

Vattenfall Wind Power Ltd

Thanet Extension Offshore Wind Farm

Appendix 4 to Deadline 8 Submission: Applicant's
Response to Natural England's Deadline 7
Submissions

Relevant Examination Deadline: 8

Submitted by Vattenfall Wind Power Ltd

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Revision A

Drafted By:	Vattenfall Wind Power Ltd
Approved By:	Daniel Bates
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1 Introduction

1 This document has been drafted to provide the Applicant's responses to Natural England's Deadline 7 Submissions. Natural England submitted the following representations as their Deadline 7 Submission:

- Natural England's Response at Deadline 7;
- Natural England's Comments on responses to the ExA's Further Written Questions (ExQ3);
- Natural England's Responses to the Applicant's comments on the Report on the Implications for European Sites;
- Comments on responses to the ExA's further requests for information under EPR Rule 17; and
- Natural England's Responses to comments on the ExA's draft DCO commentary.

2 Appendix 6 of the Applicant's Deadline 8 submissions provides responses to Natural England's commentary on the draft DCO and Natural England's Responses to comments on the ExA's draft DCO commentary.

3 This document is structured as follows:

- Section 2: Natural England's Response at Deadline 7;
- Section 3: Natural England's Comments on responses to the ExA's Further Written Questions (ExQ3);
- Section 4: Natural England's Responses to the Applicant's comments on the Report on the Implications for European Sites; and
- Section 5: Comments on responses to the ExA's further requests for information under EPR Rule 17.

2 Natural England's Response at Deadline 7

4 Within this document Natural England provide commentary on the following Applicant's submissions:

- Revised Draft Development Consent Order-Tracked Changes (Annex C to Appendix 50)
- Schedule of Mitigation – Revision D (Appendix 52 to deadline 6)
- Applicants Response to Natural England's responses to ISH8 Action Points and the Applicants
- Deadline 5 Submissions on HRA matters (Appendix 43 to Deadline 6)
- Collation of MCZ Assessment Submissions (Appendix 26 to Deadline 7)
- MCZ Assessment Signposting Note (Appendix 25 to Deadline 7)

2.1 Schedule of Mitigation

3.1 Natural England believe the Schedule of Mitigation has been updated appropriately since our comments at Deadline 6. References to landfall option 2 have now been fully removed, whilst the commitment to deposit disturbed sediment during sandwave clearance within 500 m of the Goodwin Sands MCZ has been added. This will ensure sediment is reworked into the MCZ and there is no overall loss of sediment from the system.

5 This commentary is noted and welcomed by the Applicant.

2.2 Applicants Response to Natural England's responses to ISH8 Action Points and the Applicants Deadline 5 Submissions on HRA matters (Appendix 43 to Deadline 6)

Dogger Bank Creyke Beck NMC

6 Natural England made the following representation:

With regards to the Applicant's reference of the Dogger Bank Creyke Beck NMC, this relates to a revision of the Rochdale Envelope for that project to allow the installation of larger turbines. The revised CRM submitted by Dogger Bank Creyke Beck quantifies the collision risk specific to those larger turbines, but importantly does not affect the worst case scenario: the consented Rochdale Envelope and therefore the potential final project design continues to include the other turbine sizes and parameters set out in the original Environmental Statement. Therefore the 'headroom' referred to by the

Thanet Extension created by the Dogger Bank Creyke Beck NMC is based on the incorrect assumption that Dogger Bank Creyke Beck have now refined their consent to only include the larger turbines.

- 7 It is agreed that the worst case has not changed for Creyke Beck, however the NMC does demonstrate very clearly that for the project in question there is a difference between that worst case (as assessed) and the anticipated actual build out in terms of collision risk for kittiwake. It is that difference, not unusual for OWF's that represents a reduced effect compared to the worst case as assessed and provides the head room. It is, however, unusual for such headroom to be quantified.

Hornsea 2

- 8 With regards the Hornsea Project 2 Natural England state:

In response to the Applicant's response (row 2 of table 2) regarding Hornsea 2 we would state the following: At Hornsea 2 Natural England advised that we could not rule out an in-combination AEoI on the FFC SPA kittiwake population. However, following significant mitigation through removal of the smallest turbine option and raising hub heights, Hornsea 2's contribution was reduced to a level that did not materially affect the level of in-combination impact, and therefore the project did not make a meaningful contribution to the existing in-combination AEoI.

