

Date: 17 November 2020
Our ref: Case: 10571 Consultation: 333118
Your ref: EN010077



National Infrastructure Planning
The Planning Inspectorate
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BY EMAIL ONLY

Dear Sir/Madam

East Anglia ONE NORTH (EA1N) Offshore Wind Farm

The following constitutes Natural England's formal statutory response for Examination Deadline 2.

NE Deadline 2 Submissions

The documents Natural England is submitting at Deadline 2 are as set out in the following thematic appendices:

- EN010077 333118 EA1N Appendix A9 – NE Comments on Offshore Ornithology Cumulative and In Combination Collision Update [REP1-047]
- EN010077 333118 EA1N Appendix C2b – NE Comments on SPA Crossing Method Statement [REP1-043]
- EN010077 333118 EA1N Appendix C4 – NE Comments on Ecological Enhancement Clarification Note [REP1-035]
- EN010077 333118 EA1N Appendix C5 – NE Comments on Onshore Ecology Clarification Note [REP1-023]
- EN010077 333118 EA1N Appendix F5 – NE Comments on Outline Sabellaria Reef Management Plan [REP1-044]
- EN010077 333118 EA1N Appendix F6 – NE Comments on Habitats Regulation Assessment Appendix 2 [REP1-017]
- EN010077 333118 EA1N Appendix K1b – NE Comments on the Applicant's Response to ExA Questions

Further to the documents we have submitted we also wish to highlight to the Examining Authority the following:

1. NE Response to Documents Submitted

Natural England notes that documentation submitted at Deadline 1 was not available to download until late on, on 6th November. Given the limited time/ working days this gave to review documentation Natural England would like to reserve the right to comment on further documents submitted at Deadline 1 at Deadline 3.

Natural England would like to highlight that the timeliness of The Planning Inspectorate document uploads is important. Natural England is involved in a wide range of projects and seeks to forward plan our resources using the examination timetable. A significant delay in access to documents can impact on our workloads and on our ability to respond to other projects. It also reduces our ability to respond to this examination in a timely manner.

2. Red-Throated Diver (RTD) Assessment

Natural England would like to make The Planning Inspectorate aware that we will provide comments on the RTD Assessment (intended submission by the Applicant at Deadline 3) at Deadline 5 at the earliest. Natural England is sourcing additional expertise in order to provide a comprehensive response on this significant and complex issue. However, as the RTD assessment is not available until Deadline 3, we will not be in a position to comment on RTD issues at any Issue Specific Hearings until after Deadline 5.

3. Information to Support Appropriate Assessment - Addendum for Marine Mammals [REP1-038]

Natural England welcomes the Information to Support Appropriate Assessment (ISAA) – Addendum for Marine Mammals – Rev-001 [REP1-038] document submitted by the Applicant. On initial review of the document Natural England has identified significant concerns over project specific amendments made within this document. However, we consider the time between the availability of this document and Deadline 2 is too short to adequately review and provide the required considered response. Therefore, Natural England intend to submit a detailed review to the ISAA – Addendum for Marine Mammals at Deadline 3.

4. Risk and Issues Log

Natural England will not be submitting an updated Risk and Issues Log into examination at Deadline 2. This is because nothing has changed in the short time between Deadline 1 and Deadline 2. We will submit an updated log at Deadline 3 to reflect any changes that have occurred before then.

5. Issue Specific Hearings

Natural England notes the request for our attendance at the ISHs to be held on December 1st and December 2nd. Please accept this letter as written notice that, at this stage, Natural England will not be attending the ISHs in December.

Our non-attendance at hearings should not be construed as a lack of concern on outstanding issues, or a lack of willingness to engage. As previously advised we are committed to proactively engaging with parties on this project and to gaining the best possible outcome. And currently there is little update to provide other than what was provided in our Relevant and Written Representations in

January 2020. Therefore we are waiting for further responses/documents to be submitted into examination by the Applicant.

Given the limited details of the broad topics listed to be covered within each short hearing and with no detailed agenda with questions being provided until some point week commencing 23rd November; Natural England considers that any specific questions to us could be incorporated within the second round of written ExA questions due to be released on the 26th November. This would enable us to be most effective and provide a considered response to your questions at Deadline 3 which we wouldn't be able to do in within an ISH as currently proposed.

Moving forward, as further information is made available through examination, in order to consider attending a ISH, Natural England firstly request a detailed agenda or list of questions specifically for Natural England is made available. The decision on if we will attend, and notification of the Natural England representatives to attend, will be based on the response to this request.

For any queries relating to the content of this letter please contact me using the details provided below.

Yours sincerely

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