> Section 22.6.1 'Potential Impacts During Construction' within ES Chapter 22 lists the proposed mitigation measures for each species 'which may be employed'. Can the Applicant confirm why the word 'may' is used and whether the resulting conclusions on the impacts following mitigation are based on all or just some of the mitigation measures being employed.</p>	
1.2.64.	The Applicant	1	2	<p><b>Updated assessments</b> The Applicant has stated that there were errors within the ES of the importance assigned to some nationally protected species [AS-036]. Can you please confirm when a review and reassessment will be submitted into the Examination?</p>	Watching Brief (WB) on responses
1.2.65.	The Applicant	1	2	<p><b>New assessments and statements</b> Could the Applicant please confirm when they expect to submit the following statements / assessments into the Examination as referred to in [AS-036]:</p> <ul style="list-style-type: none"> <li>a) Outline Watercourse Crossing Method Statement (please confirm if this will relate to Friston Beck and The Hundred River)</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				b) Outline Landfall Construction Method Statement c) Outline SPA Crossing Method Statement d) Hairy Dragonfly Assessment e) Clarification note on semi-natural broadleaved woodland f) NOx and Acid deposition impact assessment	
1.2.66.	The Applicant	1	2	<b>Hundred River crossing</b> Natural England in their RRs [RR-059] state that they would expect to see an assessment of alternative methods for the crossing of The Hundred River. Can the Applicant confirm whether such an assessment was undertaken and if so please can you submit this into the Examination?	Watching Brief (WB) on responses
1.2.67.	The Applicant/Natural England	1	2	<b>Hundred River crossing</b> The Hundred River feeds into the Sandlings SPA. Is there any risk that works at the crossing could impact on the qualifying features of the SPA?	Please see our Deadline 1 Appendix C1b and Our Risks and Issues Log Appendix I1b. Impacts to the Hundred River from open cut trenching is flagged as an outstanding concern, especially in relation to potential impacts to the Sandlings SPA feature, which we currently do not believe has been adequately assessed.



ExQs	Question: 1	Question: 1			
1.2.68.	The Applicant	1	2	<p><b>Badgers and Reptiles</b> Can the Applicant confirm whether they intend to submit an outline badger or reptile mitigation plan as per Natural England's request [RR-059]?</p>	Watching Brief (WB) on responses
1.2.69.	The Applicant	1	2	<p><b>Natural England standing advice</b> Can the Applicant confirm whether the proposed mitigation for protected species accords with Natural England's standing advice for each? Where it departs from such advice please provide a justification.</p>	Watching Brief (WB) on responses
1.2.70.	The Applicant/Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<p><b>Bats</b> ES Chapter 22 states as a worst case scenario it is assumed that the construction phase could result in approximately 11km of hedgerow being temporarily lost in the medium to long term (paragraph 196) which would represent an impact of at worst major adverse significance on bats. Please could you respond to the following points. a) Proposed mitigation includes reinstatement post construction which may take 5-7 years to establish. Appendix 6.4 of the ES - Cumulative Project Description [APP-453] does not include a programme of works for the onshore cable route. If the projects are</p>	<p>a) Please see NE Deadline 1 Appendix C1b Point 15.</p> <p>g) While the important hedgerows and trees preservation order plan is a certified document; Natural England can find no condition or requirement ensuring it will be followed. Natural England would therefore question how such reinstatement could be enforced.</p>



ExQs 1	Question to: 1		Question:1	
			<p>constructed sequentially could the Applicant please confirm the maximum duration that they would anticipate that the hedgerows would be removed before reinstatement begins?</p> <ul style="list-style-type: none"><li>b) Can you confirm that this duration was assessed as part of the ES?</li><li>c) Would there be any long term impacts on bat populations as a result of this duration?</li><li>d) Please can you include the programme of works for the onshore cable route in the amended Cumulative Project Description requested in question 1.0.16.</li><li>e) Can the Applicant please provide further information on why certain transects were chosen? Why was long covert excluded from transect 2 [APP-281]?</li><li>f) Could the Applicant confirm if they intend to submit an outline hedgerow mitigation plan?</li><li>g) Are Natural England/ESC/SCC/Suffolk Wildlife Trust satisfied that the reinstatement, management and maintenance of the replacement hedgerows is satisfactorily secured? Should this be contained within the LMP or EMP?</li></ul>	



ExQs 1	Question to: 1			Question:1	
				<p>h) Can the Applicant please confirm when an updated CIA with Sizewell in relation to bats will be submitted into the Examination?</p> <p>Please can Natural England confirm that they are satisfied that Figure 22.7a-g [APP-280] clearly maps the roosting, foraging and commuting areas for bats in relation to the red line boundary?</p>	
1.2.71.	The Applicant	1	2	<p><b>Great Crested Newts</b> Natural England have advised that the Applicant should approach Natural England for a Letter of No Impediment as early as possible with regards to Great Crested Newts. Can the Applicant confirm if they intend on approaching Natural England and if not can the Applicant explain why they consider this is not needed?</p>	
1.2.72.	The Applicant	1	2	<p><b>Woodland and hedgerows</b> Can the Applicant please respond to SWTs assertion that planting is not mitigation but compensation and that further compensatory measures are required [RR-086].</p>	
1.2.73.	The Applicant	1	2	<p><b>Woodland and hedgerows</b> Can the Applicant please respond to the following:</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				a) Please can you provide a justification of why the three locations of woodland loss is unavoidable? b) Paragraph 190 of ES Chapter 22 [APP-070] states that at least an equivalent area of lost woodland will be replanted. Where would this be and when would it be planted? Could this replanting begin prior to the areas that would be lost? How is this secured?	
				Mitigation included within Paragraph 193 of ES Chapter 22 states that planting above buried cables is provided for in the OLEMs. Could you draw the ExAs attention to this provision in the OLEMs?	
1.2.74.	ESC/SCC	1	2	<b>Arboricultural Method Statement (AMS)</b> The Schedule of Mitigation [APP-575] states at ref 5.4 that woodland planting would be implemented through the LMP and AMS. Are you satisfied that this is sufficiently secured? Should this be in the LMP or EMP? Is there sufficient information in the OLEMs to satisfy that an AMS will do its job?	
1.2.75.	ESC/SCC	1	2	<b>Growth rate</b> Please expand on your concerns regarding planting growth rates.	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1			
1.2.76.	ESC/SCC	1	2	<b>Ecological receptors</b> Please expand on your concerns [RR-002 and RR-007] that there are some ecological receptors which are either not considered to have been fully assessed or have insufficient mitigation/compensation measures identified within the ESs and secured in the dDCO.	Watching Brief (WB) on responses
1.2.77.	The Applicant/ The Woodland Trust	1	2	<b>Grove Wood</b> Can The Woodland Trust confirm that they are content with the Applicant's response in Table 53 in [AS-036]. Can the Applicant confirm if there is an AMS to provide to the Woodland Trust in order for them to assess whether veteran trees will be impacted by proposed works?	
1.2.78.	The Applicant	1	2	<b>CIA</b> Please can you confirm that the CIA for the two projects was based on the maximum working width for the two projects as stated in ES Appendix 6.4 'Cumulative Project Description' [APP-453] and the maximum parameters set out in R12.	Watching Brief (WB) on responses
1.2.79.	ESC/SCC	1	2	<b>Noise</b>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				Please can you confirm what assessments you would expect to see in relation to the impact of noise on ecological receptors? [RR-002] and [RR-007]	
1.2.80.	The Applicant	1	2	<p><b>Marlesford Bridge</b>            Considering the off-site highway works at Marlesford Junction includes a large land parcel, can the Applicant confirm whether ecological studies at this location have been undertaken, and if not, could the Applicant provide a reason for why these studies have not been undertaken?</p>	Watching Brief (WB) on responses
<b>Onshore ornithology</b>					
1.2.81.	Royal Society for the Protection of Birds and the Applicant			<p><b>Royal Society for the Protection of Birds (RSPB) Representations</b>            The ExA notes the content of the RSPB's [RR-067] which sets out a number of outstanding concerns in relation to onshore and offshore ornithology. The ExA also acknowledges the RSPB's intention to engage with the Examination primarily through the Statement of Common Ground process due to resource limitations. The ExA has therefore refrained from directing written questions to the RSPB at this stage but makes the following requests:</p>	





ExQs 1	Question to: 1			Question:1	
				a) Please could the Applicant and RSPB ensure that the SOCG captures and charts progress with all of the main points contained in [RR-067]. b) Should the RSPB wish to respond to any of the questions directed to other parties within ExQ1, it is welcome to do so.	
1.2.82.	The Applicant	<b>1</b>	<b>2</b>	<b>Breeding Bird Survey</b> Could the Applicant provide robust justification for not extending the 2018 breeding bird survey to extend across the entirety of the order limits? Has the Applicant consulted with Natural England or the local authorities regarding the extent of their breeding bird surveys?	Watching Brief (WB) on responses
1.2.83.	The Applicant	<b>1</b>	<b>2</b>	<b>HRA methodology</b> In Chapter 2 (HRA Methodology) of the HRA Screening Report [APP-044], the approach to the Stage 1 screening process (2.1.1.1) and the selection of sites with the potential to be affected by the Proposed Development is presented by the Applicant as being a general methodology applicable to all interest groups included at screening. However, the sub-header at 2.1.2 (Onshore Ornithology Screening Summary) suggests that the approach outlined may in fact be specific to	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				this feature group only. Please clarify what should be considered as the Applicant's general approach to the Stage 1 screening process.	
1.2.84.	The Applicant	1	2	<b>Worst case scenario and noise</b> Can the Applicant justify the conclusion that constructing EA1N and EA2 sequentially rather than simultaneously will result in the worst case scenario, considering that if constructed simultaneously the noise emitted would be greater?	Watching Brief (WB) on responses
1.2.85.	Natural England, Suffolk Wildlife Trust	1	2	<b>Sandlings SPA crossing</b> Please respond to the following: a) Whilst noting that open cut trenching is not your preferred option for the SPA crossing, please comment on the Applicant's explanation that open cut trenching would have less of an impact than HDD. Are you confident that there is sufficient certainty and security for the proposed mitigation relied upon by the Applicant in this scenario? b) Do you consider the need for any further mitigation beyond that already set out by the Applicant?	Please see NE Deadline 1 Appendix C2 (Outline SPA Crossing Method Statement).



ExQs 1	Question to: 1			Question:1	
1.2.86.	The Applicant	1	2	<b>Sandlings SPA crossing</b> Please respond to the following:  a) Proposed mitigation for works at the SPA crossing and within 200m includes a seasonal restriction. How is the SPA crossing area defined? Should this be linked to a works no. or can the Applicant provide a plan showing the extent of the area that would be subject to the seasonal restriction?  b) Should the seasonal restriction be specifically referred to within the DCO?  c) What engagement with RSPB has taken place in relation to the SPA crossing?  d) The ExA note your preference for open cut trenching yet works no 11 and 13 include HDD compounds. Does this wording need refining on the basis that these would only be needed if that option was taken.  e) Work no 12 appears to be within the SPA crossing area and includes the construction of haul road and access. Would the haul road be affected by the seasonal restriction?  f) Are there any implications for land take in the event that a trenchless technique is used?	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				g) Can you confirm that if a trenchless technique is used the maximum working width of the onshore cable route must not exceed 90m applies as a total or individually to both projects i.e. 180m? h) When and through what process would the cable crossing methodology be decided?	
1.2.87.	The Applicant	1	2	<b>Sandlings SPA</b> During construction to what extent will the crossing point in Sandlings SPA be restricted to public access? To what extent have indirect effects from displaced visitors to other parts of the SPA and therefore increase visitor pressure on the breeding territories of nightjar and woodlark been considered?	Watching Brief (WB) on responses
1.2.88.	The Applicant	1	2	<b>Sandlings SPA</b> The anticipated volumes or extent of cable protection measures has not been described. These measures could have the potential for AEOI to relevant features of Sandlings SPA. The Applicant should explain in detail the anticipated volume and extent of such measures and clarify the likely effects particularly if EA1N and EA2 cable routes are constructed sequentially (rather than the same time).	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
1.2.89.	The Applicant	1	2	<b>Seasonal restrictions</b> a) Where are the commitments listed in Table 3.2 of [APP-043] secured in the DCO? b) Where seasonal restrictions are assumed what will this involve i.e. is this cessation of work or cessation/restriction of certain activities? c) Clarify the statements made in the Information to support the AA that seasonal restriction is not possible for HDD (Appendix 4) but that it would be restricted for up to six months per year within the two year construction period (Table 3.2 and elsewhere in [APP-043]) – can a seasonal restriction be applied to HDD or not?	Watching Brief (WB) on responses
1.2.90.	Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<b>Seasonal restrictions</b> In point 1 of Table 37 [AS-036] the Applicant has confirmed that the seasonal restriction proposed by the Applicant applies only to works associated with crossing the SPA and works associated with crossing the SPA within 200m of the SPA.  <ul style="list-style-type: none"> <li>Please can you set out your reasons for advising that all cable line construction</li> </ul>	Please see our Deadline 1 response Appendix C1b, C2, I1b and our Statement of Common Ground with the Applicant.



ExQs 1	Question to: 1	Question:1			
				works in the boundary, or within 200m of the Sandlings SPA and Lesiton to Aldeburgh SSSI is undertaken outside the breeding bird season. Do you consider that the Applicant's response on this point is capable of having acceptable impacts on the SPA?	
1.2.91.	The Applicant/ESC/SCC			<p><b>Landfall</b></p> <p>a) In light of the sensitivity of the inter-tidal area is sufficient information currently provided to secure the embedded mitigation of HDD at landfall?</p> <p>b) Should the dDCO provide additional clarification/detail such as through the expansion of R13 to set out what should be included?</p>	Watching Brief (WB) on responses
1.2.92.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Cable parameters</b></p> <p>Please provide a plan showing the maximum working widths for the onshore cable route set out in R12(14)(a) in relation to the Leiston-Aldeburgh SSSI and Sandlings SPA from landfall to the SPA crossing area.</p>	Watching Brief (WB) on responses
1.2.93.	NE/ESC/SCC/Suffolk Wildlife Trust	<b>1</b>	<b>2</b>	<p><b>Nightingale</b></p> <p>The proposed mitigation for nightingale includes the creation of habitat somewhere</p>	Please see our advice on the draft Outline Sandlings Crossing



ExQs	Question to: 1	Question:1			
				where the onshore development area overlaps the SPA/SSSI. This is deferred to the EMP. Are you confident that such a suitable area can be found?	method Statement NE Deadline 1 Appendix C3.
1.2.94.	Natural England/ESC/SCC/Suffolk Wildlife Trust	1	2	<b>Marsh Warbler and Bewick's Swan</b> ES Chapter 23 identifies pre-mitigation effects on Marsh Warbler and Bewick's Swan for disturbance during construction with mitigation secured through the BBPP. No outline BBPP has been provided. Are you satisfied that this is sufficiently secured?	Natural England understands that the Applicant intends to update the OLEMS (APP-584) to reflect measures in the Outline SPA Crossing Method Statement.  We are content to provide further advice at that time.
1.2.95.	Natural England/ESC/SCC/NWT	1	2	<b>Turtle Doves</b> Do you consider that the compensatory measures for turtle doves provides at least an equivalent value of biodiversity to that which is being lost?	Please see our advice on the draft Outline Sandlings Crossing method Statement Deadline 1 response Appendix C3.
1.2.96.	The Applicant	1	2	<b>Nightjar and Woodlark</b> Micrositing would be used within the SSSI to avoid suitable nightjar and woodlark nest locations. What would happen if the working width of the onshore cable route means that this is not possible?	Watching Brief (WB) on responses
1.2.97.	The Applicant	1	2	<b>Nightjar and Woodlark</b>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1		
			Are pre-construction surveys proposed to confirm absence of breeding nightjar and woodlark? If so, will this mitigation be secured in the BBPP?	
1.3.	<b>Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations – N/A to NE’s remit</b>			
1.3.1.	The Applicant	1	<b>2 Compulsory Acquisition (CA) and Temporary Possession (TP): general</b> Please confirm that all references to and citing of legislation and guidance in all documents submitted with this application are accurate and up to date.	
1.3.2.	The Applicant	1	<b>2 CA and TP: general</b> With regard to the outcomes from continuing due diligence, the Applicant is requested to complete the attached Objections Schedule with information about any objections to the CA and/ or TP proposals, and at each successive deadline to make any new entries, or delete any entries that it considers no longer apply, taking account of the positions expressed in RRs and written representations (WRs) and giving reasons for any additions or deletions.(See <b>Annex A</b> to ExQs1 below). The Objections Schedule should be titled <b>ExQs1.3.2: Schedule of CA and TP Objections: EA1N</b> . It should be comparable	





ExQs 1	Question to: 1	Question:1		
			<p>to and cross-referenced with that compared for EA2.</p> <p>A separate but comparable and cross-referenced Objections Schedule, titled <b>ExQs1.3.2: Schedule of CA and TP Objections: EA2</b> should also be prepared and submitted.</p> <p>Both schedules should be provided with a version number that rolls forward with each deadline.</p> <p>If at any given deadline an empty schedule is provided for either application, a revised schedule need not be provided for that application at any subsequent deadline unless the Applicant becomes aware that the data and assumptions on which the empty schedule was provided have changed.</p>	
1.3.3.	The Applicant	<b>1</b>	<p><b>2 Crown Land and Consent</b></p> <p>With regard to the outcomes from continuing due diligence, the Applicant is requested to provide and at each subsequent deadline to maintain and submit a table identifying any Crown interests subject to PA2008 s135 with reference to the latest available Books of Reference (BoRs) and the Land Plans, to</p>	



ExQs 1	Question to: 1		Question:1	
			<p>identify whether consent is required with respect to s135(1)(b) and/or s135(2) and what progress has been made to obtain such consent(s). The table should be titled <b>ExQ1.3.3: Crown Land and Consent: EA1N.</b></p> <p>Written evidence of consent(s) obtained must be provided at the first available deadline and in any case by Deadline 9.</p> <p>A separate but comparable table, titled <b>ExQ1.3.3: Crown Land and Consent: EA2.</b></p> <p>Both tables should be provided with a version number that rolls forward with each deadline.</p> <p>If at any given deadline an empty table is provided, a revised table need not be provided at any subsequent deadline unless the Applicant becomes aware that the data and assumptions on which the empty table was provided have changed.</p>	
1.3.4.	The Applicant	<b>1</b>	<b>2</b> <b>Statutory undertakers: land or rights</b> The Applicant is requested to review RRs and WRs made as the examination progresses alongside its land and rights information systems and to prepare and at each successive deadline update as required a table	



ExQs 1	Question to: 1		Question:1	
			<p>identifying and responding to any representations made by statutory undertakers with land or rights to which PA2008 s 127 applies. Where such representations are identified, the applicant is requested to identify:</p> <ul style="list-style-type: none"><li>a) the name of the statutory undertaker;</li><li>b) the nature of the undertaking;</li><li>c) the land and/ or rights affected (identified with reference to the most recent version of the Book of Reference (BoR) and Land Plan available at that time);</li><li>d) in relation to land, whether and if so how the tests in PA2008 s127(3)(a) or (b) can be met;</li><li>e) in relation to rights, whether and if so how the tests in s127(6)(a) or (b) can be met; and</li><li>f) in relation to these matters, whether any protective provisions and /or commercial agreements are anticipated, and if so:<ul style="list-style-type: none"><li>i. whether these are already available to the ExA in draft or final form,</li></ul></li></ul>	



ExQs 1	Question to: 1		Question:1	
			<ul style="list-style-type: none"><li>ii. whether a new document describing them is attached to the response to this question or</li><li>iii. whether further work is required before they can be documented; and</li></ul> <p>g) in relation to a statutory undertaker named in an earlier version of the table but in respect of which a settlement has been reached:</p> <ul style="list-style-type: none"><li>i. whether the settlement has resulted in that statutory undertaker's representation(s) being withdrawn in whole or part; and</li><li>ii. identifying any documents providing evidence of agreement and withdrawal.</li></ul> <p>The table should be titled <b>ExQ1.3.4: PA2008 s127 Statutory Undertakers' Land/ Rights: EA1N.</b></p> <p>A separate but comparable and cross-referenced table should be prepared in response to this question, titled <b>ExQ1.3.4: PA2008 s127 Statutory Undertakers' Land/ Rights: EA12</b></p>	



ExQs 1	Question to: 1	Question:1		
			<p>Both tables should be provided with a version number that rolls forward with each deadline.</p> <p>If at any given deadline, an empty table is provided, a revised table need not be provided at any subsequent deadline unless the Applicant becomes aware that the data and assumptions on which the empty table was provided have changed.</p>	
1.3.5.	The Applicant	1	<p><b>2 Statutory undertakers: extinguishment of rights and removal of apparatus etc.</b></p> <p>The Applicant is requested to review its proposals relating to CA or TP of land and/ or rights and to prepare and at each successive deadline update a table identifying if these proposals affect the relevant rights or relevant apparatus of any statutory undertakers to which PA2008 s138 applies. If such rights or apparatus are identified, the applicant is requested to identify:</p> <ul style="list-style-type: none"> <li>a) the name of the statutory undertaker;</li> <li>b) the nature of the undertaking;</li> <li>c) the relevant rights to be extinguished; and/or</li> <li>d) the relevant apparatus to be removed;</li> <li>e) how the test in s138(4) can be met; and</li> </ul>	



ExQs 1	Question to: 1		Question:1	
			<p>f) in relation to these matters, whether any protective provisions and /or commercial agreement are anticipated, and if so:</p> <ul style="list-style-type: none"><li>i. whether these are already available to the ExA in draft or final form,</li><li>ii. whether a new document describing them is attached to the response to this question or</li><li>iii. whether further work is required before they can be documented; and</li></ul> <p>g) in relation to a statutory undertaker named in an earlier version of the table but in respect of which a settlement has been reached:</p> <ul style="list-style-type: none"><li>i. whether the settlement has resulted in that statutory undertaker's representation(s) being withdrawn in whole or part; and</li><li>ii. identifying any documents providing evidence of agreement and withdrawal.</li></ul> <p>The table should be titled <b>ExQ1.3.5: PA2008 s138 Statutory Undertakers Apparatus etc.: EA1N.</b></p>	



ExQs 1	Question to: 1	Question:1		
			<p>A separate but comparable and cross-referenced table should be prepared in response to this question, titled <b>ExQ1.3.5: PA2008 s138 Statutory Undertakers Apparatus etc.: EA2.</b></p> <p>Both tables should be provided with a version number that rolls forward with each deadline.</p> <p>If at any given deadline, an empty table is provided, a revised table need not be provided at any subsequent deadline unless the Applicant becomes aware that the data and assumptions on which the empty table was provided have changed.</p>	
1.3.6.	The Applicant	<b>1</b>	<p><b>2 Land Plans</b></p> <p>Document reference 2.2.2 revision A was submitted by you following section 51 advice at acceptance [AS-001].</p> <p>Please confirm that</p> <ul style="list-style-type: none"> <li>a) this should be titled "Land Plan (onshore)"; and</li> <li>b) plot 1 as shown on sheets 1 and 2 runs between the mean low water and mean high water marks.</li> </ul>	
1.3.7.	The Applicant	<b>1</b>	<p><b>2 Land Plans</b></p>	



ExQs 1	Question to: 1	Question:1		
			<p>Plot 1 is shown on Sheets 1 and 2 of the onshore Land Plan [AS-001] as lying between mean low water and mean high water with ownership stated as unknown.</p> <ul style="list-style-type: none"> <li>Please confirm that no Crown interest subsists over it.</li> </ul>	
1.3.8.	The Applicant	1	<p><b>2 Land Plans</b></p> <p>Sheet 1 of the Land Plan [AS-001] shows a highway access off the B1353 Thorpe Road (plot 9), described in the BoR (AS-005) as "north of Thorpe Road ..." and paragraph 288 of the Project Description says that "Access to the landfall (site) will be via Sizewell Gap (no construction access for the landfall will be required via Thorpeness Road)."</p> <p>Please explain</p> <ol style="list-style-type: none"> <li>is the B1353 Thorpe Road or Thorpeness Road?</li> <li>why plot 9 is needed and what it will be used for.</li> </ol>	
1.3.9.	The Applicant	1	<p><b>2 Land Plans</b></p> <p>Document reference 2.2.1 revision 2 was submitted by you following section 51 advice</p>	





ExQs 1	Question to: 1		Question:1	
			<p>at acceptance [AS-002]. On the inset the red line boundary appears to run along the mean high water mark.</p> <p>Please confirm that</p> <ul style="list-style-type: none"> <li>a) this should be titled "Land Plan (offshore)"; and</li> <li>b) the red line boundary runs along the mean low water mark on the foreshore.</li> </ul>	
1.3.10.	The Applicant		<p><b>2 Land Plans</b></p> <p>Please</p> <ul style="list-style-type: none"> <li>a) give an update on progress on deciding the outstanding choice of alignment offshore shown on the offshore land plan [AS-002] and</li> <li>b) confirm that whichever alignment is chosen the entire onshore development area is the same for both projects.</li> </ul>	
			<p><b>Draft DCO (dDCO) [APP-023]</b></p>	
1.3.11.	The Applicant	<b>1</b>	<p><b>2</b> Provision is made in the dDCO for compensation to be determined under Part 1 of the 1961 Act. It is acknowledged that a provision in this form is commonplace in DCOs and other Orders. However, Part 1 of the 1961 Act only relates to compensation for compulsory acquisition.</p>	



ExQs 1	Question to: 1			Question:1	
				In order for there to be certainty that this would apply in other situations (e.g. the temporary use of land under Arts 26 and 27) a) should a modification be included as with the other compensation provisions in Schedule 8? and b) if not, please explain why not.	
1.3.12.	The Applicant	<b>1</b>	<b>2</b>	In respect of the onshore works a) please confirm that the proposed Order limits are the same for the EA1N project as for the EA2 project; b) have corresponding (identical or essentially identical) works for each project be given the same Work Numbers in each dDCO? c) if so, is there an obligation on the undertaker to notify the SoS, the relevant local planning authority (LPA) and any relevant statutory bodies or Requirement consultees as to which DCO works are being commenced, before they are commenced? d) is there a prohibition on works being commenced under this DCO if they have already been commenced under the other DCO? e) if so, does R 38 need to cover any other works?	



ExQs 1	Question to: 1			Question:1	
				f) given that the same parcel of Order land has the same number in the Book of Reference for each project, if the land and rights to be acquired and restrictions to be imposed on a particular plot of land are the same, is provision needed in each dDCO to prevent CA or TP under one DCO if already implemented under the other DCO? g) If work is being carried out by separate contractors for each project on the same parcel of land at the same time, under which DCO are requirements to be enforced?	
1.3.13.	The Applicant	<b>1</b>	<b>2</b>	Bearing in mind the different definitions of statutory undertaker in s127 and s138 PA 2008, should the definition of "statutory undertaker" in Art 2(1) be amended?	
1.3.14.	The Applicant	<b>1</b>	<b>2</b>	In respect of TP, are all the provisions cited in Art 6 capable of being disapplied?	
1.3.15.	The Applicant	<b>1</b>	<b>2</b>	Should Art 20(1) be redrafted to make it clear that, for any plot of land, the undertaker may only acquire compulsorily those rights or impose those restrictive covenants	



ExQs 1	Question to: 1	Question:1		
			a) which are identified in the BoR as applying to that plot, and not simply for the purposes in Art 18; and b) over such of the Order land as may be required?	
1.3.16.	The Applicant	<b>1</b>	<b>2</b> Please amend the reference in brackets to Schedule 7 in Art 20 so that it matches the title of Schedule 7, and ensure that all other references to Schedules in the dDCO match the actual title of the Schedule to which they refer.	
1.3.17.	The Applicant	<b>1</b>	<b>2</b> According to the Explanatory Memorandum (EM) [APP-025], " <i>Article 21 provides that private rights over land subject to compulsory acquisition under Articles 18 and 20 of the Order are not to have effect to the extent that the continuance of those rights are (sic) inconsistent with the exercise of the powers under articles 18 and 20.</i> ".  Our understanding is that overriding is neither extinction nor full suspension against everyone, rather, it leaves the right in place but allows the undertaker a defence against breach or interference for the purposes of constructing and using the development authorised by the DCO,	



ExQs 1	Question to: 1	Question:1	
			a) Does this mean that private rights are to be overridden, suspended or extinguished? and b) to whom does notice need to be provided under Art 21(6)(a)?
1.3.18.	The Applicant	<b>1</b>	<b>2</b> With reference to Arts 22 and 23, there have been relatively recent changes to the relevant CA legislation.  Please confirm that reference has been made to the most up to date legislation.
1.3.19.	The Applicant	<b>1</b>	<b>2</b> Is the reference to Art 20 in the second line of Art 24 required?
1.3.20.	The Applicant	<b>1</b>	<b>2</b> Art 26 (1) refers to taking TP by a) serving notice of entry under the 1965 Act; b) making a declaration under s4 of the 1981 Act and; c) otherwise acquiring the land or rights over land.  Please explain the circumstances in which each of these will be used on the project.
1.3.21.	The Applicant	<b>1</b>	<b>2</b> Art 26(1)(e) refers to "any mitigation works or operations".