- 9 The Applicant notes Natural England's confirmation that an AEoI may have occurred without the mitigation and design revisions made by Hornsea 2. It is the Applicant's understanding that this does not materially alter its position.

2.3 MCZ Submissions

- 10 It should be noted that following a teleconference with Natural England, on 6th June, an action was taken by the Applicant to provide further information into the documents formerly known as Appendices 25 and 26 of the Applicant's Deadline 7 Submission. As such, these documents were not submitted into the examination at Deadline 7 but will be submitted as part of the Applicant's Deadline 8 Submission.

Natural England welcome the consolidation of various assessments into a single document, however it is still difficult for the reader to cross reference this with the pressures exerted by the project on different feature attributes, and therefore difficult to agree with the overall conclusion that conservation objectives will not be hindered.

The applicant has also produced a signposting document (Appendix 25 to Deadline 7) highlighting the pressures associated with the project. Whilst Natural England welcome this there needs to be an indication of how the pressures affect the individual

attributes of MCZ features. These attributes are highlighted within our conservation advice packages, of which we advised the Thanet Coast MCZ package should be used as proxy in relation to Goodwin Sands MCZ.

Overall, whilst Natural England do not necessarily disagree with the conclusions of the assessment, it is difficult without a sufficient audit trail for Natural England to be confident in advising we fully agree with the conclusions presented by the Applicant.

If this summary is not produced, then Natural England advise that decision makers should cross reference the assessments undertaken with the Thanet Coast conservation advice package in order to ensure that all impact pathways have been considered.

- 11 The Applicant can confirm that a comprehensive document presenting the full audit of the MCZ assessment has been drafted, submitted to Natural England for review, and the final version submitted at Deadline 8 following updates in line with Natural England's comments. The Applicant welcomes Natural England's continued constructive engagement throughout the Thanet Extension examination process.

3 Natural England's Comments on responses to the ExA's Further Written Questions (ExQ3)

Table 1: Applicants response to Natural England's commentary on ExQ3 Questions (3.1.2 and 3.1.4)

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>3.1.2 Site Integrity Plan: Security In para. 13.1 of [REP5- 064], Natural England states that the commitments to mitigation methods described in section 4 of the SIP "should be secured in the DCO/DML to ensure they are enforceable". This is presented as a condition of Natural England's agreement with the Applicant's HRA conclusions in relation to the harbour porpoise feature of the</p>	<p>Natural England welcomes the commitment to the mitigation measures outlined in the SIP. These measures are presented as a range of options which will be considered when the SIP is revisited and implemented if deemed necessary at that time. Natural England is content with this approach however, we are not able to conclude no AEoI on the SNS SAC in-combination for Thanet Extension until there is a mechanism in place to manage a range of SIPs from different projects. We would however, be content to conclude no AEoI on the SNS SAC in-combination for Thanet Extension at this time if the seasonal restriction were</p>	<p>Applicant's Response a) It is the Applicant's opinion that the mitigation methods within the Outline SIP (PINS Ref REP4-022) are adequately secured through the Outline plan itself, which is secured in the DCO by way of both requirement and condition, and also the Schedule of Mitigation which accompanies this Deadline 6 submission. The Applicant has to comply with its content as contained within the Outline SIP (and then the detailed document as approved). As such it is considered that this combination adequately secures the potential suite of mitigation measures which may or may not be required, without the need to provide wording in the DCO that seeks to capture the suite of</p>	<p>Natural England's further comments a) Natural England confirms that there still remains disagreement between ourselves and the applicant regarding this matter. We reiterate that we would be content to conclude no AEoI on the SNS SAC in-combination for Thanet Extension at this time if the seasonal restriction were secured in its own right on the face of the DCO / DML. b) Natural England has no further comment regarding this point.</p>	<p>The Applicant has no further comment to make on this matter.</p>

