

SCOTTISHPOWER
RENEWABLES

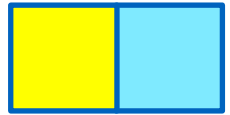
East Anglia ONE North and East Anglia TWO Offshore Windfarms

Deadline 9 Topic Position Statements

Applicants: East Anglia ONE North Limited and East Anglia TWO Limited
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Applicable to **East Anglia ONE North** and **East Anglia TWO**



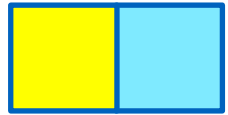
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Glossary of Acronyms

AEoI	Adverse Effect on Integrity
AMP	Access Management Plan
AONB	Area of Outstanding Natural Beauty
BEIS	Department for Business, Energy and Industrial Strategy
CAA	Civil Aviation Authority
CIA	Cumulative Impact Assessment
CoCP	Code of Construction Practice
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DEFRA	Department for Environment, Fisheries and Food
DML	Deemed Marine Licence
DMO	Destination Management Organisation
EA	Environment Agency
EIA	Environmental Impact Assessment
EIFCA	Eastern Inshore Fisheries Conservation Authority
EMF	Electromagnetic Frequency
ES	Environmental Statement
ESC	East Suffolk Council
FFC	Flamborough and Filey Coast
GBBG	Greater Black-Backed Gull
HE	Historic England
HRA	Habitat Regulations Assessment
IDB	Internal Drainage Board
ISH	Issue Specific Hearing
LoNI	Letters of No Impediment
MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
MoD	Ministry of Defence
NATS	National Air Traffic Services
NE	Natural England
NG-ESO	National Grid Electricity System Operator Limited
OLEMS	Outline Landscape and Ecological Management Strategy
OTE	Outer Thames Estuary
PHE	Public Health England
PRoW	Public Right of Way
RTD	Red Throated Diver
SCC	Suffolk County Council
SCHAONB	Suffolk Coasts and Heath Area of Outstanding Natural Beauty
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SEAS	Suffolk Energy Action Solutions
SIP	Site Integrity Plan
SLVIA	Seascape, Landscape and Visual Impact Assessment
SNS	Southern North Sea
SPA	Special Protection Area
SoCG	Statement of Common Ground
SPA	Special protected Area
SSSI	Site of Special Scientific Interest



Glossary of Terminology

Applicant	East Anglia TWO Limited / East Anglia ONE North Limited
East Anglia ONE North project	The proposed project consisting of up to 67 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
East Anglia TWO project	The proposed project consisting of up to 75 wind turbines, up to four offshore electrical platforms, up to one construction, operation and maintenance platform, inter-array cables, platform link cables, up to one operational meteorological mast, up to two offshore export cables, fibre optic cables, landfall infrastructure, onshore cables and ducts, onshore substation, and National Grid infrastructure.
Landfall	The area (from Mean Low Water Springs) where the offshore export cables would make contact with land, and connect to the onshore cables.
National Grid infrastructure	A National Grid substation, cable sealing end compounds, cable sealing end (with circuit breaker) compound, underground cabling and National Grid overhead line realignment works to facilitate connection to the national electricity grid, all of which will be consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order but will be National Grid owned assets.
National Grid substation	The substation (including all of the electrical equipment within it) necessary to connect the electricity generated by the proposed East Anglia TWO / East Anglia ONE North project to the national electricity grid which will be owned by National Grid but is being consented as part of the proposed East Anglia TWO / East Anglia ONE North project Development Consent Order.
National Grid substation location	The proposed location of the National Grid substation.
Onshore cable route	This is the construction swathe within the onshore cable corridor which would contain onshore cables as well as temporary ground required for construction which includes cable trenches, haul road and spoil storage areas.
Onshore substation	The East Anglia TWO / East Anglia ONE North substation and all of the electrical equipment within the onshore substation and connecting to the National Grid infrastructure.
Onshore substation location	The proposed location of the onshore substation for the proposed East Anglia TWO / East Anglia ONE North project.
Scour protection	Protective materials to avoid sediment being eroded away from the base of the foundations as a result of the flow of water.
Transmission DML	The deemed marine licence in respect of the transmission assets set out within Schedule 14 of the draft DCO.



1 Introduction

1. This document has been prepared by East Anglia TWO Limited and East Anglia ONE North Limited (the Applicants) in relation to the East Anglia TWO Offshore Windfarm project and the East Anglia ONE North Offshore Windfarm project (the Projects) Development Consent Order (DCO) applications (the Applications). The purpose of this document is to provide position statements on key matters for each Environmental Impact Assessment (EIA) topic considered in the Applications as at Deadline 9 of the DCO Examinations, and reflects the progress that has been made on each topic area since submission of the Applications along with the nature of key outstanding matters.
2. This document is applicable to both the East Anglia ONE North and East Anglia TWO DCO applications, and therefore is endorsed with the yellow and blue icon used to identify materially identical documentation in accordance with the Examining Authority's procedural decisions on document management of 23rd December 2019 (PD-004). Whilst this document has been submitted to both Examinations, if it is read for one project submission there is no need to read it for the other project submission.

1.1 Purpose

3. The Applicants consider that summaries for each of the EIA topics would be useful to provide the Examining Authority and stakeholders with an accurate and accessible overview of those matters now closed and those still outstanding. This document reviews the EIA topics as set out in the relevant Statements of Common Ground (SoCG) to highlight areas of agreement and disagreement with the relevant technical stakeholders. The information presented within this document complements that within the **Statement of Commonality** (document reference ExA.SoC.D9.V6); where further progress is made regarding outstanding matters the Applicants propose to resubmit it at the appropriate Deadlines for the remainder of the Examinations.
4. The summary position for each topic reflects the Applicants' understanding on the status of each topic.
5. The information set out in **Section 2** and **Section 3** refers to the latest versions of the SoCGs with:
 - East Suffolk Council (ESC) and Suffolk County Council (SCC) (the Councils) (REP8-114));
 - Natural England (NE) (Offshore SoCG - REP8-109; Onshore SoCG - REP8-108; Offshore Ornithology SoCG - REP8-110);



- Historic England (HE) (Onshore SoCG - REP8-127; Offshore SoCG - REP8-128);
 - Environment Agency (EA) (REP8-124);
 - Marine Management Organisation (MMO) (REP8-132);
 - Eastern Inshore Fisheries Conservation Authority (EIFCA) (REP8-135);
 - Maritime and Coastguard Agency (MCA) (REP8-133);
 - Ministry of Defence (MoD) (REP8-106)
 - Trinity House (REP8-134);
 - Civil Aviation Authority (CAA) (REP8-122);
 - National Air Traffic Services (NATS) (REP8-122)
 - East Suffolk Internal Drainage Board (IDB) (REP8-129);
 - Highways England (REP8-117); and
 - Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB) Partnership (REP8-125).
6. The Applicants acknowledge the input of several other organisations (such as the Royal Society for the Protection of Birds and The Wildlife Trusts) to both the Pre-Application and the Examination phases of the DCO process. However, this summary has been limited to the positions of the statutory bodies. The **Statement of Commonality** (document reference ExA.SoC.D9.V6) provides an overview of the final position of each SoCG for a wider range of stakeholders in relation to the Projects at Deadline 9.



