

Natural England's key to RAG status	Risk
<b>Purple</b> Note for Examiners and/or competent authority. May relate to DCO/DML.	
<b>Red</b> 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: new baseline data; significant design changes; and/or significant mitigation; 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.	
<b>Amber</b> 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.	
<b>Yellow</b> 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.	
<b>Green</b> Natural England supports the Applicant's approach.	

Issues Key	
<b>Yellow</b> These are issues/comments that apply to East Anglia ONE NORTH (EA1N) only	
<b>Blue</b> These are issues/comments that apply to East Anglia TWO (EA2) only	
<b>Clear</b> These are issues/comments that apply to both projects	
<b>Grey</b> These are issues/comments where the matter is closed.	



No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10
<b>Offshore Ornithology (Appendix A)</b>						
1	Red-throated diver displacement impacts on Outer Thames Estuary SPA	Red	The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.	Red	Natural England's position remains unchanged from REP9-067.	Red
2	Collision Risk Modelling (CRM) parameters	Yellow	The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.	Yellow	Natural England's position remains unchanged from REP9-066.	Yellow
3	Cumulative and in-combination assessments (displacement and CRM);	Red	The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.	Red	Natural England's position remains unchanged from REP9-066 and REP9-067.	Red



No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10
4	Scale of predicted cumulative and in-combination collision impacts and requirement for mitigation.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments. Also, the Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP9-066.	
<b>Terrestrial Ecology (Appendix C)</b>						
8	Potential for supporting habitat loss within the Sandling SPA		Our position remains unchanged - see Natural England Position summary to related documents in cover letter at Deadline 9.		Ongoing.	
9	Clarification of redline boundary for cable corridor		Our position remains unchanged.		We agree to disagree on whether this document should be updated prior to consent. However, on this occasion only we are prepared to close the matter on the R&I issues log.	
10	Potential for disturbance to designated breeding features of Sandlings SPA		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged and we await inclusion within the CoCP as a SNCB consultee.		Issue resolved as all nesting birds will be protected as part of the Breeding Bird Protection Plan (secured under Requirement 21 of the draft DCO (document reference 3.1).	



No.	Natural England's Relevant Representation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D9	Consultation, actions, progression	RAG status D10
11	Request for SNCB consultation on management plans		Issue Ongoing. Natural England notes that within the OLEMS version 3, Paragraph 426 states that SNCB's will be consulted on the final EMP. Although Natural England is not specifically named as a consultee and request to be named. SNCB also to be added to the relevant plans within the OCocP. NE are in discussion with the Applicant on this matter.		Natural England is in discussion with the Applicant and will review the list of plans for which the SNCB is named within the OCocP when it is next submitted by the Applicant into examination.	
<b>Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project (Appendix E)</b>						
14	Comments on the AONB special Qualities		No update		No further update.	
15	Significant cumulative effects with the EA2 OWF project.		No update		No further update.	
<b>Development Consent Order, Deemed Marine Licences and related certified documentation (Appendix G)</b>						
18	Cable protection should not be permitted to be deployed over any area over the full lifetime of the project.		Issue Ongoing - The issue regarding deployment of cable protection in new areas for 5 years after construction remains outstanding.		Please see issue 25 in All Other Matters.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<b>1. Red-throated diver displacement impacts on Outer Thames Estuary SPA (OTE SPA)</b> Document used: 5.3 EA2 Information to Support the Appropriate Assessment Report						
1	The EA2 boundary has been amended since the Preliminary Environmental Information Report (PEIR) consultation and is now more than 8km from the SPA boundary. This change was for seascape reasons, but also reduced impacts on the SPA. However based on studies conducted at other windfarms, the extent of displacement effects is likely to exceed 8km. Therefore the EA2 array will result in a long-lasting reduction in the availability of diver habitat in part of the SPA and a change of the distribution of divers within the SPA, and result in an adverse effect on integrity (AEOI) from the project alone. The AEOI the boundary should be avoided so no part of the array is within 10 km of the boundary of the SPA.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		NE note the Applicant's response in REP9-017 and agree there would be no AEOI as a result of EA2 alone.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
2	The level of vessel traffic associated with site maintenance has been quantified. However, the impacts of increased traffic on RTD have not been considered, these need to be discussed and mitigated.	Red	This protocol provides appropriate best practice to mitigate disturbance from vessels and helicopters transiting the SPA to an acceptable level to exclude an adverse effect. Though please note that it doesn't address the impacts from presence of the turbines and from cable installation. Please see D8 Offshore Ornithology [REP8-110] Statement of Common Ground between the Applicant and Natural England.	Yellow	NE has remaining concerns that the updated protocol doesn't address the impacts from presence of the turbines and from cable installation. But as a protocol for managing disturbance from transiting vessel we are agreed. Please see our position as set out in the cover letter at Deadline 9 [REP9-063].	Green
3	No consideration has been given to the assessment of displacement from the array itself. Perhaps this is because the Applicant has only considered that potential impacts extend to 4km only. When using a 10km buffer around the array the overlap with the SPA is 4.4 km <sup>2</sup> , which although is a small proportion of the area of sea within the SPA, it needs to be considered as part of the in-combination effect together with other plans and projects, including EA1N.	Red	The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.	Red	There would be no AEoI as a result of East Anglia TWO alone, however, this issue is concerning in-combination effects with EA1N therefore the issue is ongoing	Red