ExQs 1	Question to: 1	Question:1		
			Mitigation is not defined in Art 2 so a) what is meant by mitigation? and b) what is being mitigated?	
1.3.22.	The Applicant	<b>1</b>	<b>2</b> Art 43 refers to either a guarantee under 43(1)(a) or an alternative form of security under 43(1)(b), to be in place for no more than 15 years. a) Which of these do you propose to put in place, and why? b) Explain why you consider 15 years to be sufficient.	
1.3.23.	The Applicant	<b>1</b>	<b>2</b> Schedule 8 would modify CA enactments.  In paragraph 2(2)(a) should the phrase to be substituted be ..."land is acquired or taken from"...?	
1.3.24.	The Applicant	<b>1</b>	<b>2</b> <b>Explanatory Memorandum (EM) [APP-025]</b> In paragraph 4.32, referring to Art 20 (Compulsory acquisition of rights) you say <i>"This flexibility allows the undertaker to reduce the areas required for freehold acquisition and rely on new, permanent rights instead if this is appropriate in the circumstances. This flexibility is appropriate to</i>	



ExQs 1	Question to: 1		Question:1	
			<p><i>allow for continued negotiations with owners of Order land ...".</i></p> <ul style="list-style-type: none"> <li>a) Does this mean that if the land as shown on the Land Plan is more than is needed then rights in only that land which is needed will be taken?</li> <li>b) Does this also mean that only those rights which are necessary will be acquired?</li> <li>c) Rather than "appropriate", do you mean that this flexibility is necessary as a fall-back position in case negotiations with owners of Order land are unsuccessful? and</li> <li>d) By "owners" do you mean any person with rights in the land which you need to acquire?</li> </ul>	
			<p><b>Statement of Reasons [APP-026]</b></p>	
1.3.25.	The Applicant	<b>1</b>	<p><b>2</b> We note that this document has sequential paragraph numbering. This is generally helpful but Chapter 7 in particular is very long.</p> <p>Where there are subheadings within chapters, eg chapters 6 and 7, please number the chapter subheadings within the chapters to aid the reader, eg 7.1 Requirement for the Order Land, 7.2 Freehold title etc.</p>	



ExQs 1	Question to: 1	Question:1		
1.3.26.	The Applicant	1	2	Please confirm that, save when you are referring to both onshore and offshore land and works plans at the same time, all references to Land Plans and Works Plans (plural) should read Land Plan and Works Plan (singular), if necessary citing the sheet number: see paragraph 34 for example.
1.3.27.	The Applicant	1	2	<p>You state in paragraph 2 that "<i>The Project also comprises a second NSIP, namely, National Grid overhead line realignment works ...</i>": paragraph 1.3 of your Cover Letter [APP-001] also refers to "<i>certain exclusions</i>", whereas in paragraph 18 you appear to have listed the National Grid overhead line realignment works as associated development.</p> <p>Please explain</p> <ul style="list-style-type: none"><li>a) the rationale for your approach;</li><li>b) why the realignment works are necessary;</li><li>c) whether they are associated development or not; and</li><li>d) whether or not you are treating the Project as one NSIP.</li></ul>





ExQs 1	Question to: 1	Question:1	
1.3.28.	The Applicant	<b>1</b>	<b>2</b> In paragraph 16 you talk about your £25million investment in Associated British Ports' Hamilton Dock at Lowestoft.  Do you envisage using this facility for this project as well as the East Anglia ONE project?
1.3.29.	The Applicant	<b>1</b>	<b>2</b> In paragraph 22, you say that "The onshore cable corridor is an approximately 70m wide swathe within which the onshore cable route working width will be located." and in paragraph 40 you say with reference to the other East Anglia project that "both projects share the same order limits which are typically 70m in width and within these limits the typical 32m individual project working widths would be located."  a) Is the 70m first referred to the limit within which the 32m working width for the cable route for this project only is to be accommodated (Case 1); or b) is it to allow room for the other East Anglia project to be accommodated also, either at the same time or at a later stage? (Case 2):  If the former (Case 1),



ExQs 1	Question to: 1			Question:1	
				<p>c) please explain how there will be sufficient room for the second project to be constructed on land within the Order limits.</p> <p>If the latter (Case 2),</p> <p>d) does this mean that, working from landfall to grid connection, the first project will be constructed within a 32m strip of land located as close to the west and south of the 70m swathe as possible and the second project will be constructed within a 32m strip of land located adjacent ie as close to the east and north of the 70m swathe as possible (or vice versa) and the remaining 6m allows for micrositing?</p> <p>e) If so, why is the request for land which appears to be required for another project and not for this project included in this dDCO?</p> <p>f) And why are there not different works numbers for each project so that the anticipated land take for each project can be properly understood?</p>	
1.3.30.	The Applicant	<b>1</b>	<b>2</b>	In paragraph 22, you say that "The onshore cable corridor is an approximately 70m wide	



ExQs 1	Question to: 1			Question:1	
				<p>swathe within which the onshore cable route working width will be located." and in paragraph 40 you say with reference to the other East Anglia project that <i>"both projects share the same order limits which are typically 70m in width and within these limits the typical 32m individual project working widths would be located."</i></p> <p>Bearing in mind that the dDCO for the other project includes a request for CA over the same area of land, and that one project may be granted consent but not the other"</p> <p>a) what happens to any land found not to be required in each case? and b) how is this secured in the dDCO?</p>	
1.3.31.	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraph 23, you say that trenching may be used to cross the woodland to the west of Aldeburgh Road, the Leiston-Aldeburgh SSSI and Sandlings SPA, and also when crossing important hedgerows specified in Part 2 of Schedule 11 of the Order, and that this would be achieved by applying a range of special engineering techniques.</p> <p>a) What method is currently proposed for each of these crossings; and</p>	



ExQs 1	Question to: 1		Question:1	
			b) What special engineering techniques would be used?	
1.3.32.	The Applicant	<b>1</b>	<b>2</b> In paragraph 24 you say that " <i>The typical 32m working width would be widened to 50m to cross the Hundred River and to 90m if a trenchless technique is utilised to cross the Leiston – Aldeburgh SSSI and Sandlings SPA.</i> ".  In paragraph 74 you say " <i>where HDD is proposed, where the cables cross the Hundred River ...</i> " and in paragraph 75 you say that " <i>The typical working width would be widened to a maximum of 50m to cross the Hundred River ...and 90m if a HDD technique is utilised to cross the Leiston-Aldeburgh SSSI and Sandlings SPA.</i> ".  For the avoidance of doubt, please  a) state whether or not you will be using HDD or other trenchless technique to cross the Hundred River, the Leiston-Aldeburgh SSSI and the Sandlings SPA; b) explain, if you do not intend to use HDD or other trenchless technique to cross the Leiston-Aldeburgh SSSI and the	



ExQs 1	Question to: 1			Question:1	
				<p>Sandlings SPA, why this is the case and what method you intend to use;</p> <p>c) state which plots of land are affected in each case;</p> <p>d) state to what width the usual 70m width between the Order limits will be increased in each case, and justify the different additional widths at the different locations;</p> <p>e) confirm that you have sufficient land; and</p> <p>f) confirm that all the above is included in the EIA.</p>	
1.3.33.	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraph 75 you say that "<i>The typical 32m working width would be reduced to a maximum of 16.1m when crossing important hedgerows ... the Aldeburgh Road woodland ...</i>"</p> <p>a) How does the 70m width between the Order limits change at these locations?</p> <p>b) Which plots are affected? and</p> <p>c) Where is this shown on the onshore Land Plan?</p>	
1.3.34.	The Applicant	<b>1</b>	<b>2</b>	<p>Schedule 11 part 2 lists important hedgerows that will be crossed using a reduced working width with reference to the important</p>	



ExQs 1	Question to: 1		Question:1	
			<p>hedgerows and tree preservation order plan [APP-020].</p> <p>Please include in the crossing schedule and plan requested elsewhere in this question set details of important hedgerows crossed, specifying the necessary width and the crossing method to be used in each case.</p>	
1.3.35.	The Applicant	<b>1</b>	<b>2</b> In paragraph 33 you make reference to " <i>new National Grid infrastructure ... to be owned and operated by National Grid ...</i> ". You also make reference to this in paragraph 43 although you say there that " <i>It is anticipated that this infrastructure will ultimately be owned and operated by National Grid ...</i> ".  Please a) explain why these works are being procured by you, rather than by National Grid as owner and operator; and b) explain whether and if so why it is necessary for you to obtain consent for the entire National Grid substation if only this project is consented.	



ExQs 1	Question to: 1	Question:1		
1.3.36.	The Applicant	<b>1</b>	<b>2</b> In paragraph 35, you state that " <i>The Order Land is predominantly agricultural ...</i> ". <ul style="list-style-type: none"><li>• What is its agricultural land classification? Please clarify and add to the description.</li></ul>	
1.3.37.	The Applicant	<b>1</b>	<b>2</b> In paragraph 37 you say that in some cases the owner or beneficiary "has not yet been ascertained" and that you will "continue to seek details of the relevant party ..." <ul style="list-style-type: none"><li>• Where this remains the case, please confirm that 'unknown' has been entered into the relevant columns for each relevant plot in the BoR.</li></ul>	
1.3.38.	The Applicant	<b>1</b>	<b>2</b> In paragraph 50 you cite Article 1 of the First Protocol to the European Convention on Human Rights. <ul style="list-style-type: none"><li>• Why do you not also cite Articles 6 and 8 of the Convention?</li></ul>	
1.3.39.	The Applicant	<b>1</b>	<b>2</b> Please explain (paragraph 59) why the creation and maintenance of landscaping and ecological mitigation requires CA of the land and cannot be dealt with by means of a private agreement or permanent rights.	



ExQs 1	Question to: 1		Question:1	
1.3.40.	The Applicant	<b>1</b>	<b>2</b> In paragraph 60 you say ... <i>"the process to secure permanent rights compulsorily will commence only after temporary possession has first been taken of the relevant Order Land."</i>  a) Please explain why this is the case. b) What time period will elapse between taking TP and securing permanent rights?	
1.3.41.	The Applicant	<b>1</b>	<b>2</b> With reference to the restrictive covenants listed under the last bullet point of paragraph 66, will it be possible for plots of land described in paragraph 61, particularly agricultural land, to be used for agricultural purposes once the cables and associated jointing installations have been constructed?	
1.3.42.	The Applicant	<b>1</b>	<b>2</b> Paragraph 66 contains a list of the rights and covenants sought.  Given that the restrictive covenants are listed as (i) to (v) at bullet point 26, it would aid identification if the bullet points could instead be replaced with an alphabetical list running from a) to z).	





ExQs 1	Question to: 1	Question:1		
1.3.43.	The Applicant	1	2	In paragraph 67, should 68 read 66?
1.3.44.	The Applicant	1	2	In paragraph 68 you refer to " <i>the intertidal area ...</i> ". <ul style="list-style-type: none"><li>• Please specify the plots to which you refer.</li></ul>
1.3.45.	The Applicant	1	2	In paragraph 69 you refer to "the area of land connecting the intertidal area and the landfall ...". <ul style="list-style-type: none"><li>• Please specify the plots to which you refer.</li></ul>
1.3.46.	The Applicant	1	2	Please explain <ol style="list-style-type: none"><li>a) how the rights and covenants sought in paragraphs 66, 68 and 69 relate to the categories A to J inclusive listed in the table in the BoR [AS-005];</li><li>b) why so many different categories are needed; and</li><li>c) whether the number of categories could be reduced to aid understanding of what rights are sought over which plots of land.</li></ol>



ExQs 1	Question to: 1	Question:1			
1.3.47.	The Applicant	<b>1</b>	<b>2</b>	Paragraphs 70 to 73 refer to TP and the intention to reduce the amount of land affected by permanent rights and freehold acquisition and to minimise disruption to landowners. <ul style="list-style-type: none"><li>Where and how is this intention to minimise land affected secured in the dDCO?</li></ul>	
1.3.48.	The Applicant	<b>1</b>	<b>2</b>	In paragraph 83 you describe plot 7 as "an agricultural field ... where two transition bays will be located.". Are there any existing or planned uses of the land which would be interfered with after construction and which may require for instance the marking and/or protection of manhole covers or the like?	
1.3.49.	The Applicant	<b>1</b>	<b>2</b>	Please confirm that the temporary construction consolidation site (paragraph 84) occupying plot 8 is for construction activities only and not for maintenance and so will be removed when construction of the landfall HDD works is complete.	
1.3.50.	The Applicant	<b>1</b>	<b>2</b>	What will be the maximum size and weight of the vehicles using the existing farm track and	



ExQs 1	Question to: 1		Question:1	
			access track (paragraph 85), and what maximum daily traffic is expected?	
1.3.51.	The Applicant	<b>1</b>	<b>2</b> Chapter 9 deals with policy support for the Application. Please confirm that all policies referred to are extant and up to date.	
1.3.52.	The Applicant	<b>1</b>	<b>2</b> In paragraph 185 you say that you believe that <i>"it is both necessary and appropriate for the Order to include provisions allowing for the suspension, extinguishment and overriding of rights and covenants over the Order Land."</i> . Given Government guidance and your argument put in the remainder of this paragraph, do you mean that it is both necessary and proportionate for the Order to include such provisions?	
1.3.53.	The Applicant	<b>1</b>	<b>2</b> Paragraphs 197 to 202 put your 'compelling case in the public interest'.  Please a) expand to include a more detailed explanation of the compelling case; and b) explain your position in relation to the position of interested parties who have made RRs in which they support wind and other renewable energy, but using existing sites and an offshore ring main	



ExQs 1	Question to: 1		Question:1	
				and who therefore object to this application, not in principle but in detail.
1.3.54.	The Applicant	1	2	<p>Paragraph 249 deals with statutory undertakers and you say that ... <i>"Section 127 of the 2008 Act applies to statutory undertakers' land held for the purposes of the undertaking ..."</i>.</p> <ul style="list-style-type: none"><li>• Why have you not also referred to the circumstances set out in s127(1)(c)(ii) of the 2008 Act?</li></ul>
				<b>Funding Statement [APP-027]</b>
1.3.55.	The Applicant	1	2	<p>The examination of this project has been delayed.</p> <ul style="list-style-type: none"><li>• With reference to relevant national and global events that have occurred in the time since this document was prepared, please provide an update highlighting briefly any material changes either to the figures quoted or to the assumptions you made at the time this document was prepared, particularly in respect of your ability to satisfy statutory requirements.</li></ul>



ExQs 1	Question to: 1	Question:1	
1.3.56.	The Applicant	<b>1</b>	<b>2</b> The examination of this project has been delayed. Given the original likely timetable for this project and the current timetable,  a) please provide an update on what reliance (if any) you now place on the Government's Contract for Difference process, noting that there is apparently no date fixed for postponed allocation round AR4? and  b) please explain, with reference to paragraph 12, whether or not you see any impediment to the Final Investment Decision being taken.
1.3.57.	The Applicant	<b>1</b>	<b>2</b> You mention (paragraph 13) various funding models, whereby funds are provided from a) Capital reserves of the parent companies (balance sheet), b) Parent company finance (company debt) and c) Directly from an external lender (project finance)  • Please explain whether and, if so, how any of these have or will change in light of current events, which of these you currently favour and confirm with



ExQs 1	Question to: 1	Question:1		
			reference to paragraph 14 that the requisite funding will be available.	
1.3.58.	The Applicant	<b>1</b>	<p><b>2</b> Paragraph 17 says that "<i>the total property cost estimates for the acquisition of the required interests in land should not exceed £12.21 million.</i>" and paragraph 21 states that "<i>A cap on liability of £12.21 million is included in the Agreement.</i>".</p> <p>Please explain</p> <ul style="list-style-type: none"> <li>a) whether the figure of £12.21 million includes an allowance for severed land;</li> <li>b) whether the figure of £12.21 million represents your total contingent liability,</li> <li>c) why there is a cap of £12.21 million</li> <li>d) whether your total contingent liability figure needs to be revised, and</li> <li>e) how as a result (paragraph 22) "the Examining Authority and Secretary of State can be assured that sufficient funding for payment of compensation will be available ...".</li> </ul>	
1.3.59.	The Applicant	<b>1</b>	<p><b>2</b> Paragraph 19 states that the ... "<i>the Company undertakes to put the Applicant in funds .... or to pay the agreed or awarded funds direct to the relevant claimant.</i>"</p>	



ExQs 1	Question to: 1			Question:1	
				<p>Art 43(3) of the dDCO states that "A <i>guarantee or alternative form of security ... is enforceable against the guarantor or person providing the alternative form of security by any person to whom such compensation is payable and must be in such a form as to be capable of enforcement by such a person.</i>"</p> <ul style="list-style-type: none"> <li>Please explain how such funding will be directly accessible to persons entitled to compensation.</li> </ul>	
1.3.60.	The Applicant	<b>1</b>	<b>2</b>	<p>With reference to paragraphs 20 and 23, please explain</p> <p>a) why you do "not anticipate that any claims under Part 1 of the Land Compensation Act 1973 will arise" and</p> <p>b) why "It is not anticipated that successful claims for statutory blight will arise ...".</p>	
1.3.61.	The Applicant	<b>1</b>	<b>2</b>	<p>With reference to paragraphs 24 and 25, and in the light of the time that has elapsed since the application was submitted and recent and continuing global events, please confirm that</p> <p>a) sufficient funding will be available; and</p>	



ExQs 1	Question to: 1			Question:1	
				b) you will be able to secure sufficient funds.	
1.3.62.	The Applicant	<b>1</b>	<b>2</b>	<p>In your strategic report (Annex 2) you set out Brexit risks, relating to</p> <ul style="list-style-type: none"> <li>a) the value of sterling</li> <li>b) supply chain disruption</li> <li>c) foreign exchange rate exposure</li> <li>d) additional tariffs</li> <li>e) contractual risks</li> <li>f) free movement of labour</li> <li>g) data protection</li> <li>h) foreign exchange rates;</li> <li>i) inflation rates; and</li> <li>j) interest rates</li> </ul> <p>How do you see these risks manifesting themselves over the lifetime of the project, particularly in relation to</p> <ul style="list-style-type: none"> <li>a) the standard risks inherent in your global and renewables businesses;</li> <li>b) project viability; and</li> <li>c) your ability to finance, construct and operate the project over its lifetime?</li> </ul>	
				<b>Book of Reference (BoR)[AS-005]</b>	
1.3.63.	The Applicant	<b>1</b>	<b>2</b>	It has come to our notice that there may be persons with an interest in plots 12 and 14	





ExQs 1	Question to: 1		Question:1	
			<p>who are not listed in the BoR. In particular, we have received representations from persons occupying 1 Ness Cottage, adjacent to Ness House who, we understand, have a right of way over plots 12 and 14 in order to obtain access to 1 Ness Cottage. There may also be other parties with a right of way over these plots to access property near Ness House, and other parties more generally.</p> <p>Please undertake diligent inquiry and explain the current position, if necessary updating the BoR</p> <ul style="list-style-type: none"><li>a) to include all persons with an interest in plots 12 and 14; and</li><li>b) to include any other new interests</li></ul>	
1.3.64.	The Applicant	<b>1</b>	<b>2</b> Please ensure that the BoR follows the latest version of Government Guidance "Planning Act 2008: guidance related to procedures for the compulsory acquisition of land", including Annex D which deals specifically with guidance on the BoR: for example please ensure that in the BoR: <ul style="list-style-type: none"><li>a) you cross refer to relevant DCO Articles;</li><li>b) each person listed in Part 3 is also in Part 1; and</li></ul>	



ExQs 1	Question to: 1	Question:1		
			c) diligent inquiry continues throughout the Examination to ensure that the BoR is always up to date.	
1.3.65.	The Applicant	<b>1</b>	<b>2</b> Part 4 of the BoR specifies the owner of any Crown interest in the land which is proposed to be used for the purposes of the order for which application is being made. Part 4 is currently blank. Paragraphs from 6.9 in the Burbo Bank Extension Recommendation Report <sup>2</sup> address similar circumstances, in which no Crown interest in the Order land area for that Application (including land at sea) was identified. The ExA there was content that whilst this had been a formal error, the failure to include Crown interests at sea in a BoR would not of itself be a barrier to the making of the Order by the SoS, as long as the ExA had ascertained that the relevant Crown body (the Crown Estate) was content to grant the interests sought at sea. The SoS accepted that recommendation in the decision letter (paragraph 47 page 10) <sup>3</sup> .  Please:	

<sup>2</sup> [Burbo Bank Extension Offshore Wind Farm Recommendation Report](#) (June 2014)

<sup>3</sup> [Burbo Bank Extension offshore Wind Farm, Secretary of State's Decision Letter](#) (September 2014)



ExQs 1	Question to: 1	Question:1			
				a) confirm that there is either no Crown interest in any of the Order land, or the only Crown interest is in the sea bed; and b) with regard to the confirmation provided, explain the need for Art 41 in the dDCO.	
1.3.66.	The Crown Estate	<b>1</b>	<b>2</b>	With reference to ExQ1.3.65, please  a) confirm that there is either no Crown interest in any of the Order land, or the only Crown interest is in the sea bed; and b) with regard to the confirmation provided, indicate whether the Crown Estate is content to grant the interests sought?	
1.3.67.	The Applicant	<b>1</b>	<b>2</b>	Part 5 of the BoR specifies land the acquisition of which is subject to special parliamentary procedure, which is special category land, or which is replacement land. Part 5 is currently blank.  <ul style="list-style-type: none"><li>Please confirm that there is no land of this type in any of the Order land.</li></ul>	



ExQs 1	Question to: 1	Question:1	
1.3.68.	The Applicant	<b>1</b>	<b>2</b> Where there are blank columns in the BoR for any plot, should the word "none" be inserted to confirm that this is the case?
1.3.69.	The Applicant	<b>1</b>	<b>2</b> The term "authorised project" as used in the Table of New Rights is previously defined in the introductory paragraphs. <ul style="list-style-type: none"><li>• Should the terms "intrusive and non-intrusive surveys" also be so defined?</li></ul>
1.3.70.	The Applicant	<b>1</b>	<b>2</b> In the Table of New Rights, are all sub-categories of each lettered category of right (and each of the purposes for them, eg 'construction, installation, operation, maintenance and decommissioning') always required on every occasion those categories are used in the BoR? <ul style="list-style-type: none"><li>a) If so, please explain why.</li><li>b) If not, please be more precise for each plot as to which sub-categories are required for that particular plot.</li><li>c) In the Table of New Rights, and with reference to right C4E (and elsewhere), what is "terram"?</li></ul>



ExQs 1	Question to: 1			Question:1	
				<p>In the Table of New Rights, in relation to the removal of archaeological artefacts (for example at C13)</p> <p>d) what do you mean by “materially more difficult” and “materially increase the cost”? and</p> <p>e) how does such a right relate to a Written Scheme of Investigation?</p>	
1.3.71.	The Applicant	<b>1</b>	<b>2</b>	<p>Please explain</p> <p>a) whether it is your intention that TP be exercised over all the Order land but permanent rights are acquired only over that part of the Order land actually required; and, if so,</p> <p>b) in the Table of New Rights, and with reference to right A4 (and elsewhere), what is meant by “the land” and “the remainder of the Order land”?</p>	
<b>1.4.</b>	<b>Construction</b>				
1.4.1.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Timelines</b></p> <p>The ES states that 3 years is assumed for onshore construction, with 2 years for construction and 1 year for commissioning.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>The assessment for cumulative effects states that onshore construction would occur sequentially, with the duration doubling.</p> <p>a) Does this mean that construction of the two projects could take 6 years sequentially?</p> <p>b) Please confirm (with reference to relevant Application Documents) the worst-case construction assumption. Do the application documents reflect this worst-case assumption?</p>	
		<b>1</b>	<b>2</b>	<b>Project Description [APP-054]</b>	
1.4.2.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 15 says that "<i>cables will be routed underground to an onshore substation which will in turn connect into the national electricity grid via a National Grid substation, cable sealing end compounds and a cable sealing end (with circuit breaker) compound to be owned and operated by National Grid. In addition, there will be a requirement to undertake upgrades to the existing pylons within the National Grid overhead line realignment works area. This will require the installation of one additional pylon to allow connection to the national electricity grid via new cable sealing ends.</i>"</p>	



ExQs 1	Question to: 1		Question:1	
			<p>OWF projects usually plug in to an existing NG substation. To help us understand what is to be constructed at the interface between the proposed onshore underground electrical supply cables (work number 26) and the existing National Grid overhead electricity supply cables, by whom and for whom, please explain</p> <ul style="list-style-type: none"><li>a) With reference to sheets 7 through 7l of the Works Plan [AS-003], which works will be owned and operated by this project and which works will be owned and operated by National Grid;</li><li>b) With reference to sheets 7g through 7l of the Works Plan [AS-003] and to paragraph 2 of Schedule 1 Part 1 of the dDCO [APP-023], why the works numbered 34 and 38 through 43 constitute a separate NSIP;</li><li>c) With reference to sheets 7l, 8 and 9 of the Works Plan [AS-003] and to paragraph 2 of Schedule 1 Part 1 of the dDCO [APP-023], why the work numbered 43 (temporary working areas for the temporary and permanent realignment works) is the size that it is;</li><li>d) Why work number 34 has been included in both paragraph 1 and paragraph 2 of</li></ul>	



ExQs 1	Question to: 1			Question:1	
				Schedule 1 Part 1 of the dDCO [APP-023]? and e) What the transfer mechanism is for works constructed by you but owned and operated by National Grid?	
1.4.3.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 17 refers to two cumulative assessment scenarios which are described briefly in paragraph 18.  <ul style="list-style-type: none"> <li>• How are overlapping programmes covered by these two scenarios?</li> </ul>	Watching Brief (WB) on responses
1.4.4.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 18 states that “for the onshore infrastructure Scenario 2 assumes construction of the first project and full reinstatement ... followed by construction of the second project.”  <ul style="list-style-type: none"> <li>• Does the same apply to the offshore assessment?</li> </ul>	Watching Brief (WB) on responses
1.4.5.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 21 states that there will be “the addition of up to one new pylon in close proximity to existing overhead pylons.”  <ul style="list-style-type: none"> <li>a) Please confirm that this additional pylon is permanent and state where within work number 41 it will be located;</li> </ul>	





ExQs 1	Question to: 1			Question:1	
				b) Given that there are to be temporary realignment works, will an additional temporary pylon or pylons be required? c) If so, where within work number 40 will such additional temporary pylon or pylons be located? and d) has this been included in the assessment?	
1.4.6.	The Applicant	<b>1</b>	<b>2</b>	Table 6.2 shows the various wind turbine and met mast foundation type options. Please a) confirm that paragraph 36 also refers to met masts; b) summarise the advantages and disadvantages of each foundation type; and c) explain which of the five is/are your preferred option(s) for this project and why.	Watching Brief (WB) on responses
1.4.7.	The Applicant	<b>1</b>	<b>2</b>	Table 6.2 shows the windfarm site area as 208km <sup>2</sup> with one met mast, and paragraph 113 says that " <i>there is the potential for one meteorological mast ... to be installed ...</i> ".  Please explain a) why one meteorological mast is sufficient;	



ExQs 1	Question to: 1			Question:1	
				b) how you will ensure that the performance of any associated equipment is not affected by electrical interference; and c) what will be its separation distance.	
1.4.8.	The Applicant	<b>1</b>	<b>2</b>	Plate 6.1 shows the key dimensions of the proposed offshore wind turbines.  a) What is the difference in depth between Lowest Astronomical Tide and Mean High Water Spring? b) How does this vary across the array area? and c) How is it expected to vary over the life of the project?	Watching Brief (WB) on responses
1.4.9.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 35 states that the worst case layout is that with fewer larger turbines, and that for tip heights between 250m and the 300m maximum the number of turbines could vary between the maximum number stated in the DCO and the lower number stated for the 300m maximum tip height.  <ul style="list-style-type: none"> <li>Explain how you would calculate the number of turbines so as to ensure that it lies within the Rochdale Envelope.</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1	
1.4.10.	The Applicant	<b>1</b>	<b>2</b> Paragraph 49 describes the overall installation methodology for pre-piled jackets and paragraph 50 describes the sequence for post-piled jackets: bullet point 7 of paragraph 50 says " <i>Pin piles driven to depth using pilling hammer</i> " (sic). Paragraph 101 lists the key stages of steel monopile installation. <ul style="list-style-type: none"><li>• What happens if a pile cannot be driven to the target depth?</li></ul>
1.4.11.	The Applicant	<b>1</b>	<b>2</b> In paragraph 51 you give values of hammer energy considered necessary for pile installation including a maximum value of 2,400kJ for a 4.6m diameter pin pile. Paragraph 102 states that 4,000kJ would be required for a 15m diameter monopile. In paragraph 52 you quote lower figures relating to the East Anglia ONE OWF. <ul style="list-style-type: none"><li>a) Are there any actual values available for monopiles?</li><li>b) Why are these figures significantly higher than the figures obtained on the East Anglia ONE OWF?</li></ul>
1.4.12.	The Applicant	<b>1</b>	<b>2</b> Paragraph 60 says that " <i>There are many possible shapes and sizes being proposed by manufacturers for gravity base structures.</i> ".