2 Summary of Onshore Topic Positions

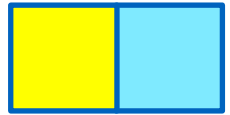
7. **Table 2.1** provides status summaries for each of the onshore EIA topics. It reviews the EIA topics as set out in the relevant SoCGs to highlight areas of agreement and any outstanding matters with the technical stakeholders (i.e. the regulators or statutory advisors with the relevant technical competence).

2.1 Respective Positions on Cumulative Impact Assessment

8. Regarding Cumulative Impact Assessment (CIA), there remains an outstanding matter between the Applicants and the Councils relating to the consideration of future renewable energy and transmission projects with the potential to be located in East Suffolk. The following sets out Councils' and the Applicants' positions respectively.
9. It was the Councils' understanding that National Grid Electricity System Operator Limited (NG-ESO) had offered grid connections in the Leiston area to a number of potential future projects, namely the Nautilus Interconnector, the Eurolink Interconnector and the Galloper Extension (now known as the Five Estuaries) and that further connection offers are likely to be made to the Greater Gabbard extension (now known as North Falls). The Councils' understanding was that these projects could connect to the new National Grid substation proposed at Grove Wood, Friston for which the Applicants are seeking consent, and that these future connections would result in the enlargement or extension of the National Grid substation.
10. The Councils maintain that these future energy projects should be included in the Projects' CIA. While full information may not yet be available, the Councils believe that information on the effects of further grid connections via the National Grid infrastructure is likely to be forthcoming from NG-ESO. The Councils note the non-statutory guidance provided by the Planning Inspectorate in Advice Note 17, setting out a process that applicants "*may wish to adopt*" for CIA, but do not consider it justifies the approach taken by the Applicants. Whilst the division of projects into tiers is not, in itself, a concern, Advice Note 17 does not advise that projects in Tier 3 should be left unassessed. For Tier 3 projects it advises that "*the applicant should aim to undertake an assessment where possible, although this may be qualitative and at a high level*" (paragraph 3.4.3). The Councils' concern is that there are known future energy projects planned in the general vicinity, based on the offered grid connections, and it would be possible to undertake some form of assessment in relation to them for inclusion in the CIA.



11. The Applicants' position regarding the selection of other proposed developments to consider within CIAs remains as set out within ***Applicant's Comments on Relevant Representations, Volume 3: Technical Stakeholders*** (AS-036). In summary, the Applicants' approach follows Planning Inspectorate Advice Note 17 and identifies other proposed developments for CIA through the use of a three tier system, as follows:
 - Tier 1: Projects under construction, permitted or submitted applications;
 - Tier 2: Projects on the Planning Inspectorate's Programme of Projects where a scoping report has been submitted; and
 - Tier 3: Projects on the Planning Inspectorate's Programme of Projects where a scoping report has not been submitted; projects identified in the relevant Development Plan (and emerging Development Plans); and projects identified in other plans and programmes (as appropriate) which set out the framework for future development consent.
12. Tier 1 and Tier 2 projects are included in all relevant CIAs within the Applications, while in line with Advice Note 17, Tier 3 projects have generally not been included. This is because the information available on Tier 3 projects at the time of the Applications was of inadequate detail to facilitate any meaningful assessment (e.g. no information on the project design or timescales). Tier 3 projects not considered in the CIAs within the Applications include the aforementioned Nautilus Interconnector, EuroLink Interconnector, North Falls and Five Estuaries.
13. The Applicants can confirm that there have been no major changes with regard to the planning status of these projects since the submission of the Applications. All the projects are still to undertake EIA scoping and the Applicants consider that the Applications as submitted remain current in terms of having assessed projects for which consent is being sought or granted. In addition, it has been confirmed by both the proposed North Falls (REP7-066) and Five Estuaries (AS-100) projects that they will not connect to the grid near Leiston, reinforcing the principle that projects must be suitably defined in order for any meaningful CIA to be undertaken.
14. The Applicants have, to the extent possible with the information currently available, provided a consideration of the potential cumulative impacts of the Projects with all foreseeable developments. This is reflected in submissions made during the Examinations regarding changes to the Sizewell C DCO and Sizewell B planning applications (REP6-043). To the extent that information is available, the Applicants have also considered the hypothetical extension of the proposed National Grid substation north of Friston (REP8-074).



15. In order to avoid duplication, and as it is not specifically a topic specific issue, this outstanding matter is not discussed further in **Table 2.1**.



Table 2.1 Summary of Onshore Topic Positions

Topic	Summary
Ground Conditions and Contamination	
Relevant technical / statutory stakeholders	This topic has been considered with the Councils and the EA.
EIA	All matters relating to Existing Environment and Assessment Methodology have been agreed with the Councils and the EA. All Assessment Conclusions are agreed with the EA.
Mitigation	All matters pertaining to Mitigation are agreed with the Councils and the EA. The Outline Code of Construction Practice (Outline CoCP) (document reference 8.1) incorporates suitable mitigation measures for this topic.
DCO	All matters pertaining to the requirements of the DCO are agreed with the Councils and the EA.
Summary	All matters are agreed with the Councils and the EA. The Applicants consider this topic to be closed See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.
Land Use	
Relevant technical / statutory stakeholders	This topic has been considered with the Councils.
EIA	All matters relating to Existing Environment, Assessment Methodology and Assessment Conclusions have been agreed with the Councils.



Topic	Summary
Mitigation	<p>The Councils acknowledge the pre-consent work undertaken by the Applicants to reduce the footprint of the onshore substations, as well as the commitment to install the ducting for both Projects in-parallel should they be consented and built sequentially.</p> <p>The Councils do not agree that sufficient efforts or commitments have been made to minimise the footprint of the National Grid infrastructure to the maximum reasonable extent. The Substation Design Principles Statement submitted at Deadline 8 (REP8-082) now includes the commitment that, where cost effective and efficient to do so, the Applicants will seek to further reduce the visual extent of the onshore substations, National Grid substation and cable sealing end compounds, through appropriate equipment procurement and layout considerations.</p>
DCO	All matters pertaining to the requirements of the DCO are agreed.
Summary	<p>Existing Environment, Assessment Methodology, Assessment Conclusions, Mitigation and the DCO are now agreed with the Councils. The Applicants consider this topic to be closed.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Onshore Ecology	
Relevant technical / statutory stakeholders	This topic has been considered with the Councils, NE and the EA. It should be noted that the Councils have deferred to NE regarding air quality impacts on ecological receptors.
EIA / Habitat Regulations Assessment (HRA)	<p>All matters relating to Existing Environment and Assessment Methodology have been agreed with the Councils, NE and the EA.</p> <p>Outside the SoCG process NE has made representations regarding classification of the woodland adjacent to the proposed location of the Hundred River crossing. Following a Deadline 5 submission by Suffolk Energy Action Solutions (SEAS) (REP5-108), NE asserts that this may be wet woodland and not semi-natural broadleaf woodland as determined by the Applicants. The Applicants undertook a supplementary extended Phase 1 habitat survey of this location in February 2021 (see Ecology Survey Results (REP6-035)) and maintain the position that the habitat onsite is semi-natural broadleaf woodland; this is</p>