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
4	<p>Natural England agrees that there is likely to be no adverse effect alone as a result of RTD displacement due to cable laying (cable laying operations are of a temporary nature). We are unable to rule out AEOL in-combination from displacement therefore a seasonal restriction in cable laying activity should put be in place.</p>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.</p>		<p>NE's comments on in-combination effects remain unchanged.</p>	
5	<p>The focus on predicted mortality and the effect this would have on the abundance of RTD within the SPA is not the only issue for assessing impacts on the SPA. The change in distribution of divers due to the close proximity of the array to the OTE SPA also needs to be considered. Also, the mortality rates are a relatively crude method of capturing a range of potentially deleterious effects that could arise from displacement, including reduced fitness for migration and reduced productivity during the breeding season.</p>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.</p>		<p>Natural England's comments on RTD displacement remain unchanged.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<p><b>2. Collision Risk Modelling (CRM) parameters.</b> Document used:                      6.1.12 EA2 Environmental Statement Chapter 12 Offshore Ornithology,                      6.3.12.2 EA2 Environmental Statement Appendix 12.2 Ornithology Technical Appendix,                      5.3 EA2 Information to Support the Appropriate Assessment Report</p>						
6	<p>Natural England recommends that the Applicant takes a more narrative approach to the assessment, and considers the Option 1 outputs for the species identified in our relevant representation in the context of the relevant Option 2 95% CIs, as part of a more range-based approach to consideration of CRM impacts. This should consider the mean/central predicted collision figures and those based on the range of predicted figures resulting from the Applicant's consideration of the uncertainty/variability in the input parameters.</p>		<p>The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.</p>		<p>Natural England's position remains unchanged from REP9-066.</p>	
7	<p>It is of concern that the predicted mortalities using CRM Option 1, based on site specific estimates of PCH are significantly higher than the outputs using Option 2, which is based on generic boat based estimates of flight height.</p>		<p>The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.</p>		<p>Natural England's position remains unchanged from REP9-066.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
8	Natural England welcomes the use of our recommended Avoidance rates and nocturnal activity factors, and accept that there is an argument to present the Applicant's preferred options alongside. However, given the significant difference in predicted mortality when Option 1 is used, we suggest that this demonstrates that overall assessments of collision risk may not be precautionary enough.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP9-066.	
<p><b>3. Cumulative and In-combination Assessments</b></p> <p>Documents used:</p> <p>6.1.12 EA2 Environmental Statement Chapter 12 Offshore Ornithology (Paragraph numbers given refer to this document),</p> <p>6.3.12.3 EA2 ES Appendix 12.3 Supplementary Information for the Cumulative Impact Assessment.</p>						
9	The cumulative operational displacement assessment totals for RTD are based on an incomplete data set. Table 12.37 excludes a number of projects. These missing projects will reduce the confidence in the assessments and result in a significant under-estimation of the cumulative/in-combination assessments.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.		NE are content missing projects have been added. Please see REP9-067 for our latest advice on RTD displacement.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
10	<p>The contribution that EA2 makes is clear in Table A12.3.10. EA2 alone contributes 2.8% of the cumulative total, whereas all other Tier 4 projects combined (i.e. excluding EA2 but including EA1N) contribute 12.3% of the relative contribution to potential displacement.</p> <p>Although the approach considering the relative contribution to the cumulative total is helpful, and identifies that contribution made by EA2 is not insignificant, it does not adequately consider the overall level of cumulative displacement. This is due to displacement from a number of projects not being included.</p>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.</p>		<p>Natural England's position remains unchanged from REP-066 and REP-067.</p>	
11	<p>The assessment includes several sources of precaution, but it includes assumptions that may not reflect the full extent of diver displacement. Natural England welcomes that assumptions around 100% displacement out to 4km are used, but we know this may underestimate the degree of displacement if the extent of displacement is &gt;10km.</p>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. We note that the only changes in version 4 [REP8-034] relate to the EA2 project alone assessment and the in-combination assessment so we have restricted our comments to those sections. Please see NE Deadline 9 Appendix A17b for detailed comments.</p>		<p>Natural England's position remains unchanged from REP-066 and REP-067.</p>	

No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
12	Due to the Applicant's worst case scenario assessment of minor adverse, and considering that some projects are not included in the assessment, Natural England is unable to rule out a significant adverse effect for cumulative operational displacement on RTD at the EIA scale.		The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.	
14	AEOI can be ruled out for the razorbill and guillemot features of the Flamborough and Filey Coast SPA (FFC SPA) for impacts in-combination with other plans and projects when Hornsea 3 was included in the in-combination total.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.	
15	The cumulative annual gannet collision risk prediction of 2,607 (Table 12.42) differs from the totals agreed at the end of the Norfolk Vanguard examination, which was 2,735. We seek clarification on why these two totals differ.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		NE's position remains unchanged from REP9-066.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
17	It is acknowledged that if the higher avoidance rates in Bowgen & Cook (2018) are used, the overall impact significance will be reduced. However, Natural England advised that a significant (moderate adverse) impact on gannet at the EIA scale could not be ruled out due to cumulative collision totals at the end of the Vanguard hearing, and therefore adding more collisions from Boreas, the East Anglia projects and Hornsea 4 will not change this position.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		NE's position remains unchanged from REP9-066.	
18	The kittiwake cumulative collision risk assessment in Table 12.43 differs to the totals agreed by Natural England at the end of the Vanguard hearing. This agreed total was 4,114. There will also be a need to include the figures from Hornsea 4's PEIR. Before these figures are added there is already a 2.5% increase above baseline mortality.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		NE's position remains unchanged from REP9-066.	
20	Taking into account some elements of potential precaution will lead to a reduction in mortality estimates. There are elements of the assessment which could result in an underestimate of collision risk. There is also the critical issue of variability in all of the input data, not least in bird density.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
22	Natural England notes that it is suggested that using a nocturnal activity factor of 3 (50%) in collision risk modelling is likely to be an overestimate of nocturnal activity. We advise that a range between 25% and 50% are presented with the assessment.				No further update.	
23	The Population Viability Analysis (PVA) model outputs predicted populations being up to 7.7% smaller using the density dependent model, and up to 21.5% smaller than the un-impacted scenario using density independent outputs based on an annual mortality of 900.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
24	Natural England disagrees with the summary that concludes no greater than minor adverse significance for all species. At the end of Norfolk Vanguard we advised significant adverse effect at EIA for cumulative collision for gannet, kittiwake and great black-backed gull. Since then more birds have been added to these totals from Boreas, EA1N, EA2 and also Hornsea 4, and as a result our position remains unchanged.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		No further update.	
<p><b>4. Scale of predicted cumulative and in-combination impacts and requirement for mitigation.</b>                      Documents used:                      5.3 EA2 Information to Support the Appropriate Assessment Report,                      6.1.12 EA2 Environmental Statement Chapter 12 Offshore Ornithology,                      6.3.12.3 EA2 ES Appendix 12.3 Supplementary Information for the Cumulative Impact Assessment.</p>						