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Given that new ideas are under development, and that the final form may differ from what is currently proposed, explain how you can be sure that what is actually constructed will be within the Rochdale envelope in respect of environmental assessment.</li> </ul>	
1.4.13.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 134 mentions a pre-lay grapnel run.</p> <ul style="list-style-type: none"> <li>a) Is this the offshore equivalent of onshore site clearance?</li> <li>b) Is this before or after commencement as defined in the DCO? And</li> <li>c) Do Tables 6.16 and 6.18 show all known assets to be crossed, and whether each is in service or out of service?</li> </ul>	Watching Brief (WB) on responses
1.4.14.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 162 refers to cable crossing agreements. How will you proceed in the event that an agreement cannot be reached?	
1.4.15.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 310 says that " <i>Cables will be placed directly underground without ducting, although ducting may be used in some or all of the route.</i> ".	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>a) Bearing in mind that there are two projects proceeding side by side onshore, should the onshore cables be laid in ducts throughout, with a view to reducing the construction impacts in the event that the projects are constructed consecutively rather than concurrently?</p> <p>b) What would be the advantages and disadvantages of installing ducts for the second project at the same time as installing the ducts and cables for the first project? and</p> <p>c) if the onshore works were carried out separately for each project, is it intended that the haul road would remain in place between the construction of the first and second projects?</p>	
1.4.16.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 313 says that "The precise location of the jointing bays will be determined during detailed design ... at a minimum of 55m from residential dwellings."</p> <p>a) What factors govern the choice of 55m as a minimum distance?</p>	



ExQs 1	Question to: 1			Question:1	
				b) Will any part of a bay be at or close to ground level, such as to impede or damage agricultural plant or equipment? c) Will there be any infrastructure associated with the joint bays (eg link boxes or location markers) which will be at or close to ground level? d) If so, will such infrastructure be clustered so as to minimise the impact on the use of the land?	
1.4.17.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 329 states that " <i>Post construction, a permanent cable corridor easement of approximately 20m in width is anticipated ...</i> " except for where a wider corridor is needed, for example where HDD is used, and Plate 6.20 shows an indicative arrangement.  Please explain a) whether the space for spoil storage is still required in case a cable has to be dug up and replaced in service; and b) whether 20m is still necessary if ducting were to be used.	
1.4.18.	The Applicant	<b>1</b>	<b>2</b>	Table 6.25 lists all the locations where the onshore cable route crosses the public highway and paragraph 366 says that " <i>some</i> "	Watching Brief (WB) on responses to (c)



ExQs 1	Question to: 1		Question:1	
			<p><i>crossing locations will require ... special crossing techniques ...".</i></p> <p>Paragraph 368 says that <i>"the use of an onshore HDD ... is only for consideration ... where the onshore cable route crosses the Leiston-Aldeburgh SSSI/Sandlings SPA. However, an open-cut crossing technique is ... preferred"</i></p> <ul style="list-style-type: none"><li>a) Please provide an onshore crossing schedule and plan giving, for each obstacle to be crossed by the cables, an ID, sheet number, type and description of obstacle (eg woodland, hedgerow, highway, public right of way, footpath, river, utility) and your proposed crossing method.</li><li>b) Is it intended that trenchless techniques be used where the onshore cable route crosses the public highway to minimise impacts on traffic and access to property?</li><li>c) Is it intended that trenchless techniques be used where the onshore cable route crosses the Leiston-Aldeburgh SSSI/Sandlings SPA?</li><li>d) If not, please explain what technique you intend to use and why.</li></ul>	



ExQs 1	Question to: 1			Question:1	
1.4.19.	The Applicant	1	2	<p>Paragraph 343 mentions structural works to accommodate Abnormal Indivisible Loads" at Marlesford Bridge.</p> <p>a) What works are intended? b) How will the works be undertaken safely and without disrupting traffic on the A12? and c) will the works be temporary or permanent?</p>	
1.4.20.	The Applicant	1	2	<p>Paragraphs 464 and 465 describe the construction of the foundations for the onshore substation, noting that dewatering of excavations may be required.</p> <ul style="list-style-type: none"><li>• Please explain how your proposals will not impact on water quality or water supply, or cause or exacerbate flooding.</li></ul>	
1.4.21.	The Applicant	1	2	<p>Section 6.7.9 describes the National Grid Infrastructure as "<i>A new National Grid substation and National Grid overhead line realignment works ...</i>" and paragraph 482 says that the substation may be either AIS or GIS. In respect of the East Anglia onshore substation, paragraph 428 states that "<i>The onshore substation will be ... gas insulated</i></p>	





ExQs 1	Question to: 1			Question:1	
				<p><i>switchgear (GIS).</i>" and Table 6.27 indicates a maximum building height of 15m. Furthermore, item 5 of Table 4.1 of chapter 4 of the ES [APP-052] says that the decision to use GIS rather than AIS <i>"is that it allows for a lower building height ...minimising the visual impacts."</i></p> <ul style="list-style-type: none"> <li>Given that you have clearly opted for GIS for the East Anglia onshore substation, please explain why the type for the National Grid substation is not decided.</li> </ul>	
				<p><b>Outline Code of Construction Practice [APP-578]</b></p>	
1.4.22.	The Applicant	<b>1</b>	<b>2</b>	<p>Table 1.1 states that a Watercourse Crossing Method Statement will be produced as part of the final Code of Construction Practice secured through the DCO.</p> <p>Please explain whether</p> <ol style="list-style-type: none"> <li>watercourses will be crossed using HDD or other trenchless technique to minimise the risk of pollution; and</li> <li>the relevant parts of this Method Statement will apply to all crossings and not just watercourses.</li> </ol>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1			
1.4.23.	The Applicant	<b>1</b>	<b>2</b>	<p>Bullet point 3 of paragraph 11 mentions "<i>potential HDD</i>".</p> <p>With reference to the crossing schedule requested in an earlier question, at crossing points where HDD is not proposed, please</p> <ul style="list-style-type: none"> <li>a) state the method you intend to use;</li> <li>b) explain why you have selected that particular method; and</li> <li>c) explain what happens post consent if the method you have selected proves to be unsuitable.</li> </ul>	Watching Brief (WB) on responses
1.4.24.	The Applicant	<b>1</b>	<b>2</b>	<p>With reference to oral submissions at OFHs 1 – 3 (7 – 9 October) raising concerns about the extent of road closures and diversions likely to be caused by cable trenching, the Applicant is requested to respond to these points, and comment on the possible use of HDD to mitigate this particular construction effect. Can HDD be used to further limit the extent of diversions due to road crossings?</p>	
1.4.25.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 17 mentions stages of construction works.</p> <ul style="list-style-type: none"> <li>a) What stages are envisaged? and</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				b) how and where are these defined in the DCO?	
1.4.26.	The Applicant	<b>1</b>	<b>2</b>	<p>In the seventh bullet point of paragraph 19 you state that <i>"parties involved ... have, where appropriate, a ... Preconstruction Information document and Health and Safety Plan ..."</i></p> <p>a) Please clarify what you mean by "where appropriate": are there instances where parties will not have a Preconstruction Information document and/or a Health and Safety Plan?</p> <p><b>b)</b> If so please explain why.</p>	
1.4.27.	The Applicant	<b>1</b>	<b>2</b>	<p>In the eighth bullet point of paragraph 19 you state that <i>"upon completion of construction a suitable and sufficient Health and Safety File is completed and transferred, where appropriate, to the Applicant ..."</i>.</p> <p>a) Is this completion of a stage of construction?</p> <p>b) Does it apply offshore as well as onshore?</p> <p>c) Please clarify what you mean by "where appropriate": are there instances where the Health and Safety File will not be transferred to the Applicant? and</p>	



ExQs 1	Question to: 1			Question:1	
				d) If so please explain why and what will happen to the Health and Safety File.	
1.4.28.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 29 gives information boards and parish council meetings as examples of communication channels for local community liaison.</p> <ul style="list-style-type: none"> <li>• Will you also have a regularly updated dedicated website and make use of social media channels?</li> </ul>	
1.4.29.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 40 says that "<i>Wherever practicable, appropriate planning and timing of works will be agreed with landowners and occupiers, subject to individual agreements.</i>"</p> <p>a) Will others with an interest in the relevant land also be consulted?</p> <p>b) In what instances will it not be practicable to agree planning and timing of works?</p> <p>c) What constitutes appropriate planning?</p>	
1.4.30.	The Applicant	<b>1</b>	<b>2</b>	In paragraph 55 you acknowledge that " <i>some topsoil will have to be reserved for re-covering ... at the end of construction.</i> ".	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				a) By "the end of construction", do you mean the end of a stage of construction in the area in question, or the end of the construction of the entire project? b) What measures do you propose to ensure that the soil in question is kept in good condition?	
1.4.31.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 72 sets out waste management measures as a list of bullet points. The final bullet point says that " <i>The appointed contractors should identify appropriate staff that are responsible for waste management ...</i> ".  <ul style="list-style-type: none"> <li>• Surely the appointed contractors will be required to identify competent staff to be responsible for waste management?</li> </ul>	
1.4.32.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 76 says that " <i>A pre-construction land survey would be undertaken by a qualified Agricultural Liaison Officer (ALO) ...</i> "  a) Should the land survey be undertaken before site clearance starts? and b) what are the other duties of the ALO before, during and after construction?	



ExQs 1	Question: 1	Question: 1		
1.4.33.	The Applicant	<b>1</b>	<b>2</b> Paragraph 77 says that " <i>The contractor would be required to comply with the SMP</i> " (Soil Management Plan). The final bullet point says that " <i>In circumstances where construction has resulted in soil compaction, further remediation may be provided, through an agreed remediation strategy</i> ".  a) How and by whom will it be determined whether soil compaction has occurred? b) Surely remediation will be offered? and c) with whom will the remediation strategy be agreed?	Watching Brief (WB) on responses
1.4.34.	The Applicant	<b>1</b>	<b>2</b> Paragraph 79 says in respect of noise and vibration management that " <i>a programme of monitoring may be required.</i> " and paragraph 85 says that " <i>If it is deemed by the Local Planning Authority that during construction monitoring of construction noise is necessary, then the locations of such monitoring will be agreed in advance with the Local Planning Authority.</i> ".  a) Surely a programme will be required on a project of this scale in order to optimise mitigation? and b) should the programme start with baseline measurements taken before site clearance starts?	



ExQs 1	Question to: 1	Question:1		
1.4.35.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 79 says in respect of noise and vibration management that "<i>a programme of monitoring may be required.</i>" and paragraph 85 says that "<i>If it is deemed by the Local Planning Authority that during construction monitoring of construction noise is necessary, then the locations of such monitoring will be agreed in advance with the Local Planning Authority.</i>".</p> <p>a) Given the size and nature of the project, do you deem monitoring to be necessary? and, if so</p> <p>b) Should monitoring commence with baseline measurements; and, if so</p> <p>c) when should baseline measurements commence?</p>
1.4.36.	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 104 says that the crossing of the Hundred River will be a trenched crossing, requiring a temporary bridge or culvert for the haul road, and temporary dams, flumes and pumps to minimise upstream impoundment and maintain flows downstream, all with the attendant risk of flooding and surface water pollution.</p>



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Please explain why trenchless methods such as HDD are not proposed for this crossing.</li> </ul>	
1.4.36	The Applicant	1	2	<p><b>Construction Consolidation Sites</b> The Design and Access Statements [APP-580] refer to the provision of Construction Consolidation Sites (CCS). Can the Applicants confirm:</p> <ul style="list-style-type: none"> <li>a) Would there be one CCS for both projects or one for each proposal?</li> <li>b) Would the proposed National Grid Substation require a separate CCS?</li> <li>c) Explain how CCS's will be provided under the following scenarios: (a) sequential delivery of the two projects; and (b) parallel delivery?</li> </ul>	
1.4.37	The Applicant	1	2	<p><b>Cable corridor widths onshore</b> ES Appendix 6.4 'Cumulative Project Description' [APP-453] states that the onshore cable route width would generally be no wider than 64m if the two projects were constructed concurrently i.e. 32m for each project. However, R12(14) refers to the following working widths:</p>	Watching Brief (WB) on responses





ExQs 1	Question to: 1		Question:1	
			<p>a) where the cables cross the Sandlings SPA the working width of the onshore cable route must not exceed—</p> <ul style="list-style-type: none"><li>(i) 16.1 metres, in the event that open cut trenching is used;</li><li>(ii) 90 metres, in the event that a trenchless technique is used.</li></ul> <p>b) where the cables cross the Hundred River the working width of the onshore cable route must not exceed 50 metres</p> <p>c) where the cables cross the woodland to the west of Aldeburgh Road the working width of the onshore cable route must not exceed 16.1 metres;</p> <p>d) where the cables cross an important hedgerow specified in Part 2 of Schedule 11 the working width of the onshore cable route must not exceed 16.1 metres; and</p> <p>e) where the cables are within 418 metres of a transition bay forming part of Work No. 8, the working width of the onshore cable route must not exceed 190 metres.</p> <p>f) Can the Applicant please confirm if the above maximum working widths apply to both concurrent and sequential construction scenarios? E.g. where cables cross the Hundred River would</p>	



ExQs 1	Question to: 1			Question:1	
				the working width be 50m in both scenarios or 100m if constructed concurrently. Please provide an updated Cumulative Project Description document to reflect your response.	
<b>1.5.</b>	<b>Draft Development Consent Order (dDCO)</b>				
				<b>Articles (Art(s))</b>	
1.5.1.	The Applicant	<b>1</b>	<b>2</b>	There does not appear to be a definition of Order land in Article (Art) 2 <ul style="list-style-type: none"> <li>Why is this?</li> </ul>	Watching Brief (WB) on responses
1.5.2.	The Applicant	<b>1</b>	<b>2</b>	Please confirm that the heading in the EM [APP-025] immediately preceding Art 3 should read "Principal Powers".	
1.5.3.	The Applicant	<b>1</b>	<b>2</b>	Art 6 would disapply provisions of the Neighbourhood Planning Act 2017 (the NPA) relating to the TP of land. There are elements of the the NPA regime that are fixed by the statute itself, for example a notice period before possession is taken and a requirement for notices to identify the period of TP.  We note from paragraph 4.11 of the EM [APP-025] that the relevant regulations had not been made at the time of the application.	



ExQs 1	Question to: 1			Question:1	
				Please a) explain why such elements are not relevant to this application; and b) give an update on the current position in respect of the making of the relevant regulations.	
1.5.4.	The Applicant	<b>1</b>	<b>2</b>	Art 11 provides for the temporary stopping up of public rights of way.  a) Is it envisaged that public rights of way would be reopened if there were to be a significant gap in construction of the two projects? b) Does the drafting of this article adequately reflect the potential for the implementation of each project to a separate timescale?	
1.5.5.	SCC, ESC	<b>1</b>	<b>2</b>	Art 12 would enable the undertaker to seek approval for accesses to the highway, other than those listed in Schedule 5. Approval would be deemed to have been given if no decision were to be notified within 28 days.  • Are you satisfied that 28 days is sufficient time for you to consider such requests fully and properly?	



ExQs		Question: 1		Question: 1	
1	Question to: 1				
1.5.6.	The Applicant	1	2	<p>Art 19 provides for the time limit for the exercise of CA powers to be 7 years. The EM [APP-025] states that this period is necessary due to the scale and complexity of the project and uncertainties associated with the Contracts for Difference process and contractor and supply chain availability.</p> <ul style="list-style-type: none"> <li>Please provide further detailed justification for the proposed 7 year time limit.</li> </ul>	
1.5.7.	Statutory Undertakers	1	2	<p>In respect of powers being sought in order for the applicant to be able construct, operate and maintain the authorised project, are you content with the provision in Art 20 paragraph (5) authorising the applicant to transfer the power to acquire new rights or impose restrictions?</p>	
1.5.8.	Statutory Undertakers	1	2	<p>Paragraph (5) of Art 21 disapplies Art 21 in respect of statutory undertakers and cites section 138 of the 2008 Act and Art 28 of the dDCO. Art 28 in turn cites Schedule 10 (protective provisions).</p>	



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Are you satisfied that your interests are adequately protected?</li> </ul>	
1.5.9.	The Applicant	<b>1</b>	<b>2</b>	<p>Art 21 deals with private rights.</p> <p>Based on information currently available, are you satisfied that your interests, in particular where one of the authorised projects would or might interfere with the other authorised project, are adequately protected?</p>	
1.5.10.	The Applicant	<b>1</b>	<b>2</b>	<p>Art 26 provides for temporary use of land (TP). The two East Anglia projects may be constructed concurrently or sequentially, with or without a time gap in between. This may have implications for landowners in terms of the duration of any TP. The drafting of Art 26(3) does not appear to address the potential for the construction of the other East Anglia project with a gap in construction works.</p> <p>a) When would a decision on the approach to construction of the two projects be made?</p> <p>b) How would this be communicated to landowners and others with an interest?</p> <p>c) Is it envisaged that the undertaker would remain in possession of land used</p>	



ExQs 1	Question to: 1			Question:1	
				under Art 26 during any gap in construction? d) How does this article as drafted limit the impacts on landowners and others with an interest in the event that the projects are constructed sequentially? e) Insofar as this flexibility has impacts on the use and enjoyment of land, how would those impacts be minimised and/or mitigated?	
				<b>Schedule 1 Part 3 - Requirements</b>	
1.5.11.	The Applicant	<b>1</b>	<b>2</b>	Requirement (R)1 provides for the time limit for commencing the authorised development to be 7 years. The EM [APP-025] is silent on the reasons for this. <ul style="list-style-type: none"> <li>• Please explain why you propose a 7-year time limit.</li> </ul>	
1.5.12.	The Applicant	<b>1</b>	<b>2</b>	R16 provides for details of accesses (including access management measures) to be approved. <ul style="list-style-type: none"> <li>• Is approval also required where there is no construction or modification of an existing access, for instance in relation to highway safety where temporary traffic management measures are</li> </ul>	



ExQs 1	Question to: 1	Question:1			
				needed because construction traffic would be using an existing access with restricted visibility splays?	
1.5.13.	The Applicant	<b>1</b>	<b>2</b>	<p>R28 provides for a construction traffic management plan to be approved for stages of the connection works by the relevant planning authority.</p> <ul style="list-style-type: none"> <li>Should the requirement include a clause to the effect that the works are to be carried out in accordance with the approved construction traffic management plans?</li> </ul>	
1.5.14.	The Applicant	<b>1</b>	<b>2</b>	<p>R29 relates to restoration of land used temporarily for construction. The drafting assumes that the details will be approved.</p> <ul style="list-style-type: none"> <li>How would restoration be secured if the details were not approved?</li> </ul>	Watching Brief (WB) on responses
1.5.15.	The Applicant	<b>1</b>	<b>2</b>	<p>R30 refers to onshore decommissioning. The drafting assumes that an onshore decommissioning plan will be submitted to and approved by the relevant planning authority within six months of the cessation of commercial operation.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				a) How would this condition be enforced if no scheme were submitted? b) What would happen if the scheme were not approved? and c) what precedents are there for alternative mechanisms to secure proper decommissioning of comparable onshore infrastructure?	
				<b>Schedule 13 – DML (generation assets)</b>	
1.5.16.	The Applicant	<b>1</b>	<b>2</b>	Condition 17(1)(f) (Preconstruction plans and documentation) states that " <i>In the event that driven or part-driven pile foundations are proposed ... a marine mammal mitigation protocol ...</i> " is to be submitted to and approved in writing by the MMO.  a) Should this condition include restricting maximum hammer energy? and b) if so, should any such restriction vary according to the foundation type being used?	
1.5.17.	The Applicant	<b>1</b>	<b>2</b>	Does Condition 17(1)(c) include requiring pre and post-construction surveys and monitoring for benthic communities and geophysical features?  <ul style="list-style-type: none"> <li>• If not, why not?</li> </ul>	





ExQs 1	Question to: 1		Question:1	
1.5.18.	The Applicant		<p><b>Art 37 and Schedule 15 – Arbitration</b> Made DCOs for offshore wind farms have tended to have relatively simple arbitration provisions, in which the SoS appoints the arbitrator and the remit of arbitration is limited. Sch 15 in these dDCOs provide more substantial and complex provisions for arbitration than have been typical, including processes that provide for the appointment of an arbitrator other than by the SoS and, amongst other outcomes, that could refer the decisions of the SoS and the MMO to arbitration.</p> <p>The ExA for the Norfolk Vanguard Offshore Wind Farm examined what commenced as a similar set of arbitration provisions to the ones included here. Their Recommendation Report<sup>4</sup> at Chapter 9.4 records a process of simplification during that examination, including the removal of provisions subjecting the SoS and the MMO to arbitration. In taking this approach, the ExA there observed that it had not been provided with evidence of the specific harms that had been occasioned by MMO decision-making and that justified the</p>	Watching Brief (WB) on responses

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<sup>4</sup> [Norfolk Vanguard Offshore Wind Farm Recommendation Report](#), (September 2019)



ExQs 1	Question to: 1		Question:1	
			<p>imposition of an arbitration mechanism that was not available for the beneficiaries of other equivalent DMLs. The SoS accepted the ExA's approach, but additionally formed the view that an arbitrator should not be appointed by a person other than the SoS. The decision letter<sup>5</sup> identifies changes to the made Order as a consequence.</p> <p>The same issues (complex arbitration provisions without a clear justification) were analysed by the ExA in the Thanet Extension Offshore Wind Farm Recommendation Report<sup>6</sup>, from paragraph 11.4.4. In that case, because the SoS decided not to make the DCO, the decision letter does not directly consider the ExA's recommended approach to arbitration. However, the Applicant is referred to the reasoning there and asked to respond to it in the following terms:</p> <p>a) In the light of the decision in Norfolk Vanguard and the ExA reasoning in Thanet Extension, is there an evidence base that supports arbitration provisions that subject decisions by</p>	

<sup>5</sup> [Norfolk Vanguard Offshore Wind Farm, SoS Decision Letter](#), (July 2020)

<sup>6</sup> [Thanet Extension Offshore Wind Farm Recommendation Report](#), (September 2019)



ExQs 1	Question to: 1	Question:1			
				relevant statutory authorities (specifically the MMO and or the SoS) to arbitration? b) Is there an evidence base that supports the appointment of an arbitrator by a person other than the SoS?	
1.5.19.	The Applicant	1	2	<b>Schedule 15 – Arbitration</b> Paragraph 6(3) provides for costs to follow the event and Paragraph 7 provides for confidentiality.  a) What is the justification for imposing costs on regulatory bodies who may be acting reasonably in relation to their statutory functions?  b) What is the justification for seeking confidentiality where matters of public interest and environmental protection are involved, and can it lawfully be delivered in circumstances where transparency is provided for (eg as a consequence of the UK’s signature to the Aarhus Convention)?	
1.5.20.	The Applicant	1	2	<b>Explanatory Note</b>	



ExQs 1	Question to: 1			Question:1	
				Please confirm that the reference to Art 37 (certification of plans etc) should be to Art 36.	
1.5.21.	The Applicant	1	2	<p><b>Matters not Addressed and Unsecured: Monitoring Schedules</b></p> <p>The Application documents sets do not include a Schedule of Monitoring. The ExA considers that a Monitoring Schedule is a valuable document: such schedules record all monitoring commitments entered into by the Applicant and, if proposed to be certified under Arts 36, ensures that relevant monitoring commitments are secured and are easily located during construction, operation or decommissioning as necessary.</p> <ul style="list-style-type: none"> <li>The Applicant is requested to submit a Schedule of Monitoring for both Applications drafted as a document for certification and to amend draft Art 36 accordingly.</li> </ul>	Watching Brief (WB) on responses
1.5.21	The Applicant	1	2	<p><b>Matters Unsecured: Mitigation Schedules</b></p> <p>The ExA consider that Mitigation Schedules should be certified under Art 36, ensuring that relevant commitments are secured and are easily located during construction, operation or decommissioning as necessary.</p> <ul style="list-style-type: none"> <li>The Applicant is requested to amend draft Art 36 accordingly.</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
1.6.	<b>Electricity Connections, Infrastructure and Other Users</b> The Applicant and other respondents are referred to ExQ1.0.17 and 1.0.18 on site selection and other potential grid connections as providing the starting context from which responses to these questions should be formed.				
1.6.1.	The Applicant, National Grid	1	2	<b>NSIP Definition of the Authorised Development</b> Schedule 1 paragraphs 1 and 2 of the dDCO [APP-023] describes the authorised development as two NSIPs: <ul style="list-style-type: none"> <li>• A nationally significant infrastructure project as defined in sections 14 and 15 of the 2008 Act (the wind turbine generator array) with associated development to make all of the offshore and onshore grid connection works; and</li> <li>• A nationally significant infrastructure project as defined in sections 14 and 16 (electric lines) (for the connection point and National Grid substation works). Work No. 41 is the National Grid substation itself.</li> </ul> <p>a) Is there an anticipated point in the period to 2030 at which the proposed development that is the subject of the East Anglia ONE North and the East Anglia TWO applications could in</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				aggregate cease to be the predominant users of Work No. 41? b) If additional grid connections were to be made at this location, what are the implications for Work No. 41 and any directly related works: <ul style="list-style-type: none"> <li>i. Will additional land be required;</li> <li>ii. Will additional development (physical infrastructure be required); and</li> <li>iii. If the responses to (i) and (ii) above are affirmative, can any clear projection be made as to the timing, extent and impact of these additional proposals?</li> </ul>	
1.6.2.	The Applicant, National Grid	<b>1</b>	<b>2</b>	<b>NSIP Definition of the Authorised Development</b> Are there circumstances in which the making of additional grid connections at Work No. 41: <ul style="list-style-type: none"> <li>a) could result in Work No. 41 desirably becoming the subject matter of a distinct application for development consent, on the basis that it is no longer solely or even substantially required to connect the generating stations (Offshore Wind Farms) that</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>are the subject of the East Anglia ONE North and East Anglia TWO applications; and</p> <p>b) might suggest that National Grid or a relevant subsidiary might more desirably or appropriately be the applicant for an NSIP primarily comprising Work No. 41 and relevant associated development?</p>	
1.6.3.	National Grid	<b>1</b>	<b>2</b>	<p><b>Operation and Further Development of Work No. 41</b></p> <p>If Work No. 41 is constructed and becomes operational, subject to responses to ExQ1.0.17 – 18 and 1.6.1 &amp; 2 above:</p> <p>a) will it be more accurate to characterise it as:</p> <ul style="list-style-type: none"> <li>i. a National Grid facility accommodating the generating station development proposed in these applications (the East Anglia ONE North and East Anglia TWO Offshore Wind Farms, or</li> <li>ii. as a general purpose substation facility operating as a National Grid transmission asset, providing transmission connections for multiple users and purposes; and</li> </ul>	



ExQs 1	Question to: 1			Question:1	
				b) do the powers proposed to be provided by the dDCO [APP-023] and the description of development in the ES and the Works Plans provide sufficient scope to build and operate the facility that National Grid currently envisage? c) If the answer to (b) is no, does National Grid envisage there needing to be a further application or applications for development consent (or amendments to these development consents if granted) required to form and deliver the intended use and development of this facility?	
1.6.4.		1	2	<b>Changes to the dDCO</b> Are any changes to the dDCO as applied for [APP-023] anticipated as a consequence of a need to accommodate any development currently anticipated to be delivered as part of or to connect to Work No. 41, that is not development proposed in these applications or by these applicants?	
1.7.	<b>Flood Risk, Water Quality and Resources</b>				
1.7.1.	EA	1	2	<b>Flood Risk Assessment (FRA)</b> Can you confirm that you are satisfied with the Applicant's general approach to the Flood	Watching Brief (WB) on responses





ExQs 1	Question to: 1		Question:1	
			<p>Risk Assessment (FRA); in your response, please address the following matters:</p> <ul style="list-style-type: none"><li>a) confirm that you are satisfied that the Applicant has applied appropriate climate change allowances to their assessment of flood risk;</li><li>b) comment on SCC and ESC's view that "unless there is clear commitment to remove all impermeable areas of the proposed development by 2069 then a climate change allowance of 40% should have been factored into the assessment instead of 20%" (see Section 42 Consultation Response dated 27 March 2019 of Appendix 20.1 [APP-494]);</li><li>c) comment on the appropriateness of the methods proposed for works on and/or near to Main Rivers located with the study area, including the Thorpeness Hundred River and Friston Watercourse; and</li><li>d) comment on the adequacy and feasibility of the Applicant's proposed 'embedded' and residual mitigation measures detailed throughout the FRA [APP-496].</li></ul>	



ExQs 1	Question to: 1	Question:1			
1.7.2.	The Applicant	1	2	<p><b>Main Rivers</b> Can the Applicant comment on concerns raised at consultation [APP-494] that the Main River through Friston has not been adequately identified or assessed? The Applicant should explain whether any regulated flood risk activities are proposed to take place on and/or near to any Main Rivers within the Friston watercourse catchment and clarify any associated permitting requirements.</p>	Watching Brief (WB) on responses
1.7.3.	The Applicant	1	2	<p><b>Permits</b> Can the Applicant comment on the progress made to agree and secure any permitting requirements with the EA for flood risk activity, including noting any foreseeable reason for permits not being issued? If Letters of No Impediments have been issued or are issued during the Examination, the ExA requests that these are also submitted into the examination library.</p>	
1.7.4.	The Applicant	1	2	<p><b>Flood Risk Assessment (FRA)</b> The FRA was produced in October 2019. The ExA notes that the NPPG for the assessment</p>	



ExQs 1	Question to: 1		Question:1	
			<p>of flood risk has been updated and revised in line with UK Climate Projections 2018 and a number of updates have been made to government guidance 'Flood Risk Assessments: Climate Change'. It is also noted that the EA flood risk maps for 'rivers and the sea in England and 'surface water in England' were updated in December 2019 whereas ES Chapter 20 refers to the 2012 flood zone maps.</p> <ul style="list-style-type: none"><li>• Can the Applicant please explain what the implications of updated allowances/maps are for the assessment? The response should explain the extent to which any such updates would materially affect the conclusions reached in the FRA and ES.</li></ul>	
1.7.5.	The Applicant		<p><b>Flooding from the Sea</b> Paragraph 53 of Appendix 20.3 ('Flooding from the Sea') states that the landfall location is located within Flood Zone 1, as defined by the EA online Flood Map for Planning, yet Flood Zone 1 is not depicted within Figure 20.3.1. To improve the clarity of the information can the Applicant provide a figure that shows the location of the Proposed Development in relation to Flood Zone 1.</p>	



ExQs 1	Question to: 1	Question:1		
1.7.6.	The Applicant/Environment Agency	1	2	<p><b>Offsite Highway Improvements</b> Do you consider that the omission of the offsite highway works and temporary laydown areas for structural works at Marlesford Bridge from the FRA meets the tests set out in NPS?</p>
1.7.7.	The Applicant	1	2	<p><b>Marlesford bridge</b> Can the Applicant confirm and indicate where it is secured that there is to be no building and/or land raising in relation to the offsite highway improvements at Marlesford Bridge. In answering this question, reference should be made to the nature and duration of works at this site.</p>
1.7.8.	The Applicant	1	2	<p><b>Foul drainage</b> Has the Applicant sought confirmation from Anglian Water in relation to capacity being present in the main sewer to accommodate any required discharges from the project? If so, can the Applicant provide evidence from Anglian water that such capacity is available or provide an update on the matter should agreement not be provided to date.</p>
1.7.9.	SCC	1	2	<p><b>Flooding incidents along East Suffolk Coastline</b></p>



ExQs 1	Question to: 1	Question:1		
				The FRA states that the Level 1 SFRA reports a number of notable flooding incidents along the East Suffolk coastline. Can you confirm if any of the incidents affected the landfall location? The response should include details of such events including location, date and extent.
1.7.10.	SCC	<b>1</b>	<b>2</b>	<b>Existing drainage patterns</b> Please expand on the comments in your RR that the information within the FRA is not sufficient to determine how the proposed development would interact with existing drainage patterns. What information would you expect to see?
1.7.11.	SCC, ESC	<b>1</b>	<b>2</b>	<b>Outline Code of Construction Practice (OCoCP) and Outline Landscape and Ecological Management Strategy (OLEMS)</b> Are you satisfied that there is sufficient information in the OCoCP to satisfactorily secure the SWDP and Flood Management Plan and within the OLEMs to secure the final SuDs?
				Watching Brief (WB) on responses
1.7.12.	The Applicant	<b>1</b>	<b>2</b>	<b>Sustainable Urban Drainage Systems</b> How is the Applicant confident that the attenuation ponds can be accommodated



ExQs 1	Question to: 1	Question:1		
			<p>within the order limits? What preliminary site investigations have taken place? Have any preliminary hydraulic calculations been calculated?</p>	
1.7.13.	The Applicant/SCC	1	<p><b>2 Adoption and maintenance</b>            Paragraph 5.7.10 of NPS EN-1 states that the DCO or any associated planning obligations should make provision for the adoption and maintenance of any SuDs, including any necessary access rights to the property. It does not appear that such details have been included with the application.</p> <p>a) Do you take responsibility for maintaining the drainage for the lifetime of development and if so how is this secured and enforceable through the DCO?</p> <p>b) What would be the council's preferred adoption arrangements?</p>	
1.7.14.	EA	1	<p><b>2 Water Framework Directive (WFD)</b>            Can the Environment Agency confirm whether or not it agrees that the Water Framework Directive information provided in the application appropriately demonstrates the Proposed Development's compliance with the requirements of the Water Framework</p>	



ExQs 1	Question to: 1	Question:1			
				Directive? Please comment on the Applicant's comments in Table A20.42 [APP-036]. Do any other matters relevant to Water Framework Directive need to be taken into account?	
1.7.15.	EA	<b>1</b>	<b>2</b>	<b>WFD</b> The Applicant has confirmed that an assessment of migratory fish and river connectivity was not undertaken. The Applicant has now said that it will commit to pre-construction surveys on fish and eels within an updated OLEMs. Are you satisfied that this is sufficient to allay your concerns raised in relation to the Water Framework Directive compliance assessment and Table A20.42?	
1.7.16.	The Applicant	<b>1</b>	<b>2</b>	<b>Friston</b> Several RRs express concerns relating to recent flooding events in Friston. a) Has any work been undertaken to identify drains within the site? b) What assessment has been made of the tributaries and drains in this vicinity, and how is it proposed to ensure that the construction and operation of the substation and associated infrastructure does not worsen the flooding in this area?	