Topic	Summary
	<p>supported by the Councils who have undertaken their own independent site visit. However, NE continues to reserve judgement on the matter by stating that February is a sub-optimal time to undertake habitat surveys (most recently REP8-162).</p> <p>All Assessment Conclusions are agreed with the EA.</p> <p>All Assessment Conclusions are agreed with NE with the exception of one outstanding matter. Point 9 of NE’s Risk and Issues Log submitted at Deadline 6 (REP6-119) makes reference to cumulative impacts with Sizewell C. However, the Applicants note that NE’s comments made at Deadline 3 (REP3-119) on the Sizewell C Cumulative Impact Assessment Note (Landscape and Visual) (REP2-010) do not relate to onshore ecology and therefore consider that this matter is in fact closed.</p> <p>NE agrees with the Applicants’ assessment of the potential downstream effects of the Hundred River crossing on the Leiston-Aldeburgh Site of Special Scientific Interest (SSSI) and Sandlings Special Protection Area (SPA), as presented in Appendix 5 of the Outline Watercourse Crossing Method Statement (REP8-084) (see REP8-162).</p> <p>All Assessment Conclusions are agreed with the Councils with the exception of the following:</p> <ul style="list-style-type: none"> • The growth rates assumed by the Applicants for new hedgerow planting are considered optimistic by the Councils (see LA-02.13). However, the Councils recognise that the effective and robust implementation of adaptive management measures as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (document reference 8.7) will reduce the risk of failure of planting of Work Nos 19, 24 and 33 and may help achieve the assumed growth rates; and • The robustness of the Applicants’ assessment of operational noise on ecological receptors at the onshore substations and National Grid substation (see LA-02.18). Particularly regarding bats, the Applicants and the Councils have made several submissions to the Examinations on this matter; the Applicants do not currently intend to comment further.
Mitigation	<p>All matters pertaining to Mitigation are agreed with the EA.</p> <p>The Applicants have submitted draft mitigation licence applications to NE regarding badger and great crested newt. NE has yet to determine the associated Letters of No Impediment (LoNI) and therefore agreement on mitigation for these species remains outstanding. The Applicants are continuing to engage with NE regarding the LoNI.</p>



Topic	Summary
	<p>There is an outstanding matter with the Councils regarding growth rates for new hedgerow planting. The Council recognise that the effective and robust implementation of adaptive management measures as set out in the OLEMS (document reference 8.7) will reduce the risk of failure of planting where applied.</p> <p>It is agreed with the Councils, NE and the EA that the OLEMS (document reference 8.7), the Outline Landfall Construction Method Statement (REP8-053), the Outline Watercourse Crossing Method Statement (REP8-084), Outline SPA Crossing Method Statement (REP6-036) and the Outline CoCP (document reference 8.1)) incorporate suitable mitigation measures for this topic.</p>
DCO	<p>All matters pertaining to the Requirements of the DCO are agreed with the Councils and the EA.</p> <p>Note that matters regarding the Outline SPA Crossing Method Statement (REP6-036) are dealt with under 'Onshore Ornithology'.</p>
Summary	<p>All matters relating to Existing Environment and Assessment Methodology have been agreed with the Councils, NE and the EA.</p> <p>All Assessment Conclusions are agreed with the NE (noting point 9 of NE's Risks and Issues log highlighted above) and EA; there are outstanding matters with the Councils regarding Assessment Conclusions.</p> <p>All matters pertaining to Mitigation are agreed with the EA. The Applicants are seeking LoNI from NE regarding badger and great crested newt; it is anticipated that all matters pertaining to Mitigation will be agreed with NE on issue of these. All matters pertaining to Mitigation are agreed with the Councils excepting the Applicants' assumed growth rates for new hedgerow planting although the Councils recognise that the adaptive management measures proposed at Work Nos 19, 24 and 33 may help achieve the growth rates.</p> <p>All matters pertaining to the requirements of the DCO are agreed with the Councils, NE and the EA (N.B. Matters regarding the Outline SPA Crossing Method Statement (REP6-036) are dealt with under 'Onshore Ornithology').</p> <p>The Applicants consider that the outstanding matters can be resolved during Examination.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>



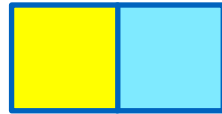
Topic	Summary
Onshore Ornithology	
Relevant technical / statutory stakeholders	This topic has been considered with the Councils and NE.
EIA / HRA	All matters relating to Existing Environment, Assessment Methodology and Assessment Conclusions have been agreed with the Councils and NE.
Mitigation	<p>The Applicants' preferred construction method for crossing the Sandlings SPA is an open trench technique. Such an approach would reduce the footprint of, and timescales for the works when compared to a trenchless technique.</p> <p>The Councils' preferred construction method for crossing the Sandlings SPA is an open trench technique.</p> <p>The Applicants' Outline SPA Crossing Method Statement (REP6-036) includes commitments regarding the timing of compensatory habitat mitigation as agreed with NE. While NE's preferred construction method for crossing the Sandlings SPA is a trenchless technique, it now agrees that an Adverse Effect on Integrity (AEoI) of the SPA is unlikely to result from an open trench technique (REP8-162). The Applicants will continue to liaise with NE to resolve any residual matters.</p> <p>The OLEMS (document reference 8.7), the Outline Landfall Construction Method Statement (REP8-053), the Outline Watercourse Crossing Method Statement (REP8-084), Outline SPA Crossing Method Statement (REP6-036) and the Outline CoCP (document reference 8.1) contain the relevant mitigation measures for this topic.</p>
DCO	<p>All matters pertaining to the Requirements of the DCO are agreed with the Councils.</p> <p>An outstanding matter remains with NE regarding a seasonal restriction within the wording of Requirement 21 of the DCO. The Applicants' position is that the seasonal restriction is already secured as it is committed to within the Outline SPA Crossing Method Statement (REP6-036) and Requirement 21 provides that the final SPA Crossing Method Statement must accord with the outline document.</p>
Summary	All matters pertaining to Existing Environment, Assessment Methodology and Assessment Conclusions are agreed with the Council and NE.



Topic	Summary
	<p>All DCO matters are agreed with the Councils; there is one outstanding matter with NE regarding DCO wording.</p> <p>The Applicants consider that the outstanding matters can be resolved during Examination.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Air Quality	
Relevant technical / statutory stakeholders	This topic was considered with the Councils. It should be noted that the Councils have deferred to NE regarding air quality impacts on ecological receptors.
EIA	<p>All matters relating to Existing Environment and Assessment Conclusions have been agreed with the Councils.</p> <p>There is one outstanding matter with the Councils on Assessment Methodology in relation to potential works at Marlesford Bridge. The Applicants will submit an updated Outline CoCP (document reference 8.1) at a future Deadline which will include a commitment to undertake an air quality impact assessment of these works once they have been suitably confirmed / defined.</p>
Mitigation	<p>The Applicants have committed to 70% of heavy goods vehicles (HGVs) adhering to Euro VI standards where construction of the Projects and Sizewell C overlap. The Outline Construction Traffic Management Plan (Outline CTMP) (document reference 8.9) submitted at Deadline 8 provides clarification on the proposed monitoring arrangements for HGV emissions standards, as well as the controls that will be applied to vehicles not complying with Euro VI standards.</p> <p>All matters pertaining to Mitigation are now agreed with the Councils.</p> <p>The Outline CoCP (document reference 8.1) contains the relevant mitigation measures for this topic.</p>
DCO	All matters pertaining to the DCO are agreed with the Councils.
Summary	<p>All matters regarding Existing Environment, Mitigation, Assessment Conclusions and the DCO are agreed with the Councils.</p> <p>There is one outstanding matter regarding Assessment Methodology at Marlesford Bridge; the Applicants consider that the outstanding matter can be resolved during Examination through an update the Outline CoCP (document reference 8.1).</p>



