

ID	Relevant Representation	Applicant Comment
12	<p>Natural England considers that the embedded mitigation identified in the RIAA is broadly acceptable with respect to impacts on designated nature conservation sites and for cable crossings over water courses (which has the potential to impact on designated sites and qualifying features).</p>	<p>The Applicant acknowledges Natural England's comment.</p>
13	<p>With respect to the onshore elements of the project, Natural England does not disagree with the summary of potential effects on the River Wensum SAC as set out in Table 10-1 of the RIAA, however clarity is required as to why white clawed crayfish, brook lamprey and bullhead were screened out and an appropriate assessment of the impact of the project on these qualifying features of the River Wensum not undertaken.</p>	<p>See response to comments 6 and 10 above.</p>
14	<p>Mitigation Summary that must be secured in the DCO/DML:</p> <ul style="list-style-type: none"> - EPS mitigation licences required – bats, badger, DLL and water vole (if found during pre-construction surveys). - Pre-construction surveys and appropriate mitigation measures (if required pre/post installation) to be submitted to LPA and agreed in consultation with NE for reptiles, birds, badger, bat roost potential surveys for structures (includes trees), breeding birds, water voles, invertebrates and for follow up surveys to be carried out where required, e.g., bat activity surveys, bat hibernation surveys, survey of receptor site for reptiles if translocation is required. - Post installation monitoring surveys for where EPS mitigation licences are required. <p>Reasonable Avoidance Measures (RAMS) for GCN and reptiles. Post-construction surveying/monitoring for designated habitats and species that will be affected, such as hedgerows used by bats, grasslands, ponds, GCN, cereal field margins and for reports to be submitted. Where mitigation is proven not effective further mitigation measures may be required and will need to be approved. Methodology and any remediation to be agreed with the LPA and in consultation with Natural England.</p> <ul style="list-style-type: none"> - Pre- construction OLEMS in consultation with Natural England to be secured and to also include: Tree Protection Plans and an Arboricultural Method Statement, INNS Management Plan, Bentonite breakout plan. - Mitigation and compensation to be secured. - Landowner and stakeholder agreement of land for mitigation – to be 	<p>To address each of the detailed points raised in this response in turn:</p> <ul style="list-style-type: none"> - The requirement for EPS mitigation licences to be approved prior to construction is secured via Requirement 23 (European Protected Species) of the draft DCO (Revision C) [document reference 3.1]. - The findings of pre-construction surveys will be included within the Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1], and which Natural England will be consulted on by the relevant planning authority prior to discharge. - Details of how measures set out in the Ecological Management Plan will be monitored are described in the Outline Ecological Management Plan (Revision B) [document reference 9.19]. Any specific monitoring requirements associated with EPS Mitigation licences will be agreed through the individual EPS licensing process (e.g. any necessary monitoring of bat roosts would be designed and agreed as part of any bat EPS Mitigation licence application). - Details of RAMs for GCN and reptiles are described in the Outline Ecological Management Plan (Revision B) [document reference 9.19], and final details of these will be detailed in the final Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1], and on which Natural England will be consulted on by the relevant

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	<p>secured. If mitigation and compensation are required outside of the DCO boundary this also needs to be agreed with landowners and secured in the DCO.</p> <ul style="list-style-type: none"> - If translocation of a species is required the habitat areas needs to be suitable and area secured. - Protection areas (buffer areas) of habitats particularly SSSIs, SACs, ancient woodland and veteran trees to be secured. - Habitat creation to be detailed in the OLEMS. This should include details of enhancements following consultation with landowners and other stakeholders. - With respect to the above comments, Natural England advises consultation and agreements with landowners and stakeholders is required to secure mitigation. We remind the Applicant the mitigation hierarchy must be followed with the commitment to BNG additional to this. 	<p>planning authority prior to discharge. The final EMP will cover all relevant ecological receptors including hedgerows used by bats, grasslands, ponds and others as necessary. The EMP will also include appropriate processes for identifying and addressing any necessary updates/adjustments to the mitigation package, and remedial measures.</p> <ul style="list-style-type: none"> - Measures to minimise the spread of INNS, will be detailed in the final Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1], and on which Natural England will be consulted on by the relevant planning authority prior to discharge. Arboricultural survey and assessment would be undertaken prior to construction, this is detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18] and secured via Requirement 11 (Provision of landscaping) of the draft DCO (Revision C) [document reference 3.1]. The bentonite breakout mitigation plan will be developed and included within the project's final Code of Construction Practice, detailed in Requirement 19 (Code of Construction Practice) of the of the draft DCO (Revision C) [document reference 3.1]. - Identified areas for mitigation and details of habitat creation will be included within the Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1], and on which Natural England will be consulted on by the relevant planning authority prior to discharge. This will include the specified details where appropriate, such as method for securing any off-site land, translocation approach/es, protection zones and habitat compensation/creation.
[APP-022] 2.17 Habitats of Protected Species Plan		
15	Editing note - Sheet 36 does not include a full key	The Applicant acknowledges Natural England's comment.
16	The full legend is not displayed on all maps – some key features are missing.	The Applicant acknowledges Natural England's comment. The Legend will be adjusted on each sheet to aid ease of identifying habitat illustrated on each specific sheet. The Habitats of Protected Species Plan (Revision B) [document reference 2.17] will be submitted at deadline 2.