ExQs 1	Question to: 1	Question:1			
1.7.17.	EA	1	2	<p><b>Secondary Aquifers</b>            In your RR [RR-039] you suggest that Table 20.12 of ES Chapter 20 could include reference to secondary aquifers supporting private supply. In the Applicant's response [AS-036] it is stated that that a reference to secondary aquifers supporting private supply could be included in Table 20.12 but that this would make no material difference to the impact assessment. Do you agree?</p>	
1.7.18.	The Applicant/EA	1	2	<p><b>Groundwater dependant ecological sites</b>            Please provide an update on outstanding matters still under discussion.</p>	Watching Brief (WB) on responses
1.7.19.	EA	1	2	<p><b>Watercourse crossing method statement</b>            In your RR [RR-039] you requested that a control measure to avoid coarse fish spawning season (March to June) should be included and addressed as part of the watercourse crossing method statement. Please comment on the Applicant's response that they will seek to avoid this season rather than avoid. Should this be secured in the dDCO?</p>	Watching Brief (WB) on responses
1.7.20.	East Suffolk Drainage Board	1	2	<p><b>Impact Assessment Methodology</b></p>	





ExQs 1	Question to: 1			Question:1	
				The SoCG [AS-049] states that the impact assessment methodologies used for ES Chapter 20 are not agreed. Please can you provide further details on your concerns relating to the impact assessment methodologies?	
1.7.21.	The Applicant	1	2	<p><b>National Flood and Coastal Erosion Risk Management Strategy for England</b></p> <p>The above strategy was published in July 2020. Can the Applicant please explain what, if any, implications the publication has for the application? The response should explain the extent to which any such updates would materially affect the conclusions reached in the FRA and ES.</p>	
<b>1.8.</b>	<b>Historic Environment</b>				
1.8.1.	The Applicant	1	2	<p><b>Historic Environment Policy Balance</b></p> <p>Paragraph 51 of Chapter 24 of the ESs [APP-072,] contains a precis of Table 24-4 and aims to summarise Government policy. This states that government guidance provides a framework which, amongst other items:</p> <p><i>“places weight on the conservation of designated heritage assets (which include world heritage sites, scheduled monuments, listed buildings, protected wreck sites,</i></p>	



ExQs 1	Question to: 1		Question:1	
			<p><i>registered parks and gardens, registered battlefields or conservation areas), with any anticipated substantial harm weighed against the public benefits of the proposal”.</i></p> <p>However, NPS EN-1 states:</p> <p><i>“Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development”</i> (para 5.8.15)</p> <p>and that:</p> <p><i>“Substantial harm to or loss of a grade II listed building park or garden should be exceptional”, with substantial harm to or loss of designated assets of the highest significance, including grade II*listed buildings considered as wholly exceptional</i> (para 5.8.14).</p> <p>The National Planning Policy Framework (NPPF) states that:</p> <p><i>“When considering the impact of a proposed development on the significance of a designated heritage asset, <b>great weight</b> should be given to the asset’s conservation</i></p>	



ExQs 1	Question to: 1		Question:1	
			<p><i>(and the more important the asset, the greater the weight should be). This is irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm to its significance.” [ExA’s emphasis, para 193)</i></p> <p>The NPPF goes on to state that any harm to or loss the significance of a designated heritage asset (including from development within its setting) should require clear and convincing justification (para 194), that substantial harm requires substantial public benefits that outweigh that harm (para 195) and that less than substantial harm should be weighed against the public benefits of the proposal (para 196).</p> <ul style="list-style-type: none"><li>a) Do you agree with the ExA’s summary of Government policy and guidance above?</li><li>b) If so, do you agree that a more correct interpretation of Government guidance for the ES would be that guidance places great weight on the conservation of designated heritage assets, and that any anticipated substantial harm should be outweighed by substantial public benefits and that substantial harm to or loss of a grade II listed building should</li></ul>	



ExQs 1	Question to: 1			Question:1	
				<p>be exceptional, or to a grade II*listed building considered as wholly exceptional?</p> <p>c) And having reached this position, please review the assessments of impacts on relevant historic built assets, ensuring that the appropriate policy tests are applied.</p> <p>d) If you do not agree with the ExAs' policy summary above, please provide reasoned justification as to why not.</p>	
1.8.2.	The Applicant	1	2	<p><b>Heritage significance and heritage importance</b>            ES Chapter 24, Paragraph 24.4.4.1 [APP-072] considers heritage significance versus heritage importance and states that:</p> <p>“Although not yet articulated in any published form, emerging good practice makes the following distinction between the terms heritage significance and heritage importance”</p> <ul style="list-style-type: none"> <li>• Provide any evidence of such emerging good practice which may have arisen since the publication of the ES.</li> </ul>	
1.8.3.	The Applicant	1	2	<b>Less than substantial harm</b>	



ExQs 1	Question to: 1		Question:1	
			<p>The ES concludes that in all cases both with and without mitigation, any adverse impacts on significance to the following heritage assets are considered to represent less than substantial harm for the purposes of the NPS and NPPF:</p> <ol style="list-style-type: none"><li>1. Little Moor Farm (1215743, Grade II).</li><li>2. High House Farm (1216049, Grade II).</li><li>3. Friston House (1216066, Grade II).</li><li>4. Woodside Farmhouse (1215744, Grade II).</li><li>5. Church of St Mary, Friston (1287864, Grade II*).</li><li>6. Friston War Memorial (1435814, Grade II).</li><li>7. Friston Post Mill (1215741, Grade II*).</li><li>8. Aldringham Court (1393143, Grade II).</li></ol> <p>a) Do you consider that there are varying degrees of harm within the scale of 'less than substantial harm'. If so, how would you assess the level of less than substantial harm in relation to each designated heritage asset and how might such an assessment be measured?</p> <p>b) Do you agree that the ExA is required to give great weight to less than</p>	



ExQs 1	Question to: 1			Question:1	
				substantial harm to the significance of a designated heritage asset?	
1.8.4.	The Applicant	1	2	<p><b>Little Moor Farm and High House Farm</b> ES Appendix 24.7 [APP-519-520] sets out the assessment of the effect of the proposals upon the setting and the significance of Little Moor Farm and High House Farm/Moor Farm. This considers that the setting of Little Moor Farm would be changed from a predominantly rural agricultural character (albeit with existing pylons) to a mix of industrial infrastructure and rural agriculture, and that for Moor Farm the presence of the onshore substations and National Grid substation, only 450m to the south-east, would represent a significant change in the character of the landscape in views looking south-east in the setting of this heritage asset.</p> <p>However, harm in both cases is considered to be limited and low respectively. The ExA note that both heritage assets are linked to Friston by a PRow (Little Moor Farm more directly) which would be lost as a result of the proposals, and that potentially this PRow could have been a historical route linking the</p>	



ExQs 1	Question to: 1			Question:1	
				<p>settlement and its church to the outer properties in the parish.</p> <ul style="list-style-type: none"><li>Given the acknowledged significant change in the character of the rural landscape to the south of these heritage assets and the loss of a linkage to Friston, do you still consider such harm to be limited and low, and if so, why?</li></ul>	
1.8.5.	The Applicant	1	2	<p><b>Friston House</b> ES Appendix 24.7 [APP-519-520] considers that the proposed developments would have a very limited impact on the experience of Friston House in an attractive woodland setting, and would not materially detract from the contribution that it makes to the significance of the house.</p> <p>While the ExA note your views in respect of the original layout of the house and its grounds, this original layout and woodland setting of the House itself is set within a largely rural open landscape which will undergo significant change as a consequence of the proposal. .</p>	



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Do you consider that the proposal would have an adverse impact on this wider setting?</li> </ul>	
1.8.6.	The Applicant	1	2	<p><b>Woodside Farm</b> ES Appendix 24.7 [APP-519-520] considers that the presence of onshore substations and National Grid substation only 300m to the northeast would represent a significant change in the character of the landscape in views looking northeast in the immediate setting of Woodside Farm, but that “the magnitude of the impact on the overall heritage significance is limited”. While noting the reasoning within the document concerning screening, the ExA note that the proposed infrastructure would be located some 300m away from the property in an area of currently largely open farmland.</p> <ul style="list-style-type: none"> <li>Provide further justification for your view of limited magnitude of impact.</li> </ul>	
1.8.7.	The Applicant	1	2	<p><b>Church of St Mary - Friston</b> ES Appendix 24.7 [APP-519-520] considers that setting contributes to the significance of the Church of St Mary on 3 levels; immediate, short range, and long range. This considers that setting would only be</p>	





ExQs 1	Question to: 1		Question:1	
			<p>adversely affected at long range, with the National Grid substation and the EA1N onshore substation entirely obstructing the sequential longer-range views of the church tower from the north when approaching Friston on the public footpath from Little Moor Farm. The appendix notes that the loss of this footpath and the views from it would diminish the contribution that setting makes to the significance of the church at this spatial scale.</p> <p>Historic England [RR-047] notes that the Church lies on the northern edge of the village and is appreciated in a rural and largely open landscape setting enabling views from the south and north. This enhances its prominence and adds to the appreciation of the building. The ExA note that despite the advent of modern agriculture and the presence of the existing transmission lines, it is not inconceivable when on site to consider that the landscape surrounding the Church to the north and forming a key part of its rural setting has not substantially changed in many years. In particular when walking south from Little Moor Farm the church tower is clearly visible and guides travellers to the settlement. The Appendix acknowledges that the proposed development would entirely</p>	



ExQs 1	Question to: 1			Question:1	
				<p>obstruct such long-range views of the Church but considers that this would amount to an adverse impact of low magnitude.</p> <p>a) Given the acknowledged impact of the proposals on the views of the Church from the north and its impact on the wider rural setting to the north of the heritage asset, do you maintain that this would amount to an adverse impact of a low magnitude?</p> <p>b) Does this amount to substantial harm? How important is this and how might the harm be mitigated?</p>	
1.8.8.	Historic England	1	2	<p><b>Church of St Mary - Friston</b></p> <p>Your representation [RR-47] states that you consider that the scale and appearance of the proposed developments would significantly change the character of the rural landscape setting of the Church, greatly impacting on key views of the church from the south, which would be seen against a backdrop of the sub-stations. The ExA note the responses of the Applicant to this point of view in their responses to the RR [AS-036] and note your view that the proposed works would remain subordinate to the Church.</p>	



ExQs 1	Question to: 1			Question:1	
				a) Provide further justification in support of your view that the contribution made by setting to the significance of the church in these views would not be materially affected. How would any harm from such views add to or contribute to harm caused by changes to the northern views of the Church?	
1.8.9.	The Applicant	1	2	<b>Mitigation</b> ES Appendix 24.7 [APP-519-520] states that the design of the OLMP [APP-401-403] has considered the maintenance of views towards Friston Church and the retention of historic farmhouses in an agricultural landscape.  The Appendix notes that in the area to the north of the onshore substations the OLMP has proposed the establishment of larger woodland blocks akin to the existing pattern of woodland blocks within the wider landscape and that planting is not proposed to enclose the historic farms in woodland, as this is not how they would have been experienced in the past. It also notes that the re-establishment of historically mapped tree-lined enclosures close to the farms has been proposed to retain farms in an open farmed landscape, whilst achieving screening through	



ExQs 1	Question to: 1			Question:1	
				<p>multiple lines of planting and that, in the area between the onshore substations and National Grid substation and Friston Moor, the OLMP primarily seeks to reinstate the historic (19th century) field pattern to enhance the setting of High House Farm and Little Moor Farm. The end aim of the OLMP is stated to minimise visibility of the onshore substations and National Grid substation whilst retaining the heritage assets in an appropriate setting.</p> <ul style="list-style-type: none"> <li>The landscape at present is a largely open one, with far reaching views often possible. While the OLMP may seek to replace previous tree lined enclosures, it is not entirely clear how long such enclosures have been missing. Provide further justification for the proposed landscaping scheme in relation to the heritage assets, particularly in relation to Little Moor Farm and Woodside Farmhouse.</li> </ul>	
1.8.10.	The Applicant	1	2	<p><b>Mitigation – Church of St Mary</b> It is acknowledged that proposals in the OLMP [APP-401-403] will not reduce the adverse impact caused by the loss of the views from the north and that, although new</p>	



ExQs 1	Question to: 1			Question:1	
				<p>paths will be created to compensate for the loss of existing rights of way, none of these are likely to provide new views towards the church tower that might compensate for the loss of views from the north.</p> <p>a) Given this do you consider that the proposed mitigation provides any benefits to mitigating the key impact of the proposed developments upon the significance of the heritage asset?</p> <p>b) Were any alternative schemes considered, including the layout of buildings and compounds; creating new landforms or new landscape which would maintain views towards the Church from the north, as stated to be sought in the design of the OLMP?</p>	
1.8.11.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Assessment Criteria Tables</b> Annex 1 to ES Appendix 24.7 [APP-519-520] contains tables to provide the criteria used in the assessments to define the importance of heritage assets, the magnitude of impact on heritage significance and the EIA significance of any effects.</p> <p>Under these tables Medium Heritage Importance (perceived Regional Importance)</p>	



ExQs 1	Question to: 1	Question:1		
			<p>includes Grade II Listed Building or structures.</p> <ul style="list-style-type: none"> <li>Provide further justification for your view that Grade II Listed Buildings are of regional importance, as opposed to being of national importance.</li> </ul>	
1.8.12.	Historic England and other parties, including ESC	1	<p><b>2 Church of St Mary</b> Your RR [RR-047] states you consider that the proposed developments would result in a very high level of harm to the significance of the grade II* listed Church of St Mary, and that you have concerns that the mitigation will bring about further changes to the setting of the church.</p> <ul style="list-style-type: none"> <li>Do you consider that the location of the proposed substations and the proposed mitigation would cause substantial harm to the significance of this heritage asset?</li> </ul>	
1.8.13.	The Applicant, SCC, ESC	1	<p><b>2 Parish Boundaries</b> SCC and ESC consider that the proposed developments would result in the loss of the historic parish boundary between Friston and Knodishall and this has not been adequately addressed. The ExA note the responses of the</p>	



ExQs 1	Question to: 1			Question:1	
				<p>Applicant to this point in their response to the RR [AS-036].</p> <ul style="list-style-type: none"> <li>How would the schemes overcome the loss of parish boundary PB1? Is it proposed to mitigate this loss?</li> </ul>	
1.8.14.	The Applicant	1	2	<p><b>Cumulative Impacts</b>            Friston Parish Council [RR-011] are of the view that the cumulative heritage impact on the cluster of listed buildings which surround the substation site has been underestimated significantly and that there is only a visual assessment of setting. The ExA note the responses of the Applicant to this point in their response to the RR [AS-036]</p> <ul style="list-style-type: none"> <li>a) Consider the cumulative impact of the proposals on the identified heritage assets around the sites.</li> <li>b) Provide further information with reference to ES Appendix 24.7 [APP-519-520] to respond to the view that setting has only been considered in a visual sense.</li> </ul>	
1.8.15.	The Applicant, Historic England	1	2	<p><b>Offshore archaeology</b>            Historic England (HE) [RR-047] state that the large number of geophysical seabed</p>	



ExQs 1	Question to: 1		Question:1	
			<p>anomalies recorded highlights the potential for significant historic environment features to be present, and that they are concerned to ensure that the Outline Offshore Archaeological Written Scheme of Investigation considers how the construction can be designed sensitively to take into account known and potential heritage assets.</p> <p>HE is concerned to ensure the appropriate depth for a continuous stratigraphy is incorporated into the planning of the geotechnical survey, with boreholes and vibrocores stored and maintained to maximise archaeological objectives. This is to mitigate impacts on archaeological deposits of high potential.</p> <p>The ExA note the responses of the applicants to this point of view in their responses to the RRs [AS-036] and the commitment to further archaeological assessment of any further geophysical data acquired for the projects</p> <p>To the Applicant:</p> <ul style="list-style-type: none"><li>a) Respond further to the concerns of Historic England; can the Offshore WSI be adapted to meet their concerns during the examination and any</li></ul>	





ExQs 1	Question to: 1			Question:1	
				<p>consequent amendments incorporated into the Condition 13(g) Preconstruction plans and documentation of the dDCO?</p> <p>To Historic England: b) Provide any further comments to the responses of the applicants, should you wish to do so.</p>	
1.8.16.	The Applicant, SCC	<b>1</b>	<b>2</b>	<p><b>Onshore archaeology</b></p> <p>SCC [RR-007] note that the submitted level of information falls short of the level of information required by the County Archaeologist. The ExA note that engagement continues with the County archaeologists.</p> <p>The ExA note the responses of the applicants to this point of view in their responses to the RRs [AS-036] and the commitment to engage with the County Archaeologists to minimise potential impacts regarding buried archaeological remains.</p> <ul style="list-style-type: none"><li>• Outline additional necessary measures to be secured within the final Written Scheme of Investigation (Onshore) and pre-commencement archaeology execution plan</li></ul>	



ExQs 1	Question to: 1	Question:1		
<b>1.9.</b>	<b>Land Use</b>			
1.9.1.	The Applicant	<b>1</b>	<b>2</b> <b>Agricultural land loss: consultation</b> ES chapter 21 Land Use [APP-069] Table 21.1 shows that the main topic raised in consultation in relation to land use is loss of agricultural land, both for the cable route and at the substation, and this is reflected in RRs.  a) Is the substation referred to in Table 21.1 [APP-069] the East Anglias substations or the National Grid substation, or should the reference be to both substations? b) If the reference in Table 21.1 [APP-069] is to the East Anglias substations only, was the National Grid substation consulted on and what was the outcome?	
1.9.2.	The Applicant	<b>1</b>	<b>2</b> <b>Effects on utilities</b> Paragraph 18 [APP-069] refers to utilities within or adjacent to the highway boundary and states that "[m]ajor utilities have been covered by identifying protective provisions in the draft DCO, and with the use of crossing agreements....The continuation of water supplies will be ensured."	



ExQs 1	Question to: 1			Question:1	
				a) Please clarify what constitutes a major utility; b) What about utilities elsewhere along the cable route and at the substations; c) Please state which utilities are covered by protective provisions and which by crossing agreements; d) Are there any utilities which are not covered either by protective provisions or by crossing agreements?	
1.9.3.	The Applicant	<b>1</b>	<b>2</b>	<b>Decommissioning</b> Table 21.2 Decommissioning [APP-069] refers to the onshore cable. <ul style="list-style-type: none"> <li>• Would the use of cable ducts make removal and recovery of the cables more straightforward?</li> </ul>	
1.9.4.	The Applicant	<b>1</b>	<b>2</b>	<b>Mitigation</b> Table 21.3 [APP-069] Table 21.3 describes embedded mitigation and best practice. <ol style="list-style-type: none"> <li>a) How will biosecurity issues be addressed?</li> <li>b) Will occupiers of land as well as landowners be consulted in respect of pre-construction surveys and land drainage during construction?</li> </ol>	



ExQs 1	Question to: 1			Question:1	
				c) How will land drainage during construction be managed in the event that no discussion or agreement with affected landowners is possible?	
1.9.5.	The Applicant	1	2	<p><b>Impact monitoring</b> Paragraph 26 [APP-069] refers to monitoring of actual impacts and says that: "<i>[f]inal details of monitoring will be agreed post-consent with the Local Planning Authority and relevant stakeholders.</i>"</p> <ul style="list-style-type: none"> <li>Who are the relevant stakeholders?</li> </ul>	
1.9.6.	The Applicant	1	2	<p><b>Land use and agricultural impact assessment: Design Manual for Roads and Bridges</b> Paragraph 36 [APP-069] details two main sources of guidance on methodology for assessing impacts on land use and agriculture. The Design Manual for Roads and Bridges (DMRB) was relaunched by Highways England in March 2020, the Highways Agency having ceased to exist in April 2015.</p> <ul style="list-style-type: none"> <li>Are there any significant differences between the old and new versions of</li> </ul>	



ExQs 1	Question to: 1			Question:1	
				DMRB that would have a material impact on your assessment methodology?	
1.9.7.	The Applicant	1	2	<p><b>Agriculture: land take effects</b></p> <p>Table 21.8 [APP-069] defines high, medium and low magnitudes of impact, with reference to permanent loss of more than 10ha or temporary loss of more than 20ha of Grade 4 land as having a low impact, and with a small area (less than 1000m<sup>2</sup>) permanently lost having a negligible impact.</p> <p>Table 21.9 [APP-069] shows significance of impact and paragraph 48 states that "<i>The assessment of impact significance is qualitative and reliant on professional experience, interpretation and judgement.</i>"</p> <p>Please provide further detailed justification for how the magnitude of impacts of loss of best and most versatile agricultural land is determined: in particular –</p> <p>a) why do you consider that a medium to long term loss of 20ha of land is to be regarded as a medium magnitude impact rather than a high magnitude impact?</p> <p>b) How is severance, whether temporary or permanent, taken into account,</p>	



ExQs 1	Question to: 1			Question:1	
				<p>particularly severance associated with smaller agricultural holdings?</p> <p>c) how does the methodology assess smaller agricultural or other holdings for which a 10ha permanent loss or a 20ha temporary loss would be seen by the owners and/or occupiers as having more than a negligible impact?</p>	
1.9.8.	The Applicant	1	2	<p><b>Agriculture: land take effects</b></p> <p>Paragraph 63 [APP-069] says that farms range in size from 5ha to more than 100ha:</p> <ul style="list-style-type: none"> <li>a) is this within Suffolk as a whole, or is this referring to farms with land within the onshore development area?</li> <li>b) what size is each landholding affected by the project? and</li> <li>c) bearing in mind the quality of land affected by the project, what is the significance of the impacts of the project on such landholdings during construction, operation and decommissioning, and in combination with the other East Anglia project?</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
1.9.9.	The Applicant	1	<p><b>2</b></p> <p><b>Agriculture: land take effects: best and most versatile land</b></p> <p>NPS EN1 (paragraph 5.10.8) says that <i>"Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification and preferably use land in areas of poorer quality (grades 3b, 4 and 5) ..."</i> and this is responded to in Table 21.8 [APP-069] which defines a high impact in terms of best and most versatile land as the permanent loss of over 20 hectares (ha) of the best and most versatile (BMV) agricultural land (grades 1, 2 or 3)</p> <p>Table 21.12 shows the percentages of the various grades of land within the onshore development area.</p> <p>Paragraph 70 states that <i>"the biggest percentage of agricultural land ... is Grade 3 and Grade 4 ... In total, 65.9% .... is moderate to poor quality ..."</i>.</p> <p>Paragraph 112 states that <i>"[t]he sensitivity of the receptor is considered to be medium, because ... the majority of the land area is either Grades 3 or 4"</i>.</p>	



ExQs 1	Question to: 1		Question:1	
			<ul style="list-style-type: none"><li>a) Given that the NPS defines Grade 3a (but not Grade 3b) as best and most versatile agricultural land, please explain why you have included Grade 3 land with Grade 4;</li><li>b) Given that the NPS defines Grade 3a as best and most versatile agricultural land, please explain why Table 21.12 does not subdivide Grade 3 land;</li><li>c) Why does Table 21.8 define best and most versatile in terms of Grade 3 rather than 3a per the NPS?</li><li>d) How much of the Grade 3 land is Grade 3a and so included in the NPS definition of best and most versatile agricultural land?</li><li>e) What percentage of agricultural land within the onshore development area is hence best and most versatile?</li><li>f) How much of the Grade 3 land is Grade 3b and hence defined in the NPS as being of poorer quality?</li><li>g) What percentage of agricultural land within the onshore development area is hence of poorer quality? and</li><li>h) Please explain how the test in paragraph 5.10.8 of the NPS is satisfied in respect of the choice of connection point, the</li></ul>	





ExQs 1	Question to: 1			Question:1	
				cable route and the related infrastructure (re-working agricultural land calculations if necessary to do so).	
1.9.10.	The Applicant	1	2	<p><b>Agricultural production: value and losses</b> Paragraph 65 [APP-069] says that “[t]he agricultural sector ... is estimated to be worth £400 million, and continues to play an important part in the county’s economy ...”</p> <p>a) Is this £400 million per year, or another time period? b) What is the financial, economic and employment loss in terms of crops and other agricultural output per year over the lifetime of the project?</p>	
1.9.11.	The Applicant	1	2	<p><b>Agricultural production: value and losses</b> In paragraph 96 [APP-069] you say that “the quality and availability of agricultural land could reasonably be expected to decline over time ...”.</p> <p>a) On what basis do you make this statement? b) What effect does this have on your assessment of impacts over the lifetime of the project? c) How will this loss be mitigated</p>	



ExQs 1	Question to: 1			Question:1	
1.9.12.	The Applicant	1	2	<p><b>Agricultural impacts: timing</b> Paragraph 101 [APP-069] says that "[t]he exact timing and duration of works at any location are not known at this time."</p> <p>a) Is it your intention that the Agricultural Liaison Officer (ALO) communicate this information as part of the Stakeholder Communications Plan within the Code of Construction Practice secured through R 22 in the dDCO?</p> <p>b) What other duties will the ALO perform and at what stage in the design, construction, operation and decommissioning of the works? (eg crossing points para 105).</p> <p>c) Will decisions on timing take into account the practicalities of agriculture and the farming year?</p> <p>d) How might this be secured?</p>	
1.9.13.	The Applicant	1	2	<p><b>Agricultural impacts: magnitude and duration</b> Section 21.4.3 and tables 21.8, 21.9 and 21.10 [APP-069] refer to the magnitude and significance of impact on a receptor. Referring to the landfall and the onshore cable route, paragraph 112 states that "[t]he magnitude of effect is considered to be</p>	