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
25	<p>For EIA we have been unable to rule out a significant adverse effect for cumulative operational impacts on:</p> <ul style="list-style-type: none"> <li>• kittiwake, gannet and great black-backed gull;</li> <li>• guillemot, razorbill and red-throated diver</li> </ul> <p>For HRA we have been unable to rule out adverse effect on integrity on:</p> <ul style="list-style-type: none"> <li>• kittiwake from FFC SPA;</li> <li>• guillemot and razorbill at FFC SPA;</li> <li>• lesser black-backed gull from Alde-Ore Estuary SPA due to in-combination collision impacts;</li> <li>• red-throated diver from Outer Thames Estuary SPA due to in-combination displacement effects.</li> </ul>		<p>The Applicant submitted an updated Displacement of Red-throated Divers in the Outer Thames Estuary - v4 [REP8-033, REP8-034]. Our position remains unchanged. Please see NE Deadline 9 Appendix A17b for detailed comments. Also, the Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.</p>		<p>No further update.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix A - Offshore Ornithology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Added since Relevant Reps submission:						
28	In our Relevant and Written Representations, Natural England raised the issue of the potential in-combination impacts from EA1N and EA2 on lesser black-backed gull LBBG from the Alde-Ore Estuary SPA from collision.		The Applicant submitted a Cumulative and In-Combination Collision update at Deadline 8 [REP8-035]. Please see NE Deadline 9 Appendix 16b for detailed comments.		Natural England's position remains unchanged from REP-066 and REP-067.	
33	Please see point 24 of DCO/DML tab		Please see point 34 of DCO/DML tab.		Please see point 34 of DCO/DML tab.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document used: 5.3 EA1N Information to Support the Appropriate Assessment Report						
1	<p>If an open cut trench method is selected habitat restoration should be implemented to compensate and improve supporting habitat lost. Any scrub removed should be reinstated by planting hawthorn and blackthorn. Areas of acid grassland should be created as heathland by ensuring that soil removed is appropriately stored, reinstated and capped with sandy topsoil. Locally sourced heather seed should be sown across the restoration area to recreate pioneer heath. The Applicant should provide information on the areas to be restored and methodology including timescales and species.</p> <p>The applicant should consider opportunities for net gain in improving and extending relevant and supporting habitats. We recommend consultation with the landowner and RSPB is sought regarding restoration works and net gain opportunity.</p>		<p>NE notes the updated Ecological Enhancement Clarification Note Addendum at Deadline 8 [REP8-041]. Our position remains unchanged - See Natural England Cover Letter at Deadline 9.</p>		<p>NE notes the updated Ecological Enhancement Clarification Note Addendum at Deadline 8 [REP8-041]. Whilst Natural England acknowledges that the Ecological Clarification note addendum addresses our concerns raised at [REP4-092, REP5-084, REP8-162] in relation to removal of hedgerows and reinstating either like for like or better; the points raised by NE at Deadline 2 [REP2-054] in relation to the Ecological Enhancement Clarification note [REP1-35] remain unchanged. See Natural England Cover Letter at Deadline 9 [REP9-063].</p> <p>Natural England notes the inclusion of hawthorn and blackthorn planting in the Outline Crossing Method Statement [REP6-036] and welcomes the extension of commitment to the habitat management plan in work area 12A to ten years (excluding horse paddock).</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document used: 6.1.22 EA1N Environmental Statement Chapter 22 Onshore Ecology						
6	Within the Leiston to Aldeburgh SSSI the variety of water bodies and terrestrial habitats provides suitable breeding and hunting areas for many species of dragonfly and damselfly, including the nationally scarce hairy dragonfly <i>Brachytron pratense</i> . We advise consideration of this species, as previously requested in Natural England's advice letter dated the 26th March 2019.		Natural England's position remains unchanged. Please see previous comments [REP8-162] [REP7-073] [REP5-084] [REP4-092]		Please see NE Deadline 10 Appendix C10.	
8	The Hundred River feeds into Sandlings SPA and we expect to see an assessment of alternatives to include HDD under this water course and impacts outlined. We welcome the commitment to reinstate and improve habitats.		Ongoing with further update on our position in relation to the potential wet woodland and hair dragonfly at Deadline 10.		Ongoing issue please see Deadline 10 Appendix C10 in relation to wet woodland and hairy dragonfly which need to be addressed before NE provide further advice.	
9	Any works that directly impact upon badgers should be subject to mitigation, compensation and/or a protected species license from Natural England to avoid an offence under the Wildlife and Countryside Act 1981 (as amended). We refer to the Planning Inspectorates advice note 11 which advises early engagement with Natural England. We advise that an outline plan is provided.		NE and the Applicant held a meeting on 30th March 2021 to discuss outstanding issues. Natural England understand the Applicant will submit a response at Deadline 9.		Natural England continue to engage with the Applicant with regard to the draft LONI application for badger.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
10	Mitigation should include micro-siting of cable route to avoid badger setts, and mitigation and compensation as outlined within Natural England standing advice. This should all be included in an outline plan during examination.		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit . The advice provided at Deadline 8 [REP8-162] remains unchanged.		Natural England continue to engage with the Applicant in relation to the draft LONI Application .	
11	We welcome the mitigation prescribed for bats in principal, but advise that potential impacts to bat habitat should be clearly mapped with roosting, foraging and commuting areas shown in relation to the redline boundary. As consistent with Natural England's previous advice letter the 26th March 2019. The Applicant should also consider any in combination impacts with proposed development at Sizewell C and any other foreseeable plans or projects. This should be provided as an outline plan as part of the examination.		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.		We agree to disagree on whether this document should be updated prior to consent. However, on this occasion only we are prepare to close the matter on the R&I issues log.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
12	Any works that directly impact upon great crested newts should be subject to mitigation, compensation and/or a protected species license from Natural England to avoid an offence under the Wildlife and Countryside Act 1981 (as amended). We refer to the Planning Inspectorates advice note 11 which advises early engagement with Natural England. Natural England advises that the Applicant approaches us for a Letter of No Impediment (LONI) as early as possible.		NE and the Applicant held a meeting on 30th March 2021 to discuss outstanding issues with the LONI. It is expected the Applicant will submit comments at Deadline 9.		Natural England continue to engage with the Applicant with regard to the draft LONI Application.	
13	The Environmental Statement confirms suitable habitat within the vicinity of works and highlights the possibility of killing or injuring reptiles as a risk during construction. Natural England advises that reptile surveys are completed prior to construction to quantify potential impacts and to finalise mitigation works. Reptile mitigation should ensure that there is no net loss of local reptile conservation status, by providing sufficient quality, quantity and connectivity of habitat to accommodate the reptile population in the long term, either on site or at an alternative site nearby. We advise that an outline plan is provided as part of the examination.		The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.		We agree to disagree on whether this document should be updated prior to consent. However, on this occasion only we are prepared to close the matter on the R&I issues log.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Documents used: 6.1.23 EA1N Environmental Statement Chapter 23 Onshore Ornithology						
14	<p>The open cut trench method of cable installation will result in the temporary loss of supporting habitat, including the breeding sites of turtle dove which are features of interest for Leiston to Aldeburgh SSSI. We understand that any habitat removed during the period of works will be reinstated, however there is a risk that the required mitigation will not be sufficiently established to provide suitable nesting habitat for the following breeding season. Natural England advises that the 3ha of compensatory turtle dove feeding habitat to be provided should be in place in advance of works.</p> <p>We understand that an HDD technique will avoid the loss of designated habitat and on this basis Natural England expresses a preference for an HDD method.</p>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Natural England is content that mitigation measures for loss of nesting habitat will remain in situ and managed for a period of time post consent.</p> <p>However as per out D8 response in Appendix C9 we remain concerned that the mitigation will be 'established' prior to construction, but there remains no guarantee/confirmation that it is delivering the required mitigation prior to construction commencing.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