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[APP-090] 6.1.4 Environmental Statement Chapter 4 – Project Description		
17	<p>All crossings of the onshore cable route are listed within a Crossing Schedule (Appendix 4.1 to Chapter 4 – Project Description) and the method of crossing identified – either trenchless or open cut. However, the method for some crossings has yet to be confirmed within the Schedule. The project description does not specify when the undecided crossing locations will be determined and on what basis, for example as a result of pre-construction ecological surveys? Natural England would seek to be consulted on, and be provided with all relevant evidence, for all undecided crossing locations prior to construction commencing otherwise there is a concern that protected species may be negatively impacted by the project.</p>	<p>See response to comment 3 above.</p>
[APP-103] 6.1.7 Environmental Statement Chapter – Ground Conditions and Contamination		
18	<p>The list of activities with the potential to cause contamination does not include potential impacts caused by HDD. The potential for bentonite breakout has not been included in the assessment of impacts, particularly given SEP and DEP crosses the River Wensum SAC and SSSI where the sensitivity of surface waters is considered to be high.</p> <p>Although reference to additional impacts relating to surface water quality and ecological habitats being provided in the Water Resources and Flood Risk Chapter 18 [APP-104] and Onshore Ecology and Ornithology Chapter 20 [APP-106], Natural England advises consideration needs to be given to the potential for bentonite breakouts during HDD in this [APP-103] Ground Conditions and Contamination Chapter and for the necessary mitigation measures to be identified in this Chapter.</p>	<p>See response to comment 5 above.</p> <p>The Applicant acknowledges that during construction, there is potential for the accidental release of lubricants, fuels and oils from construction machinery. This can occur as a result of spillages, leakage from vehicle storage areas and direct release from construction machinery working directly in or adjacent to water bodies. Bentonite, which is an inert clay based material used at the drill head during trenchless crossing techniques, can breakout during use and cause smothering of habitats, although it is not a pollutant.</p> <p>The Applicant acknowledges the risk of bentonite breakout during the use of trenchless crossings (e.g. HDD) to cross watercourses and associated floodplain wetland systems and this is considered in ES Chapter 18 Water Resources and Flood Risk [APP-104, Section 18.6.1.2.8].</p> <p>The development of a Bentonite Breakout Plan is outlined in the Outline Code of Construction Practice (Revision B) [document reference 9.17] and Requirement 19 (Code of Construction Practice) of the of the draft DCO</p>

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		<p>(Revision C) [document reference 3.1] and would include a site specific risk assessment will be undertaken as part of the post-consent detailed design process. This will consider the potential risks of using HDD or equivalent techniques and set out the procedures required to monitor construction activities and avoid breakouts. Requirement 19 states:</p> <p><i>No phase of the onshore works may commence until a code of construction practice (which must accord with the outline code of construction practice) for that phase has been submitted to and approved by the relevant planning authority following consultation with Norfolk County Council, the Environment Agency, relevant statutory nature conservation bodies.</i></p>
<p>[APP-106] 6.1.20 Onshore Ecology and Ornithology</p>		
<p>19</p>	<p>Natural England is aware that the Applicant has applied for draft licences for protected species (bats, badgers and water voles) and that Natural England have approved the use District Level Licence (DLL) prior to construction to ensure compliance with the legal status of GCN and mitigate for potential impacts on this species.</p> <p>In order to future proof the project and enable long term environmental gains, it is important to undertake the following in combination with the EPS mitigation licences and DLL, it would be beneficial to consider the following:</p> <ul style="list-style-type: none"> - Pre-construction surveys to ensure habitats at the site have not changed substantially since survey. Surveys should be used to identify if any changes to the draft mitigation licence is required. - Reasonable Avoidance Measures (RAMS) to be employed – GCN, but his would also benefit other amphibians and also reptiles <p>Post-monitoring surveys followed up by changes to mitigation where mitigation is proven to be ineffective.</p> <p>The findings from the pre-construction surveys, should be used to identify if any changes to the draft mitigation licence is required.</p> <p>Post-monitoring surveys should be conditioned and secured within the DCO.</p> <p>Reasonable Avoidance Measures (RAMS) should still be adhered to and</p>	<p>The Applicant is in agreement with this comment.</p> <p>Pre-construction surveys would comprise walkover surveys of the Order Limits and relevant surrounding buffers to revalidate/update the survey results, particularly with regard to badgers, roosting bats and habitats. For badgers this would comprise a survey of the whole Order Limits and surrounding 30m buffer. For roosting bats it would cover all features within and bordering the Order Limits targeted for/at risk of removal (e.g. trees targeted for felling) The requirement for further GCN surveys to update the final DLL IACPC would be discussed with Natural England’s DLL team, as data from the 2020-21 surveys may remain acceptable/valid for use.</p> <p>Details of RAMs for GCN and reptiles are described in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19], and final details of these will be detailed in the final Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1].</p> <p>No ‘post-monitoring’ surveys are proposed. It is considered that this refers to monitoring surveys which would be completed post-construction; if so, post-construction surveys would be outlined within the final Ecological Management Plan.</p>