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>Southern North Sea SAC.</p> <p>a) Could Natural England please confirm whether or not it considers the dDCO/DMLs, as drafted [REP5-019], provide adequate security for the mitigation commitments of the SIP?</p> <p>b) If not, please outline fully the changes sought to the dDCO/DMLs.</p>	<p>secured in its own right on the face of the DCO. Natural England have suggested this approach to the Applicant, but we believe they do not wish to proceed with it. Therefore our advice remains that we are unable to conclude no AEoI on the SNS SAC in- combination from Thanet Extension at this time.</p>	<p>measures that may be required. Imposing prescribed measures on the face of the DCO, which may not be required, is not robust or necessary when the document itself documents such measures, and how they would be undertaken, in detail. It is the Applicant's view therefore that such and/or wording is not appropriate legal drafting, and is more appropriately secured through the plan itself. The Applicant can confirm that the latest Statement of Common Ground (SoCG) which Natural England (Appendix 15 of the Applicant's Deadline 6) confirms that there is a disagreement on this matter between the parties.</p> <p>b) The Applicant's position on this matter (and the associated changed to the wording in the dDCO) is presented in Appendix 44 of the Applicant's Deadline 6 Submission.</p>		

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>3.1.4 Goodwin Sands Proposed Marine Conservation Zone (pMCZ) The SoCG with Natural England [REP5-076] identifies a number of areas that are not yet agreed in relation to the assessment of impacts on the Goodwin Sands pMCZ. In addition, section 4 of [REP5-064] sets out some specific requests for inclusion in the MCZ assessment. The notes within the SoCG indicate that actions agreed at a meeting on 2 May 19 may be capable of bringing the Applicant and Natural England to</p>	<p>a) An updated position has been provided within the SoCG submitted at Deadline 6. b) As the SoCG highlights at Deadline 6, many of the disagreements have now been resolved. However, there a few positions that are currently still under discussion. Natural England and the Applicant have both provided commentary on these points within the SoCG, highlighting a proposed way forward. c) Natural England acknowledge this.</p>	<p>Applicant's Response a) Appendix 15 of the Applicant's Deadline 6 Submission provides the final SoCG between the Applicant and Natural England. This document confirms that the parties have reached agreement on the assessment, mitigation, monitoring and conclusions for the Goodwin Sands pMCZ, subject to receipt of a signposting clarification note. This matter therefore remains under discussion, but it is anticipated that there is no impediment to agreement being reached by Deadline 7. b) The Applicant notes that there is a disagreement between the Applicant and Natural England for the adequacy of the baseline data used in the assessment of Goodwin Sands pMCZ due to the timing of the proposed designation becoming material. This disagreement is</p>	<p>Natural England's further comments. a) The Applicant has submitted two additional documents to ourselves in advance of Deadline 7. These documents are entitled "Collation of Marine Conservation Zone Assessment Submissions" and "MCZ Assessment Signposting Note." This was in response to our requests regarding the MCZ assessment at Deadline 6 within the SoCG. Further comments upon these documents provided in section 5 of our Deadline 7 response. b) The Applicant in their response has provided the correct narrative behind the</p>	<p>The Applicant can confirm that it's Deadline 8 submission has been reviewed by Natural England previously and is considered to meet the requests made.</p>

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>agreement, but full details of those actions have not been provided.</p> <p>a) At Deadline 6, could the parties please provide an updated position on agreement with regards to the pMCZ.</p> <p>b) If disagreement remains on any matters pertaining to the protection of the pMCZ at that stage, please provide a statement, agreed by both parties, setting out the remaining areas of disagreement and the extent to which resolution is being sought within the timescales of the examination.</p>		<p>clearly outlined in the SoCG and is addressed through the Applicant's commitment to undertake monitoring within the Goodwin Sands MCZ should certain methods of construction be required, and if the MCZ is formally designated.</p> <p>c) This is noted by the Applicant and will be provided to the ExA in due course.</p>	<p>disagreement within the MCZ section of the SoCG. Although this disagreement will remain between ourselves and the applicant, as stated it shall be addressed through the Applicant's commitment to undertake monitoring within the Goodwin Sands MCZ should certain methods of construction be required.</p> <p>c) Natural England has no further comment on this point.</p>	

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
c) A concluding statement should be provided at Deadline 7.				