15	<p>The open cut trench method of cable installation will result in the temporary loss of designated and supporting habitat, including the breeding sites of nightingale which is cited as a feature of interest for Leiston to Aldeburgh SSSI. To mitigate impacts, the Applicant proposes the provision of nesting sites for nightingale will be delivered through habitat management within and on the outskirts of the designated sites and in line with BTO habitat management guidelines. This mitigation method will need to be secured in the DCO and clearly set out in an outline habitat management/mitigation plan as there is the potential for the works themselves to be damaging to the designated sites. We advise that any scrub removal is restored with hawthorn and blackthorn.</p>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Natural England notes the inclusion of hawthorn and blackthorn planting in REP6-036 to create suitable restorative habitat for nightingale and turtle dove – Whilst we agree with the post installation mitigation please see also Item 14 in relation to delivery of mitigation prior to commencement of works.</p>	
16	<p>We welcome the inclusion of barn owl mitigation and the commitment to consult with the Suffolk Community Barn Owl Project. We advise that any compensatory habitat is provided in appropriate timescales. NE should be consulted on any mitigation in a designated site. This will need to be secured in the DCO and included in an outline management plan.</p>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Issue resolved.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
17	<p>We agree with the necessity of pre-construction surveys prior to any works taking place. If active nests are found, it should be noted that all wild birds, their nests and eggs are afforded legal protection under the Wildlife and Countryside Act 1981 (as amended), and therefore works in the vicinity of the nest may have to be delayed until any chicks have fledged. Or site preparation works need to be agreed upfront with relevant authorities in consultation with Natural England to be locations temporarily unsuitable for nesting. If exclusion or buffer zones are proposed, the size of the exclusion zone should be well researched to reflect the disturbance tolerance level of the species identified and be of a sufficient distance to prevent disturbance (noise, visual and vibration) to nesting birds.</p>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Issue resolved as all nesting birds will be protected as part of the Breeding Bird Protection Plan (secured under Requirement 21 of the draft DCO (document reference 3.1).</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Documents used: 6.7 EA1N Onshore Schedule of Mitigation						
18	<p>Monitoring:                      Natural England notes that detail on monitoring plans is currently lacking and advises that a commitment to post-construction monitoring is made, in particular in the following cases:</p> <ul style="list-style-type: none"> <li>• 1 year post-completion of turf stripped and grassland areas which have been removed to assess that natural colonisation or reseeding has been successful, and whether additional mitigation works may be required</li> <li>• Following re-instatement of habitats (see Ref 5.12 in Onshore Schedule of Mitigation), in particular if open cut trenching is used.</li> <li>• 7 years monitoring of hedgerows or until the hedgerows have recovered.</li> </ul>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged.</p>		<p>Issue ongoing in relation to the EMP.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
21	<p>Natural England supports the seasonal restriction of construction works (outside of the breeding bird season; 1st February to 31st August for woodlark and 1st of April to 31st August for nightjar) within the boundary, or 200m outside of the Sandlings SPA to prevent damage or disturbance to designated features of interest.</p> <p>This should be included as a condition in the DCO and COCP. Natural England request consultation on the COCP and suggest that the relevant conservation bodies are included within the document to ensure contact details are accessible if and when required.</p>		<p>The Applicant submitted an updated OLEMS at Deadline 8 [REP8-019, REP8-020] Natural England notes the minor changes to the sections pertinent to NE remit and has no further advice. The advice provided at Deadline 8 [REP8-162] remains unchanged and we await inclusion within the CoCP as a SNCB consultee.</p>		<p>Natural England is in discussion with the Applicant and will review the list of plans for which the SNCB is named within the OCoCP when it is next submitted by the Applicant into examination.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix C - Terrestrial Ecology	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Documents used: 8.7 EA1N Outline Landscape and Ecological Management Strategy						
24	Natural England requests that Statutory Nature Conservation Bodies (SNCBs) including Natural England are consulted on the Ecological Management Plan.		Issue Ongoing. Natural England are in discussions with the Applicant.		Issue Ongoing. Natural England are in discussions with the Applicant.	
Added since Relevant Reps submission:						
26	<p><b>NEW ISSUE AT DEADLINE 5. After the submission of the EA1N/EA2 applications the area of woodland on the west side bank adjacent to the proposed Hundred River crossing location has been identified, as priority deciduous woodland, but MAGIC.gov.uk doesn't differentiate between the different types of priority deciduous woodland. If this is wet woodland it is a priority habitat under the UK biodiversity Action Plan (UK BAP) which are considered the habitats that are most threatened and requiring conservation. Therefore, Natural England would advise that mitigation measures are required to avoid impacts to this woodland.</b></p>		Natural England's position remains unchanged. Please see previous comments [REP8-162] [REP7-073] [REP5-084] [REP4-092]		See Natural England summary position in Deadline 9 cover letter [REP9-063] and further response Appendix C10 at Deadline 10 .	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix D - Landscape and Visual Impact Assessment (LVIA) – Terrestrial aspects of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document Used: 6.1.29 EA1N Environmental Statement Chapter 29 Landscape and Visual Impact Assessment						
2	NE would like to see an anticipated timetable / schedule for how construction activities would progress along the cable route within and in the immediate setting of the AONB, what construction consolidation sites and associated or other construction infrastructure and equipment would be present and how long after commencement all signs of active construction activity would be removed from the AONB. This information would complement the stated expectation that the landfall construction site and infrastructure for each scheme being present for twenty months.		N/A		Ongoing.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix D - Landscape and Visual Impact Assessment (LVIA) – Terrestrial aspects of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
3	NE welcomes the assessment of cumulative impacts of the EA1N and EA2 OWFs with the construction and operational phases of Sizewell C. In addition to the outlined mitigation to reinstate the landscape character and special qualities of the AONB post-construction, Natural England advises that all parties consider landscape enhancement/net gain opportunities within the AONB. We advise that there is an agreement put in place on how this could be achieved with the AONB partnership in consultation with Natural England and others.		N/A		See summary position within Natural England's Deadline 9 cover letter [REP9-063].	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<b>Comments on 'Good Design'</b>						
1	(Point 3.1.1). 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 as a consequence the statutory purpose of the AONB will be adversely effected by the EA2 proposal as it is currently configured.		Ongoing Issue		Ongoing Issue	
<b>Comments on Visibility</b>						
2	(Point 3.2.1) Natural England notes that the text used in Offshore Visibility Appendix (PIER Appendix 28.7, ES Appendix 28.8) are essentially the same. We reiterate the relevant parts of our s42 consultation response. We also add further comments in response to new text in the ES SLVIA and as a result of the evidence gathered by NE in the summer of 2019 as provided for within our Relevant Representation. An understanding of the likely number of turbines within the array which would contribute most to the predicted significant landscape and visual effects would be helpful in determining this application.		Ongoing Issue		Agree to disagree.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<b>Comments on the revised layout design</b>						
4	<p>(Point 3.3.1) Magnitude of effect - The revised design presented in the ES is welcomed by NE for the reduction in the magnitude of effect this represents.</p> <p>(Point 3.3.2) Reduced Lateral Spread -NE agrees that the revised layout will reduce the magnitude of seascape, landscape and visual effects on the setting and key coastal viewpoints of the AONB. NE agree that the revised design results in a notable reduction in the lateral spread (See ES Table 28.3) which we calculated to be between 31% and 28%.</p> <p>(Point 3.3.3) Concentrated Grouping - Natural England agrees that concentrating the turbines into a smaller area will assist in reducing the magnitude of effect of the scheme.</p>		Issue Ongoing		Issue ongoing.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
5	(Point 3.3.4) Increased distance to shore - Natural England concludes 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. Consequently the magnitude of this effect remains the same as that for the scheme design presented in the PEIR. This is primarily due to the height of the turbines used in the worst case scenario that so many significant landscape and visual effects have been identified in the SLVIA for landscape and visual receptors located in the northern portion of the AONB.	Red	Agreed to disagree.	Yellow	No further update.	Yellow
6	(Point 3.3.5) Cumulative effects -Natural England agrees that the cumulative effect of EA2, in conjunction with EA1N, will be reduced through the creation of a clear gap in the seascape between these 2 schemes. This has effectively removed the possibility that a 'curtaining' effect would be apparent from certain viewpoints located on the coastline of the AONB. However we note that significant cumulative effects are still predicated.	Purple	Agree to disagree.	Red	No further update.	Red