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	<p>all mitigation as per the obtained licences to be included in the OLEMS. Please note that full procurement of the DLL should be undertaken within no more than 12 months prior to the commencement of onshore construction works.</p> <p>With regards to water vole please note that in November 2021, under Section 111 of The Environment Act changes to The Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 have been introduced, meaning Natural England will be able to issue wildlife licences for 'overriding public interest' for animals and plant species listed on Schedules 5, 6, & 8 of The Wildlife and Countryside Act 1981.</p> <p>The changes are likely to be introduced in January 2023 and will include water voles.</p>	<p>Pre-construction survey results will be used to inform any updates to the mitigation licences.</p> <p>The OLEMS and final Ecological Management Plan will include all relevant mitigation measures relating to the obtained licences.</p> <p>It is acknowledged that application for the final DLL will need to be undertaken no more than 12 months prior to commencement of onshore construction works.</p> <p>No water vole mitigation licensing is anticipated to be required given the commitment to HDD all watercourses suitable for the species.</p>
20	<p>The ES acknowledges that the DCO order limits run through predominantly arable land with most field boundaries marked by hedgerows. Although it is stated that 'arable fields are typically of low value and are suboptimal for use by protected and notable species' The ES does acknowledge that for ground nesting birds such as skylark, arable field do provide nesting habitat. Skylark is the most abundant and widespread bird of conservation concern (red listed species) breeding within the DCO boundary and should be fully mitigated for.</p> <p>The Breeding Bird Report states that 'Given the abundance of arable and grassland habitat, and of nesting skylarks within these habitats, mitigating impacts to this particular species will require careful consideration.'</p> <p>The Breeding Bird Report APP-218] (Section 5.3) states that, 'construction works within arable habitat (but not clearance of the habitat) are inevitably anticipated to occur throughout the skylark breeding season'. This will result in a loss of nesting habitat, potentially over a number of seasons depending on the construction scenario employed.</p> <p>Natural England considers a pre-construction bird survey should be carried out and a secured in the DCO with mitigation detailed in the OLEMS.</p>	<p>This comment is noted. Details of pre-construction ecological surveys likely to be required is presented in the Outline Ecological Management Plan (Revision B) [document reference 9.19, Annex 1] and secured via Requirement 13 (Ecological Management Plan) of the draft Development Consent Order (DCO) (Revision C) [document reference 3.1].</p> <p>Details of outline mitigation measures in relation to skylark during the project construction are provided in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.2], and final details of these, as informed by pre-construction surveys, will be detailed in the final Ecological Management Plan secured through Requirement 13 of the draft DCO (Revision C) [document reference 3.1], and on which Natural England will be consulted on by the relevant planning authority prior to discharge.</p>

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	<p>Pre-construction surveys should ensure that a full assessment of the impacts can be made and the loss of breeding habitat for arable nesting species such as skylark quantified. Further details will be required for how any impacts on the loss of nesting habitat for skylark can be mitigated for. Detailed mitigation should be provided in the OLEMS.</p>	
21	<p>The order limits are within 100 metres of two woods (Smeeth Wood and Colton Wood) which are ancient woodlands and may be sensitive air quality and dust impact. The ES does not identify these woodlands as 'ancient woodlands' in this paragraph, however they are referenced in other parts of the document.</p> <p>The Zones of Influence (Zol) for Ancient Woodland should be clearly stated with consideration given to any potential edge effects. We refer the Applicant to Natural England's standing advice for ancient woodland and the management of buffers Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK (www.gov.uk). These should be incorporated into the OLEMS.</p>	<p>The Applicant would like to clarify that the text in Table 20-5 of ES Chapter 20 Onshore Ecology and Ornithology [APP-106], regarding Smeeth Wood and Colton Wood ancient woodlands is misleading – neither is crossed directly by the project. The Applicant confirms both Smeeth Wood and Colton Wood would be avoided.</p> <p>Details of air quality effects upon sensitive habitat features are detailed in ES Chapter 20 Onshore Ecology and Ornithology [APP-106]. Mitigation measures employed during construction include the implementation of a Dust Management Plan [APP-106, para. 206] to minimise the effects of air emission during construction on nearby habitats.</p> <p>Smeeth Wood is located approximately 170 metres from the edge of the Order Limit. The distance from Smeeth Wood confirms that a suitable ancient woodland buffer can be accommodated.</p> <p>Colton Wood is located approximately 10m from the Order Limit at its closest point. The Order Limit is 100m wide near this woodland therefore a buffer of at least 30 metres from the woodland should be achieved.</p> <p>Adequate buffers would be secured for these sites in line Natural England's standing advice for ancient woodland and the management of buffers. These buffer zones (referred Zones of Influence (Zol) in the comment) would avoid root damage (known as the root protection area). Details are presented in the Outline Ecological Management Plan (Revision B) [document reference 9.19] and secured via Requirement 13 (Ecological Management Plan) of the draft Development Consent Order (DCO) (Revision C) [document reference 3.1]</p>
22	<p>The Breeding Bird Survey Report states that 'the surveys recorded nine Red list species, nine Amber list species and four Schedule 1 species</p>	<p>This comment is noted. No sand martins have been recorded nesting within the Order Limits at the landfall, and the Order Limits do not overlap with</p>