Topic	Summary
	See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.
Water Resources and Flood Risk	
Relevant technical / statutory stakeholders	This topic was considered with the Councils, East Suffolk IDB and the EA.
EIA	<p>All matters relating to Existing Environment, Assessment Methodology and Assessment Conclusions have been agreed with the EA and East Suffolk IDB. All matters relating to Existing Environment have been agreed with the Councils.</p> <p>Certain matters relating to Assessment Methodology remain outstanding with the Councils. The Applicants scoped out human receptors at Friston from their assessment as having committed to not increasing the pre-development Q_{BAR} rate and therefore flood risk downstream of the onshore substations and National Grid substation. The Applicants submitted an updated Outline CoCP (document reference 8.1) at Deadline 8 with further information on the protection measures for surface and groundwater contaminants.</p> <p>With regard to both Assessment Methodology and Assessment Conclusions, the Councils do not agree with the worst case scenario presented for the construction phase of the Projects. The Applicants submitted an updated Outline CoCP at Deadline 8 (document reference 8.1) with further details of construction drainage management to address this outstanding matter.</p>
Mitigation	<p>All matters relating to Mitigation have been agreed with the EA and East Suffolk IDB.</p> <p>Due to the outstanding matters regarding Assessment Methodology and Assessment Conclusions, the Councils have stated they are unable to agree Mitigation at this stage. The Councils do not accept the Applicants' proposal for a combined attenuation and infiltration drainage scheme, instead favouring 100% infiltration. However, based on worst case infiltration rates the Applicants do not believe 100% infiltration to be practicable. As set out within the updated Outline Operational Drainage Management Plan (REP8-064) submitted at Deadline 8, the Applicants commit to infiltration as the primary surface water management solution where practicable.</p>
DCO	All matters pertaining to the DCO are agreed with the EA and East Suffolk IDB.



Topic	Summary
	<p>All matters pertaining to the DCO are agreed with ESC, but one is not agreed with SCC. SCC has requested to be named as the discharging authority in respect of Requirement 41 (operational drainage management plan) rather than the relevant planning authority, while ESC has submitted that it should be the relevant planning authority that discharges the Requirement. In the absence of agreement between ESC and SCC on this matter, the Applicants consider that the relevant planning authority should be the discharging authority. All other DCO matters are agreed with the Councils.</p>
<p>Summary</p>	<p>East Suffolk IDB and the EA agree on all matters relating to Existing Environment, Assessment Methodology, Assessment Conclusions, Mitigation and the DCO.</p> <p>The Councils agree regarding the Existing Environment, but there remain outstanding matters relating to Assessment Methodology, Assessment Conclusions and Mitigation. The Applicants have submitted further information at Deadline 8 in response to these outstanding matters and will continue to liaise with the Councils with a view to reaching agreement by the close of the Examinations.</p> <p>Regarding the DCO, there remains the matter of which Council should be named as the discharging authority in respect of Requirement 41. However, the Applicants consider that this is a matter for the Councils to agree between themselves and in the absence of agreement, it should be the relevant planning authority.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
<p>Archaeology and Cultural Heritage – Unknown Heritage Assets</p>	
<p>Relevant technical / statutory stakeholders</p>	<p>This topic was considered with the Councils and HE.</p>
<p>EIA</p>	<p>There remains an outstanding matter with the Councils and HE relating to the Existing Environment and the extent of pre-application trial trenching. The Councils agree that the archaeological surveys undertaken are appropriate, but suggest that further trial trenching is necessary to inform mitigation. Having agreed the scope with the Councils, the Applicants have committed to further pre-construction trial trenching which is anticipated to commence in April 2021.</p>



Topic	Summary
	All matters relating to the Assessment Methodology and Assessment Conclusions have been agreed with both the Councils and HE.
Mitigation	All matters pertaining to Mitigation are agreed with both the Councils and HE.
DCO	All matters pertaining to the DCO are agreed with both the Councils and HE.
Summary	<p>All matters pertaining to the Assessment Methodology, Assessment Conclusions, Mitigation and the DCO are agreed with the Councils and HE. Although there remains an outstanding matter with the Councils and HE relating to the Existing Environment and the extent of pre-application trial trenching, a resolution has been agreed and this is being delivered by the Applicants. The Applicants consider this topic to be closed.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Archaeology and Cultural Heritage – Setting of Designated and Non-Designated Heritage Assets	
Relevant technical / statutory stakeholders	This topic was considered with the Councils and HE.
EIA	<p>Matters relating to the Existing Environment and Assessment Methodology are agreed with both HE and the Councils.</p> <p>There remain differences of opinion relating to the Assessment Conclusions. The Councils consider that the level of harm to Woodside Farm, High House Farm and the Church of St Mary will be higher than suggested by the Applicants and that the proposed mitigation would not reduce the level of harm. While the Applicants and HE agrees that harm to the setting of St Marys Church will be in the less than substantial category, there is a difference of professional opinion regarding the level of harm within the category.</p>
Mitigation	All matters regarding mitigation planting have been agreed with the Councils.



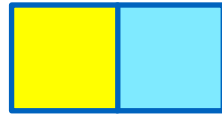
Topic	Summary
	<p>HE has made representations regarding the possible impact of mitigation itself and issues regarding the effectiveness of planting (REP1-143). The Applicants note (see section 2.7, item 40 (REP2-016)) a trade-off between potential landscape and visual impacts and potential cultural heritage impacts at the onshore substation and National Grid locations through the mitigation planting associated with the implementation of a landscape management scheme. The Applicants consider that the planting proposals contained within the OLEMS (document reference 8.7) have had regard to the potential impacts upon both landscape and visual and cultural heritage receptors and represents an appropriate balanced approach to mitigation impacts for each of these receptors.</p>
DCO	<p>All matters pertaining to the DCO are agreed with the Councils and HE.</p>
Summary	<p>All matters relating to the Existing Environment and Assessment Methodology are agreed with both HE and the Councils. There remain outstanding matters with the Councils regarding Assessment Conclusions and the level of harm to Woodside Farm, High House Farm and the Church of St Mary. There remains an outstanding matter with HE regarding Assessment Conclusions and the level of harm to the Church of St Mary, however HE agrees that this harm will be in the less than substantial category.</p> <p>The Councils agree with the proposed mitigation planting.</p> <p>All matters pertaining to the DCO are agreed with the Councils and HE.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Noise and Vibration – Construction	
Relevant technical / statutory stakeholders	<p>This topic was considered with the Councils.</p>
EIA	<p>All matters pertaining to the Existing Environment are agreed.</p>



Topic	Summary
	The Applicants and the Councils note that the assessment represents a snapshot in time and the Outline CoCP updated at Deadline 8 document reference 8.1) now provides measures to ensure that significant adverse impacts will be avoided through the process of securing a Section 61 consent under the Control of Pollution Act 1974.
Mitigation	All matters pertaining to Mitigation are agreed with the Councils. The Outline CoCP (document reference 8.1) contains the relevant mitigation measures for this topic.
DCO	All matters pertaining to the DCO are agreed with the Councils.
Summary	All matters pertaining to the EIA, Mitigation and DCO are agreed with the Councils. The Applicants consider this topic to be closed. See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.
Noise and Vibration – Operation	
Relevant technical / statutory stakeholders	This topic was considered with the Councils.
EIA	The Councils accept the maximum operational noise rating limits specified within Requirement 27 of the draft DCO (REP8-003) given the provisions within the updated Substation Design Principles Statement (REP8-082) to adopt Best Practicable Means to reduce the limits further at the detailed design stage where commercially and practically viable (LA-08.15). The Councils therefore agree that no significant adverse impacts will result from operation of the Projects (LA-08.11).
Mitigation	Requirement 12 of the DCO and provisions in the Substations Design Principles Statement (REP8-082) commit the Applicants to preparing and submitting an Operational Noise Design Report to the relevant planning authority for approval prior to construction of the onshore substations. Requirement 27 of the DCO stipulates the maximum operational noise rating levels to which the Projects' substations operating cumulatively with the National Grid substation must comply with.