ExQs 1	Question to: 1			Question:1	
				<p><i>negligible given that there is no permanent change to land use for the onshore cable route and landfall, with only temporary restriction to agricultural activities ...". Please:</i></p> <ul style="list-style-type: none"><li>a) confirm that you are referring to the magnitude of impact;</li><li>b) explain what time period constitutes temporary; and</li><li>c) explain why the restriction on agricultural activities is only temporary.</li></ul>	
1.9.14.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Agricultural impacts: magnitude and significance</b></p> <p>Section 21.4.3 and tables 21.8, 21.9 and 21.10 [APP-069] refer to the magnitude and significance of impact on a receptor. Referring to the onshore substation and National Grid infrastructure, paragraph 121 acknowledges that the sensitivity of the receptor is high due to the quality of the agricultural land.</p> <p>Given that paragraph 116 says that "<i>a total of approximately 46.28ha of agricultural land could be taken out of existing use ...</i>", please:</p> <ul style="list-style-type: none"><li>a) confirm that you are referring to the magnitude of impact; and</li></ul>	



ExQs 1	Question to: 1			Question:1	
				b) explain why you consider the magnitude to be negligible.	
1.9.15.	The Applicant	1	2	<p><b>Agricultural impacts: land drainage</b>            Paragraph 133 [APP-069] refers to impacts on land drainage and says: "<i>[d]rains are likely to be at a depth of between 0.5m – 1.5m, made of ceramic, plaster or other appropriate materials ...</i>".</p> <p>a) Do you mean similar materials?            b) How would the drains be located?            c) What measures will you take to ensure when you truncate the drainage systems temporarily that you do not cause flooding?            d) How would the field drainage be reinstated following the installation of the cable if only one project is constructed?            e) How would the field drainage be reinstated following the installation of the cable if both projects are constructed, whether concurrently or with a delay?            f) What would the approval process be for this?</p>	
1.9.16.	The Applicant	1	2	<b>Agricultural impacts: land drainage</b>	



ExQs 1	Question to: 1		Question:1	
			<p>Paragraph 138 [APP-069] says that:  <i>"[f]urther mitigation measures, as secured within the CoCP and detailed within the OCoCP submitted with this DCO application, may include the use of a specialist drainage contractor to undertake surveys and create drawings prior to and post construction to locate drains and ensure appropriate reinstatement."</i></p> <ul style="list-style-type: none"> <li>a) Do you mean that the mitigation measures will be detailed within the CoCP and outlined within the OCoCP?</li> <li>b) Surely the outline CoCP should say that further mitigation 'will' include the use of a specialist drainage contractor?</li> <li>c) What do you mean by <i>"appropriate reinstatement"</i>?</li> <li>d) How will details of the proper and necessary reinstatement be agreed with those affected?</li> </ul>	
1.9.17.	The Applicant	1	<p><b>2 Agricultural impacts: soils</b>  Paragraph 141 [APP-069] says that <i>"A range of embedded mitigation measures may be employed ..."</i> in respect of soils, and goes on to list these.</p>	



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"><li>• Surely the measures listed will be employed as part of the soil management plan referred to in paragraph 142 and secured by R 22 of the dDCO?</li></ul>	
1.9.18.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Common land effects</b></p> <p>In respect of common land, we note from paragraph 93 [APP-069] that the onshore development area does not encroach on any common land and this is shown on Figure 21.6. In paragraph 150 line 1 presumably you mean "<i>discrete</i>" and in line 5 you mean that "<i>there will be no interaction</i>".</p> <ul style="list-style-type: none"><li>• Please explain how "<i>no interaction</i>" will be achieved and why "[t]<i>here will be no impact to common land</i>" (paragraph 151) given that the onshore development area will directly abut Thorpeness Common and Sizewell Common and consequently access to these areas of common land will not be possible from the sides adjacent to the onshore development area, namely the north and west sides of Thorpeness Common and the north and west sides of Sizewell Common: Figure 21.6 [APP-273] refers.</li></ul>	



ExQs 1	Question to: 1			Question:1	
1.9.19.	The Applicant	1	2	<p><b>Utilities effects</b></p> <p>Table 21.15 [APP-069] says that there will be no cumulative impacts on utilities.</p> <ul style="list-style-type: none"><li>• If the East Anglia projects are constructed consecutively, please explain in more detail why there will be no cumulative impact in respect of utilities, particularly if both projects are consented but it has not been decided whether the second project will proceed.</li></ul>	
1.9.20.	The Applicant	1	2	<p><b>Cumulative effects</b></p> <p>Paragraph 187 and Table 21.16 deal with cumulative impacts, and Table 21.17 [APP-069] shows that the projects considered for cumulative assessment are the Sizewell C New Nuclear Power Station and the demolition and relocation of facilities at the operational Sizewell B Power Station complex.</p> <p>Further to the "status" column in Table 21.16 we note that Sizewell C has been accepted for examination and Sizewell B has received planning consent.</p> <p>We also note from paragraph 192 that there is no physical overlap with the Sizewell projects in terms of land use.</p>	



ExQs 1	Question to: 1	Question:1		
			a) Has the planned de-fuelling and building demolition project at Sizewell A (shut down on 31 December 2006) been considered? b) What impact, if any, will this East Anglia project, either alone or in combination with the other East Anglia project and cumulatively with the above projects, have on the Sizewell evacuation route?	
			<b>Outline Public Rights of Way Strategy [APP-581]</b>	
1.9.21.	The Applicant	1	2 Paragraph 6 says that there are " <i>PRoW that fall within the onshore development area but which will not have an interaction with the proposed ... project and therefore are not subject to temporary control measures. This includes the Suffolk Coastal Path PRoW which crosses the onshore development area at landfall. Construction works ... are ... underground works only (specifically horizontal directional drilling), therefore there is no interaction ... and no temporary control measures are required.</i> "  Please a) explain what you mean by an interaction;	Watching Brief (WB) on responses





ExQs 1	Question to: 1			Question:1	
				b) list these PRow ; c) explain what measures you will take to avoid nuisance and ensure the safety, amenity and quiet enjoyment by those using them in the vicinity of the construction works, with particular reference to the Suffolk Coastal Path; and d) state where these measures are secured.	
1.9.22.	The Applicant	<b>1</b>	<b>2</b>	Paragraph 12 gives two instances of temporary closure without a diversion, namely - PRow E-363/027/0 (bridleway) shown on the top left of sheet 3 of the Temporary Stopping Up Of PRow Plan [APP-013] and - the southern extent of PRow E-260/017/0(footpath) shown bottom right on sheet 9 of the Temporary Stopping Up Of PRow Plan [APP-013].  Please a) indicate in each case the extent of PRow to be closed temporarily without a diversion; and b) explain why no diversion is to be provided.	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
1.9.23.	The Applicant	1	2	<p>The second bullet point in paragraph 15 states that <i>"where impacted by the works, the surveyed PRoW will be restored to its original condition or otherwise as agreed with the LPA (with approval from the Local Highway Authority) ..."</i></p> <p>a) What detailed measures would be required to ensure that these footpaths and routes are reinstated following closure or diversion, including those parts outside the Order limits which may have become overgrown? and</p> <p>b) how would such measures be secured, including prompt timescales for completion?</p>	
1.10.	<p><b>Landscape and Visual Impact</b> The Applicant and respondent to these questions are referred to design and design mitigation questions raised in ExQ1.0 above as providing an element of the context for responses to these questions.</p>				
1.10.1.	The Applicant	1	2	<p><b>The approach to landscape mitigation</b> The OLEMS [APP-584] discusses the approaches to mitigation, concluding that a combination of hidden and integrated is appropriate. It is concluded that:</p> <p>"69. Woodland blocks to the south of the onshore substation and National Grid</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>substation are intended to provide screening for the main visual receptors on the northern edges of Friston.”</p> <p>Notwithstanding any conclusions that might be made in respect of pylons and cables, LVIA VP 1 and 3 identify that at year 15 there is the potential for significant screening to be in-situ. However, montages from VP2 on the PROW appear to result in the infrastructure remaining relatively visible, even at year 15.</p> <p>a) Within the context of seeking to reflect historic field patterns, clarify the position in respect of mitigation planting in this location? Specifically, does it follow the hidden or integrated approach</p> <p>b) Do the indicated montages indicate that the proposed mitigation measures would be effective?</p>	
1.10.2.	Any IP and the Applicant	<b>1</b>	<p><b>2</b> A number of RRs raise concerns about the visual impact of development on Friston, with reference to the adequacy of mitigation.</p> <ul style="list-style-type: none"> <li>Is further mitigation required and what form might this take? Would additional planting of trees and hedgerows be an appropriate method to resolve this?</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1			
				What form might additional planting take?	
1.10.3.	The Applicant	<b>1</b>	<b>2</b>	<p>Notwithstanding any responses to question 1.11.2, if it were considered that additional tree planting could have the potential to resolve concerns relating to visual impact and Friston, what would the impact of this be on:</p> <ul style="list-style-type: none"> <li>a) Land required to deliver and secure the long-term maintenance of such planting;</li> <li>b) Related impacts, particularly in relation to the setting of heritage assets.</li> </ul>	Watching Brief (WB) on responses
1.10.4.	The Applicant	<b>1</b>	<b>2</b>	<p>The ExA note that while a more interventionist approach to visual impact (e.g. bunding) may have more impact on landscape character than the proposed developments they may achieve more in terms of reducing visual effects in the vicinity of the proposed substations.</p> <ul style="list-style-type: none"> <li>a) Were more substantial landscaping alterations considered as a way to resolve visual impacts (i.e. bunding etc)?</li> <li>b) If so, why were they discounted, and what assessment took place of the balance between potentially altering landscape character more fundamentally and reducing visual effects?</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
1.10.5.	The Applicant	<b>1</b>	<b>2</b>	<p>Various references have been made [including, but not limited to RR-320, RR-322, RR-182] to the Rampion OWF onshore substation and it being of a lower height than is proposed within the proposed developments.</p> <p>a) Provide a commentary on this, focusing on, but not necessarily limiting a response to:</p> <ul style="list-style-type: none"> <li>- technology;</li> <li>- capacity;</li> <li>- scale (height/footprint); and</li> <li>- approach to design, including post consent requirements.</li> </ul>	Watching Brief (WB) on responses
1.10.6.	The Applicant	<b>1</b>	<b>2</b>	<p>It is noted [APP-077] that up to 0.9ha of woodland north of Fitches Lane will be felled as part of the onshore cable construction.</p> <p>It is the ExA's understanding that the Applicant has committed to reducing the onshore cable route to 16.1m at this point in combination for both proposed projects, to retain as many trees as possible at this location.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>a) Confirm that this understanding is correct or provide clarification if not.</p> <p>It is not clear to the ExA if the reinstatement for this section of the proposed works would be new planted woodland (reinstatement) or heathland established over the onshore cables and woodland planting along the outer edges</p> <p>b) Confirm the details for the proposed mitigation for the removed area of woodlands north of Fitches Lane</p> <p>c) If mitigation would be proposed heathland, assess the landscape effects, including assessing the likely visibility to receptors, of providing a 16.1m strip (dependent on answer to part a)) of fairly open heathland in the middle of an existing woodland?</p> <p>d) Would woodland planting along outer edges be a realistic proposition given the future potential impact of the roots of the proposed trees?</p> <p>ES Appendix 29.3 [APP-567, APP-567], section 29.3.1 states that the magnitude of change to the perceived landscape character in the vicinity of this woodland, at 5 years post construction, once the replanted areas</p>	



ExQs 1	Question to: 1			Question:1	
				<p>have established, is assessed as being low and the impact is not considered significant.</p> <p>e) Explain why 5 years is considered enough time for mitigation measures to establish themselves and for the impact to change from significant (during the first year) to not significant after 5 years?</p> <p>f) Bearing in mind question c), if the proposal is to establish a strip of heathland along the onshore cable route, do you consider such mitigation measures to be sufficient to achieve such a reduction in impact?</p>	
1.10.7.	The Applicant	<b>1</b>	<b>2</b>	<p>ES Chapter 29 [APP-077], paragraph 19 states that offsite highway improvements are part of the onshore preparation works which will take place prior of the commencement of main construction. It is set out that detailed assessment of these works does not form part of the assessment of construction impacts. It is also considered that these works would be undertaken in consultation and in accordance with the requirements of the local Highways Authority as per the dDCO.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>Paragraph 21 states that the offsite highway improvement will have a small footprint, temporary nature and limited intrusive elements and therefore it is not considered by the applicants that they will give rise to landscape and visual impacts.</p> <p>a) Clarify that "offsite highway improvements", means Works No. 35 to 37 as listed in the dDCO (Schedule 1 - Approved Works)?</p> <p>If so, the dDCO allows for widening of highways and vegetation clearance.</p> <p>b) Explain how these works are unlikely to give rise to landscape and visual impacts?</p> <p>c) Explain the rationale behind excluding these works from the assessment?</p>	
1.10.8.	The Applicant	<b>1</b>	<b>2</b> ES Chapter 29, paragraph 41 [APP-077] and the OLEMS, paragraph 81 [APP-584] contains the assumptions used for vegetation growth rates. These predictions have been used in the production of the photomontages, illustrating the effectiveness of the planting at year 15. It is stated in the OLEMS (paragraph 84) that heights of taller trees at 15 years	





ExQs 1	Question to: 1		Question:1	
			<p>post planting are based on an assumption of planting 60cm cell grown plants, with an average annual growth rate of 30cm per year for the first 5 years and 50cm per year for the next 10 years. These assumptions are based on guidance produced by IEMA in 2019. As such the growth rates reported in the OLEMS and the LVIA chapters are a "rule of thumb" to establish growth rate without considering local conditions.</p> <p>ES Chapter 29, paragraph 68 states that the magnitude of change (for both landscape and visual impacts) is assessed at 15 years post planting which results in the assessment of residual impact significance. This is based on the assumption that the planting will be successful at the growth rates provided at paragraphs 81 – 84 of the OLEMS.</p> <p>It is therefore unclear whether this can be considered a worst case scenario in term of assumed growth rates for the purpose of the EIA.</p> <p>Various representations, including from the County Council, ESC and Friston PC also consider that the assumed growth rates are not reasonably justified in the prevailing local</p>	



ExQs 1	Question to: 1			Question:1	
				<p>conditions given local soil and climatic conditions. The ExA note the applicants' comments on the RRs [AS-036].</p> <ul style="list-style-type: none"><li>a) Explain the confidence it has in the growth rates for proposed planting assumed for the purposes of the assessment and in the photomontages provided?</li><li>b) To what extent have these assumptions taken into account the specific growing conditions, including local conditions of soil, drainage, and climate, for relevant species at any particular location?</li><li>c) What effect would a more cautious approach to growth rates have on the submitted montages?</li></ul> <p>The use of professional judgement should be clearly stated and explained.</p>	
1.10.9.	The Applicant	<b>1</b>	<b>2</b>	Various references are made around pre-construction planting in the LVIA [APP-077] and OLEMS [APP-584], including but not limited to paragraphs 70, 85 and 86 of the OLEMS	



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>• Explain how such planting would be secured by the DCO and how it would be approved.</li> </ul>	
1.10.10	The Applicant	<b>1</b>	<b>2</b>	<p>ES Chapter 29, paragraph 52 [APP-077] (Section 29.3.4 Monitoring) states that where monitoring is proposed in regard to maintenance of any proposed planting this is described in the OLEMS [APP-584]. However, the OLEMS paragraph 311 (section 9) states that the requirement for, and final appropriate design and scope, of monitoring will be agreed with the LPA and included within the relevant management plan(s), submitted for approval to discharge relevant DCO requirements, prior to construction works commencing. The OLEMS does not provide any indication of the management provisions for all tree and shrubs, should planting fail.</p> <ul style="list-style-type: none"> <li>a) Explain what measures are in place to identify and address failure or below assumed growth rate performance within the proposed planting design? If no such measures exist is the applicant content that the assumptions applied in the ES support this potential outcome</li> <li>b) What are the management provisions for all tree and shrub planting types from</li> </ul>	



ExQs 1	Question to: 1		Question:1	
				year 5 onwards, and the proposed end date for management activities? Explain how any such provisions would be secured in the DCO, or suggest amendments to ensure that they are.
1.10.11	The Applicant	<b>1</b>	<b>2</b>	What additional mitigation measures have been considered (other than as contained within the OLEMS) and if others were considered, why have none been proposed?
1.10.12	The Applicant	<b>1</b>	<b>2</b>	<p>ES LVIA Chapter 29, paragraph 180 [APP-077] states that while the Ancient Claylands LCT is sensitive to changes from large scale development, the visual containment of the LCT by extensive woodland blocks, tree belts and hedges reduces the susceptibility of this LCT to changes arising from the onshore infrastructure. The Conclusions of the chapter (paragraph 266) reaffirm that the proposed onshore substations and National Grid infrastructure is located within a landscape with extensive mature woodland of large scale. The OLEMS [APP-584] states that the Outline Landscape Management Plan (OLMP) would seek to be historically appropriate.</p> <p>The ExA note from submitted plans the woodland in the vicinity of the proposals</p>



ExQs 1	Question to: 1			Question:1	
				<p>largely consists of Laurel Covert, Grove Wood, and trees to the east of Friston House.</p> <ul style="list-style-type: none"> <li>a) Do you agree with the description of the existing woodland?</li> <li>b) If so, do you maintain that such woodland amounts to 'extensive' woodlands blocks?</li> <li>c) What would be the adverse effects of creating large areas of new 'Covert' woods to shield the proposals in terms of landscape character? Has any assessment taken place of any such effects?</li> <li>d) Would such new Covert woods be historically appropriate given the stated local characteristic of a network of small-scale fields to the north of Friston, with strong hedgerow field boundaries and scattered mature deciduous field boundary trees? If so, why, or if not, why not?</li> </ul>	
1.10.13	The Applicant, Natural England	1	2	ES Chapter 29, paragraph 180 [APP-077] sets out that the susceptibility of the Ancient Claylands LCT is reduced as the landscape is influenced by the presence of the existing double row of high-voltage overhead transmission lines, with changes experienced	c) This concerns landscape character and impacts around the proposed substation site outside of the AONB and therefore not something that Natural England is able to comment on.



ExQs 1	Question: 1			Question:1	
				<p>in the context of existing electrical infrastructure and large-scale elements.</p> <p>However, there is a clear difference between a double row of high level largely see through transmission lines when compared to the proposed extent and density of ground level infrastructure.</p> <ul style="list-style-type: none"><li>a) To what extent do you consider that the susceptibility of the Ancient Claylands LCT to change is reduced by the presence of the existing overhead transmission lines?</li><li>b) Compare and contrast in landscape character terms the existing effects of the overhead transmission lines and the proposed substation development.</li></ul> <p>To Natural England:</p> <ul style="list-style-type: none"><li>c) Do you agree with the applicant's assessment of the susceptibility of the Ancient Claylands LCT to changes arising from the proposed developments?</li></ul>	
1.10.14	The Applicant	1	2	ES Chapter 29, paragraph 185 [APP-077] notes that in views from areas where the onshore substation and National Grid	



ExQs 1	Question to: 1			Question:1	
				<p>substation will be visible, Grove Wood and Laurel Covert would provide visual containment in terms of the spread of development and vertically, since these woodlands are higher than the onshore substation and National Grid infrastructure.</p> <p>a) Would significant vertical containment be provided from viewpoints from all orientations given the orientation and positioning of the proposed infrastructure and Grove Wood and Laurel Covert, to the east of the proposals?</p> <p>b) How much vertical containment would be provided in relevant views given the open and visually unconstrained nature of much of the proposed infrastructure when set against a green backdrop? Would any such containment be reduced in winter?</p>	
1.10.15	The Applicant	<b>1</b>	<b>2</b>	<p>ES Chapter 29 [APP-077] notes in terms of visual impacts [ref] that the proposed sealing end compounds will be visible, particularly in views from the north.</p> <ul style="list-style-type: none"> <li>Confirm that the relevant photomontages provided in the</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				submitted documents include such sealing end compounds. If they are, please provide annotated versions of the relevant photomontages to indicate.	
1.10.16	The Applicant	<b>1</b>	<b>2</b>	<p>The conclusions of the ES Chapter 29 [APP-077] note that it is considered that there is scope for the onshore infrastructure to be accommodated in the landscape, over the long-term, with the delivery of the landscape mitigation plan.</p> <p>a) In this respect define the terms 'accommodated' and 'long term'.</p> <p>b) Is such accommodation sufficient to adequately mitigate the adverse effects on the quality of landscape and the visual impact of the new infrastructure? How can this mitigation be secured, monitored, and assessed?</p>	Watching Brief (WB) on responses
1.10.17	The Applicant	<b>1</b>	<b>2</b>	ES Chapter 29 [APP-077] Table 29.1 states that "Lighting effects associated with the construction works and onshore infrastructure have been taken into account within the assessment methodology. More detail is provided in Appendix 29.2 Operational impacts (including lighting) are considered in section 29.6.2"	Watching Brief (WB) on responses





ExQs 1	Question to: 1		Question:1	
			<p>However, it is is not clear to the ExA where more detail is provided in either Appendix 29.2 or section 29.6.2.</p> <p>While noting information provided in the submitted Design and Access Statements [APP-580], clarify the proposed day and night time lighting required of the onshore infrastructure, how this would be controlled both physically and through the DCO, and if any is necessary, the visual effects of such lighting on key receptors.</p>	
1.10.18	The Applicant	<b>1</b>	<b>2</b> <p>The ExA noted on their unaccompanied site visits [EV-005, EV-006, EV-007] that the eastern side of the property at Moor Farm (NGR TM 41030 61692) has a very open aspect to the south, with open fences and a grassed lawn in front of large windows providing presumably extensive views to the south towards Friston. The applicant is requested to:</p> <p>a) Assess the effect of the proposals in the context of the proposed OLMP from this vista</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1			
				b) Can the applicant confirm whether or not this property is curtilage listed as part of High House Farm?	
1.10.19	The Applicant	1	2	Submitted plans show proposed sustainable drainage system basins. Assess any effect of the such basins on the local landscape character in landscape and visual terms, where relevant.	
1.10.20	The Applicant	1	2	Can the Applicant confirm whether any noise impacts of the operational sub-stations has been considered in the assessment of landscape effects?	
1.10.21	The Applicant			Friston Parish Council raise concerns over the extent of the proposed access road. The ExA note the responses of the applicants to this point of view in their responses to the RRs [AS-036] and the technical details provided. Provide justification for the proposed length and width of the road.	
1.10.22	The Applicant, Natural England			Natural England [RR-059, Appendix D] raise issues in respect of highlighting the need for considering and potentially committing to simultaneous construction of the onshore cabling for both projects should they both be approved, as a form of mitigation to limit	b) Separate installation of the cabling would either maintain a continually active construction corridor across the AONB for a much longer period; or require recent reinstatement and



ExQs 1	Question to: 1		Question:1	
			<p>construction phase landscape and visual impacts to the short term.</p> <p>They note that in their view the importance of the AONB (a nationally designated landscape with the highest level of planning policy protection) justifies the most effective mitigation being applied i.e. both onshore cabling stages to be completed together and the landscape fully restored as soon as possible.</p> <p>The ExA note the responses of the Applicant to this point of view in their response to the RR [AS-036] that the projects are being developed by two separate companies, are two separate projects and will have two separate Development Consent Order consents.</p> <p>a) Can any assurances be provided of the likelihood (or not) of financing being secured for both projects in parallel and works being carried out concurrently?</p> <p>To Natural England:</p> <p>b) If the projects are not able to be carried out together, provide further views and</p>	<p>restoration work for the first scheme to be disrupted or entirely undone to install cabling for the later scheme. This would not only remove this part of the AONB's capacity to contribute to the area's statutory purpose (to conserve and enhance the area's natural beauty) for that extended period, but risk, given the long duration of construction activities and disruption, the scheme significantly detracting from that statutory purpose.</p>



ExQs 1	Question to: 1		Question:1	
			<p>comments on the effects of the proposals on the AoNB.</p>	
1.10.23	The Applicant, Natural England		<p>Natural England [RR-059, Appendix D] note that there is a limited amount of detail as to how construction activities would proceed along the cable route in and close to the Suffolk Coast and Heaths AONB and how soon after commencement all signs of construction activity would be removed from the AONB.</p> <p>The ExA note the responses of the applicants to this point of view in their responses to the RRs [AS-036] and notes that there is no commitment to an anticipated timetable and / or schedule for how construction activities would progress along the cable route within the immediate setting of the AONB and specific durations of Construction Consolidation Sites (CCSs) and construction activity and that this will be considered as part of detailed design once a contractor is appointed.</p> <p>Provide further information on the above, including:</p> <p>a) Further justification as to why an anticipated timetable / schedule for how construction activities would progress</p>	<p>Natural England is aware that the Applicant intends to submit more information at Deadline 2. We will provide further advice once that is submitted.</p>



ExQs 1	Question no: 1		Question:1	
			<p>along the cable route within and in the immediate setting of the AONB, including details of the undergrounding works within and in the immediate setting of the AONB, covering both the topsoil stripping/trenching (and HDD if relevant) and backfilling/ reinstatement of the cable route cannot be provided (if still the case)</p> <ul style="list-style-type: none"><li>b) An assessment of how such construction activities and their removal, including construction consolidation sites, would impact on the character and setting of the AONB, particularly given the unknowns at the present time.</li><li>c) The timetable for and details of the reinstatement of trees, hedgerows and other landscape features lost during the construction phase and confirmation whether such information could be secured as part of the DCO.</li><li>d) Any suggested proposals to mitigate the effects of the inability to provide an anticipated timetable/schedule and how they might be secured</li></ul> <p>For Natural England</p>	



ExQs 1	Question to: 1	Question:1		
			e) Provide your comments on the responses of the applicant	
1.10.24	Natural England		<p>With respect to the assessment of cumulative impacts of the EA1N and EA2 OWFs with the construction and operational phases of the Sizewell C project, the ExA note that you advise that all parties consider landscape enhancement/net gain opportunities within the AONB, and consider that an agreement should be put in place on how this could be achieved with the AONB partnership in consultation with yourselves and others.</p> <p>The ExA note the responses of the applicants to this point of view in their responses to the RRs [AS-036] that there is no policy requirement to deliver net gain for NSIP projects.</p> <p>Respond to this if necessary</p>	<p>Whilst it is acknowledged that the minimum requirement is to provide reinstatement and habitat restoration to offset project impacts, and despite it not being written within the Government net gain document for NSIPs; it is widely assumed that NSIPs are no different to other applications and statutory undertakers in this context and therefore they should provide net gain/enhancement.</p>
1.10.25	The Applicant		<p><b>Photomontages</b></p> <p>The ExA noted on their unaccompanied site visits [EV-005, EV-006, EV-007] that further additional visualisations/photomontages of the proposals for the following locations would be very useful. Please produce these:</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				a) Footpath to south of Little Moor Farm NGR TM 41293 61495 b) Bench to north of Friston at intersection of footpaths NGR TM 41394 60679 c) Footpath across field to south west of High House Farm/Moor Farm NGR 40860 61501	
1.10.26	The Applicants			<p><b>Pilgrims Paths</b>            Various IPs [including but not limited to RR-445, RR-356, RR-068]] to the effect of the proposal on "pilgrims paths". The existing footpath running north from Friston towards Little Moor Farm which will be removed as part of the proposals is stated to be one such path.</p> <ul style="list-style-type: none"> <li>Respond to this view. Has any assessment been taken of any additional value which a footpath may accrue by virtue of historical associations?</li> </ul>	
<b>1.11.</b>	<b>Marine and Coastal Physical Processes</b>				
1.11.1.	The Applicant	<b>1</b>	<b>2</b>	<b>UK Climate projections and coastal erosion</b>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>The ExA notes that Appendix 4.6 of the ES [APP-447] was produced in April 2018. The UK Climate Projections 2018 (UCKP18) was published on 26 November 2018</p> <ul style="list-style-type: none"><li>Do the projections have any implications for the conclusions drawn in Appendix 4.6 or ES Chapter 4 [APP-052] or on the risk of the development being affected by coastal change?</li></ul>	
1.11.2.	The Applicant	1	<b>2 Mitigation and remediation at landfall</b> a) In the event that cables were to become exposed due to coastal erosion what mitigation or remediation measures may be required? How would this be monitored?  Paragraph 5.510 of (EN-1) seeks to ensure that proposed developments will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period.  b) How has the resilience to costal erosion during the decommissioning period been addressed?	Watching Brief (WB) on responses





ExQs 1	Question to: 1	Question:1			
1.11.3.	The Applicant	1	2	<b>HDD at landfall</b> Use of the horizontal directional drill (HDD) method to bring the offshore cables onshore is understood to reduce potential significant adverse impacts on coralline crag and the Lesiton to Aldeburgh SSSI  a) Please identify, with reference to the Shoreline Management Plan (SMP) and the assessments in Appendix 4.6 where the parameters have been calculated and set for the length, depth and angles of drilling that are compatible with the assessments  b) Does the Applicant intend on submitting an a draft landfall construction method statement in to the Examination and if so when?	Watching Brief (WB) on responses
1.11.4.	The Applicant	1	2	<b>Geological integrity and stability at landfall</b> What site investigations have taken place to ensure that the geological integrity and stability the shoreline could withstand vibrations or fracturing as a result of HDD or during operation and what are the results?	Watching Brief (WB) on responses
1.11.5.	The Applicant	1	2	<b>Transition bays</b>	Watching Brief (WB) on responses



ExQs 1	Question to: 1	Question:1		
			How is the distance inland of the transition bays, to be located beyond the 100 year predicted shoreline in the SMP in the , secured in the DCO?	
1.11.6.	The Applicant	<b>1</b>	<b>2 Preferred solutions at landfall</b> ES Chapter 4 states that the preferred solution is to HDD from onshore landfall to south of the coralline crag, potentially including HDD under a small section of the southern extent of coralline crag. Further geological and engineering surveys will lead to a final installation location. <ul style="list-style-type: none"> <li>• What are the implications if the preferred solution is not achievable?</li> </ul>	
1.11.7.	The Applicant	<b>1</b>	<b>2 Landfall compound, cable entry point, cable exit point, long HDD, coastal erosion, coralline crag and SPA/SSSI boundary</b> Please provide plan view(s) of the proposed HDD working area(s) including any temporary landfall compound, cable entry point, cable exit point, long HDD, 100 year predicted shoreline, SSSI/SPA boundary and extent of coralline crag	
1.11.8.	The Applicant	<b>1</b>	<b>2 Cross section for landfall</b>	



ExQs 1	Question to: 1			Question:1	
				Please provide a cross section(s) showing the cable entry point, depth of burial, current shoreline and the 100 year predicted shoreline.	
1.11.9.	SCC, ESC, Environment Agency, Marine Management Organisation	1	2	<b>Coastal erosion predictions</b> Do you agree with the conclusions on the extent of future coastal erosion set out in Appendix 4.6 [APP-447]?	Watching Brief (WB) on responses
<b>1.12.</b>	<b>Marine Effects – N/A to NE’s remit</b>				
1.12.1.	Trinity House	1	2	<b>Effects on navigation, lighthouses, buoys and beacons</b> The Trinity House RRs [RR-029] identify the likelihood of further comments. Please ensure that any substantive observations on navigational risk or infrastructure are made in your WRs at Deadline 1. <ul style="list-style-type: none"> <li>• Are any substantive amendments to the proposed development sought and if so why are they required and how should they be secured?</li> <li>• Please provide best progress on and justifications for any amended dDCO drafting sought (see draft SoCG [AS-053] (ID TH-105)).</li> </ul>	



ExQs 1	Question to: 1			Question:1	
1.12.2.	Maritime and Coastguard Agency	1	2	<p><b>Effects on shipping and navigation, search and rescue</b></p> <p>The Maritime and Coastguard Agency RRs [RR-053] identify the potential for further comments and correspondence in response to the ExA's Rule 9 Letter of 21 May 2020 [AS-058] does not set out or rule out further comments. Please ensure that any substantive observations on shipping, navigational risk or search and rescue are made in your WRs at Deadline 1.</p> <ul style="list-style-type: none"><li>• Please provide best progress on and justifications for any amended dDCO drafting sought (see draft SoCG [AS-051] (ID MMO-005)).</li></ul>	
1.12.3.	Maritime and Coastguard Agency	1	2	<p><b>Application of Marine Guidance Notes and related documents</b></p> <p>What (if any) are the as yet undocumented implications of the proposed development arising from:</p> <ul style="list-style-type: none"><li>a) Marine Guidance Note (MGN) [543] Safety of Navigation: Offshore Renewable Energy Installations (OREIs) – Guidance on UK Navigational Practice, Safety and Emergency Response and its annexes;</li></ul>	



ExQs 1	Question to: 1			Question:1	
				b) Marine Guidance Note (MGN) [372] Safety of Navigation; Guidance to Mariners operating in the vicinity of UK OREIs; and c) Methodology for Assessing the Marine Navigational Safety and Emergency Response Risks of Offshore Renewable Energy Installations? d) Please document any substantive amendments to the proposed development that you seek to respond to these documents, identify why are they required and how these should be secured?	
1.12.4.	Maritime and Coastguard Agency, Trinity House	<b>1</b>	<b>2</b>	<b>Ro-ro operations</b> Do you have any observations on the position of the CLdN Group on navigational safety effects for ro-ro operations [RR-026] or the Applicants' responses to those [AS-036]?	
1.12.5.	Maritime and Coastguard Agency, Trinity House	<b>1</b>		<b>Individual project effects: shipping and navigation</b> Please identify whether there are any outstanding shipping and navigation effects that bear only on the proposed development for East Anglia ONE North?	