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<b>Comments on the AONB Baseline</b>						
8	(Point 3.5.1) For the s42 consultation Natural England made comments on the anticipated trends in the AONB baseline conditions and these are repeated from the s42 consultation.		Ongoing Issue.		Ongoing issue.	
9	(Point 3.5.2) Natural England accepts the reasoning set out in the ES paragraph 3.5.2 but is concerned about the conclusions drawn. The applicant is correct in stating that 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 large offshore windfarms. However, we consider that it is incorrect to assume that the acceptable landscape and seascape change which this has produced sets a precedent for EA2.		Agree to disagree.		No further update.	
<b>Comments on landscape receptors</b>						
10	Table 3.7 and Point 3.7.1) Our advice provided at s42 remains the same for these LCT areas. The concerns for these LCT areas LCT 06 Area B, LCT 06 Area D, LCT 29 Covehithe Broad and Easton Broad) have been presented within our relevant representations.		Agree to disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<b>EA2 Comments on the AONB Special Qualities</b>						
11	Table 4 Summary of Natural England's position based on Table 28.10 of the ES		Agree to disagree.		No further update.	
12	(Point 3.8.1) The role of the seascape setting of the AONB in shaping and maintaining the special qualities of the area is a vital consideration and a critical component of the SLVIA. It is a key interest for Natural England. We therefore welcome this assessment for the evidence and clarity it provides and believe it will greatly assist in the determination of the scheme.		Agree to disagree.		No further update.	
13	(Point 3.8.2)Landscape Quality – Influence of Incongruous features - We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
14	(Point 3.8.3) Scenic Quality - Appeal to the senses; Sensory stimuli and 'big Suffolk skies' We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.	
15	(Point 3.8.4) Relative Wildness -- Sense of remoteness; pockets of relative wildness. We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.	
16	(Point 3.8.5) Relative Wildness -- Sense of remoteness; largely undeveloped coastlines - We disagree with the magnitude of change judgement of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
17	(Point 3.8.6) Relative Wildness -- Sense of passing time and a return to nature. We disagree with the magnitude of change judgment of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.	
18	(Point 3.8.7) Relative Tranquillity - Distractors from tranquillity. We disagree with the magnitude of change judgment of medium-low. We consider the change to be at least medium and the significance of effect should be significant.		Agree to disagree.		No further update.	
<b>Comments on Viewpoints and Visual Receptors</b>						
19	(Point 3.9.1 and Table 5) Our advice provided at s42 remains the same for those visual receptor groups at those viewpoints listed in the table above where we agree with the judgement in the ES SLVIA. Where we disagree with the judgement in the ES SLVIA we offer on comments point 20 and 21 (Point 3.9.2 and 3.9.3 of RR). These comments have been updated following the site visits undertaken in the summer of 2019.		Agree to disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
20	<p>(Point 3.9.2) Viewpoint 10 Sizewell Beach - We disagree with the judgement of no significant effects as set out. In all other instances the sensitivity of 'beach users' and 'walkers on the SCP' (and similar groups) is high; this includes at viewpoints 4, 5, 13, A and D which are either urban or semi-urban in character. Natural England sees no justification in lowering the sensitivity of this group at this location to medium on the premise that the presence of Sizewell nuclear power station would reduce their expectations, and hence the sensitivity, of these groups. The sensitivity for these groups at this location should be assigned as high. We advise that the significance of effect for these 2 receptor groups at this location is significant.</p>		<p>Agree to disagree.</p>		<p>No further update.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
21	<p>(Point 3.9.3) Viewpoint 18 Orford Ness -The judgement for this location in the PEIR was significant (PEIR Appendix 28.4 p.71). We assume that the revised design has resulted in the array being 200m closer to the location of this viewpoint, but with a reduced lateral spread (37.8 to 27.1 degrees). This revision has resulted in a judgment of not significant within the ES. However, we note that significant landscape effects (LCT 06) are predicted to extend to a point approximately 1.25km north of the location of this viewpoint. The reasoning in the ES is essentially the same as that provided in the PEIR, although we note the additional text in the ES. Our concerns remain in relation to: That Galloper and Greater gabbard occupy 22% of the visible seaward horizon, the assertion that the vertical height of the turbines will be relatively moderate, and we disagree that Galloper and Greater Gabbard arrays provide justification for EA2.</p>		Agree to disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
22	(Point 3.9.3) Viewpoint 18 Orford Ness We accept that determining the significance of effect for this viewpoint is a finely balanced judgement, which is reflected in both the PEIR and ES through differing combinations of factors. In this instance, and in consideration of the unique character of this location, we advise that a precautionary approach should be adopted. Therefore Natural England disagrees with the revised judgement and advises that the significance of effect on the receptor group visiting this location is significant.		Agree to disagree.		No further update.	
<b>Comments on Suffolk Coast Path</b>						
22	(Point 3.10.1) Section 7 Minsmere and Sizewell - We disagree with the judgement of no significant effects as set out.		Agree to disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
<b>Comments on Cumulative Effects</b>						
23	(Point 3.11.1) The ES SLVIA for EA1N judges that there are no significant landscape and visible effects resulting from this scheme despite the use of turbine technology identical to that used in EA2. The separation distance of the EA1N scheme from the coast of the AONB is greater than that of EA2 and the lateral spread smaller when viewed from the coastline. Natural England agrees with this conclusion although notes that opportunities exist to reduce these effects further through the use of shorter turbines.		Agree to disagree.		No further update.	
<b>Comments on Summary and Conclusions</b>						
24	(Point 3.12.2) We note the increase in the minimum of separation distance to 32.6km and the increase in separation distance from the coast at viewpoints 3, 4, 5 and 6. We also note the decrease in separation distance for viewpoints 7, 8, 9, 10,11,12,13 and 18. Based on these 12 locations the average separation distance remains unchanged at 34.5km.		Agree to disagree.		No further update.	
25	(Point 3.12.3) We are unsure of the point that this paragraph is seeking to make.		Ongoing Issue.		No further update.	