4 Natural England's Responses to the Applicant's comments on the Report on the Implications for European Sites

Table 2: Applicants response to Natural England's commentary on the Applicant's commentary on the RIES

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
4.2.8	In response to NE's comment that HDD 'still represents the best landfall option', the Applicant would reiterate that this remains subject to site investigation to ensure that the most suitable design is brought forward (site selection and alternatives chapter; Application ref 6.1.4, APP- 040), which demonstrates the need for alternative cable installation methods in the design envelope. Certainty for the environmental outcome is provided through the SMRMP, on which NE are agreed.	Natural England acknowledge that the use of HDD remains subject to site investigations (SI). However, we encourage the Applicant to carry out these SI works as soon as possible. Although complications with the landfall site may exist due to the presence of the landfill site, there are plenty of examples of successful HDD through this substrate. HDD represent a technique that provides more certainty to ourselves that any long term impacts to the saltmarsh will be avoided.	The Applicant has no further comment to make on this matter.
4.2.11	The Applicant would refute the statements by KWT, and are satisfied that no AEoI will result to the Thanet Coast and Sandwich Bay SPA and Ramsar, as agreed with Natural England.	"As stated previously, no AEoI is based on there being only temporary effects upon the saltmarsh. The SMRMP has been developed to ensure that if trenching does occur there are the necessary mechanisms for the regulators to enact and promote the	The Applicant has no further comment to make on this matter.

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
		recovery, mitigation and monitoring of the saltmarsh.	
4.2.40	<p>"The Applicant would question if the focus of discussion on the Southern North Sea SAC has been in relation to a disagreement on the AEoI conclusions (specifically in relation to underwater noise). The Applicant considers the focus of the discussion to have been around how mitigation will be identified, provided and secured to provide the necessary certainty that no AEoI will result. In effect, the discussion has not been around the conclusion of no AEoI but about how the MMO will manage provision of the mitigation – as delivered in the MMMP and SIP and delivered through conditions in the draft DCO (see Appendix 43 to the Applicants Deadline 6 submission on 'Applicants Response to Natural England's responses to ISH8 Action Points and the Applicants Deadline 5 Submissions on HRA matters (offshore ornithology and marine mammals)').</p>	<p>Natural England agrees with the Applicant that the disagreement in relation to AEoI in-combination for the Southern North Sea SAC, and thus the ongoing discussions, has been centred on the management of the mitigation measures and the overall SIP.</p>	<p>The Applicant has no further comment to make on this matter.</p>
4.2.68	<p>It is noted that no concerns were raised at Deadlines 1, 2, 3 and 4 by Natural</p>	<p>Natural England was not aware of the potential for an adverse effect on</p>	<p>The Applicant has concluded no AEoI for the project alone, or in-</p>

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
	<p>England as regards gannet and the FFC SPA (e.g. RR-053, REP1- 039, REP1-111, REP1-112, REP1-113, REP1-116, REP2-045, REP3-041, REP3-074, REP3-075, and REP3-089. All concerns in relation to the FFC SPA within these documents related to in-combination collision risk for kittiwake only. In REP4-033 NE note in paragraph 2.2.9 that 'We note that the Applicant seeks to agree common ground with Natural England in respect of gannet and kittiwake populations from Flamborough and Filey Coast SPA. Our position is set out in the latest Ornithological Statement of Common Ground between the Applicant and Natural England, which has been submitted at this deadline for your consideration.' That SoCG was issued as REP4C-008, where it is agreed for gannet that 'The applicant and Natural England agree that assessments based on either parties methods and effects make no material difference to the overall conclusions'. With respect to the FFC SPA, no mention is made of gannet by NE.</p> <p>Of the Deadline 5 submissions by NE, neither REP5-064 nor, REP5-065 make</p>	<p>integrity of the gannet feature of the Flamborough and Filey Coast SPA in-combination with other OWF until the comprehensive in-combination assessment provided by Norfolk Vanguard at Deadline 6/6.5 of that Examination. Once this risk was identified, we alerted the Thanet Extension project to this. Our advice on this issue is provided within the latest SoCG which was submitted at Deadline 6.</p>	<p>combination with other projects. The Thanet Extension contribution has not changed and as such the Applicant's position of no material contribution remains appropriate.</p>