ExQs 1	Question to: 1			Question:1	
1.12.6.	Maritime and Coastguard Agency, Trinity House		<b>2</b>	<p><b>Individual project effects: shipping and navigation</b> Please identify whether there are any outstanding shipping and navigation effects that bear only on the proposed development for East Anglia TWO?</p>	
1.12.7.	Ministry of Defence	<b>1</b>	<b>2</b>	<p><b>Military marine navigation</b> Does the proposed development have any implications for military marine navigation / naval operations? If so, please identify these and highlight any additional changes to the proposed development that might be required and how these should be secured.</p>	
1.12.8.	National Federation of Fishermen's Organisations, Harwich Harbour Fisherman's Association, Norfolk Independent Fishermen Association, Steve Wightman, any Interested Party with commercial fishing interests	<b>1</b>	<b>2</b>	<p><b>Commercial fisheries effects</b> Please refer to the Applicants' responses to relevant representations [AS-036]. With reference to your initial RRs [RR-055] [RR-046] [RR-061] [RR-894] please identify:</p> <ul style="list-style-type: none"> <li>a) Any outstanding area(s) of contention between you/ your organisation and the applicant; and</li> <li>b) If these seek any additional changes to the proposed development, please set these out and identify how these should be secured?</li> </ul>	



ExQs 1	Question to: 1			Question:1	
1.12.9.	National Federation of Fishermen's Organisations, Harwich Harbour Fisherman's Association, Norfolk Independent Fishermen Association, Steve Wightman, any Interested Party with commercial fishing interests	<b>1</b>		<b>Individual project effects: fishing</b> Please identify whether there are any outstanding fishing and fisheries effects that bear only on the proposed development for East Anglia ONE North?	
1.12.10	National Federation of Fishermen's Organisations, Harwich Harbour Fisherman's Association, Norfolk Independent Fishermen Association, Steve Wightman, any Interested Party with commercial fishing interests		<b>2</b>	<b>Individual project effects: fishing</b> Please identify whether there are any outstanding fishing and fisheries effects that bear only on the proposed development for East Anglia TWO?	
1.12.11	Marine Management Organisation	<b>1</b>	<b>2</b>	<b>Marine Plans assessments</b> Does the Marine Management Organisation (MMO) have any additional observations to raise on the Applicants' characterisation of applicable policy from marine plans and responses to that policy in the Marine Policy Clarification Note [AS-038]?	



ExQs 1	Question to: 1			Question:1	
1.12.12	Marine Management Organisation	1	2	<b>Observations on marine disposal locations</b> Does the MMO have any further observations on marine disposal proposals, including the Applicant's additional submissions on disposal site locations [AS-043]?	
1.13.	<b>Nuisance and other Public Health Effects</b> Further questions on this matter are reserved pending responses to questions on design in ExQ1.0, land use in ExQ1.9 and landscapes in ExQ1.10.				
1.14.	<b>Other Projects and Proposals</b>				
1.14.1.	The Applicant, National Grid	1	2	<b>ES Assessment: Infrastructure and Other Users</b> ES Chapter 17 (Infrastructure and Other Users) [APP-065] from paragraph 96 and at Table 17.14 identifies a limited range of range of interactions with other projects raising minor adverse residual impacts in construction and operation and no impact during decommissioning. Consideration is given to EDF energy infrastructure and to subsea cables.  a) Is there any need to assess effects on National Grid transmission assets onshore?	Watching Brief (WB) on responses





ExQs 1	Question to: 1			Question:1	
				b) With reference to responses to questions in ExQ1.0 and 1.6 above and the possibility of other grid connections being made at Friston, are there any further interactions that require to be assessed? c) Does the ES conclusion that there are 'no pathways for cumulative impact' in paragraph 96 continue to hold good?	
1.14.2.	Office for Nuclear Regulation, SCC, EDF Nuclear Energy Generation Ltd	<b>1</b>	<b>2</b>	<b>Interface with Sizewell B</b> Are you content that the ES adequately describes and concludes on any interface effects on the Sizewell B nuclear licensed site operations, including emergency planning and on decommissioning activities? If not, please indicate the additional analysis and actions required.	Watching Brief (WB) on responses
1.14.3.	Office for Nuclear Regulation, SCC, NNB Generation (SZC) Ltd	<b>1</b>	<b>2</b>	<b>Interface with Sizewell C</b> Are you content that the ES adequately describes and concludes on any interface effects on the Sizewell C proposed development, including construction, operation (including emergency planning) and decommissioning? If not, please indicate the additional analysis and actions required.	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
1.14.4.	Office for Nuclear Regulation, SCC, EDF Nuclear Energy Generation Ltd, NNB Generation (SZC) Ltd	1	<b>2</b> <b>Interface with nuclear construction, operation and decommissioning at Sizewell</b> Are offshore works prospectively affecting the coralline crag sufficiently clearly described and controlled, given the protection to the Sizewell shore and to the nuclear sites afforded by it? If not, please indicate the additional analysis and actions required.	Watching Brief (WB) on responses
1.14.5.	SCC, ESC, SASES, SEAS, SoS, Parish Councils and other Interested Parties	1	<b>2</b> <b>Relevant projects and effects for cumulative impact assessment purposes: grid connections at Friston (OFHs 1 – 3, 7 – 9 October 2020)</b> Parties at OFHs 1 – 3 raised a range of grid connection proposals potentially making use of the National Grid substation proposed to be constructed at Friston. If you have already responded to ExQ1.0 and/ or ExQ1.6 questions on these issues and provided a complete list of projects in response, this question does not need to be responded to. However, if you have not responded to those questions or your response does not include a complete list of projects that you are aware of and consider to be relevant, please set out a full list and identify the public information source(s) from which you have made your assessment.	Watching Brief (WB) on responses



ExQs	Question to: 1	Question:1		
1.14.6.	All Interested Parties	1	<b>2 Relevant projects and effects for cumulative impact assessment purposes: other projects</b> Are there any other projects that are not documented in the ES and are not grid connection projects at Friston (ExQ1.14.5) that are relevant and need to be considered by the ExA?  <ul style="list-style-type: none"> <li>Please identify these projects and identify the public information source(s) from which you have made your assessment that they are relevant.</li> </ul>	Watching Brief (WB) on responses
1.15.	<b>Project Descriptions and Sites Selection</b> Further questions on this matter are reserved pending responses to questions in ExQ1.0, 1.6 and 1.14 above.			
1.16.	<b>Seascape, Landscape and Visual Amenity</b>			
1.16.1.	The Applicant	1	<b>2 Cumulative Effects</b> ES Chapter 28 [APP-076] notes that as a result of an assessment of cumulative effects the physical area of EA2 was reduced, while maintaining generation capacity. This was to increase the gap between EA1N and EA2 to increase legibility of each windfarm in its own right and reduce cumulative effects from the AONB from areas further north such as Southwold.	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>a) In views from further south along the coast, such as Aldeburgh or Orford Ness where angles of view are different, would the change in the physical area of EA2 have a noticeable effect? Would each windfarm still be legible from such viewpoints or would they visually merge into one?</li> <li>b) Would any such visual effects be accentuated at night-time due to the lighting of the proposed turbines?</li> <li>c) Similarly, in views from further north, would there be a marked legibility between the proposed EA2 windfarm and the Greater Gabbard/Galloper windfarms (both in the day-time and at night)?</li> </ul>	
1.16.2.	The Applicant	1	2	<p><b>Suffolk Coastal Path</b> The effect of the construction and operation of the proposed windfarms on users of the Suffolk Coastal Path is assessed by the ES (Chapter 28) as not significant [APP-076, para 280], due to various factors including periods of no visibility of EA2 or EA1N and the route being characterised by a wide variety of landscapes.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>a) From looking at a map, it could appear that were a walker to be traversing the Suffolk Coastal Path that existing wind farms and the proposed wind farms may be visible for much of the route from around Felixstowe to Lowestoft and consequently a near ever-present view of turbines may have a substantial effect on such walkers. Do you agree with this statement?</p> <p>b) From the USI the ExA's noted that elements of the Coastal Path such as north of Thorpeness have limited views on the 'land' side of the path, due to topography. In such circumstances where your view is more constricted focussed to seaward, would the proposed windfarms have more of an impact visually on path users?</p>	
1.16.3.	Natural England	1	2	<p><b>Visual effects of turbines</b></p> <p>Detailed analysis of the visible height of offshore wind turbines is provided by yourselves to the ExAs ([RR-059], Appendices E, Section 2).</p> <p>The ExA also note the detailed responses of the Applicants to this analysis in their response to the RRs [AS-036] and their view</p>	<p>Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.</p>



ExQs 1	Question to: 1		Question:1	
			<p>that there are limitations to the analysis presented and that the apparent height of the Project 300m turbines will only be greater than that of the existing offshore windfarms in views from northern parts of the seascape setting of the AONB.</p> <ul style="list-style-type: none"><li>• Respond to this analysis of your comments, should you wish to do so.</li></ul>	
1.16.4.	Natural England, the Applicant		<p><b>2 Good design: seascape</b></p> <p>Natural England (NE) consider that after reviewing Chapters 3 and 6 of the ES [RR-059] they are unable to find a direct reference to how the proposal will achieve 'good design'. NE note that the revised layout design would add some embedded mitigation in the form of reduced lateral spread and note the role of the site selection process and the operation of navigational lighting in minimising landscape and visual effects. However, despite this, it considers that significant detrimental landscape and visual effects are still predicted for the scheme, principally as a result of technology choice selected for use in the worst-case scenario: i.e. 300m high turbines.</p> <p>NE request further information on the decisions which have led to the selection of</p>	



ExQs 1	Question to: 1	Question:1	
		<p>300m turbines, in particular in the portion closest to the coast of the AONB.</p> <p>Due to the technology choice selected for use in the worst case scenario, and reflecting that smaller turbines are available, NE considers that the NPS requirements for 'good design' have not yet been fully applied in the design of the EA2 scheme, and that as a consequence the statutory purpose of the AONB will be adversely effected by the EA2 proposal as it is currently configured.</p> <p>The ExA notes the detailed responses of the Applicant to this point of view in their responses to the RRs [AS-036]. The Applicant considers that the mitigation of a reduced windfarm site area has regard to the statutory purposes of the AONB and demonstrates good design in respect of landscape and visual amenity, given the various siting, operational, and other relevant constraints. The ExA also notes the commitment to provide further information in justification of the decisions which have led to the selection of 300m turbines.</p> <p>To Natural England:</p>	



ExQs 1	Question to: 1		Question:1	
			<p>a) Please provide any further responses considered necessary in response to the Applicant's comments. Do you remain of the view that the NPS requirements for good design have not been met in the design of the EA2 scheme, and if so, why is that and what additional mitigation is required?</p> <p>To the Applicant:</p> <p>b) Provide further justification for the selection of 300m turbines, in particular in the portion of the array closest to the coast of the AONB, with reference made as to how the requirement of good design in the NPS has been met</p>	
1.16.5.	Natural England	1	<b>2 Visibility</b> Concerns are raised over some of the text used in the ES [APP-076] (Chapter 28.3 Para. 16 and 17, 6.5.15, and Appendix 28.8 Para. 5 and 6), noting that expected periods of 'very good' and 'excellent' visibility occur most frequently during the summer, when outdoor recreational activity in the AONB is also at its peak. It is stated that GLVIA 3 makes no reference to the frequency of when 'very good' or 'excellent' conditions need to exist in order	





ExQs 1	Question: 1	Question: 1	Question: 1	
			<p>to define the worst-case scenario, and that as a result frequency is not a critical factor in judging the significance of effect, and you advise therefore that the statement contained in the first sentence of 28.8 para. 6 is discounted as it is not a factor in judging significance.</p> <p>The ExAs note the detailed responses of the Applicants to this point in their responses to the RRs [AS-036].</p> <ul style="list-style-type: none"><li>Respond to the above comments of the applicant and make any further comments if necessary.</li></ul>	
1.16.6.	Natural England	<b>1</b>	<b>2 Turbine height and visibility</b> With reference to Appendix 28.8 Para. 8 and 12, you note [RR-059] that a report from 2012 is cited, but that in 2011/2012 there were no windfarms located in the English Channel, and that the maximum height of the turbines included in the study quoted is 153m, whereas the turbines used in the worst case realistic scenario are 147m taller. You also note that the research is helpful in framing discussion about visibility and separation distances for turbines up to 153m but it makes no reference to the AOD height of the	



ExQs 1	Question to: 1		Question:1	
			<p>observer, and that it does not assist in judging the significant effect for visual receptors located within designated landscapes and should therefore be treated with caution and not considered within any determination.</p> <p>The ExA note the detailed responses of the Applicants to this point in their responses to the RRs [AS-036], including the statement that the limitations of this research article is recognised in the SLVIA and the supplied copy of 'Offshore Wind Turbine Visibility and Visual impact Threshold Distances' (2012) [AS-044].</p> <ul style="list-style-type: none"><li>• Provide any further comments in response to the applicants, should you wish to do so.</li></ul>	
1.16.7.	Natural England		<p><b>2 Increased distance from shore</b></p> <p>With reference to para 42 of Chapter 28 of the ES, the ExA note that you welcome the increase in the minimum separation distance to 32.6km and the increase in separation distance from the coast at viewpoints 3, 4, 5 and 6 and note the decrease in separation distance for viewpoints 7, 8, 9, 10, 11, 12, 13 and 18.</p>	



ExQs 1	Question: 1	Question:1	
		<p>You note that based on these 12 locations the average separation distance for this section of the AONB coastline remains unchanged at 34.5km and conclude therefore that the revised design provides no embedded mitigation in terms of proximity to the coast of the AONB nor in the height of the turbines used in the worst-case scenario, and consider that the magnitude of this effect remains the same as that for the scheme design presented in the PEIR, due to the height of the turbines used in the worst case scenario that has led to some landscape and visual effects being identified for receptors located in the northern portion of the AONB.</p> <p>The ExA note the response of the Applicant [AS-036], stating that there has been no reduction of the minimum separation distance between the PEIR windfarm site and the ES windfarm site and providing a revised Table 28.3 to replace that provided in the ES. The Applicant also reasons that the revised design does provide embedded mitigation in terms of proximity to the coast, given that there is an increased separation from northern viewpoints and no decrease in separation distance for southern viewpoints.</p>	



ExQs	Question no:			Question:	
				<ul style="list-style-type: none"><li>Respond to the comments of the Applicant, should you wish to do so. Are your content with the revised Table 28.3?</li></ul>	
1.16.8.	The Applicant, Natural England	1	2	<p><b>Night-time effects</b></p> <p>Natural England note that at ES Chapter 28, section 28.3.3 para. 42 [APP-076] embedded mitigation measures include the fitting of <i>'aviation warning lights to significant peripheral wind turbines and will allow for reduction in lighting intensity at and below the horizon when visibility from every wind turbine is more than 5km'</i>, and presume therefore that the worst case scenario would be that illustrated in figure 28.28g where 2000 candela lights are shown.</p> <p>NE are unsure as to why the assessment of night-time effects has been restricted to Landscape Character Type 25, which only affects the urban areas of Southwold and Aldeburgh. They note that dark skies are an important component of the special qualities of the AONB and consider that it is clear from ES figures 28.28g and 28.37f that the aviation navigational lighting proposed has the potential to adversely affect dark skies. NE state that their experience of other offshore</p>	



ExQs 1	Question: 1		Question:1	
			<p>wind farms suggests that aviation navigational lighting is a conspicuous feature when viewed from the shore and that atmospheric conditions, such as sea fog, can amplify the adverse effect as aviation navigational lights flash in sequence.</p> <p>NE wish to see an assessment of the effects of navigational lighting on night-time skies, based upon the worst case scenario for the use of navigational lighting, for LCT 05 Coastal Dunes and Shingle Ridges (Area C), LCT 06 Coastal Levels (Area B and D), LCT 07 Estate Sandlands (Areas A and C), and LCT 29 Covehithe Broad and Easton Broad.</p> <p>NE also request that a visual assessment is undertaken for the receptor group 'beach users' from the viewpoints located within the relevant LCTs namely, viewpoints 03, 04, 06, 07, 08, 09, 11, 12 and 18.</p> <p>The ExA note the detailed responses of the Applicants to this point in their responses to the RRs [AS-036] and their view that the proposed aviation lighting will not have significant effects on the perception of landscape character, which is not readily</p>	



ExQs 1	Question to: 1	Question:1		
			<p>perceived at night in darkness, particularly in rural areas.</p> <p>To the Applicant:</p> <ul style="list-style-type: none"> <li>a) Confirm whether you propose to submit the assessments requested by Natural England</li> <li>b) Explain how are aviation lights controlled and dimmed to 200cd (when visibility conditions permit)? How could this be secured through the DCO?</li> </ul> <p>To Natural England:</p> <ul style="list-style-type: none"> <li>c) Respond to the comments of the applicants, should you wish to do so, including on their view that landscape character is not readily perceived at night due to the level of darkness, particularly in rural areas and their view that dark skies are not described as a particularly important component of the special qualities of the AONB.</li> </ul>	
1.16.9.	Natural England	1	<p><b>2 AONB Baseline</b></p> <p>You note that you do not understand the relevance of ES Chapter 28, section 28.5.4 [APP-076], stating that the aims and</p>	



ExQs 1	Question: 1		Question: 1	
			<p>objectives of the AONB Management Plan focus on the conservation and enhancement of the natural beauty of the designation and help guide future development.</p> <p>In response the applicants consider that it is a requirement of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 to provide a description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution of that baseline without implementation of the development and this section addresses this requirement.</p> <ul style="list-style-type: none"> <li>Respond to the above comments, should you wish to do so, including an opinion on the weight that should be given to the objectives of the AONB management plan.</li> </ul>	
1.16.10	Natural England		<p><b>2 Seascape baseline</b></p> <p>Concerns are raised by yourselves over the conclusions drawn in ES [APP-076], (Chapter 28, section 28.5.4, paragraph 142), considering that while the seascape covered by the study (and the wider seascape of the southern North Sea) is increasingly characterised by the presence of a number of</p>	Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.



ExQs 1	Question: 1	Question: 1	
		<p>large offshore windfarms it is incorrect to assume that the acceptable landscape and seascape change which this has produced sets a precedent for EA2.</p> <p>The ExA note the response of the Applicant to this point in their responses to the RRs [AS-036] and their justification that the text of the ES does not explicitly state that the Project is acceptable in the context of the evolving seascape baseline, merely that it fits with the overall approach of 'accommodation' of wind energy development in this seascape. The applicant goes on to state that the reduced windfarm site area has regard to the statutory purposes of the AONB and demonstrates good design in respect of landscape and visual amenity, given the various siting, operational, and other relevant constraints.</p> <ul style="list-style-type: none"><li>Respond to the response of the Applicant, should you wish to do so. Can you provide further guidance as to how you wish to see the Applicant consider the objectives of the AONB in their assessment?</li></ul>	
1.16.11	Natural England	<b>2 Seascape Character Assessment</b>	Please see NE Deadline 1 response Appendix E1b on SLVIA.





ExQs 1	Question to: 1	Question:1	
		<p>You state that for the s42 consultation you requested that maintenance activities associated with the operational phase of the proposed development are incorporated into the seascape assessment, but that you could not find evidence that this has been done.</p> <p>The ExA note the responses of the applicant to this point in their responses to the RRs [AS-036] and their justification that maintenance activities have been incorporated into the SLVIA.</p> <ul style="list-style-type: none"><li>• Respond to the above comments should you wish to do so.</li></ul>	
1.16.12	Natural England, the Applicant	<p><b>2 Landscape Receptors</b></p> <p>Natural England [RR-059] disagree with the conclusions of no likely significant effects for the construction and operational phases of the proposed development for LCT 06 Areas B and D and advise that there will be a likely significant adverse effect on LCT 29 which has not been assessed in the ES.</p> <p>The ExA note the responses of the applicant to this point in their responses to the RRs [AS-036], where after further field work they maintain their assessment of the relevant LCT</p>	Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.



ExQs 1	Question to: 1	Question: 1	
		<p>areas and consider that the effect on LCT 29 is not significant.</p> <p>To the Applicant:</p> <ul style="list-style-type: none"> <li>a) How 'large' is the part of LCT 06 Area B which extends to the coast at Sole Bay, in area terms (e.g. m<sup>2</sup>) or as a percentage of the overall size of Area B?</li> <li>b) With regard to LCT 06 Area D Natural England refer to the long distance and panoramic views out to the seaward horizon, as opposed to direct views. Do you wish to add to your comments on this aspect with regard to any effect on this LCT; could you confirm if this has been considered in the assessment?</li> </ul> <p>To Natural England:</p> <ul style="list-style-type: none"> <li>c) Respond to the rebuttal of the applicant [AS-036], should you wish to do so, including on any effect on LCT 29.</li> </ul>	
1.16.13	Natural England, the Applicant	<p><b>2 AONB Special Qualities</b> NE disagree [RR-059] with the conclusions of the ES Chapter 28 in relation to the following special qualities of the AONB: Influence of Incongruous features (Landscape Quality);</p>	Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.



ExQs 1	Question to: 1	Question:1	
		<p>Appeal to the senses – Sensory stimuli and 'big Suffolk skies' (Scenic Quality); Sense of Remoteness – pockets of relative wildness and largely undeveloped countryside, and Sense of passing time and return to nature (all Relative Wildness); and Distractors from tranquillity (Relative Tranquillity) [Table 28.10, APP-076].</p> <p>For all such categories NE disagree with the magnitude of change judgment of medium-low, considering the change to be at least medium and that the significance of effect should be concluded as significant.</p> <p>In terms of Landscape Quality NE note that the northern section of the seascape setting of the AONB is currently free of fixed man-made features, and consider that the introduction of wind turbines into this seascape "can only spread the influence of such incongruous features into an otherwise naturalistic vista.". They also note that while the claim that turbines may also be seen to represent the visual aesthetic of green / sustainable energy which may be perceived as having positive visual associations with the natural environment may reflect the opinion of some people it should have no bearing on the determination of the scheme.</p>	



ExQs 1	Question: 1	Question:1	
		<p>In terms of Scenic Quality NE note that Big Suffolk skies do not stop at the coastline, but extend out over the sea and contribute to the natural beauty of the designation and that at night, in the northern section of the AONB, such skies are free of fixed marine lighting and this, combined with the generally unlit coastline, allows for extensive areas of the dark night sky to be experienced. NE consider that the safety and navigation lighting associated with each turbine will detract from these dark skies by providing points of fixed lighting which, in the case of the aviation lighting will also flash. This lighting will extend out over a considerable distance.</p> <p>While NE appreciate that in the southern portion of the AONB the 'big Suffolk skies' which extend out to sea are already influenced by the navigation lighting from existing windfarms and coastal shipping they state that the influence of marine traffic on the seascape setting of the AONB is less pronounced in the northern portion and consider that extending the influence of fixed marine lighting into the northern portion will therefore result in the loss of this important characteristic in this part of the seascape setting of the AONB and</p>	



ExQs 1	Question: 1	Question:1	
		<p>further note that big Suffolk skies contribute to the 'sense of openness and exposure'(under the Relative Wildness special quality) which has been judged to be adversely effected by EA2.</p> <p>For relative wildness, NE note that this special quality is particularly associated with the undeveloped sections of the coastline in the northern portions of the AONB, where built development along the coastline is well confined and with the exception of Sizewell Nuclear Power station of a small scale; both in terms of height and lateral spread along the coast, with very few buildings extending above two storeys in height. They consider that the wind turbines of EA2 will detract from this special quality in this area due to their apparent size and, to a lesser extent, lateral spread. They are also of the view that they are also likely to lessen the experience of relative wildness through the introduction of incongruous made-man features into an otherwise undeveloped seascape and advise that the significant adverse landscape and visual effects resulting from the construction and operation of EA2 will not contribute to the sense that nature is returning to the AONB.</p>	



ExQs 1	Question: 1	Question:1	
		<p>In terms of relative tranquillity, NE are of the view that the opportunity to experience tranquillity in a naturalistic environment is influenced by many Factors, including seeing offshore wind turbines. They consider the turbines of EA2, as defined in the ES, will act as a significant detractors for the northern portion of the AONB, and that in certain locations, such as beaches of Covehithe and Minsmere, the presence of these structures in the seascape will significantly reduce the opportunity to experience relative tranquillity in this part of the AONB.</p> <p>The ExA note the detailed responses of the applicants to this point in their responses to the RRs [AS-036]. In essence they maintain the conclusions of effects as outlined in the SLVIA.</p> <p>To the Applicant:</p> <ul style="list-style-type: none"><li>a) The existing 'incongruous features' in the northern AONB are largely land based. Has the Applicant considered whether the proposal would have more of an effect by positioning incongruous features into a largely open seascape?</li></ul>	



ExQs 1	Question to: 1	Question:1	
		<p>In your response concerning Scenic Quality you state that “visible aviation lighting of existing wind turbines has been recorded as being clearly visible from night-time viewpoints as far north as Aldeburgh during the SLVIA.” (AS-036 page 441, 1<sup>st</sup> para).</p> <p>b) How does this tally with your responses above (referenced within question 1.17.8) to night-time effects of the proposal?</p> <p>On page 441 of AS-036 you state that “there are several coastal areas of the AONB that have brighter night lights, particularly around the main towns at Kessingland Beach, Southwold, Sizewell, Leiston, Thorpeness and Aldeburgh”.</p> <p>c) Would/do lights from Leiston have an effect on views from the coastline?</p> <p>d) Kessingland Beach, Thorpeness and Sizewell do not appear to the ExA to be towns. Would lighting at smaller settlements have the same effect on the dark skies on the AONB at night as a town?</p>	



ExQs 1	Question: 1	Question:1	
		<p>It is stated that "While dark skies may therefore be valued by people viewing the night-sky, they do not in themselves 'contribute to natural beauty', as an assessment of the special qualities of a designated landscape cannot be made at night-time during the dark.</p> <p>e) Does a dark sky contribute to the special qualities of a designated landscape? One argument could be that the light of the moon in a sky largely unaffected by artificial light could increase the natural beauty of a designated landscape at night-time, and add to other qualities such as solitude and tranquillity.</p> <p>To Natural England:</p> <p>f) Should you wish to do so, respond to the detailed comments of the Applicant, including (but not limited to) their view expressed of page 446 of their response [AS-036] that you have incorrectly identified the AONB special quality of Relative Wildness</p>	





ExQs 1	Question to: 1	Question:1	
1.16.14	Natural England, the Applicant	<p><b>2 Viewpoints and Visual Receptors</b></p> <p>NE disagree with the conclusions of the ES and consider that the significance of effects for beach users and walkers on the Suffolk Coastal Path at Viewpoint 10 (Sizewell Beach) and visitors/tourists at Viewpoint 18 (Orford Ness) should be concluded as adverse [RR-059].</p> <p>In relation to Sizewell Beach, NE consider that there is no justification in lowering the sensitivity of beach users and walkers on the premise that the presence of Sizewell nuclear power station would reduce their expectations, and hence the sensitivity, of these groups. They note that it could be argued that the opportunity to experience an open undeveloped seascape, as an alternative to the nuclear power station, means that such views are valued more by these receptor groups at this location.</p> <p>For Orford Ness, NE's concerns remain in relation to the cumulative effect of Greater Gabbard plus Galloper offshore wind farm arrays plus EA2, considering that this would be contrary to the statutory purposes of the AONB as these structures would be seen to dominate views out to sea (from the northeast</p>	Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.