No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
26	(Point 3.12.4) We advise that significant landscape effects are very likely to occur in respect of the setting of LCT 29 Covehithe and wish to see an assessment of this LCT.	Red	Agree to disagree.	Red	No further update.	Red
27	(Point 3.12.5) We disagree that effects on AONB special quality 'big Suffolk Skies' are not significant.	Red	Agree to disagree.	Red	No further update.	Red
29	(Point 3.12.7) Natural England accepts that there is capacity within SCT 06 Offshore Waters to accommodate further windfarms provided that the technology selected and design of the layout, particularly the distance from the coastline of the AONB, is sufficient to avoid significant adverse landscape and visual effects which are detrimental to the statutory purpose of the designation.	Yellow	Ongoing issue.	Yellow	No further update.	Yellow



No.	Taken from Natural England's Relevant and Written Representations EA2 Appendix E - Seascape and Landscape Visual Impact Assessment (SLVIA) - 'Offshore' elements of the project	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
30	<p>(Point 3.12.8) Natural England notes the incompleteness of some of the statements in the 2<sup>nd</sup>, 3<sup>rd</sup>, 5<sup>th</sup> and 4<sup>th</sup> bullet points of this paragraph. For the 2<sup>nd</sup> bullet, significant landscape and visual effects are predicted to extend for at least 35km along the coast for the majority of this distance. Due to the technology selected in the worst case scenario we disagree with the statement in the 3<sup>rd</sup> bullet point. At the 4<sup>th</sup> bullet point the statement made at paragraph 155 (Chapter 28 p.46) is needed to clarify the statement made here; 'It (EA2) will however result in changes to the seascape character, perceived from the land, particularly that portion of the Offshore Water LCT (06) which forms the seascape setting of the AONB'. In the 5<sup>th</sup> Bullet we advise that the phrase 'EA2 windfarm site' although factually correct is misleading. Natural England disagrees with conclusion of the final sentence as set out at the 7<sup>th</sup> bullet point. Natural England advises that the special qualities of the AONB will be adversely effected by this scheme. Although these effects will be confined to the northern portion of the designation's coastline, and will not affect every part of the AONB, they are nevertheless predicted to occur.</p>		Agree to Disagree.		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document used: 6.1.4 EA1N Environmental Statement Chapter 04 Site Selection and Assessment of Alternatives						
1	Although the decision to cross the Sandlings SPA at the narrowest section is welcomed, it should be noted the decision to HDD or trench through this section has yet to be determined. There is still the potential for impacts and disturbance to occur to species using the SPA despite this narrowest route.		No further update		Natural England has provided final comments on HDD vs Open Cut Trench at Deadline 5 [REP5-084].	
Document used: 6.1.7 EA1N Environmental Statement Chapter 07 Marine Geology, Oceanography and Physical Processes						
8	It is clear from the ES that both project sites exhibit large areas of sandwaves and mega ripples. This suggests to Natural England that a significant amount of sandwave clearance may be needed. If so, then it is essential that the applicant sufficiently considers the impact of disturbance and prey availability upon the interest features of the Outer Thames Estuary SPA, plus the potential loss of <i>Sabellaria spinulosa</i> reef which should be avoided by micro-siting where possible.		The ongoing issue in relation to micro-siting of <i>Sabellaria</i> reefs remains.		Please see REP7-074 for our latest advice on Sabellaria.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
11	Clarification on why there is such a wide difference in the potential height of drill arisings mounds would be welcome. In addition the persistence of any mound/s would also need to be considered. If this is hard substrata then it would need to be potentially added to the in-combination assessment of any cable/scour protection; especially in relation to potential impacts to the conservation objectives for the Outer Thames SPA.		No further update.		Natural England is content with the commitment to keep drill arisings outside of the SPA.	
Document used: 6.1.9 EA1N Environmental Statement Chapter 09 Benthic Ecology						
23	We welcome the commitment to avoid sensitive receptors when undertaking sandwave levelling works, but where possible sand should be disposed in similar particle sized areas.		Ongoing with disposal locations to be agreed post consent.		Ongoing	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
25	Natural England notes that the placement of new cable protection over the life time of the project is not included in the assessment. Is this because a separate marine licence will be applied for at the time?		No further Update		Ongoing. Natural England notes the changes to this condition and that after a period of 5 years a new marine licence will be needed for additional scour or cable protection. On a without prejudice basis to our position regarding the deployment of new areas of cable and scour protection, we consider the wording used here appropriate and have no further comment to make. As noted in our covering letter, and our relevant and written representation [RR-59] Natural England do not support the use of new cable protection, or scour protection during the Operations and Maintenance phase and therefore cannot agree to the Offshore Operations and Maintenance Plan (OOMP) until this issue is resolved.	

