



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES

2010

East Anglia ONE North Offshore Wind Farm

Appendix G4 to the Natural England Deadline 6 Submission

Natural England's Comments on EA1N/EA2 Updated DCO Application

For:

The construction and operation of East Anglia ONE North Offshore Windfarm, a 800MW windfarm which could consist of up to 67 turbines, generators and associated infrastructure, located 36km from Lowestoft and 42km from Southwold.

Planning Inspectorate Reference: EN010077

24th February 2021



Natural England's Comments on EA1N and EA2 Updated DCO Application

This document is applicable to both the East Anglia ONE North and East Anglia TWO 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.

In formatting this response the following documents have been considered on both projects:

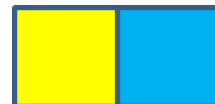
- Updated Draft DCO [REP5-003, REP5-004]
- Schedule of Changes to Draft DCO [REP5-005]
- ISH7 List of Actions

Detailed comments

EA2 / EA1N or both?	Point	Document section	Natural England's Comment	Risk
Schedule of Changes to Draft DCO				
Both	Article 2(1)	Table 1 Page 2	Natural England notes the updated definitions and has no further comment to make on them.	
Both	Article 2(1)	Table 1 Page 4	Natural England notes the update to the definition of offshore preparation works and notes the amendments. We note and support MMO's concerns relating to if the UXO works should be included. However, without prejudice to this position, we would accept the updated drafting. This is repeated within the DML and Natural England's position is as above.	
Both	Schedule 1, Part 3, Requirement 2(1)(a)	Table 1 Page 11-12	Natural England notes the reduction in maximum turbine height to 282m and the commitment to a clearance of 24m. We appreciate these changes, however, note our outstanding concerns relating to visual and ornithological impacts remain as per our previous advice REP3-120 and REP4-088. Natural England notes that these changes have also been made within the DMLs and refers to the comment above.	
Both	Schedule 1, Part 3, Requirement 31	Table 1 Page 22	Natural England notes that the applicant has updated the requirement to include a consultation with the statutory nature conservation body. We consider this matter resolved.	
Both	Schedule 1 Part 3, Requirement 42	Table 1 Page 30	Natural England notes and welcomes this addition.	



Both	Schedule 13 Part 2 Condition 16 (1) and (3)	Table 1 Page 38 and 39	Natural England notes the inclusion of wording ensuring that a micro-siting report is produced. We also note the inclusion of new timing requirements under condition 16 (3) and (4). We support the 6 and 3 month timing requirements that have been proposed.	
Both	Schedule 13 Part 2 Condition 17(1) (e) (vi)	Table 1 Page 40	Natural England welcomes the update to the wording to reflect that the red-throated diver mitigation measures for vessels must be as per the best practice protocol.	
Both	Schedule 13 Part 2 Condition 17 (j)	Table 1 Page 41	Natural England welcomes the condition securing the submission of the updated <i>Sabellaria</i> reef management plan six months prior to works.	
Both	Schedule 13 Part 2 Condition 20(2) (d)	Table 1 Page 41	Natural England welcomes the condition securing ornithological monitoring. Note this applies to the new condition 22 (2)(e) as well.	
Both	Schedule 13 Part 2 Condition 21 (3)	Table 1 Page 41-42	Natural England note the changes that have been made in line with our advice. However, we have been advised that this condition will be further updated subject to discussion with the MMO. We consider that progress is being made on this issue and that resolution is likely to be achieved after review of the next update. Please note this response is also a response to ExA question Schedule 14, Q3.	
Both	Schedule 13 Part 2 Condition 24	Table 1 Page 43	Natural England maintains its position regarding the deployment of cable protection and scour protection in new areas over the lifetime of the project. Please see the cable protection paper and our response at Deadline 4 REP4-093. However, without prejudice to our position, if the Secretary of States decides to include the deployment of cable and scour protection over the operational lifetime of the project, Natural England supports the wording proposed by the MMO to ensure consultation and approval of all new areas.	
Both	Schedule 13 Part 2 Condition	Table 1 Page 43-44	Natural England notes and supports the inclusion of a condition requiring co-operation between EA1N and EA2.	
Both	Schedule 14	Table 1 page 44-55	Natural England notes that all issues above are repeated in the Transmission DML and notes that our response to those issues is already given above.	
Natural England's actions from ISH7				
Both	Action 9		Natural England notes that an updated SIP will be submitted at Deadline 6 and will provide comments on this at Deadline 7.	
Both	Action 12		As noted in our response to the updated DCO above, Natural England are content with the updated timelines in the UXO conditions.	
Both	Action 13		As noted above, Natural England is broadly content. However, is engaged in a process with MMO and the applicant which may result in changes to the wording.	
Both	Action 17		It is noted that these issues relate to issues that the MMO raised. We support the MMO position on these matters.	



Risk Ratings

Please read the definitions below. The idea is to eventually filter out the yellow and green issues and just present the Red, Amber and Purple issues. However, please still highlight and raise the yellow and green issues as we may need to increase the risk level on them if further evidence does / doesn't come about.

<p>Red</p> <p>Natural England considers that unless these issues are resolved it will have to advise that (in relation to any one of them, and as appropriate) it is not possible to ascertain that the project will not affect the integrity of an SAC/SPA and/or comply fully with the Environmental Impact Assessment requirements and/or avoid significant adverse effect on landscape/seascape, unless the following are satisfactorily provided:</p> <ul style="list-style-type: none">• new baseline data;• significant design changes; and/or• significant mitigation; <p>Natural England feels that issues given Red status are so complex, or require the provision of so much outstanding information, that they are unlikely to be resolved during examination, and respectfully suggests that they be addressed beforehand.</p>	
<p>Amber</p> <p>Natural England considers that if these issues are not addressed or resolved by the end of examination then they would become a Red risk as set out above. Likely to relate to fundamental issues with assessment or methodology which could be rectified; preferably before examination.</p>	
<p>Yellow</p> <p>These are issues/comments where Natural England doesn't agree with the Applicant's position or approach. We would flag these at the PEI stage with the view that they would be addressed in the Application. But otherwise we are satisfied for <u>this particular project</u> that it will not make a material difference to our advice or the outcome of the decision-making process. However, it should be noted that this may not be the case for other projects. Therefore it should be noted by interested parties that just because these issues/comments are not raised as part of our Relevant Representations in this instance it should not be understood or inferred that in other cases or circumstances Natural England will take this approach. Furthermore, these may become issues should further evidence be presented.</p>	
<p>Green</p> <p>Natural England supports the Applicant's approach.</p>	