Topic	Summary
	All matters pertaining to Mitigation are agreed with the Councils.
DCO	All matters pertaining to the DCO are agreed.
Summary	<p>The Councils agree that the commitments now made by the Applicants will ensure that no significant adverse impacts will occur. All matters pertaining to mitigation and the DCO are agreed with the Councils. The Applicants consider this topic to be closed.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Traffic and Transport	
Relevant technical / statutory stakeholders	This topic was considered with the Councils and Highways England.
EIA	All matters relating to Existing Environment, Assessment Methodology, and Assessment Conclusions are agreed with the Councils and Highways England.
Mitigation	<p>All matters relating to Mitigation and the Outline Travel Plan (document reference 8.11) are agreed with the Councils and Highways England. In its D8 submission (REP8-175) The Applicants have continued discussions with SCC and have now agreed wording for insertion in the Outline CTMP (document reference 8.9), Outline Access Management Plan (Outline AMP) (document reference 8.10) and Outline Travel Plan (document reference 8.11) submitted at Deadline 9. On the basis of these inclusions SCC have confirmed to the Applicants that protective provisions are no longer required.</p> <p>All mitigation works pertaining to Friday Street, Theberton, Snape, Marlesford Bridge and Yoxford are agreed with the Councils and Highways England.</p>
DCO	All matters pertaining to the DCO are agreed with the Councils and Highways England.



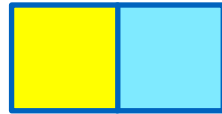
Topic	Summary
Summary	<p>All matter pertaining to the Existing Environment, Assessment Methodology, Assessment Conclusions and the DCO are agreed with the Councils and Highways England. The Applicants consider this topic will be closed following submission of the updated Outline CTMP (document reference 8.9), Outline AMP (document reference 8.10) and Outline Travel Plan (document reference 8.11) at Deadline 9.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Human Health	
Relevant technical / statutory stakeholders	This topic was considered with the Councils. Public Health England (PHE) was also consulted but did not take an active part in the Examination process.
EIA	<p>PHE has stated that <i>"we acknowledge that the Environmental Statement (ES) has not identified any issues that could significantly affect public health. We are satisfied that the wider determinants of health have been adequately assessed, using a suitable methodology"</i> (RR-064).</p> <p>Regarding the Existing Environment, Assessment Methodology and Assessment Conclusions, there are outstanding matters with the Councils relating to the specific air quality and noise assessments. Regarding noise, the Applicants note that although aspects were not agreed with respect to the Health SoCG (in line with the Noise SoCG), all construction and noise Mitigation matters are agreed. All other matters are agreed with the Councils.</p>
Mitigation	Mitigation pertaining to traffic and transport, air quality, noise, public rights of way (PRoW) and electromagnetic frequency (EMF) are agreed. The Councils agreed at Issue Specific Hearing (ISH) 10 that the Applicants' track record in community liaison is strong.
DCO	All matters pertaining to the DCO have been agreed with the Councils.



Topic	Summary
Summary	<p>The Councils have minor outstanding EIA matters around the specific air quality and noise assessments. All other EIA matters are agreed with the Councils. All matters pertaining to the DCO have been agreed with the Councils. The Applicants consider this topic to be closed.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Offshore Seascape, Landscape and Visual Amenity	
Relevant technical / statutory stakeholders	This topic was considered with the Councils, AONB Partnership and NE. The AONB Partnership have deferred technical comment to NE.
EIA	<p>All matters regarding Existing Environment and Assessment Methodology are agreed with the Councils and NE.</p> <p>Regarding Assessment Conclusions:</p> <ul style="list-style-type: none"> • The Applicants are agreed with the Councils and NE that the East Anglia ONE North project will not have an effect on the statutory purposes of the Suffolk Coasts and Heaths AONB (SCHAONB). • The Applicants are agreed with the Councils and NE that the night-time effects of the East Anglia TWO project will not have an effect on the statutory purposes of the SCHAONB. • NE considers that day-time effects of the East Anglia TWO project undermines the statutory purpose of the SCHAONB. The Applicants consider that while there are significant effects (in EIA terms), these do not translate into undermining the statutory purpose of the SCHAONB. <p>Matters regarding cumulative effects with Sizewell C remain outstanding. The Applicants submitted an additional assessment taking account of the Sizewell C material changes at Deadline 8 (REP8-075); this predicts only localised significant effects during construction.</p>
Mitigation	The Councils note that the ES does not propose any monitoring. The Councils believe monitoring is important given the extent and scope of the net zero challenge by 2050 and the amount of wind turbines potentially being built. There is a need to monitor and verify the assessment conclusions and the effectiveness of mitigation to inform the design of future Projects.



Topic	Summary
	<p>The Applicants do not consider it necessary to undertake monitoring of the SLVIA effects during operation of the Projects. The Applicants note that, with the exception of the Five Estuaries and North Falls projects, no further offshore wind farms are planned for this region at the current time.</p> <p>The Councils support NE's view that insufficient embedded mitigation has been included within the design of East Anglia TWO.</p> <p>The Applicants note that the principal outstanding matter with NE in terms of the design of East Anglia TWO is the effect resulting from the height of the turbines (300m at the time of the Applications) representing the worst case scenario. However, the Applicants note that NE recognises the embedded mitigation that the revised design presents, that the revised layout design has added some embedded mitigation in the form of reduced lateral spread and avoidance of the 'curtaining' effect with East Anglia ONE North, which occurred with the Preliminary Environmental Information Report layout. The Applicants have also committed to a reduced turbine tip height of 282m.</p> <p>No mitigation is proposed or has been requested for East Anglia ONE North. The Applicants note they have entered into a Section 111 Agreement with ESC which will include funds for measures to support access, environmental and ecological enhancements to the SCHAONB.</p>
DCO	All matters pertaining to the DCO are agreed with the Councils; NE has not provided comment.
Summary East Anglia TWO	<p>All matters regarding Existing Environment agreed with the Councils and NE. Regarding other matters, there remain fundamental differences of professional opinion between the Applicants and the Councils and NE. It is not considered that these matters will be resolved.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Summary East Anglia ONE North	<p>All matters pertaining to the Existing Environment, Assessment Methodology, Mitigation and the DCO are agreed with the Councils and NE. The Applicants consider this topic to be closed.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>