No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix F1 - All Other Matters	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
26	Please be advised that the assessment of cable protection is not consistent with Natural England recent draft advice position paper as provided for Boreas examination. Ideally drill arisings should be deposited in areas of scour protection against to turbines and/or similar habitats.		No further update.		Please see issue 25 above.	
27	Please be advised that mitigation in the form of micro-siting is not normally secured as part of the In Principle Monitoring Plan. Further consideration should be given to how best to do this.		No further update.		Please see REP7-074 for our latest advice on Sabellaria.	
29	Please be advised that all reef is reef no matter the quality and is therefore protected as such.		No further update.		Please see REP7-074 for our latest advice on Sabellaria.	
Document used: 6.1.10 EA1N Environmental Statement Chapter 10 Fish and Shellfish Ecology						
36	Is there a reason why the applicant cannot commit to burying their cable to a minimum depth of 1.5m?		Please see Deadline 8 Applicant's Offshore SoCG [REP8-109].		No further update.	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document Used: 3.1 EA1N Draft Development Consent Order						
2	Natural England does not agree with the definition of "maintain". Specifically that works linked as ancillary works (listed in schedule 1 part 1) are part of maintenance. Works such as cable protection and scour protection deployment are construction activities which can have significant environmental impact. They should not be included within the definition of maintenance. Please see Natural England and the MMO positions on deployment of cable protection.		No update - issue ongoing		Please see issue 25 in All Other Matters.	