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	<p>breeding territories within the DCO boundary, as well as significant numbers of sand martins breeding in the cliffs at Weybourne and a colony at Mangreen Quarry.’</p> <p>Natural England advises suitable mitigation measures should be put in place to minimise the impact to these species. Pre-construction surveys must be completed and used to inform the appropriate mitigation which should be fully detailed in the OLEMS.</p> <p>If pre-construction bird surveys reconfirm the presence of breeding sand martins within the bank which would be impacted by construction, we advise suitable mitigation measures must be followed. Please note that in this case the bank would need to be removed before May, prior to birds searching for nest sites. Full detailed habitat mitigation would also be required and fully detailed in the OLEMS.</p>	<p>Weybourne Cliffs SSSI. The location of Weybourne Cliffs SSSI in relation to the Order Limits is shown in ES Chapter 20 Figures Onshore Ecology and Ornithology [APP-131, Figure 20.2, Sheet 1]. The closest known extent of the Weybourne Cliffs sand martin colony is >100m from the Order Limits.</p> <p>This comment is noted. Details of pre-construction ecological surveys likely to be required is presented in the Outline Ecological Management Plan (Revision B) [document reference 9.19, Appendix 1] and secured via Requirement 13 (Ecological Management Plan) of the draft Development Consent Order (DCO) (Revision C) [document reference 3.1]. Mitigation for nesting sand martins being included the final EMP, if appropriate.</p>
23	<p>Alderford Common and the River Wensum are important foraging areas for several species of bats including barbastelle. The summary maps (Figure 5) in [APP-216] Section 6.3.20.3 Static Bat Detector and Transect Survey Report highlight the use of the River Wensum and surrounding woodlands as important for foraging and commuting bats and within core substance zones of barbastelle maternity roosts. The figure includes important commuting routes for barbastelle north of Attlebridge. However, the full commuting route is not shown on the maps – the route continues north-north-west past the top of the map towards Alderford Common and it would be assumed that commuting would continue beyond the map boundary.</p> <p>North of Attlebridge is where the compound site at Swannington will be located. Given the route of commuting presented in [APP-216] Figure 5 it could be assumed that commuting would continue to Alderford Common SSSI, which has been known to support roosting bats and is linked via suitable habitats. Though HDD will be employed at the section through the Marriotts Way cycle route (also commuting route), the commuting route extends north-north-west (and off the map) and this section will be open cut. The crossing techniques for the areas closest to Alderford</p>	<p>This map is based on information obtained from Wild Wings Ecology (Dr C Packman), which only gave a snapshot of where the barbastelle commuting routes/CSZs are located. Further surveys of potential connective features which are at risk of being temporarily severed during construction (e.g. due to open cut crossings of hedgerows/tree-lines) close to Alderford Common will be completed as part of the pre-construction surveys and will inform any necessary mitigation measures. Further information on the is provided in Technical Note: Bats - Alderford Common and Swannington Common SSSI (document reference 13.10)</p> <p>The Wild Wings Ecology data on barbastelle bat roosting and activity around the area provisionally referred to as Wensum Woods is anticipated to be available prior to commencement of pre-construction bat surveys, so it will be used to inform the scope of such surveys.</p> <p>The bat survey data gap between Attlebridge and Swannington applies to an area of entirely arable habitat with field boundary hedgerows. Once the crossing schedule of these field boundary hedgerows is defined, further bat surveys would be completed on any features of potential importance that are targeted for open-cut installation. Mitigation would then be applied to any</p>

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	<p>Common have not been confirmed. Alderford Common lies within 250m of the route. There are potential impacts to important foraging and core sustenance zones for important colonies of bats (barbastelles) and other species. If bats are commuting to Alderford Common SSSI there could also be potential impacts to important roosts present within the protected site.</p> <p>There is a gap in data provided between Attlebridge and the static locations Swannington. Pre-construction surveys for bats should be undertaken in this area to establish if the two undecided crossing locations near to Alderford Common (Reephram Road and School Road) are important commuting or foraging routes for bats. The survey data should then be used to inform the decision on whether to open cut or HDD these crossing points.</p> <p>Alderford Common SSSI is noted for roosting bats. Commuting and foraging routes linked to the SSSI may be impacted through open cut trenching. Impacts need to be assessed and detailed mitigation provided in the OLEMs. Consideration should be given to connecting and supporting habitats.</p>	<p>hedgerows or other connective features found to be important for bat connectivity.</p>
24	<p>The use of HDD methods at the crossing of the River Wensum is embedded within the SEP/DEP scheme design to avoid direct impacts to the River Wensum SAC and SSSI.</p> <p>Given the recent HDD drilling mud breakouts experienced on several other OWF projects, Natural England advises that a commitment to use best available techniques and a precautionary methodology be included We advise the Applicant to partner with Environment Agency on the River Wensum Partnership project.</p> <p>We consider there is a lack of clarity provided on the potential risks of a breakout and its impact to all protected species and habitats.</p> <p>Potential impacts to white-clawed crayfish and invertebrate species in the event of a breakout must be assessed and a suitable emergency plan put</p>	<p>See response to comments 5 and 6 above.</p> <p>The Applicant accepts Natural England's suggestions for additional mitigation measures in relation to the River Wensum floodplain, and this is noted in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 4.1].</p>