Topic	Summary
Landscape and Visual	
Relevant technical / statutory stakeholders	This topic was considered with the Councils, the AONB Partnership and NE. The AONB Partnership have deferred technical comment to NE.
EIA	<p>NE considers that agreement has been reached on statements in relation to the Existing Environment, Assessment Methodology and Assessment Conclusions.</p> <p>Regarding the Existing Environment and Assessment Methodology, the Councils do not agree that the characterisation of the baseline landscape takes adequate account of key historic landscape. The Applicants consider that the ES (section 29.5.2 of Chapter 29 (APP-077) and section 29.3.1 of Appendix 29.3 (APP-567)) appropriately characterises the baseline environment in terms of landscape character. The Applicants have also submitted an Archaeology and Cultural Heritage Clarification Note (REP1-021) which provides further consideration of historic characteristics of the landscape.</p>
Mitigation	<p>The Councils request every reasonable opportunity to reduce the impact of the onshore substations and National Grid substation is explored, including the consolidation of the infrastructure. The Councils request a clear commitment in the Substations Design Principles Statement (REP8-082) to make all reasonable efforts to reduce the size and scale of the substations at the detailed design stage. In line with their submission at Deadline 6 (REP6-077), the Councils also request an additional design principle to ensure the design will have regard to opportunities arising from emerging new technologies and changes to legislation and regulations. However, the Applicants' position is that it is not considered feasible for alternative technologies to be brought forward on a commercial and technically sound basis within the timescales of the Projects.</p> <p>The relevant mitigation measures for this topic are set out within Chapter 29 Landscape and Visual Impact Assessment of the ES (APP-077) and the OLEMS (document reference 8.7). The Substations Design Principles Statement (REP8-082) provides a sound basis for the further development of the substation design.</p>
DCO	All matters pertaining to the DCO are agreed by both NE and the Councils.



Topic	Summary
Summary	<p>NE agrees regarding the Existing Environment, Assessment Methodology and Assessment Conclusions. There are outstanding matters with the Councils regarding Existing Environment and Assessment Methodology; it is not considered that these will be resolved.</p> <p>All matters pertaining to Mitigation and the DCO and agreed with the Councils and NE.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Tourism	
Relevant technical / statutory stakeholders	This topic was considered with the Councils.
EIA	<p>There is an outstanding matter regarding the Existing Environment, Assessment Methodology and Assessment Conclusions. The Councils consider that the Applicants should have undertaken a visitor perception study, however the Applicants consider that this was not necessary given the scale of the Projects.</p> <p>The Councils agree with the conclusions of the Destination Management Organisation (DMO) Report; however the Applicants consider that while the DMO Report provides useful context on visitor motivation, it cannot be used to extrapolate economic effects. In addition, the conclusions of the DMO Report relate to the cumulative case with Sizewell C, not the Projects (either alone or together) and so it cannot be used when considering Projects in isolation.</p>
Mitigation	The Councils have requested provision of a Tourism Fund. It is the Applicants' view that the Projects will not have significant impacts upon visitor perception during construction as they are not iconic projects likely to be in the public mind and direct impacts which could affect visitors already present in the area will be mitigated to not significant levels. Notwithstanding this position, the Applicants have committed to a Tourism Fund.
DCO	Matters pertaining to the DCO are not considered relevant to this topic.



Topic	Summary
Summary	<p>Fundamental differences remain between the Applicants and the Councils; it is not considered that these will be resolved.</p> <p>However, it should be noted that the Applicants have committed to a Tourism Fund.</p> <p>Matters pertaining to the DCO are not considered relevant to this topic.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Recreation (Public Rights of Way)	
Relevant technical / statutory stakeholders	This topic was considered with the Councils.
EIA	<p>Certain matters relating to the Existing Environment, Assessment Methodology and Assessment Conclusions remain outstanding.</p> <p>The Councils consider that access and amenity should be assessed as an EIA topic in its own right rather than divided across different topics as it is within the Applications, and also that such an assessment should consider potential impacts on both the physical resource of a PRoW and on the quality of the experience that members of the public have when using it (e.g. changes to views, noise pollution, air pollution, disturbance from construction traffic, loss of historical context and tranquillity).</p> <p>The Applicants undertook an assessment of access and amenity in line with standard EIA practice at the time and previous assessments (such as those undertaken for East Anglia ONE and East Anglia THREE). The Applicants have submitted a Public Rights of Way Clarification Note (REP1-049) to the Examinations to assist the Councils and other stakeholders. This provides an overview of the assessment method used and a summary of the potential impacts considered for PRoWs, signposting information within the Applications.</p>
Mitigation	All matters pertaining to Mitigation, as well as other matters (e.g. funding for inspections, the CoCP and fencing) are agreed with the Councils. The Councils broadly accept the principles in the Outline PRoW Strategy (REP3-024) for the management



Topic	Summary
	<p>of the temporary closures; these will be taken forward to the final PRow Strategy as per Requirement 32 of the draft DCO (REP8-003).</p> <p>The Outline CoCP (document reference 8.1) the Outline PRow Strategy (REP3-024) contain the relevant mitigation measures for this topic.</p>
DCO	All matters pertaining to the DCO are agreed with the Councils.
Summary	<p>Although certain EIA matters remain outstanding, the Applicants have submitted Public Rights of Way Clarification Note (REP1-049) to the Examinations and do not intend so provide any further EIA updates regarding the topic. All matters regarding the DCO are agreed with the Councils. The Applicants consider this topic closed.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>
Socio-Economics	
Relevant technical / statutory stakeholders	This topic was considered with the Councils.
EIA	All matters relating to Existing Environment, Assessment Methodology, Assessment Conclusions and Mitigation have been agreed with the Councils.
Mitigation	<p>All matters relating to Mitigation have been agreed with the Councils.</p> <p>Additionally, matters pertaining to an Employment and Skills Memorandum of Understanding and the East Anglia Hub have been agreed.</p>
DCO	Matters pertaining to the DCO are not considered relevant to this topic.



Topic	Summary
Summary	<p>All matters pertaining to the assessment, mitigation and management are agreed. The Applicants consider this topic to be closed.</p> <p>Matters pertaining to the DCO are not considered relevant to this topic.</p> <p>See section 2.1 regarding the Councils' position on CIA with regard to future renewable energy and transmission projects within the vicinity of the Projects.</p>



3 Summary of Offshore Topic Positions

16. **Table 3.1** provides status summaries for each of the offshore EIA topics. It reviews the EIA topics as set out in the relevant SoCGs to highlight areas of agreement and any outstanding matters with the technical stakeholders (i.e. the regulators or statutory advisors with the relevant technical competence).



Table 3.1 Summary of Offshore Topic Positions

Topic	Summary
Marine Geology, Oceanography and Physical Processes	
Relevant technical / statutory stakeholders	This topic was considered with NE and the MMO.
EIA	All matters are agreed with NE and the MMO.
Mitigation	All matters are agreed with NE and the MMO.
DCO	All matters are agreed noting that Condition 24 of the Generation Deemed Marine Licence (DML) and Condition 20 of the Transmission DML regarding scour protection and cable protection during operation are agreed on a without prejudice basis as NE and the MMO consider that a separate marine licence for any additional cable or scour protection is required.
Summary	All matters pertaining to the assessment, mitigation and management are agreed. The Applicants consider this topic to be closed.
Marine Water and Sediment Quality	
Relevant technical / statutory stakeholders	This topic was considered with NE and the MMO.
EIA	All matters are agreed with NE and the MMO.
Mitigation	All matters are agreed with NE and the MMO.
DCO	All matters are agreed with NE. All matters are agreed with the MMO on basis of sediment sampling condition 30 of the Generation DML and Condition 26 of the Transmission DML.