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5	<p>No volumes or areas of cable protection are provided but are recorded within the DMLs. The ES project descriptions have separate areas of cable protection for the cable crossings. Clarification is needed to explain if volumes are recorded within the totals within the DMLs or if they are additional to the DML volumes. If additional, volumes should be recorded in the DCO/DML to ensure the maximums are stated and enforceable. No volumes or areas of disposal are provided. Maximum amount of disposal should be provided and split into hard substrate (drill arisings), boulder relocation and soft sediments (sandwave levelling and ground preparation). The total volumes are recorded within the DMLs and split according to activity. This application and project description includes detonation of UXO. If these works are to be licenced and given the significant potential for impact the maximum number of detonations and the maximum size of detonation (UXO in kg) should be recorded. These factors should also be recorded in the DMLs to ensure no works outside of the scope of the ES details take place.</p>		No further update		Issue ongoing	

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6	The relevant statutory nature conservation body should be named as a consultee on the updated Code of Construction Practice (CoCP). This is to ensure the appropriate environmental considerations are provided within these documents.		Issue Ongoing - Natural England are in discussion with the Applicant and await further submission of the CoCP into examination		Natural England continue to engage with the Applicant on this and await an updated OcoCP to be submitted into examination. Please see NE Deadline 10 cover letter.	
9	Definitions of "commence", "offshore preparation works" and "maintain" are not acceptable, see points 1 and 2.		No update on definition of 'maintain'. Issue Ongoing		Issue ongoing	



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12	<p>The condition allows for changes to the cable protection if proposed following cable laying operations. However, there is no end date within the condition. Natural England's joint position with the MMO is that it is not appropriate for cable protection to be deployed throughout the operation and maintenance (O&amp;M) phase of a project. This is due to the very large spatial and temporal scale of these licenced works, giving a Rochdale Envelope that is too undefined to appropriately assess. An end date should be included based on the proposals within the Natural England and MMO joint position statement. Any cable protection works after this end date should be licenced separately. It should also be noted that further surveys would be required to confirm the presence/absence of Sabellaria reef, such as is required prior to construction.</p>		<p>Natural England continues to note the scour and cable protection issue during the O&amp;M phase is outstanding.</p>		<p>Please see issue 25 in All Other Matters.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document Used: 8.12 EA1N Outline Offshore Operations and Maintenance Plans						
17	Cable burial using surface protection: Natural England assumes this refers to deployment of cable protection, although the table is not clear on this point. This is listed as green indicating that a further marine licence is not required. Natural England does not agree and considers this should be amber. Please see point 2 and the MMO and Natural England position statements on cable protection. This issue is replicated in the transmission section of the plan and both sections should be amended.		Issue Ongoing - The issue regarding deployment of cable protection in new areas for 5 years after construction remains outstanding.		Please see issue 25 in All Other Matters.	



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18	<p>Scour protection is listed within the table as green. Therefore, it may be deployed with no additional licence required. This should be changed to amber. Scour protection may be deployed up until the maximum assessed in the ES. Any additional protection above the amount assessed in the ES would need additional licences. Natural England advises that maximum amount allowed should be based on the maximum amount assessed in the ES for the individual foundation type. Not the total assessed volume of scour for the entire project and the document should be amended to reflect this. This issue is replicated in the transmission section of the plan and both sections should be amended.</p>		<p>Issue Ongoing - The issue regarding deployment of cable protection in new areas for 5 years after construction remains outstanding.</p>		<p>Please see issue 25 in All Other Matters.</p>	



No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
Document Used: 8.13 EA1N Offshore In Principle Monitoring Plan						
20	The proposed benthic monitoring only considers construction activities. The requirement for monitoring for O&M activities, which directly impact the seabed, should be included. This monitoring will be required in the form of geophysical and ground truthing (drop down video) surveys for any areas which have no monitoring and no construction activity within 2 years prior to the proposed O&M works. The post-construction structural/engineering surveys suggested in Table 1 could be used to inform any monitoring should they be in the appropriate location and within an appropriate timeframe.		Issue ongoing		Natural England have agreed to the IPMP as per our Deadline 9 cover letter.	
24	New Issue. It is noted that the compensation secured within each part is limited to an attempt, at one compensation measure, such as nesting sites or predator control. However, this limits the options for the Secretary of State to those specific compensatory measures. See NE deadline 8 appendix G5 for further details		Issue remains		Issue ongoing	

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25	Schedule 18 Part 1-4 and 6, condition 3 (a) Within this condition is a requirement to provide information on the location of compensatory measures. These sections should be amended to note that within this information details need to be provided that explain ecologically why this location is appropriate and likely to support successful compensation (e.g. for nesting sites a site that the target species will colonise with adequate access to prey resource).		No Update		Issue ongoing	
26	Schedule 18 Part 1-6 Condition 4 It is not sufficient for compensatory measures to just be in place. They need to be fully functioning and effectively compensating prior to construction/operation.		No Update		Issue ongoing	

No.	Taken from Natural England's Relevant and Written Representations EA1N Appendix G - Development Consent Order, Deemed Marine Licences and related certified documentation	RAG status Rel and WR Rep	Consultation, actions, progression	RAG status D8	Consultation, actions, progression	RAG status D10
27	Schedule 18 Part 5 Condition 3 This condition is incomplete and therefore we are unable to comment on its sufficiency. However, if similar wording that is used in parts		No Update		Issue ongoing	