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
	<p>reference to gannet in relation to the FFC SPA. In REP5-066, where the ExA requests confirmation of agreement on gannet and the FFC SPA, NE stated N/A. It is not until the SoCG REP5-077, a late submission that comment on gannet at FFC SPA in-combination is made by NE, specifically in relation to evidence from Norfolk Vanguard. It is understood that NE will be providing evidence at Deadline 6, after which the Applicant will expect to be able to respond.</p>		
<p>4.2.88</p>	<p>We would note that although discussion as regards kittiwake has been ongoing, comment or concern from NE on gannet has been limited until Deadline 5. Specifically, in REP4-033, gannet is mentioned in relation to the FFC SPA in paragraph 2.2.8 confirming no AEoI alone, but no comment is made in-combination, instead referring to the Statement of Common Ground (REP4C-008) – NE do not make any comment as regards gannet in that version of the SoCG for the FFC SPA. It is not until REP5-077 that NE raise a question as regards gannet at the FFC SPA in-combination – with 4.2.89 of the RIES referencing the</p>	<p>Please see our response to the Applicant's response to RIES paragraph 4.2.68.</p>	<p>The Applicant has no further comment to make on this matter.</p>

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
	<p>WR from NE (REP1-113) that for gannet 'no significant effect either alone or in-combination'.</p>		
<p>4.2.105</p>	<p>The Applicant would add that NE do allow for consideration of East Anglia ONE when comparing 'as-built' scenarios and taking account of headroom (REP5-066). The Applicant would draw the ExAs attention to the recent Creyke Beck NMC, including the NE response letter which stated with respect to gannet and kittiwake collision risk 'We advise that any future projects entering the consenting process should take into account the revised Dogger Bank Creyke Beck project envelope in their in-combination assessment, should this non-material change to the DCO be accepted.'¹ The comment is in the context of predicted reductions in kittiwake collision risk made by the Applicant in Table 4 of their NMC Environmental Report². Further evidence is provided in Appendix 43 to Deadline 6, with that information provided here for ease of reference.</p> <p>The recent (and successful) NMC application for Dogger Bank Creyke Beck</p>	<p>East Anglia One's impact reduction is based on a legally-secured confirmation of the as-built project and underpinned by a full revised CRM, hence it being acceptable to modify this particular project's in-combination contribution. Regarding Dogger Bank Creyke Beck NMC, this relates to a revision of the Rochdale Envelope for that project to allow the installation of larger turbines. The revised CRM submitted by Dogger Bank Creyke Beck quantifies the collision risk specific to those larger turbines, but importantly does not affect the worst case scenario: the consented Rochdale Envelope and therefore the potential final project design continues to include the other turbine sizes and parameters set out in the original Environmental Statement. Therefore, the 'headroom' referred to by the Thanet Extension created by the Dogger Bank Creyke Beck NMC is based on the incorrect assumption that Dogger Bank Creyke Beck have now</p>	<p>The Applicant has responded to this matter in Section 2.2 of this document and has no further comment to make on this matter.</p>

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
	<p>provided a revised set of CRM figures with respect to kittiwake mortality and any apportionment of that risk to the FFC SPA. The revised CRM within this report presented a reduction in the mortality rates associated with Dogger Bank Creyke Beck to kittiwake from the FFC SPA from 109 individuals (within the consented project's HRA assessment) to 40.2 individuals (within the revised project's update to the HRA assessment). This provides additional headroom for other projects of up to 68.8 kittiwakes from the FFC SPA. The Applicant acknowledges that despite Natural England and the RSPB not agreeing on all the parameters used within the CRM for this revised set of assessments, including the use of Band Option 3, they did accept that there would be no adverse effect from the project alone under all scenarios and at all avoidance rates and also in combination with other plans and projects under all scenarios.</p> <p>Therefore, while the Applicant acknowledges that the HRA should be assessed based on consented design envelope (and not 'as built'), and that Thanet Extension has been assessed</p>	<p>refined their consent to only include the larger turbines.</p>	

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
	<p>based on consented design, the precaution built in through the process is relevant, especially given the very small numbers attributed to Thanet Extension in the context of the existing headroom and in light of recent agreed changes to both Triton Knoll and for the Dogger Bank Creyke Beck project that provide headroom in excess of the very small contribution that Thanet Extension makes to the overall in-combination total.</p>		
<p>4.2.106</p>	<p>The Applicant understands that NE are now in agreement with the Applicant, on no AEoI for gannet alone and in-combination at the FFC SPA.</p>	<p>This is incorrect to a degree. Natural England has stated our position within the latest SoCG which was submitted at Deadline 6. Natural England agree that there is no adverse effect on the integrity of gannet from Flamborough and Filey Coast SPA from the Project alone. However, due to Natural England's significant concerns regarding the incomplete baseline surveys for the Hornsea 3 project, and the associated level of uncertainty as regards the potential impacts of that project, Natural England is not in a position to rule out an in-combination</p>	<p>As presented in Appendix 2 of the Applicant's Deadline 8 Submission the Applicant's position is that there will not be an AEoI for gannet alone or in-combination (including when Thanet Extension is considered in-combination with Hornsea 3).</p>

Paragraph	Applicant's Comment	Natural England Comments	Applicant's Response
		AEoI for Thanet Extension including the Hornsea 3 proposal.	