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	<p>in place.</p> <p>Natural England advises the restoration of the HDD compound on the flood plain of the river Wensum should be restored in accordance with the River Wensum Restoration Strategy and the River Wensum SAC conservation objectives Supplementary Advice. Where possible, measures should restore appropriate soil/ground moisture conditions so that water levels are continuously at or just above the ground surface throughout the year. All bentonite breakouts within designated sites should be reported to Natural England within 24 hours and before clean-up operations begin.</p>	
25	<p>Himalayan balsam was recorded within the DCO order limits and noted as predominately along watercourses such as tributaries of the Wensum at Swannington and on the Rivers Tud and Bure.</p> <p>There is no mention of signal crayfish and the potential to spread crayfish plague in this part of the assessment. Mitigation for potential impacts from the spread of crayfish plague from signal crayfish to white clawed crayfish is also not included in the Outline Ecological Management Plan.</p> <p>Though survey results indicate that White Clawed-Crayfish (WCC) were absent in six out of the seven watercourses surveyed, American Signal Crayfish (ASC) were detected in five of the seven watercourses surveyed. ASC carry crayfish plague which is lethal to WCC. As such, every attempt must be made to minimise the potential spread of crayfish plague. Though trenchless crossings are proposed at the River Wensum, threats from non-native crayfish species and crayfish plague are severe.</p> <p>We advise mitigation to avoid the spread of Himalayan balsam and other Invasive Non-Native Species must be detailed in the OLEMS.</p> <p>Further precautionary and preventative measures should be put in place during construction to minimise the risk of spreading American Signal Crayfish or associated crayfish plague and with the correct control</p>	<p>Mitigation to avoid the spread of Himalayan balsam is detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.8].</p> <p>The Applicant agrees in principle with mitigation measures to address the risk of spreading crayfish plague be included in the of the Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.8] should there be any interaction with water supporting, or suspecting to support, signal crayfish. However, no direct working within the channels of watercourses suitable for, or confirmed as having, American signal crayfish (and therefore likely to also have crayfish plague) would occur as part of construction, as installation of the cables at all such watercourses would be done via HDD. In the unlikely event any watercourse working becomes necessary (e.g. in the event of a bentonite breakout), a clean-check-dry procedure will apply to any equipment entering the water. Further details are also presented in the Outline Code of Construction Practice (Revision B) [document reference 9.17].</p>

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	<p>measures put in place and fully detailed in the OLEMS. Weybourne Stream, River Glaven, River Bure, unnamed tributary of the Rivers are of particular concern. An INNS Management Plan should be included in the OLEMS.</p> <p>We advise that monitoring for bentonite breakouts throughout HDD beneath the relevant watercourses, with a commitment to cease drilling and enact remedial measures immediately upon discovery of a breakout must be carried out and fully detailed in the OLEMS to include remedial effects and controls.</p>	
26	<p>Inaccessible parts of the DCO boundary and the surrounding 30m have not been surveyed so it is possible that badgers are present but unrecorded in the un-surveyed parts of the DCO boundary (which account for approximately 10% of the total footprint of the DCO boundary), especially considering seasonal constrains e.g. the majority of surveys were undertaken in summer.</p> <p>Therefore, we advise pre-construction surveys should not only cover areas with previously confirmed setts, but should cover the whole of the DCO area plus a 30m buffer and include those sets previously recorded as disused.</p> <p>Natural England are aware that a draft licence has been obtained. The findings from the pre-construction surveys, should be used to identify if any changes to the draft mitigation licence is required.</p> <p>Please note that surveys required to inform badger licensing will need to be completed within two months of submitting the licence application to inform precise, mitigation requirements.</p>	<p>As detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19], pre-construction surveys would include surveys of the full order limits plus a 30m buffer, and the findings used to inform a final mitigation licence submitted for the project.</p> <p>Specific data on any particular setts targeted for closure under the Badger Licence would be collected within no more than 2 months of submission of the licence application. However, general survey data on the wider order limits (not specifically relating to any setts covered under the licence application) would likely be over 2 months old at the time of submission of the licence application, given the time required to complete a full survey of the whole order limits.</p>
27	<p>'The ongoing creation of opportunities for roosting bats within trees is a natural cyclical process, often associated with trees maturing and developing features such as rot-holes, tear-outs and hazard beams which are usually absent from younger trees. The removal of a number of trees could therefore interrupt this cycle, leading to a potential future reduction</p>	<p>As detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19], pre-construction surveys will include surveys all suitable bat roost features in advance of construction.</p>