Topic	Summary
Summary	All matters pertaining to the assessment, mitigation and management are agreed. The Applicants consider this topic to be closed.
Benthic Ecology	
Relevant technical / statutory stakeholders	This topic was considered with NE, the MMO and EIFCA.
EIA	<p>All matters are agreed with NE and the MMO.</p> <p>EIFCA do not agree with the findings of the cumulative assessment in that they do not consider that the scale of offshore development in the southern North Sea has been fully considered in the CIA. EIFCA consider the assessment of cumulative impacts for the Projects should be enhanced by a regional study to examine potential overall impacts of offshore activities including windfarm related works, aggregate extraction and demersal fishing on benthic ecology in the southern North Sea, which is consistent with their advice on other windfarm projects.</p> <p>The Applicants position is that such regional-scale studies are beyond the scale of the Projects and would be better suited through programmes such as the Department for Business, Energy and Industrial Strategy (BEIS) Strategic Environmental Assessment (SEA) Research Programme, the MMO or The Crown Estate Enabling Actions Programme. The Applicants' parent company, ScottishPower Renewables has a clear track record of supporting and contributing to such strategic studies.</p>
Mitigation	<p>All matters are agreed except the following which is not agreed with NE:</p> <ul style="list-style-type: none"> • Micrositing around <i>Sabellaria</i> reef (as controlled through the <i>Sabellaria</i> Reef Management Plan in accordance with the outline plan (REP6-039)). NE considers that there remains uncertainty around the likelihood of buffers around <i>Sabellaria</i> reef being encroached upon and to what degree. Therefore, NE's advice remains unchanged in relation to the confidence that micrositing around <i>Sabellaria</i> reefs is achievable. The Applicants consider that the Outline <i>Sabellaria</i> Reef Management Plan provides sufficient control for the management of impacts on <i>Sabellaria</i> reef and that where there is potential for interactions to occur, a robust process to ensure that potential impacts are minimised as far as possible will be put in place. <p>And the following which is not agreed with MMO and NE:</p>



Topic	Summary
	<ul style="list-style-type: none"> The Outline Offshore Operations and Maintenance Plan (document 8.12) is agreed with the exception the placement of scour protection and cable protection during operation. This is the subject of the without prejudice wording of scour protection and cable protection during operation.
DCO	Agreed noting that Condition 24 of the Generation DML and Condition 20 of the Transmission DML regarding scour protection and cable protection during operation are agreed on a without prejudice basis as NE and the MMO consider that a separate marine licence for any additional cable or scour protection is required.
Summary	All matters pertaining to the assessment are agreed, with the exception of the EIFCA's views on cumulative assessment (which are not shared with NE or the MMO). All matters pertaining to the management and mitigation of effects are agreed with the exception of the placement of scour protection and cable protection during operation, for which without prejudice wording for Condition 24 of the Generation DML and Condition 20 of the Transmission DML has been provided. The Applicants consider this topic to be closed.
Fish and Shellfish Ecology	
Relevant technical / statutory stakeholders	This topic was considered with NE, the MMO and the EIFCA.
EIA	All matters are agreed with NE, the MMO and the EIFCA.
Mitigation	<p>All matters are agreed with the MMO and EIFCA.</p> <p>NE consider the minimum burial depth should be 1.5m however the Applicants, in line with current best practice and engineering limitation as described in BERR (2008)¹ have committed to a minimum burial depth of 1m noting that the likely burial depth across the entirety of the cable routes will be between 1 and 3m. NE disagrees as a point of principle, but acknowledges the Applicants' position.</p>
DCO	All matters are agreed with NE and EIFCA.

¹ BERR (2008). Review of Cabling Techniques and Environmental Effects applicable to the Offshore Windfarm Industry



Topic	Summary
	<p>With regard to the herring spawning seasonal restriction secured through condition 29 of the Generation DML and Condition 25 of the Transmission DML, the MMO do not agree with the inclusion of ‘<i>approximately 14 days</i>’ and therefore this is not agreed.</p> <p>The MMO does not believe that the wording “<i>approximately 14 days</i>” meets the ‘Five Tests’ as adopted from the National Planning Policy Framework (2012). The MMO believes that the current condition is not precise enough or enforceable. The Applicants completely disagree. It is clear from the condition that the period is to be in the region of 14 days. In any event, it is ultimately to be determined by the MMO based on the data provided and so there are sufficient controls in place (see document reference ExA.AS-7.D9.V1 for full positions of the parties).</p>
Summary	<p>All matters pertaining to the assessment, mitigation and management are agreed. The only outstanding matter being the wording relating to the duration of the herring spawning seasonal restriction. The Applicants consider this topic to be closed.</p>
Marine Mammals	
Relevant technical / statutory stakeholders	<p>This topic was considered with NE and the MMO. The MMO defer HRA matters to NE.</p>
EIA	<p>All matters are agreed with NE.</p> <p>The MMO are not agreed on assessment methodology and project-alone assessment conclusions and has provided representations around sequential piling of monopiles within a 24-hour period. The Applicants undertook noise modelling based on pin piles (REP8-040) and have also now undertaken modelling for sequential monopiles. The sequential monopile modelling was discussed with MMO / Centre for Environment, Fisheries and Aquaculture Science on 13th April. The modelling shows that the realistic sequential modelling of monopiles would result in a negligible increase in the noise contours compared to those originally assessed. This modelling will be submitted as an update to sequential monopiles at Deadline 10 incorporating any comments received from MMO / Centre for Environment, Fisheries and Aquaculture Science.</p>
Mitigation	<p>All matters are agreed with NE and MMO.</p>



Topic	Summary
Information to Support Appropriate Assessment Report / HRA	<p>All matters are agreed with NE except mitigation which is 'on hold pending outcome of regulator (MMO) decision on process for managing multiple Site Integrity Plans (SIP). This relates to NE concerns surrounding the lack of a mechanism being in place to manage multiple SIPs from multiple projects within the Southern North Sea (SNS) Special Area of Conservation (SAC) and as such is outwith the Applicants control.</p> <p>The MMO is content that the SIP is the correct process to manage in combination effects with other projects. The MMO believes this mechanism allows review of ongoing other noisy activities at the time of construction to ensure all activities are within the conservation objectives / guidance.</p> <p>The MMO is confident that this mechanism will enable activities with minimal harm to the environment.</p> <p>The Applicants highlight that the SIP is now the recognised framework by which in-combination effects will be managed in the Southern North Sea SAC, having been agreed for the consent of East Anglia THREE in 2017 and various other DCOs subsequently.</p>
DCO	All matters are agreed with NE and MMO.
Summary	The Applicants consider that the outstanding noise modelling matters will be resolved during Examination.
Offshore Ornithology	
Relevant technical / statutory stakeholders	This topic was considered with NE and the MMO. The MMO defer HRA matters to NE.
EIA	<p>All matters are agreed with NE except the following which are not agreed:</p> <ul style="list-style-type: none"> • Conclusions for cumulative collision risk for kittiwake, gannet and greater black-backed gull (GBBG); • Conclusions for cumulative displacement for guillemot, razorbill, gannet and red throated diver (RTD); and • Conclusions for cumulative collision risk plus displacement for gannet.