5 Comments on responses to the ExA's further requests for information under EPR Rule 17

Table 3: Applicants response to Natural England's commentary on ExQ4 Questions

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>4.1.7. Goodwin Sands pMCZ</p> <p>Paragraph 2.5 of Natural England's D6 letter considers that the Applicant's commitment to dispose of sediment within 500 m of Goodwin Sands pMCZ should be sufficiently secured within the DCO/DML. The ExA notes that this is reflected as mitigation reference 5.5 of the updated Schedule of Mitigation (Rev. D) which points to the Cable Specification and Installation and</p>	<p>a) With the inclusion of condition 25 to ensure the certified documents must be followed, Natural England is mostly satisfied that this key mitigation has been secured. However, Natural England notices the Schedule of Mitigation is not listed in Paragraph 2 and thus cannot be modified. Should new evidence or changes to works highlight a need to change this mitigation this would not be possible under the current drafting. Natural England would suggest that consideration should be given to allow the MMO to authorise changes to this schedule, in consultation with the relevant statutory nature conservation body. It should</p>	<p>Applicant's Response</p> <p>a) The Applicant recognises this question is for Natural England but would make the following observations. The Applicant recognises the ExA's observation that the Goodwin sands MCZ is provided for within the Schedule of Mitigation, and the other identified documents, and as such would consider this commitment to be fully and appropriately secured and does not require further explicit reference on the face of the DCO.</p> <p>b) The Applicant will respond in due course.</p>	<p>a) Natural England acknowledges the Applicant's position within their response. As stated we are <i>"mostly satisfied that this key mitigation has been secured."</i> However, we note that to allow the MMO to make any updates or changes to this document it should be added to the list of documentation within condition 25 to which the MMO may authorise changes.</p> <p>b) As we are currently between Deadlines the Applicant has only just</p>	<p>The Applicant has no further comment to make on this matter.</p>

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>Monitoring Plan but that does not appear to be explicitly stated on the face of the DCO/DML.</p> <p>a) Noting that the Schedule of Mitigation will be a certified document, does NE consider that sufficient security for the commitment has been provided? If not, please could Natural England articulate how they would wish to see this secured within the DCO at Deadline 7?</p> <p>b) The Applicant is also invited to comment on this matter and provide</p>	<p>also be noted that changes may be needed to other mitigation captured within the Schedule and the inability to make changes could cause issues post consent. The logical way to ensure this is to add it to the list of documentation within condition 25 to which the MMO may authorise changes.</p> <p>b) Natural England will provide comment on any change of wording and / or the Applicant's response at Deadline 7.</p>		<p>had sight of our comments and has not had the chance to reply.</p>	

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
any revised drafting by Deadline 8.				
<p>4.1.8 Schedule of Mitigation, Rev. D</p> <p>a) Given that the Schedule of Mitigation is to become a certified document, could the Applicant please remove all references to withdrawn Landfall Option 2 from the document and also undertake a sense check of the whole document to ensure that it reflects the latest position.</p> <p>b) Natural England is invited to provide comments on</p>	<p>a) Natural England supports the recommendation to remove references to landfall option 2 within the Schedule of Mitigation.</p> <p>b) Natural England will review the amended schedule and provide comments at deadline 7 as requested.</p>	<p>Applicant's Response</p> <p>a) The Applicant has undertaken a full review of the Schedule of Mitigation and provided a revised copy (Revision E), with all references to Option 2 removed, as Appendix 2 of the Applicant's Deadline 6A Submission. The Applicant has provided an associated annex (Annex A) which indicates the rows of the schedule which have been updated.</p> <p>b) This is noted by the Applicant and will review the submission in due course.</p>	<p>a) Natural England has briefly reviewed the Schedule of Mitigation (Revision E) and can confirm all references to landfall Option 2 have now been removed.</p> <p>b) Natural England have briefly reviewed the Schedule of Mitigation and our points raised at associated with this document have been addressed.</p>	<p>The Applicant has no further comment to make on this matter.</p>