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	<p>in the availability of bat roosting habitat as trees which would have developed into suitable bat roost trees are instead removed.'</p> <p>As bats are a mobile species which will switch between tree roosts, where trees where roosts have not been confirmed, Natural England advises update surveys should be carried out pre-construction where trees have been assessed as having potential to support roosting bats, if those trees are to be removed and/or impacted upon e.g., through light/noise/vibration. This should be secured in the DCO.</p>	
28	<p>With regards to pink-footed geese and overwintering birds, Natural England is developing standard advice for mitigation measures to be adopted to mitigate disturbance impacts to NNC SPA Pink Foot Geese. During examination we will work with the Applicant to get this secured in the DCO.</p>	<p>The Applicant acknowledges this comment, although it should be noted that ES Chapter 20 Onshore Ecology and Ornithology [APP-106] identified that <i>'direct or indirect impacts to pink-footed geese are unlikely to occur'</i> [APP-106, Section 2.3.8, para 323] given that wintering bird surveys in 2019-20 and 2020-21 recorded no pink-footed geese within the order limits. Current provisions for mitigation for pink-footed geese (if required) to be detailed in the final Ecological Management Plan to be submitted post consent are outlined in Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.1].</p>
29	<p>'The moderate magnitude effect on reptile populations considered to be of medium sensitivity represents an impact of moderate adverse significance, particularly if reptiles are killed and habitats destroyed. This would result in reptile populations being permanently lost from multiple sites.'</p> <p>Natural England advises all effort to deter reptiles from site and to move encourage reptiles to move to adjacent sites should be implemented within the mitigation measures to reduce potential injury and/or harm to reptiles.</p> <p>We suggest manipulation of habitats to discourage reptiles from using the site should be employed in the first instance. The creation of habitat to replace those habitats destroyed needs to be included in the OLEMs. Pre-construction surveys to be carried out and detailed in the OLEMs.</p>	<p>Mitigations measures are detailed in the Outline Ecological Management Plan (Revision B) [document reference 9.19]. No further surveys proposed (unless the updated habitat surveys find significant areas of new or previously unknown habitat suitable for reptiles, or other new information comes to light such as new NBIS records of reptiles in a previously un-surveyed area).</p>

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30	<p>In-combination: the route for the Norwich Western Link (NWL) Road crosses the SEP and DEP cable route. This may have direct and / or indirect cumulative effects for a range of species and habitats and particularly on commuting, foraging and roosting bats. The point at which the projects overlap is within an area important for a range of roosting, foraging and commuting bat species, including an important barbastelle colonies.</p> <p>Table 20-15 states that the Norwich Western Link project, 'will be subject to a planning process requiring appropriate mitigation measures to be implemented therefore limiting the potential for cumulative effects to occur.' However, it is not clear if the impacts will be fully mitigated to an acceptable level; therefore there is the potential for there still be cumulative impacts from the residual impacts.</p> <p>Natural England encourage some communication between plans/projects to ensure mitigation covers all areas of concern. We emphasise the importance of minimising habitat loss, fragmentation and disturbance to a range of species and habitats including breeding birds, roosting and foraging and/or commuting bats.</p> <p>In addition, Natural England encourages the Applicant to work alongside other plans and projects for the enhancement proposals for species and habitats</p>	<p>The Applicant acknowledges this comment, and can confirm that they are actively engaging with the NWL road developer with a view to ensuring a coherent and effective approach to the delivery of bat mitigation. The Applicant also notes that in relation to the NWL Road, habitat impacts within the relevant area around the River Wensum are minimised (woodlands, for example, are largely avoided) so impacts to barbastelles from SEP and DEP here is expected to be minimal.</p>
31	<p>There is currently only limited onshore post construction survey or monitoring proposed to ensure protected habitats and species have been successfully reinstated post construction. Within the EMP post construction monitoring is currently only proposed for new planting, buffer zones and for protected species as required under EPS mitigation licences. Natural England advise that a commitment in the combined OLEMS to post-construction monitoring is also included for other priority habitats and protected species which will be affected, such as hedgerows used by bats, grasslands, ponds, cereal field margins etc.</p> <p>Natural England recommends that the OLEMS (to be submitted with the</p>	<p>ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Section 20.11] details both during construction and post-construction monitoring in relation to specific species. This covers species covered by the INNS Management Plan and any protected species licences, post-consent.</p> <p>The revised Outline Ecological Management Plan (Revision B) [document reference 9.19] contains details of the species monitoring which is known at this stage. Any monitoring for specific species will be updated following the preconstruction surveys and detailed in the final EMP. Determining which</p>