Topic	Summary
Information to Support Appropriate Assessment Report / HRA	<p>All matters are agreed with NE except the following which are not agreed:</p> <ul style="list-style-type: none"> • Conclusion of no AEol on the RTD qualifying feature of the Outer Thames Estuary (OTE) SPA at the project alone level for East Anglia ONE North on the basis of displacement; • The methods for determining AEol on RTD; • Extent of OTE SPA buffer mitigation; and • Conclusion of no AEol at the in-combination level for the following sites and species: <ul style="list-style-type: none"> ○ Lesser black-backed gull (LBBG) qualifying feature of the Alde-Ore Estuary SPA on the basis of collisions. ○ Kittiwake qualifying feature of the Flamborough and Filey Coast (FFC) SPA on the basis of collisions. ○ Gannet qualifying feature of the FFC SPA on the basis of collisions. ○ Guillemot qualifying feature of the FFC SPA on the basis of displacement. ○ Razorbill qualifying feature of the FFC SPA on the basis of displacement. ○ Seabird assemblage feature of the FFC SPA on the basis of impacts to the qualifying features listed above. ○ RTD qualifying feature of the OTE SPA on the basis of displacement (both projects).
Mitigation, compensation and management	<p>NE recognise that the draught height increase presented reduces the impact. NE consider that further draught height increases could be achieved and would further reduce the impact, but NE acknowledges the Applicants' view that this is likely to affect project viability.</p> <p>Regarding displacement of red-throated divers in the OTE SPA, NE advises that the 2km buffer at East Anglia ONE North does not mitigate for the likely extent of displacement effects (between 7km and 11.5km) to an acceptable level that would avoid a project-alone AEol.</p> <p>The Applicants consider that all viable mitigations have been applied in terms of both draught height and the buffer to the OTE SPA, as discussed in section 4 Alternative Solutions of the Habitat Regulations Assessment Derogation Case (REP8-088).</p>



Topic	Summary
	The Applicants have provided without prejudice compensation measures in relation to six features where there is disagreement over AEoI conclusions (REP8-089). The Applicants continue to engage with NE and Department for Environment, Fisheries and Food. on these measures.
DCO	Agreed with NE. Not agreed with the MMO who requested inclusion of a consultation period in Schedule 18. The Applicants do not consider this level of detail is appropriate in the Schedule (see Row MMO-607 of the SoCG).
Summary (all species excluding RTD)	The Applicants and NE disagree on the conclusions of the in-combination conclusions of the HRA and cumulative conclusions of the EIA. The Applicants have used a 'common currency' approach to the numbers and therefore consider that any outstanding methodological disagreements are not material. The remaining disagreements relate to concerns at an industry-wide level and are not unique to the Projects. The Applicants continue to engage with NE and DEFRA on the without prejudice compensation measures.
Summary (RTD)	Fundamental differences remain between the Applicants and NE on the assessment. It is not considered that these will be resolved. The Applicants continue to engage with NE and DEFRA on the without prejudice compensation measures.
Commercial Fisheries	
Relevant technical / statutory stakeholders	This topic was considered with the MMO and the EIFCA.
EIA	All matters are agreed with the MMO. All matters except cumulative assessment conclusions are agreed with EIFCA. EIFCA have raised concerns about the scale of offshore development in the Southern North Sea and EIFCA do not feel these have been fully considered in the CIA. EIFCA consider the assessment of cumulative impacts for the Projects should be enhanced by a regional study to examine potential overall impacts of offshore activities including windfarm related works, aggregate extraction and



Topic	Summary
	<p>demersal fishing on inshore fishing activities in the Southern North Sea which is consistent with EIFCA advice for other offshore windfarm projects.</p> <p>The Applicants acknowledged the increasing concern regarding potential cumulative impact of offshore windfarms and other activities including oil and gas and conservation (such as Marine Conservation Zones) on commercial fishing and note that the assessment concluded that the potential impact on some individuals within the 'inshore fleet' could be 'moderate adverse' (section 13.7.2.2.3 of Chapter 13 Commercial Fisheries). As a result, it was highlighted that mitigation would be discussed through the Commercial Fisheries Working Group.</p> <p>The Applicants are of the view that such regional-scale studies are beyond the scope of the Projects and would be better suited through programmes such as the BEIS SEA Research Programme, the MMO or The Crown Estate Enabling Actions Programme. The Applicants' parent company, ScottishPower Renewables has a clear track record of supporting and contributing to such strategic studies.</p>
Mitigation	All matters are agreed with the MMO and the EIFCA.
DCO	All matters are agreed with the MMO and the EIFCA.
Summary	All matters pertaining to the assessment (with the exception of the EIFCA's views on cumulative assessment which are not shared with NE or the MMO), mitigation and management are agreed. The Applicants consider this topic to be closed.
Shipping and Navigation	
Relevant technical / statutory stakeholders	This topic was considered with the MCA and Trinity House.
EIA	All matters are agreed with the MCA and Trinity House.
Mitigation	All matters are agreed with the MCA and Trinity House.
DCO	All matters are agreed with the MCA and Trinity House.



Topic	Summary
Summary	All matters pertaining to the assessment, mitigation and management are agreed. The Applicants consider this topic to be closed.
Civil and Military Aviation and Radar	
Relevant technical / statutory stakeholders	This topic was considered with the MoD, CAA and NATS.
EIA	All matters are agreed with the MoD, CAA and NATS.
Mitigation	All matters are agreed with the MoD, CAA and NATS.
DCO	<p>Agreed with the MoD and CAA.</p> <p>Not agreed with NATS in respect of Requirement 35 of the draft DCO.</p> <p>NATS advise that agreement in respect of the wording of the requirement will be subject to conclusion of the commercial agreement. NATS cannot withdraw its objection until the commercial agreement has been completed and the details of the requirement must be agreed within the context of such commercial agreement.</p> <p>The parties met on 9th April 2021 to discuss the Commercial Side Agreement and outstanding matters. It was agreed between the parties that they would aim to complete negotiations to allow submission of a final SoCG at Deadline 11.</p>
Summary	The Applicants consider that the outstanding matters can be resolved during Examination.
Marine Archaeology and Cultural Heritage	
Relevant technical / statutory stakeholders	This topic was considered with the MMO and HE.
EIA	All matters are agreed with the MMO and HE.



Topic	Summary
Mitigation	All matters are agreed with the MMO and HE.
DCO	All matters are agreed with the MMO and HE.
Summary	All matters pertaining to the assessment, mitigation and management are agreed. The Applicants consider this topic to be closed.
Infrastructure and Other Users	
Relevant technical / statutory stakeholders	This topic was considered with the MMO.
EIA	All matters are agreed with MMO.
Mitigation	All matters are agreed with MMO.
DCO	Agreed with the MMO. Note that the Applicants have also agreed SoCGs with East Anglia ONE Limited, East Anglia THREE Limited, Interconnector UK Limited, Diamond Transmission Partners, Galloper Limited, Greater Gabbard OFTO Plc and have agreed protective provisions with Sizewell B and Sizewell C, subject to the completion of side agreements.
Summary	All matters pertaining to the assessment, mitigation and management are agreed. The Applicants consider this topic to be closed.