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>drafting by Deadline 7.</p>				
<p>Security for the Saltmarsh Mitigation, Reinstatement and Monitoring Plan (SMRMP)</p> <p>Paragraph 3.4.1 of Natural England's D6 letter raises some questions about the security of the contents of the SMRMP. Could the applicant please respond to these points, specifically:</p> <p>a) Should the DCO include a requirement for an updated version of the SMRMP to be submitted to the relevant authorities</p>	<p>Natural England will provide comment on any revised wording, or on the Applicant's response to this issue at deadline 7, as requested.</p>	<p>Applicant's Response</p> <p>a) The Applicant can confirm that the commitment for submission of monitoring scope is explicit within the SMRMP document, requiring the Applicant to agree final survey layout and transect alignment. This is secured by the relevant monitoring conditions. As such this commitment is made clear within the SMRMP which is a certified plan, and as a result the Applicant does not feel it appropriate to commit to resubmission of the plan itself.</p> <p>b) The Applicant does not consider it appropriate or necessary to make specific provision within the DCO/DMLs to secure any mitigation arising from the SMRMP. The Applicant considers the relevant measures</p>	<p>As per Natural England's response at Deadline 6 we consider it appropriate that a condition is added to ensure an updated Saltmarsh Mitigation, Reinstatement and Monitoring Plan is submitted for approval prior to works in the saltmarsh commencing.</p> <p>As currently drafted there is no facility to amend the current mitigation or reinstatement works plan should there be a need i.e. through new methodologies, new technology or evidence.</p>	<p>Whilst the Applicant recognises the precedents from other projects, there is no loss of security of control regarding the subsequent agreement of survey layout etc given the need to comply with these commitments in the SMRMP which is a certified document.</p>

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
<p>prior to construction, in a similar way to the other pre-construction plans and documentation dealt with under conditions 11 and 13 of Schedule 12? If so, please provide the revised drafting. If not, please provide reasons.</p> <p>b) Whilst the monitoring associated with the SMRMP is secured in conditions 15 and 17 of Schedule 12, does specific provision need to be made within the DCO/DMLs to secure any mitigation arising from the SMRMP? If so, please provide</p>		<p>to be secured in the SMRMP and would note that as the suite of available measures are contingent on survey results, the DCO would require 'either/or' drafting which is not considered appropriate DCO drafting.</p> <p>c) The Applicant questions if this should read D8 but will respond in due course.</p>	<p>Natural England notes that the applicant has confirmed that the mitigation and reinstatement measures to be adopted will be dependent on survey results. This is a standard approach as it is not until the final methodology is defined that the mitigation and reinstatement works can be fully detailed. However, the choice, scope and methodology of these measures should be subject to regulatory approval and consultation with Natural England as the relevant Statutory Nature conservation body. The best way to achieve this would be</p>	

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<p>the revised drafting. If not, please provide reasons.</p> <p>c) Natural England is invited to comment on any revised drafting by Deadline 7.</p>			<p>through submission of an updated plan following the survey works and identification of the final installation methodology and cable route.</p> <p>Natural England would note that conditions requiring such approval and consultation have been used on the Marine Licence of all OWF projects installing cable through saltmarsh habitat. Such as Race Bank, Lincs, and Thanet OWF. They were also a requirement on the NEMO cable link project which installed cables through the same saltmarsh as</p>	

Questions	Natural England's Original Answers	Applicants or other stakeholders answers	Natural England Comments on other stakeholder answers.	Applicant's Response:
			proposed for Thanet Extension.	
<p>4.4.8 Natural Environment Security</p> <p>a) Attention is also drawn to the questions in matter 4.1 (Biodiversity, Ecology and Natural Environment) above that have implications for DCO drafting.</p>	<p>We are currently reviewing the dDCO which was submitted by the applicant at Deadline 6 and will provide further comment at Deadline 7 with regards to any implications of the changes the Applicant has made.</p>	<p>Applicant's Response</p> <p>The Applicant refers the Examining Authority to the responses provided at R17Q section 4.1.</p>	<p>Please see comments above.</p>	<p>The Applicant has no further comment to make on this matter.</p>

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