ID	Relevant Representation	Applicant Comment
	<p>final DCO application) contains a commitment to post-construction surveying/monitoring for designated habitats and species that will be affected, such as hedgerows used by bats, grasslands, ponds, GCN, cereal field margins, etc.</p> <p>The 'Potential Monitoring Requirements' (20.11) for other species and habitats doesn't specify if this monitoring is taking place during or after construction, or both. Please provide further clarification.</p>	<p>receptors warrant post-construction monitoring will be largely dependent on the results of the pre-construction surveys and the sensitivity of each receptor.</p>
<p>[APP-108] 6.1.22 Environmental Statement Chapter 22 - Air Quality</p>		
<p>32</p>	<p>Table 22-58 states that 'Very few ecological receptors...have the potential to be affected by all three construction phase impacts.' And it is concluded that 'there will therefore be no pathway for interaction to exacerbate the potential impacts associated with these activities during construction'. However, Smeeth Wood ancient woodland, the unnamed ancient woodland near Ketteringham, Alderford Common SSSI and small areas of the River Wensum SSSI and SAC are included here.</p> <p>River Wensum SSSI and Colton Wood ancient woodland lie within or 0m from the DCO boundary. These sites are sensitive to dust impacts. Colton Wood and the unnamed ancient woodland (near Ketteringham) are stated as having 'high' sensitivity.</p> <p>It is stated that 'in-combination increases in nutrient nitrogen and acid deposition and NO_x and NH₃ concentrations may also cumulatively affect designated ecological sites.</p> <p>The sites named here are protected habitats and sensitive to dust impacts. Natural England advises clarification is needed as to whether these sites will be further impacted.</p> <p>If there is likely to be an effect on a designated feature, Natural England advises the OLEMS should include mitigation measures to reduce changes in air quality, e.g. using efficient vehicles, reducing the number of vehicles/time on the road, timing of construction to support biodiversity,</p>	<p>As stated in ES Chapter 22 Air Quality [APP-108, Table 22.58], very few ecological receptors have the potential to be affected by all three construction phase impacts. Construction phase impacts (i.e. dust deposition, air emissions and nutrient/acid deposition from road traffic and Non-Road Mobile Machinery (NRMM)) were assessed using separate methodologies, as per air quality technical guidance, and are not in themselves directly additive. The time period over which multiple construction impacts could affect the same ecological receptor is limited, as the onshore cable duct will be installed in sections of up to 1km at a time, with a typical construction presence of up to four weeks along each 1km section. Therefore, the temporal scope for all construction impacts occurring at the same time from installation of the onshore cable duct is very-short term. Smeeth Wood ancient woodland, the unnamed ancient woodland (ID 6) near Ketteringham and Alderford Common SSSI are a minimum of 180m, 190m and 170m respectively from their closest boundary to the onshore Order Limits; therefore, it is considered that these distances would provide sufficient dilution and dispersion of pollutant emissions from within the Order Limits. It is likely NRMM will be situated further from the closest boundary of these ecological receptors, as the onshore Order Limits is wide enough to allow for micro-siting and construction works would not necessarily be undertaken at the closest location to the ecological receptor boundary. It is proposed that the River Wensum SSSI and SAC will be crossed using trenchless techniques (see the Crossing Schedule – Revision B document [AS-022], therefore this will minimise construction phase impacts at the River Wensum SSSI and SAC. While Colton Wood ancient woodland is 10.5m from the Order Limits (at its closest boundary), mitigation measures to control dust</p>

ID	Relevant Representation	Applicant Comment
	<p>possible use of barriers.</p> <p>The Zones of Influence (ZoI) for Ancient Woodland should be clearly stated with consideration given to any potential edge effects. We refer the Applicant to Natural England's standing advice for ancient woodland and the management of buffers Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK (www.gov.uk). These should be incorporated into the OLEMS.</p>	<p>and NRMM emissions, which are detailed in the Outline Code of Construction Practice (Revision B) [document reference 9.17], will be secured in the final Code of Construction Practice. In addition, in this location at the closest point on the order limits HDD is being implemented.</p> <p>With the implementation of the recommended mitigation measures, residual impacts of construction dust and NRMM emissions on Colton Wood ancient woodland from either development scenario is considered to be not significant. As previously stated, it is also likely that construction works would not necessarily be undertaken at the closest location to the Colton Wood ancient woodland boundary. The number of vehicles travelling along the temporary haul road would result in a change of less than 1% of the Critical Level or Load at any ecological site, therefore these impacts on designated sites were considered to be insignificant. SEP and/or DEP-generated construction traffic contributes to a small proportion of overall concentration and flux increases at designated sites, in comparison to in-combination traffic (i.e. traffic growth from 2019 to 2025 and cumulative traffic). The smaller contribution of SEP and/or DEP-generated traffic on the affected road network will be temporary and cease upon completion of the construction phase, whereas the larger in-combination traffic increases (i.e. not SEP and/or DEP-generated) will have a long-term temporal scope. Therefore, the impacts of SEP and/or DEP themselves are low in comparison.</p> <p>The construction dust and fine particulate matter assessment presented in ES Chapter 22 Air Quality [APP-108] used the more conservative 200m screening distance (as recommended in internal Natural England guidance) for designated ecological sites, instead of the Institute of Air Quality Management (IAQM) recommended 50m screening distance; therefore, the assessment included consideration of a greater number of ecological sites.</p> <p>The mitigation measures recommended based on the conclusions of the construction dust and fine particulate matter assessment were based on a worst-case assessment of the closest sensitive ecological sites to the highest magnitude of dust and particulate matter-generating construction activities, and therefore the assessment is considered to be conservative. In addition, these mitigation measures, based on the worst-case area, will be applied across the construction of the SEP and/or DEP and are therefore considered to be robust.</p>