ExQs 1	Question: 1	Question:1	
		<p>through to south east) thereby detracting from the natural beauty afforded by this location. NE disagree that the vertical height of the turbines will be relatively moderate in scale and that they will appear similar in height to the Galloper turbines considering that the EA2 turbines are likely to appear taller than the Galloper turbines by a factor of 1.239 or around 24% taller.</p> <p>NE also disagree that the existence of the Galloper and Greater Gabbard offshore wind farm arrays provides justification for the EA2 application, agreeing that EA2 would not form an entirely new type of visible development but would be seen in the context of existing wind turbines on the horizon and result in a northerly extension to this influence; however, noting that this northerly extension will be a significant increase in the space occupied (from 22% to 37%) and use turbines which are and will appear substantially taller.</p> <p>The ExA note the responses of the Applicant to this point of view in their responses to the RRs [AS-036], where they maintain their conclusion that the effect of the project upon visitors to be not significant.</p>	



ExQs 1	Question: 1		Question: 1	
			<p>To the Applicant:</p> <ul style="list-style-type: none"><li>a) Could an argument be made that an open undeveloped seascape 'opposite' to Sizewell power station would have a more significant effect on beach users and walkers, as a direct contrast to the power station?</li><li>b) Would the addition of the proposed EA2 offshore wind farm array to the existing views of wind turbines at Orford Ness lead to a higher cumulative effect on receptors, reducing the amount of overall undeveloped seascape?</li></ul> <p>To Natural England:</p> <ul style="list-style-type: none"><li>c) Respond to the comments of the applicant [AS-036] on this matter if you wish to do so.</li></ul>	
1.16.15	Natural England		<p><b>2 Suffolk Coastal Path</b></p> <p>The ExA note that you disagree with the judgement of 'no significant effects' as set out for Section 7, Minsmere and Sizewell, considering that ES Chapter 28 figure 28.23b clearly shows that for a significant section of the path within this section, EA2 will be visible, with the predicted number of blade</p>	<p>Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA. In relation to mitigation we will wait for the Applicant to provide further information on this matter.</p>



ExQs 1	Question to: 1		Question:1	
			<p>tips being visible in the banding being 51 to 60.</p> <p>The ExA note the responses of the Applicant to this point in their response to the RRs [AS-036], where they maintain their conclusion that the effect of the project upon walkers on the SCP between Minsmere and Sizewell is 'not significant'.</p> <ul style="list-style-type: none"> <li>a) Respond to the comments of the Applicant [AS-036] if you wish to do so.</li> <li>b) If you maintain your position that the effect is significant, please provide a view about any additional mitigation that might be required.</li> </ul>	
1.16.16	Natural England, the Applicant	1	<p><b>2 Cumulative Effects</b></p> <p>NE recognise that the contribution that EA1N makes to identified cumulative effects in Chapter 28, section 28.9 of the ES (Tables 28.14, 28.15 and 28.17) [APP-076] is small, but advises that opportunities should be sought to reduce this contribution as far is possible within the design envelope of the proposed development. In particular, NE note that the use of lower turbines (250m) for the EA1N project would assist in reducing the cumulative effects predicted in both the EA2</p>	Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.



ExQs 1	Question to: 1		Question:1	
			<p>and EA1N ES SLVIA. They state that the possibility of taking this approach should be explored, so that further embedded mitigation is introduced into the design of EA1N to help reduce the adverse cumulative effects predicted, and suggest that the use of shorter turbines (250m) at the western edge of the EA1N development area is likely (based upon the apparent height measurements provided above) to assist in reducing the significant cumulative effects predicted in the EA2 and EA1N ES SLVIAs.</p> <p>The ExA note the responses of the Applicant to this point in their responses to the RRs [AS-036], where they consider that since there is agreement that the effects of the EA1N project alone are not significant, further mitigation of the turbine height for EA1N as a contribution towards cumulative impact mitigation is not required.</p> <p>To the Applicant:</p> <ul style="list-style-type: none"><li>a) The response by NE refers to cumulative effects, rather than just the effects of EA1N. Would the use of 250m turbines reduce such cumulative effects?</li></ul>	



ExQs 1	Question to: 1			Question:1	
				<p>To NE:</p> <p>b) Respond to the comments of the Applicant [AS-036], should you wish to do so.</p>	
1.16.17	The Applicant, SCC, ESC	1	2	<p><b>Cumulative Effects</b></p> <p>SCC and ESC consider that cumulative effects and the visual effects of EA2 alone will result in significant adverse landscape and long term adverse visual effects on the Suffolk Coast, including on the character and special qualities of the Suffolk Coast and Heaths AONB. Given the sensitivity and designation of seascape and landscape, in the view of the Councils the applicants have not demonstrably exhausted all reasonable mitigation measures in terms of design of scheme, including the proposed height of turbines.</p> <p>In response, the Applicant notes that the geographic extent of EA2 has been reduced and that they have demonstrated an ongoing commitment to reducing visual effects on the Suffolk coast [AS-036].</p> <p>To the Applicant:</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>a) Could you elaborate on the statement “[t]he height of the wind turbines is dependent on multiple factors and requires balance between engineering constraints, environmental impacts and commercial viability”?</p> <p>To SCC, ESC:</p> <p>b) Respond to the above comments of the Applicant in their responses [AS-036], should you wish to do so.</p>	
1.16.18	Natural England		<p><b>2 Summary and Conclusions</b></p> <p>Various comments are made by yourselves regarding the Summary and Conclusions within the ES, including being unsure of the point that Para. 331 is seeking to make, the incompleteness of some of the statements in the 2nd, 3rd, 4th and 5<sup>th</sup> bullet points of paragraph 340 and disagreement with the conclusion of the final sentence as set out at the 7th bullet point, advising that the special qualities of the AONB will be adversely effected by the scheme.</p> <p>The ExA notes the responses of the Applicant to this point of view in their responses to the</p>	Natural England has provided further advice at Deadline 1 response Appendix E1b on SLVIA.



ExQs 1	Question to: 1	Question:1		
			RRs [AS-036], where they provide rebuttals to the above points. <ul style="list-style-type: none"> <li>Respond to the Applicant's responses to your points, should you wish to do so.</li> </ul>	
<b>1.17. Socio Economic Effects – N/A to NE's remit</b>				
1.17.1.	The Applicant	1	<b>2 Cumulative Effects</b> ES Chapter 30 [APP-078] identify, in Tables 30.84, which build out scenario for EA1N and EA2 provides the worst-case in relation to onshore construction employment, offshore construction employment, tourism employment and tourism and recreation employment. They conclude, in relation to tourism and socio-economic effects, moderate and major beneficial significance. The Offshore Cumulative Impact Assessment (CIA) [APP-477] includes a number of offshore windfarms that are screened into the assessment as set out in Table 2.1 of Appendix 14.4. An arbitrary 10nm distance to screen projects into the assessment has been used, but this is not explained. <ul style="list-style-type: none"> <li>Explain your criteria in relation to screening in projects into the assessment and any confirmation of</li> </ul>	





ExQs 1	Question to: 1			Question:1	
				approach through consultation you received.	
1.17.2.	The Applicant	1	2	<p><b>Cumulative Effects</b></p> <p>Local hotel accommodation is likely to be in demand during the peak summer season and at varying degrees around the year focused on school holidays. SCC raise concerns over cumulative pressures on workforce, supply chain and accommodation for workers, including Sizewell C [RR-007]. The ExA note the applicant's statement [AS-036] that workers for Sizewell C will choose to stay within the rental market.</p> <p>a) Do you consider enough accommodation would be available locally for any necessary construction workers who may be from outside of the area to stay in, particularly in peak times, and considering both projects and other local schemes such as Sizewell C? Can the Applicant secure any mitigation to promote the use of rental rather than holiday accommodation?</p> <p>b) Provide further evidence on cumulative pressures on the local workforce and supply chain were the schemes and Sizewell C to be consented, such as</p>	



ExQs 1	Question to: 1			Question:1	
				<p>potential overall numbers of construction required, including potential numbers which may be from out of the local area and thereby require accommodation.</p> <p>In carrying out the CIA what information have the Applicants been provided by Sizewell in relation to accommodation use by their workforce?</p>	
1.17.3.	The Applicant	1	2	<p><b>Human Capital</b></p> <p>[ES Chapter 30 [APP-078] Plate 30.4 shows population trends in Suffolk and Britain. However, the colours on the key do not correspond with the graph.</p> <ul style="list-style-type: none"> <li>• Provide a correct graph/key for Plate 30.4.</li> </ul>	
1.17.4.	The Applicant	1	2	<p><b>Ports</b></p> <p>ES Chapter 30 [APP-078] states that if a port in the area were to be used for load out, then the most likely location is Great Yarmouth or Lowestoft, noting that qualification levels in these areas are lower than average and both are relatively deprived socio-economically when compared to national Indices of Multiple Deprivation (IMD) statistics and that either would benefit from investment that could lead to longer term employment. SCC consider</p>	



ExQs 1	Question to: 1		Question:1		
				<p>that Lowestoft should be used as the base and marshalling port.</p> <p>The ExA note that you state that the Applicant will continue to engage with the local Councils with respect of base and marshalling ports [AS-036]</p> <ul style="list-style-type: none"><li>a) Can you confirm which port(s) would be the projects' base, marshalling and load out port(s) at this stage? Has the choice of such base(s) been assessed in terms of traffic and transport?</li><li>b) If this is not possible, what measures might be included in the projects to secure economic benefits to ports and address relevant matters including labour force skills and training? How would the final ports be chosen?</li></ul>	
1.17.5.	The Applicant, SCC, ESC	1	2	<p><b>Memorandum of Understanding (MoU)</b> A MoU is discussed to ensure a commitment for local authorities and the applicant to maximise education, skills and economic benefits of the projects. Such a MoU is welcomed by SCC.</p> <ul style="list-style-type: none"><li>a) How would such an MoU be enacted, and would it be binding?</li></ul>	



ExQs 1	Question to: 1			Question:1	
				b) Have means of securing it directly (through for example discharge of a requirement or conclusion of a Planning Obligation under the Town and Country Planning Act 1990) been considered and would they be necessary? c) Please update the ExA on the progress of the MoU. Have the New Anglia Local Enterprise Partnership been involved?	
1.17.6.	The Applicant	1	2	<b>Tourism</b> ES Chapter 30 [APP-078] makes reference to a survey of Trip Advisor reviews , which identified that independent reviews of coastal tourism assets with a view of offshore windfarms shows that of 12,710 reviews (as of 28th of May 2019) only 92 reviewers mention windfarms or wind turbines (or derivatives of these terms) at all, with positive and negative opinions then relatively evenly split. The ES states that this indicates that the majority of visitors (99.72%) to the coast of England either do not hold strong enough opinions about the location of offshore wind development to comment, do not feel negatively towards, or did not notice or see the infrastructure.	



ExQs 1	Question to: 1			Question:1	
				a) Is this survey any more substantially based than a straight search of TripAdvisor reviews? Has this method of determining impact of offshore wind turbines on tourism been endorsed by other bodies or research? b) Is there any more directly relevant research available, either nationally or at a more local level in which specific questions regarding tourists perceptions/views of wind farms have been asked (as opposed to just whether they are mentioned specifically in general TripAdvisor reviews)? c) Could there be a difference between tourist perceptions of wind farms cumulatively i.e. could more wind farms visible along a coast lead to more negative views of wind farms than a single visible wind farm?	
1.17.7.	The Applicant	<b>1</b>	<b>2</b>	<b>Tourism</b> SCC state that [RR-007]the potential impact on tourism is not adequately addressed within the application document set, especially when taking into consideration the visitor survey undertaken by the Destination Management Organisation (2019).	



ExQs 1	Question to: 1			Question:1	
				<p>The ExAs cannot find reference to the survey noted by the County Council in your response [AS-036]</p> <ul style="list-style-type: none"> <li>Respond to the point of SCC, or point the ExA to your response to this.</li> </ul>	
1.17.8.	The Applicant	<b>1</b>	<b>2</b>	<p><b>Tourism</b>  ES Chapter 30 [APP-078] considers possible or potential effects on Tourism in the area of the proposals via two possible pathways:</p> <ul style="list-style-type: none"> <li>direct effects during construction of the proposed developments through disturbance; and</li> <li>the perception of large-scale developments as being an adverse impact on the area as a tourist destination.</li> </ul> <p>This latter pathway is described as depending on two factors:</p> <ul style="list-style-type: none"> <li>that a development would have to be in the public eye and known to potential visitors; or</li> <li>visitors already in the area would need come into contact with construction activity or traffic effects and link that to the Project.</li> </ul>	



ExQs 1	Question to: 1			Question:1	
				<p>Is there a potential third pathway consisting of an effect on future tourist numbers due to contact with the constructed proposals? For instance, while the development may not necessarily impinge on the consciousness of a potential tourist, once they have been to the area once and seen the project(s), their experience may reduce their likelihood of making a return visit and cause them to holiday elsewhere in future.</p> <p>a) Is this a potentially relevant significant effect and, if so</p> <p>b) Does the applicant consider that such an assessment is necessary? If not, please justify.</p>	
<b>1.18. Transportation and Traffic</b>					
				<b>General</b>	
1.18.1.	The Applicant	<b>1</b>	<b>2</b>	<p>Table 26.5 of the Traffic and Transport chapter of the ES [APP-074] lists the NPS assessment requirements and paragraph 36 says that "This chapter provides the required level of detail that would be contained within a standalone 'Transport Assessment'.</p> <p>Does this mean that this chapter of the ES is not a formal Transport Assessment? If so, please</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				a) explain why you have not undertaken a formal Transport Assessment; b) explain whether there is any information which would normally be found in a Transport Assessment which is not to be found in this chapter of the ES; and c) if so, where that information may be found within the application documents.	
1.18.2.	The Applicant	<b>1</b>	<b>2</b>	Both SCC as highway authority and ESC as LPA raise concerns in their RRs [RR-002, 007] about the following matters: <ul style="list-style-type: none"><li>- abnormal loads;</li><li>- the mitigation measures proposed at the A12/A1094 Friday Street junction (40mph speed limit southbound on A12, rumble strips, repositioning of speed camera – a new roundabout is suggested);</li><li>- the lack of planning obligations;</li><li>- cumulative impacts;</li><li>- the scoping out of operations, maintenance and decommissioning activities;</li><li>- traffic movements;</li><li>- mitigation compromising other schemes eg Sizewell C; and</li></ul>	





ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"><li>- Protective Provisions for SCC access as highway authority for inspection and maintenance.</li><li>• Please explain how these concerns have been addressed.</li></ul>	
1.18.3.	SCC	<b>1</b>	<b>2</b>	As highway authority you raise concerns in your RR [RR-007] about the following matters: <ul style="list-style-type: none"><li>- abnormal loads;</li><li>- the mitigation measures proposed at the A12/A1094 Friday Street junction (40mph speed limit southbound on A12, rumble strips, repositioning of speed camera – a new roundabout is suggested);</li><li>- the lack of planning obligations;</li><li>- cumulative impacts;</li><li>- the scoping out of operations, maintenance and decommissioning activities;</li><li>- traffic movements;</li><li>- mitigation compromising other schemes eg Sizewell C; and</li><li>- Protective Provisions for SCC access as highway authority for inspection and maintenance.</li></ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>Please expand on these concerns as they relate to highways:</p> <ul style="list-style-type: none"><li>a) giving more detail;</li><li>b) explaining why and how they are attributable to each of the proposed projects; and</li><li>c) specifying what in your view remains outstanding.</li></ul>	
1.18.4.	ESC	<b>1</b>	<b>2</b> As LPA you raise concerns in your RR [RR-002] about the following matters: <ul style="list-style-type: none"><li>- abnormal loads;</li><li>- the mitigation measures proposed at the A12/A1094 Friday Street junction (40mph speed limit southbound on A12, rumble strips, repositioning of speed camera – a new roundabout is suggested);</li><li>- the lack of planning obligations;</li><li>- cumulative impacts;</li><li>- the scoping out of operations, maintenance and decommissioning activities;</li><li>- traffic movements;</li><li>- mitigation compromising other schemes eg Sizewell C; and</li></ul>	



ExQs 1	Question to: 1			Question:1	
				<p>- Protective Provisions for SCC access as highway authority for inspection and maintenance.</p> <p>Please expand on these concerns as they relate to planning issues:</p> <ul style="list-style-type: none"> <li>a) giving more detail;</li> <li>b) explaining why and how they are attributable to each of the proposed projects; and</li> <li>c) specifying what in your view remains outstanding.</li> </ul>	
1.18.5.	SCC and Local Planning Authorities	<b>1</b>	<b>2</b>	Notwithstanding the above, do SCC and the Local Planning Authorities agree with the methodology, baseline data and predicted traffic movements used to assess traffic and transport impacts in the ES? What, if any, are the outstanding issues?	
1.18.6.	The Applicant	<b>1</b>	<b>2</b>	<p>This application was submitted on 25 October 2019 and since then the Sizewell C Project has now been accepted for examination. In respect of this application</p> <ul style="list-style-type: none"> <li>a) Has the existing rail network been considered as part of the Transport Assessment? if so, what mitigation</li> </ul>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>measures were considered, and why were they not taken forward?</p> <p>b) Have you considered a link road direct from the A12, as listed in Table 26.1 of ES Chapter 26 Traffic and Transport [APP-074] under Phase 3 item 3 Transport improvements and suggestions? If so, where would this be located? and</p> <p>c) Do the current mitigation measures proposed for junctions 1 and 2 (at A12/A1094 and at Yoxford) need to be re-evaluated to ensure that there are no significant effects, particularly in respect of driver delay? If so, what would you now propose; and if not, please explain why not.</p>	
				<p><b>ES Chapter 26 Traffic and Transport [APP-074]</b></p>	
1.18.7.	The Applicant	<b>1</b>	<b>2</b>	<p>Figures 26.1 to 26.7 [APP-306 to APP-312] relate to the Traffic and Transport chapter of the ES. Junction numbers are shown, except for the A1094/B1122 junction which is not numbered, on Figure 26.7 Sensitive Driver Delay Locations [APP-312].</p>	



ExQs 1	Question to: 1			Question:1	
				<p>Junctions are also shown which are outside the study area shown on Figure 26.1 Onshore Highway Study Area [APP-306].</p> <p>To assist understanding of the assessment please</p> <ul style="list-style-type: none"> <li>a) explain why the study area does not include all the junctions;</li> <li>b) give the A1094/B1122 junction a number to aid identification; and</li> <li>c) add junction numbers to Figure 26.1 Onshore Highway Study Area [APP-306], Figure 26.4 Traffic Count Survey Locations [APP-309] and 26.6 Collision Cluster Locations [APP-311] to assist the reader.</li> </ul>	
1.18.8.	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraph 61 you say in respect of rules taken from the GEART "<i>Rule 2: Include any other specifically sensitive areas where traffic flows are predicted to increase by 10% or more (or where the number of HGVs is predicted to increase by 10% or more).</i>".</p> <ul style="list-style-type: none"> <li>• How has your assessment considered sensitive areas and the lower threshold of 10%?</li> </ul>	



ExQs 1	Question to: 1			Question:1	
1.18.9.	The Applicant and SCC	<b>1</b>	<b>2</b>	<p>Paragraph 136 says that you have agreed with SCC that the road safety review "<i>should examine .... the rate of collisions per length of road in miles ...</i>" and in paragraph 137 you say that "<i>Collision rates have been calculated in billion vehicle miles ...</i>".</p> <p>It is not clear where the methodology of assessing collisions per length of road in miles originates.</p> <p>a) Please explain. b) Does the highway authority have a view?</p>	
1.18.10	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 3 (and paragraph 202 of the Project Description [APP-054]) indicates that no decision has yet been taken regarding a preferred base port for offshore construction and operation, and Table 26.1 of that document lists as a suggestion under Phase 3 "use more sea-borne traffic to reduce pressure on rural roads".</p> <p>Given the involvement of the port of Lowestoft with the construction of offshore wind farms such as Dudgeon, Galloper, Greater Gabbard and East Anglia ONE, and parent company investment there, please</p>	



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"><li>a) summarise your current position regarding your choice of preferred base port or ports;</li><li>b) explain whether, and if so how, ports might be used for onshore construction; and</li><li>c) explain how your current position has informed your assumptions about traffic generation in the study area, both for onshore and offshore construction and operations; and</li><li>d) consider whether the assessment you have undertaken is sufficiently flexible and robust to provide the worst case scenario in respect of onshore traffic and transport impacts.</li></ul>	
1.18.11	The Applicant	<b>1</b>	<b>2</b>	Given the need for port access, <ul style="list-style-type: none"><li>a) should the study area (shown in Figure 26.1 [APP-306]) have been extended to include the trunk road network around Lowestoft and/or Ipswich? and</li><li>b) are there any other road links, for which no traffic flows are available, which are likely to have a medium or high sensitivity assessment?</li></ul>	



ExQs 1	Question to: 1			Question:1	
1.18.12	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 7 states that Annual Average Daily Traffic (AADT) has been used, and the figures given in Table 26.12, from various sources, are AADT.</p> <p>a) Please confirm that all these flows are for the same base year.</p> <p>b) In view of its relevance as a measure of 7am to 7pm construction traffic, please explain why you have not used 12-hour figures.</p>	
1.18.13	The Applicant	<b>1</b>	<b>2</b>	<p>Appendix 26.16 [APP-542] is titled "Traffic Movements Assigned to the Highway Network".</p> <ul style="list-style-type: none"> <li>Please confirm that these are total numbers of construction related vehicles and state the time period(s) to which they relate, eg peak hour, 12-hour, AADT.</li> </ul>	
1.18.14	The Applicant	<b>1</b>	<b>2</b>	<p>Table 26.1 (Public Consultation relevant to Traffic and Transport) lists Junction Improvements at Sizewell C under Phase 2 and notes the use of train and a village bypass scheme under "Phase 3 Transport improvements and suggestions".</p>	Watching Brief (WB) on responses





ExQs 1	Question to: 1			Question:1	
				<p>The Sizewell C Project has now been accepted for examination.</p> <ul style="list-style-type: none"> <li>Bearing in mind the package of mitigation measures outlined in paragraphs 295-305 (section 26.6.1.10.2) and the likely consenting and construction timelines, to what extent have you considered integrating your proposed transport improvements with those proposed by the adjacent Sizewell C project?</li> </ul>	
1.18.15	The Applicant	<b>1</b>	<b>2</b>	<p>Table 26.1 (Public Consultation relevant to Traffic and Transport) lists as a concern under Phase 3 "<i>concerns that contractors on East Anglia ONE did not follow agreed routes</i>" and item 1 of Table 26.4 refers to a strategy for HGV access.</p> <ul style="list-style-type: none"> <li>Please explain how your HGV strategy will work in practice and address this concern satisfactorily and effectively.</li> </ul>	
1.18.16	The Applicant	<b>1</b>	<b>2</b>	<p>Table 26.1 (Public Consultation relevant to Traffic and Transport) lists as a concern under Phase 3 "<i>serious concern over the proposed landfall access from Thorpeness Road ... even with the use of a marshalling system ...</i>" and</p>	



ExQs 1	Question to: 1			Question:1	
				<p>Table 26.4 refers to removing traffic from the B1353 by using a temporary haul road south from Sizewell Gap, but it will still be necessary to cross the B1353.</p> <ul style="list-style-type: none"><li>• Please explain how this concern has been addressed.</li></ul>	
1.18.17	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraphs 14, 15, 16 and 44 to 47 refer to the strategic road network, and to Figure 26.1 Onshore Highway Study Area [APP-306] and Figure 26.3 Existing Highway Network [APP-308], and state that the extent of the study area has been agreed with SCC and HE.</p> <p>Paragraphs 77, 90, 92, 165, 312 and 403 refer to or infer consultation with HE, paragraphs 103 and 104 say that the A12 is a trunk route and the main connection between Great Yarmouth and Ipswich, paragraph 125 refers to HE Heavy Routes, and paragraphs 166 to 171 and table 26.16 refer to junctions which are outside the study area shown on Figure 26.1 [APP-306].</p> <ul style="list-style-type: none"><li>• Please explain this approach and HE's role given that there are no trunk roads in or near the study area as shown on Figure 26.1 [APP-306] (the A12 between</li></ul>	



ExQs 1	Question to: 1			Question:1	
				the A14 and Lowestoft having been detrunked in 2001 and the A12 north of Lowestoft having become the A47 in 2017). In particular, please explain the current status of Heavy Load Route HR100, given that the Heavy and High Routes shown in your Appendix 26.6 [APP-532] appear to have last been reviewed back in July 2007 by the then Highways Agency.	
1.18.18	The Applicant	<b>1</b>	<b>2</b>	Paragraph 17 refers to construction accesses and Figure 26.2 [APP-307] shows the proposed construction access points for the onshore cable construction.  a) Please explain the factors determining the choice of construction access points. b) Is there scope for the fuller use of haul roads in order to reduce the number of construction access points and to reduce the impact of construction vehicles on surrounding roads?	
1.18.19	The Applicant and SCC	<b>1</b>	<b>2</b>	Paragraphs 18 and 19 mention temporary alterations to the highway (listed in Table 26.2) and that it is anticipated that these would be completed before construction starts on the relevant section of the cable route.	



ExQs 1	Question to: 1			Question:1	
				<p>Please</p> <ul style="list-style-type: none"><li>a) explain why and under what circumstances construction might start before completion of these alterations;</li><li>b) state for how long these temporary alterations would be needed; and</li><li>c) confirm that there are no other offsite locations which in your view would require highway improvements in connection with this project.</li></ul>	
1.18.20	The Applicant	<b>1</b>	<b>2</b>	<p>Table 26.2 states that "Potential structural alternations [sic] " are required to Marlesford Bridge on the A12 to facilitate the movement of AIL vehicles over this bridge.</p> <ul style="list-style-type: none"><li>a) What structural alterations do you envisage?</li><li>b) Do you yet know whether these alterations will be required?</li><li>c) How will it be possible and what is the business case for these structural alterations to be temporary rather than permanent? and</li><li>d) Which access routes will be utilised by AIL?</li></ul>	



ExQs 1	Question to: 1	Question:1	
1.18.21	The Applicant	<b>1</b>	<b>2</b> Paragraph 22 mentions localised footway improvements.  a) Is it intended that these are also temporary, or will they be permanent? b) If permanent, how are they secured in the DCO?
1.18.22	The Applicant	<b>1</b>	<b>2</b> Table 26.3 Realistic Worst Case Scenarios refers to peak traffic generation and a 7am to 7pm delivery window.  • Please explain how this traffic is assigned to a model which uses AADT flows rather than 12-hour flows.
1.18.23	The Applicant	<b>1</b>	<b>2</b> Table 26.3 Realistic Worst Case Scenarios makes brief reference at Construction item 7 to intermodal freight transfer (rail, maritime) where you state that potential gains have been disregarded for the purposes of your assessment: in particular, section 26.3 Scope makes reference only to the onshore highway study area. There appears to be no other mention of the rail network or how it might be used and/or modified to deliver this project.  a) Why is this, and



ExQs 1	Question to: 1	Question:1			
				b) what assumptions have been made regarding the use of possible or likely ports and railheads both during construction and maintenance, including emergency maintenance?	
1.18.24	The Applicant	<b>1</b>	<b>2</b>	Table 26.3 Realistic Worst Case Scenarios item 8 refers to the haul road. <ul style="list-style-type: none"> <li>Please explain how use of ground stabilisation would reduce the length of the haul road and HGV movements.</li> </ul>	
1.18.25	The Applicant	<b>1</b>	<b>2</b>	Table 26.4 item 7 covers road closures and says that in terms of embedded mitigation advance signing would be implemented to assist drivers in finding alternative routes and that works would be staggered. <p>a) Where is this commitment secured?</p> <p>b) Would you also provide information to satellite navigation companies to assist users in determining the best routes for their journeys in real time?</p>	
1.18.26	The Applicant	<b>1</b>	<b>2</b>	Table 26.6 lists the relevant local planning policies at the time the application was submitted.	



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"> <li>Have there been any material changes since that time?</li> </ul>	
				<p>Table 26.6 lists the relevant local planning policies at the time the application was submitted.</p> <p>Have there been any material changes since that time?</p>	
1.18.27	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraphs 74 and 75 mention HGV movements on rural roads and the associated collision risk. Have the existing collision records been examined and, if so,</p> <p>a) what mitigation is being considered; and b) how would such mitigation be secured?</p>	
1.18.28	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 81 says that AIL may come from either Felixstowe or Lowestoft and that SCC and HE have advised that Lowestoft is preferred in order to avoid the Farnham Bends.</p> <p>We also note that in paragraph 82 you state that <i>"the bend at Farnham is negotiable by the AIL vehicle, with full carriageway occupation and some kerb overrunning ..."</i></p>	



ExQs 1	Question to: 1			Question:1	
				Please a) Explain the mitigation measures you propose for Farnham; b) give an update as to which port you intend to select; and c) state whether you have considered using the rail network to transport AIL, for instance to the existing railhead at Leiston (Sizewell Halt); and d) if not, please explain why not.	
1.18.29	The Applicant, Network Rail	<b>1</b>	<b>2</b>	Paragraph 83 says that Network Rail has advised that a rail bridge over the A1094 should be avoided.  Please a) clarify whether the railway goes over or under the A1094 and b) explain why the bridge should be avoided.	
1.18.30	The Applicant	<b>1</b>	<b>2</b>	Paragraph 84 says how you propose that AIL would access the onshore substation site.  a) If travelling down the B1122 from Yoxford, could the AIL avoid travelling through the A1094/B1069 junction and through Friston by accessing the site	





ExQs 1	Question to: 1			Question:1	
				using the haul road directly from the A1069? b) Has this route been assessed?	
1.18.31	The Applicant	<b>1</b>	<b>2</b>	Paragraph 85 outlines your proposals for arranging the timing and routing of AIL in the event of a transformer needing to be replaced.  a) You say "any of the transformers" – do you propose that these proposals apply to the NG substation as well as your substation? b) Is there a safe permanent operational access proposed to the substation for use by you and by others eg NG for the lifetime of the project? c) If so, would this be used?	
1.18.32	The Applicant	<b>1</b>	<b>2</b>	Table 26.11 is the Impact Significance matrix.  Please confirm that a 36 month period has been applied to all your assessments to correspond with the construction period.	
				Table 26.11 is the Impact Significance matrix. Please confirm that a 36 month period has been applied to all your assessments to correspond with the construction period.	



ExQs 1	Question to: 1	Question:1	
1.18.33	The Applicant	<b>1</b>	<b>2</b> In paragraph 99 (transboundary impact assessment), you scope out transboundary impacts in respect of the onshore development area.  Have offshore traffic and transport impacts been considered, for instance shipping and air traffic? If so,  a) where have these impacts been assessed b) what are your conclusions; and c) how have you arrived at your conclusions?  If not, please explain why not.
1.18.34	The Applicant	<b>1</b>	<b>2</b> Section 26.5 Existing Environment does not appear to include any baseline information on the rail network, or how it might be used to mitigate the impacts of construction and operation of the project.  • Why is this?
1.18.35	The Applicant	<b>1</b>	<b>2</b> In Table 26.13,



ExQs 1	Question to: 1			Question:1	
				a) should link 3b be south of Stratford St Andrew? And b) should link 6c be east or west of Snape?	
1.18.36	The Applicant	<b>1</b>	<b>2</b>	<p>The ExA note from Table 26.14 (Baseline PIC analysis) that Road Casualties Great Britain 2017 figures have been used and that the severity split in respect of killed or seriously injured (KSI value) for links 5 and 7 is a total of 3 killed or seriously injured out of a total of 6,, ie 50%.</p> <p>We also note from paragraph 140 that links other than links 5-8 are not considered further as their collision rates are below the national average.</p> <p>However, the KSI values for Lover's Lane/Sizewell Gap (links 11 and 12), the B1122 (links 4 and 14) and the A12 (links 1,2 and 3) are 33.3%, 17.6% and 12.9% respectively, and there is a high proportion of HGV involved on links 4, 14, 9, 15, 11 and 12.</p> <p>Please advise</p> <p>a) why your road safety assessment appears to be based predominantly on collision rates;</p>	



ExQs 1	Question to: 1			Question:1	
				b) how the National Average collision rate has been arrived at; c) what constitutes a comparable road in paragraph 288 and where the figure of 487 comes from; and d) whether later Road Casualties Great Britain (eg 2018 or 2019) figures are available and, if so, e) have there been any changes which would alter your assessment conclusions?	
1.18.37	The Applicant	<b>1</b>	<b>2</b>	Paragraph 166 refers to the potential for additional junctions 6 to 15 to be sensitive to changes in traffic. Junctions 6 to 13 are listed and described in Table 26.16 and shown on Figure 26.7 [APP-312], except for junction 9. <ul style="list-style-type: none"> <li>• Where is junction 9 shown and where are junctions 14 and 15 described and shown?</li> </ul>	
1.18.38	The Applicant	<b>1</b>	<b>2</b>	Paragraph 177 lists those factors you have taken into account in determining the realistic worst-case traffic demand scenarios for the project. <ul style="list-style-type: none"> <li>• Bearing in mind that both the East Anglia ONE North and the East Anglia</li> </ul>	



ExQs 1	Question to: 1			Question:1	
				TWO projects have been submitted and accepted for examination at the same time, have likely maximum construction programmes (eg each project proceeding separately at different times, with or without an overlap) been considered?	
1.18.39	The Applicant	1	2	<p>With reference to paragraphs 211 and 328, and also paragraph 12 of the outline Construction Traffic Management Plan [APP-586] and paragraph 19 of the outline Access Management Plan [APP-587] please:</p> <p>a) provide an update on the three options currently being considered for access to section 3B of the cable route either side of the B1122 to the south of Aldringham; and</p> <p>b) explain what you mean by "appropriately sized vehicles".</p>	
1.18.40	The Applicant	1	2	<p>In paragraph 213 you state with reference to National Grid employees "<i>These employees would instead access from access 13 ... once this access is available.</i>"</p> <ul style="list-style-type: none"> <li>Please confirm that access 13 will be available whenever it is needed by</li> </ul>	



ExQs 1	Question to: 1			Question:1	
				National Grid personnel and by any third parties working on behalf of National Grid.	
1.18.41	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraphs 231, 242, 265, 269 and 273 in respect of pedestrian amenity and in paragraph 284 in respect of severance you state that "... <i>no mitigation further to that embedded within the design of the proposed East Anglia ONE North project is considered necessary.</i>"</p> <ul style="list-style-type: none"> <li>• What mitigation is embedded within the design of the proposed East Anglia ONE North project in respect of pedestrian amenity and severance, and where is this secured?</li> </ul>	
1.18.42	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraph 250 you state "a moderate adverse impact upon Link 4b" (Theberton) in respect of pedestrians, and in paragraph 251 you state that additional mitigation measures are required.</p> <p>Mitigation is set out in paragraph 275 and illustrated in Appendix 26.17 [APP-543]. In paragraph 275 you state that "<i>where possible</i>" permanent footway improvements are proposed for Theberton (link 4b).</p>	



ExQs 1	Question to: 1		Question:1	
			<p>Please</p> <ul style="list-style-type: none"><li>a) clarify what you mean by "where possible";</li><li>b) confirm that all these mitigation measures are permanent, and</li><li>c) state where in the DCO they are secured.</li></ul>	
1.18.43	The Applicant	<b>1</b>	<b>2</b> <p>In paragraph 260 you state a "moderate adverse impact upon Link 6b" (Snape) in respect of pedestrian amenity, and in paragraph 261 you state that additional mitigation measures are required. Mitigation is set out in paragraph 277 and illustrated in Appendix 26.17 [APP-543]. In paragraph 277 you state that "where possible" permanent footway improvements are proposed for Snape (link 6b).</p> <p>Please:</p> <ul style="list-style-type: none"><li>a) clarify what you mean by "where possible";</li><li>b) confirm that these mitigation measures are permanent, and</li><li>c) state where in the DCO they are secured.</li></ul>	



ExQs 1	Question to: 1	Question:1			
1.18.44	The Applicant	<b>1</b>	<b>2</b>	<p>In Table 26.24 you state that collision cluster 3 at the junction of A12 and A1094 (links 2,3 and 6) is expected to experience a 49% increase in HGV movements and you consider that <i>"the change in HGV traffic could potentially lead to significant impacts"</i> in terms of road safety, assessing the impact as major adverse (paragraph 294). You note in paragraph 296 that it is <i>"unclear at this stage whether the Sizewell C New Nuclear Power Station proposals would come forward or be delivered prior to the commencement of construction"</i> of this project, and propose an independent set of physical mitigation measures (paragraphs 297 and 298).</p> <p>Bearing in mind that the Sizewell C project has now been accepted for examination:</p> <ul style="list-style-type: none"><li>a) Where and how would these additional HGV movements be controlled? and</li><li>b) why do you consider that the proposed mitigation measures are adequate?</li></ul>	Watching Brief (WB) on responses
1.18.45	The Applicant	<b>1</b>	<b>2</b>	<p>You note in paragraph 296 that it is <i>"unclear at this stage whether the Sizewell C New Nuclear Power Station proposals would come forward or be delivered prior to the</i></p>	Watching Brief (WB) on responses





ExQs 1	Question to: 1		Question:1	
			<p><i>commencement of construction</i>" of this East Anglia project, and propose an independent set of physical mitigation measures (paragraphs 297 and 298) for this junction complemented by the control of employee traffic movements as outlined in the OTP [APP-588] (paragraph 300), concluding (paragraph 301) that these measures are sufficient to result in a minor adverse impact post mitigation.</p> <p>Your proposed mitigation appears to be predicated on managing employee movements during peak hours, please:</p> <ul style="list-style-type: none"><li>a) explain why you consider that the measures proposed in paragraph 298 provide adequate physical mitigation; and</li><li>b) state what monitoring measures you propose to ensure that the mitigation measures you propose are effective.</li></ul>	
1.18.46	SCC	<b>1</b>	<b>2</b> In Table 26.24 it says that collision cluster 3 at the junction of A12 and A1094 (links 2,3 and 6) is expected to experience a 49% increase in HGV (Table 26.24) and the Applicant considers that "the change in HGV traffic could potentially lead to significant impacts" in terms of road safety, assessing the impact as major adverse (paragraph 294).	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>The Applicant further notes in paragraph 296 that it is <i>"unclear at this stage whether the Sizewell C New Nuclear Power Station proposals would come forward or be delivered prior to the commencement of construction"</i> of this project, and proposes an independent set of physical mitigation measures (paragraphs 297 and 298) for the A12/A1094 junction complemented by the control of employee traffic movements as outlined in the OTP [APP-588] (paragraph 300).</p> <p>a) Bearing in mind that the Sizewell C project has now been accepted for examination, do you consider that the proposed mitigation at the A12/A1094 junction is adequate?</p> <p>b) Do you think that the downward trend of collisions at the A12/A1094 junction is a reliable basis for the assessment?</p>	
1.18.47	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraphs 295 and 382 you outline a proposal by EDF Energy to replace the A12/A1094 priority junction with a roundabout junction as part of the mitigation proposals for the Sizewell C New Nuclear Power Station project.</p>	Watching Brief (WB) on responses



ExQs 1	Question to: 1			Question:1	
				<p>Please give an update in respect of any discussions you have had with EDF and the highway authority in respect of this proposal. In particular:</p> <ul style="list-style-type: none"><li>a) has this proposal been accepted or agreed in principle with the highway authority?</li><li>b) has the bringing forward of this proposal been considered, such that it is ready for use as mitigation for this project including cost sharing with EDF, given that you propose two separate projects being constructed simultaneously (Scenario 1) and given SCC concerns in respect of the temporary measures you propose? and</li><li>c) have intelligent traffic signals been considered as a temporary measure to improve junction performance and reduce gap acceptance collisions?</li></ul>	
1.18.48	The Applicant	<b>1</b>	<b>2</b>	<p>You state in paragraph 306 that traffic speeds would be reduced at the A12/A1094 junction following implementation of your package of mitigation measures.</p> <ul style="list-style-type: none"><li>• Would the new 40mph limit be implemented and monitored prior to the</li></ul>	



ExQs 1	Question to: 1	Question:1			
				start of construction to ensure that this is the case?	
1.18.49	The Applicant	<b>1</b>	<b>2</b>	Has the model referred to in paragraph 312 been calibrated and validated with actual observations of flow, vehicle type, queue length and driver delay?	
1.18.50	The Applicant	<b>1</b>	<b>2</b>	<p>The ExA has noted that the labels on the swept path analysis diagrams in Appendix 26.21 Swept Path Analysis Sensitive Junctions [APP-547] appear to be incomplete.</p> <ul style="list-style-type: none"><li>• Please add to each of the drawings in Appendix 26.21 Swept Path Analysis Sensitive Junctions [APP-547] so as to show the vehicle on each arm of each junction and its direction of travel.</li></ul>	
1.18.51	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 330 refers to the use of a pilot vehicle for larger articulated vehicles heading for accesses 5 and 6.</p> <ul style="list-style-type: none"><li>• Please explain how the use of a pilot vehicle would reduce driver delay at the A1094/B1122 roundabout junction such that it can be relied upon as mitigation.</li></ul>	



ExQs 1	Question to: 1		Question:1	
1.18.52	The Applicant	<b>1</b>	<b>2</b> Paragraph 333 refers to occasional repair and maintenance. Could vehicle movements include AIL, for example in the case of transformer or cable failure? If so, which access routes would be used?	
1.18.53	The applicant	<b>1</b>	<b>2</b> Paragraph 340 gives two worst case scenarios in combination with the other East Anglia project.  a) Is there a third scenario in which there is an overlap in the construction programmes and, if so, could this represent the worst case? and b) if so, will the OTP, OAMP and OCTMP need updating?	
1.18.54	The Applicant	<b>1</b>	In Table 26.26:  a) should the cumulative operational impacts header (near the foot of page 80) refer to East Anglia TWO? and b) should the following header "Cumulative Construction Impacts with the proposed East Anglia TWO project" (at the top of page 81) be removed?	



ExQs 1	Question to: 1			Question:1	
1.18.55	The Applicant	1	2	<p>In table 26.27 you state that there is no potential for cumulative driver delay due to highway geometry.</p> <p>Please confirm that:</p> <ul style="list-style-type: none"><li>a) this is because no HGV or AIL will travel through the A1094/B1069 and A1094/B1122 junctions as the loads will have previously been broken down into smaller loads which can be transported safely in smaller vehicles without causing any delay to other road users; or</li><li>b) if this is not the case and HGV are escorted by a pilot vehicle, that there is no cumulative impact with projects other than EA1N and EA2 because vehicles on other projects (such as Sizewell C New Nuclear Power Station) will not be using these junctions.</li></ul>	
1.18.56	The Applicant	1	2	<p>Table 26.28 makes reference to planned construction activities at the existing operational Sizewell B Power Station and that the planning application is awaiting decision.</p> <p>Table 26.28 also states in respect of cumulative impacts that there will be no</p>	



ExQs 1	Question to: 1		Question:1	
			<p>temporal overlap with planned construction activities at Sizewell B during construction.</p> <p>Please</p> <ul style="list-style-type: none"><li>a) update the ExA on the current position in respect of whether and if so when consent has been granted for these works by the LPA;</li><li>b) explain whether there will be temporal overlap;</li><li>c) if there is temporal overlap, include Sizewell B in your cumulative impact assessment; and</li><li>d) explain whether there are any other planned construction or decommissioning activities at the Sizewell complex during the construction period.</li></ul>	
			<p>Table 26.28 makes reference to planned construction activities at the existing operational Sizewell B Power Station and that the planning application is awaiting decision.</p> <p>Table 26.28 also states in respect of cumulative impacts that there will be no temporal overlap with planned construction activities at Sizewell B during construction.</p>	



ExQs 1	Question to: 1			Question:1	
				<p>Please</p> <ul style="list-style-type: none"> <li>i) update the ExA on the current position in respect of whether and if so when consent has been granted for these works by the LPA;</li> <li>ii) explain whether there will be temporal overlap;</li> <li>iii) if there is temporal overlap, include Sizewell B in your cumulative impact assessment; and</li> <li>iv) explain whether there are any other planned construction or decommissioning activities at the Sizewell complex during the construction period.</li> </ul>	
1.18.57	The Applicant	<b>1</b>	<b>2</b>	<p>In paragraphs 349 to 352 you list and describe briefly the three assessment scenarios presented by the Sizewell C project in its PEIR, namely</p> <ul style="list-style-type: none"> <li>i) Early years, a three year period commencing 2022;</li> <li>ii) Peak construction (road option); and</li> <li>iii) Peak construction (rail option).</li> </ul>	Watching Brief (WB) on responses





ExQs 1	Question to: 1			Question:1	
				<p>Paragraph 353 then lists three cumulative impact assessment scenarios, combining the East Anglias scenario 1 (construction of both the East Anglia projects simultaneously) with each of the three Sizewell C New Nuclear Power Station project options, namely i) early years, ii) peak construction (rail option) and iii) peak construction (road option).</p> <p>In paragraph 354 you say that <i>"EDF Energy have (sic) embarked upon a Stage 4 consultation exercise ... The Stage 4 consultation document ... does not contain sufficient information to facilitate a quantitative assessment."</i></p> <p>Please explain</p> <ul style="list-style-type: none"> <li>a) why this is the case;</li> <li>b) what further information you would need to be able to undertake the necessary assessment; and</li> <li>c) whether the Stage 4 (pre-application) consultation for the Sizewell C New Nuclear Power Station project has introduced any further options</li> </ul>	
1.18.58	SCC	<b>1</b>	<b>2</b>	In paragraphs 349 to 352 the applicant lists and describes briefly the three assessment	Watching Brief (WB) on responses



ExQs 1	Question to: 1		Question:1	
			<p>scenarios presented by the Sizewell C project in its PEIR, namely</p> <ul style="list-style-type: none"><li>i) Early years, a three year period commencing 2022;</li><li>ii) Peak construction (road option); and</li><li>iii) Peak construction (rail option)</li></ul> <p>Paragraph 353 then lists three cumulative impact assessment scenarios, combining the East Anglias scenario 1 (construction of both the East Anglia projects simultaneously) with each of the three Sizewell C New Nuclear Power Station project options, namely i) early years, ii) peak construction (rail option) and iii) peak construction (road option).</p> <p>In paragraph 354 the Applicant states that <i>"The Stage 4 consultation document ... does not contain sufficient information to facilitate a quantitative assessment."</i></p> <ul style="list-style-type: none"><li>• Please advise whether or not you are satisfied with the three cumulative impact assessment scenarios listed in paragraph 353. If you are not satisfied, please explain why.</li></ul>	



ExQs 1	Question to: 1	Question:1			
1.18.59	EDF Energy (Sizewell C New Nuclear)	<b>1</b>	<b>2</b>	<p>Paragraph 354 refers to your freight management strategy for the construction of the Sizewell C New Nuclear power station.</p> <ul style="list-style-type: none"> <li>Please provide the latest version of this strategy.</li> </ul>	Watching Brief (WB) on responses
1.18.60	The Applicant, EDF Energy (Sizewell C New Nuclear), SCC	<b>1</b>	<b>2</b>	<p>Paragraphs 359 to 367 refer to highway improvements proposed in relation to the Sizewell C New Nuclear Power Station project, which it is not currently envisaged will be available prior to construction work starting on this East Anglia project.</p> <ul style="list-style-type: none"> <li>Given that the Sizewell C New Nuclear Power Station project has been accepted for examination, have any discussions been held between the Applicant, EDF Energy and the highway authority in relation to ways in which these improvements could be ready for use prior to work commencing on the East Anglia ONE North and East Anglia TWO project(s) in order to reduce cumulative impacts?</li> </ul>	Watching Brief (WB) on responses
1.18.61	The Applicant	<b>1</b>	<b>2</b>	With reference to the previous question and to paragraphs 373 and 374 (Lover's Lane), given that <i>"mitigation would likely be required prior</i>	



ExQs 1	Question to: 1			Question:1	
				<p><i>to commencement of significant construction traffic movements”, please explain</i></p> <ul style="list-style-type: none"> <li>a) what you understand by “significant” in paragraph 373; and</li> <li>b) why the cumulative impacts on Lover’s Lane “would not be significant” (paragraph 374), given that you reach a different conclusion in other locations: paragraphs 360, 363 and 367 refer.</li> </ul>	
1.18.62	The Applicant	<b>1</b>	<b>2</b>	<p>With reference to summary table 26.29, please</p> <ul style="list-style-type: none"> <li>a) explain why the Sizewell C project appears not to be mentioned other than with reference to junctions 1 and 2;</li> <li>b) provide ratio of flow to capacity (RFC) figures for Junctions 1 and 2 for both the East Anglia projects before and during construction of the proposed roundabouts; and</li> <li>c) provide RFC figures for junction 3, both for the project alone and for the cumulative scenarios.</li> </ul>	
1.18.63	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraph 401 says that pedestrians, motorists and cyclists have been considered as receptors in the traffic and transport assessment.</p>	



ExQs 1	Question to: 1			Question:1	
				a) Have motorcyclists and horses and their riders been considered? b) If not, why not; and c) if so, where, and what conclusions have you reached?	
				<b>Outline Travel Plan [APP-588]</b>	
1.18.64	The Applicant	<b>1</b>	<b>2</b>	In paragraph 28, you state that " <i>the OTP does not prescribe the routes along public roads to be used by employees to reach the access locations.</i> " <ul style="list-style-type: none"> <li>Please explain why this is the case and how you have assigned these trips to the network.</li> </ul>	
1.18.65	SCC	<b>1</b>	<b>2</b>	Paragraph 50 defines a breach of the final Transport Plan and paragraph 52 outlines the three stages proposed for the Transport Plan enforcement process. <ul style="list-style-type: none"> <li>As highway authority, are you content with these proposals?</li> </ul>	
1.18.66	The Applicant	<b>1</b>	<b>2</b>	Section 3.4 sets out an action plan with allocated responsibilities and section 3.5 sets out measures to be taken by " <i>the appointed contractor</i> ".	



ExQs 1	Question to: 1			Question:1	
				Please explain a) how this will work in practice and b) how compliance by third parties is secured in the DCO.	
1.18.67	The Applicant	1	2	If both the EA1N and EA2 projects are constructed simultaneously, and the same vehicles are used to transport materials and personnel for both projects, how will you manage this to ensure that monitoring and enforcement is undertaken under the correct DCO?	
1.18.68	The Applicant	1	2	Paragraph 21 says that " <i>Contact details for the TPCos and TCo will be submitted to relevant stakeholders ...prior to the commencement of construction.</i> "  a) Who are the relevant stakeholders? b) Has the inclusion of contact details on a website as well as flyers and posters been considered, to enable easier contact and reporting?	
				<b>Outline Access Management Plan [APP-587]</b>	



ExQs 1	Question to: 1	Question:1		
1.18.69	The Applicant	1	2	<p>Paragraph 14 states that the access strategy is "informed by the Suffolk Country Council HGV route hierarchy" (sic).</p> <p>a) Are there any access routes which do not form part of the route hierarchy?</p> <p>b) If so, are any mitigation measures proposed, and how are these secured?</p>
1.18.70	SCC	1	2	<p>Section 2.2 sets out the design of the proposed accesses (paragraphs 22-28) and section 2.3 deals with crossing design (paragraphs 29-36). It is intended that technical approval is obtained post consent. The ExA note that a Stage 1 Safety Audit was completed in July 2019 and is appended at Annex 2.</p> <ul style="list-style-type: none"> <li>As highway authority, do you have any concerns about any of the proposed accesses or the associated traffic management arrangements?</li> </ul>
1.18.71	The Applicant	1	2	<p>In paragraph 45 do you mean 'Suffolk County Council' (rather than SSC)?</p>
				<p><b>Outline Construction Traffic Management Plan [APP-586]</b></p>



ExQs 1	Question to: 1	Question:1	
1.18.72	The Applicant	<b>1</b>	<b>2</b> Paragraph 26 refers to performance standards.  a) Please explain why numbers of HGV are not relevant in securing the required performance standards. b) What guarantee is there for those affected by HGV movements that the input measures proposed will achieve the necessary output standards?
1.18.73	The Applicant	<b>1</b>	<b>2</b> Paragraph 38 refers to HGV timings. The ExA note that these are over a 12-hour period (0700-1900) on weekdays and 0700-1300 on Saturdays.  • Please confirm that the forecast flows have been assigned to a 12-hour and not an AADT model.
1.18.74	The Applicant	<b>1</b>	<b>2</b> Paragraphs 42-44 refer to the use of a pilot vehicle at the A1094/B1122 roundabout junction at Aldeburgh for larger articulated vehicles heading for accesses 5 and 6.  • Please explain how the use of a pilot vehicle would reduce driver delay at the A1094/B1122 roundabout junction such that it can be relied upon as mitigation.





ExQs 1	Question to: 1	Question:1		
1.18.75	The Applicant	<b>1</b>	<b>2</b>	<p>Paragraphs 50-52 deal briefly with abnormal loads, and paragraph 50 says that AIL movements will be outside the restrictions in the OCTMP and subject to separate agreement with the relevant highway authorities and the police.</p> <p>a) How many AIL movements are envisaged during construction and operation of the project?</p> <p>b) How have the impacts been assessed?</p> <p>c) Will those affected be consulted and/or notified and if so how?</p> <p>d) What offsite highways works will be required? and</p> <p>e) are they those described in section 3.1 for HGV traffic?</p>
1.18.76	The Applicant	<b>1</b>	<b>2</b>	<p>Section 4.2 refers to a monthly monitoring report produced by the TCo and CTMPCOs, but does not explain what the objective of the report is or who is able to view it.</p> <ul style="list-style-type: none"><li>• Please explain this process further.</li></ul>
1.18.77	The Applicant	<b>1</b>	<b>2</b>	<p>Section 4 sets out your proposals for monitoring and enforcement.</p>



ExQs 1	Question to: 1			Question:1	
				<ul style="list-style-type: none"><li>• Will the highway authority have access to the HGV data to monitor traffic movements, or will this information only be provided when a breach is reported? Please explain the process further.</li></ul>	
1.18.78	The Applicant	<b>1</b>	<b>2</b>	<b>Relationship with Sizewell</b> Please explain what impacts, if any, there will be on both the existing and future emergency planning/ evacuation arrangements for the operational Sizewell B Power Station complex, the construction and operation of the proposed Sizewell C New Nuclear Power station and the decommissioning of the Sizewell A power station as a result of the construction and operation of this project, for both EA1N alone, EA2 alone and in combination with each other.	Watching Brief (WB) on responses



**ANNEX A**

**EAST ANGLIA ONE NORTH AND EAST ANGLIA TWO:  
LIST OF ALL OBJECTIONS TO THE GRANT OF COMPULSORY ACQUISITION OR TEMPORARY POSSESSION POWERS  
(EXQ1: QUESTION 1.3.2)**

<b>Obj No.<sup>i</sup></b>	<b>Name/ Organisation</b>	<b>1 ii</b>	<b>2 iii</b>	<b>IP/AP Ref No<sup>iv</sup></b>	<b>RR Ref No<sup>v</sup></b>	<b>WR Ref No<sup>vi</sup></b>	<b>Other Doc Ref No<sup>vii</sup></b>	<b>Interest <sup>viii</sup></b>	<b>Permane nt/ Temporar y<sup>ix</sup></b>	<b>Plot(s)</b>	<b>CA?<sup>x</sup></b>	<b>Status of objection</b>



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<sup>i</sup> Obj No = objection number. All objections listed in this table should be given a unique number in sequence

<sup>ii</sup> A tick in this column indicates objection relates to East Anglia ONE North (*see below – one or both columns may be ticked*)

<sup>iii</sup> A tick in this column indicates objection relates to East Anglia TWO (*see above – one or both columns may be ticked*)

<sup>iv</sup> Reference number assigned to each Interested Party (IP) and Affected Person (AP)

<sup>v</sup> Reference number assigned to each Relevant Representation (RR) in the Examination library

<sup>vi</sup> Reference number assigned to each Written Representation (WR) in the Examination library

<sup>vii</sup> Reference number assigned to any other document in the Examination library

<sup>viii</sup> This refers to parts 1 to 3 of the Book of Reference (BoR):

- Part 1, containing the names and addresses of the owners, lessees, tenants, and occupiers of, and others with an interest in, or power to sell and convey, or release, each parcel of Order land;
- Part 2, containing the names and addresses of any persons whose land is not directly affected under the Order, but who “would or might” be entitled to make a claim under section 10 of the Compulsory Purchase Act 1965, as a result of the Order being implemented, or Part 1 of the Land Compensation Act 1973, as a result of the use of the land once the Order has been implemented;
- Part 3, containing the names and addresses of any persons who are entitled to easements or other private rights over the Order land that may be extinguished, suspended or interfered with under the Order.

<sup>ix</sup> This column indicates whether the applicant is seeking compulsory acquisition or temporary possession of land/ rights

<sup>x</sup> CA = compulsory acquisition. The answer is ‘yes’ if the land is in parts 1 or 3 of the Book of Reference (BoR) and the applicant is seeking compulsory acquisition of land/ rights.