ID	Relevant Representation	Applicant Comment
		<p>The recommended mitigation measures are specified in the Outline Code of Construction Practice (Revision B) [document reference 9.17] and will be secured in the final CoCP. With the implementation of the recommended mitigation measures, impacts of construction dust can be adequately controlled. As such, residual impacts of construction dust on ecological sites, from either development scenario, are considered to be not significant.</p> <p>An in-combination assessment of nutrient nitrogen and acid deposition and NO_x and NH₃ concentrations was undertaken and is presented in ES Chapter 22 Air Quality [APP-108]. As noted above, whilst some elevated in-combination concentrations and deposition fluxes were predicted, the impact of SEP or DEP alone is relatively small, and would be temporary. The % of the critical load for at any designated sites is 1.1 – 5.1% for works which are temporary in nature. An Outline Construction Traffic Management Plan (Revision B) [document reference 9.16] has been submitted and includes measures to control SEP and/or DEP-generated traffic as far as possible and these will be secured through the final CTMP, including prohibiting the use of certain routes by SEP and DEP heavy goods vehicle (HGV) traffic, setting out measures to secure the adoption of more sustainable travel options (than single occupancy light vehicles for staff travel) and applying ‘caps’ to HGV movements along certain links to manage potential cumulative impacts (from Norfolk Vanguard, Norfolk Boreas and Hornsea Project Three).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] also includes measures to minimise impacts from NRMM and will be secured in the final CoCP.</p>
[APP-282] 6.5 Environmental Statement - Schedule of Mitigation and Mitigation Routemap		
33	<p>The schedule and the Onshore Ecology and Ornithology chapter (20.6.1.17.3) notes potential reptile translocation which the Reptile Survey Report states is required for three sites where there is ‘relatively high risk of experiencing impacts associated with construction of SEP and DEP, given that these sites will be subject to ground works such as excavation to install the onshore export cables.’ (4.4 Reptile Survey Report).</p>	<p>In the case of the one (not three) site where reptile translocation is advised (at Hickling Lane near the onshore substation site), translocation of slow worms would be done at a micro-scale only. This would involve moving slow worms out of the construction footprint and into adjacent habitat alongside Hickling Lane, which is suitable for reptiles, outside the construction footprint and within the same landownership as the substation site. In this respect, the ‘receptor’ site would be one and the same as the donor site, simply with different pockets of the site used for translocating reptiles from and to. Further detail is provided</p>

ID	Relevant Representation	Applicant Comment
	<p>If translocation is required, the receptor site would also require reptile surveys to be carried out to establish the current reptile population at the site and determine whether the site has capacity for an additional population.</p>	<p>in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.6].</p>
34	<p>Mitigation has been provided for trees where roosts have been confirmed present. The Bat (Roost) Survey Report states, 'The potential for roosting bats in all trees within the DCO boundary will need to be reconsidered within the survey season (May to August/September) immediately preceding tree removal'. Pre-construction bat roost potential surveys for all trees are not mentioned in the Schedule of Mitigation and Mitigation Route Map.</p> <p>Soft-felling has been included for trees where an EPS mitigation licence is required. However, bats are a mobile species and will switch roosts regularly. As such, soft-felling should be carried out as a precautionary measure on those trees with potential (moderate and high) for roosting bats, even where bats have not been identified as roosting during surveys.</p> <p>As per the Bat (Roosting) Survey Report, Section 4.4, please also note, 'If future surveys (e.g. in 2024) record no evidence of bats roosting in trees which have previously (in 2021) had roosting bats confirmed as present, these trees would still require an EPS mitigation licence to legally permit their removal.'</p> <p>Pre-construction surveys are to be carried out comprising a ground-level appraisal of bat roost suitability/potential, followed by bat roost emergence/re-entry surveys of any trees with High or Moderate bat roost potential which are to be removed or impacted upon. Surveys should be carried out in the season immediately preceding tree removal or management works. This should include a re-assessment of roost potential of trees within the DCO boundary, to include has assessment of hibernation potential. Where roost potential exists ground-level assessment to be carried out, followed by emergence/re-entry surveys or hibernation surveys, where required. An EPS mitigation licence will still</p>	<p>The requirement for further bat roost surveys in advance of construction is detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19].</p> <p>It is confirmed that roost absence results from pre-construction surveys would not override roost presence results from pre-application surveys. For example, if a tree in which roosting bats were confirmed present in 2021 had a negative pre-construction survey result (indicating no roosting bats), the tree would still be assumed to support roosting bats (unless it had collapsed or been subject to some major form of disturbance which would clearly have altered its bat roost status). Further detail is provided in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.3]</p>

ID	Relevant Representation	Applicant Comment
	<p>be required if future surveys record no evidence of bats roosting in trees in which roosting was previously (in 2021) recorded.</p> <p>The above should be included in the Schedule of Mitigation and Mitigation Route Map and detailed in the OLEMs.</p>	
35	<p>As per comment in the Outline Management Plan, several pre-works and post-construction mitigation measures are proposed in the Invertebrate Survey Report but are not included in the Mitigation table.</p> <p>Natural England advises details to be included in the mitigation and OLEMS and Schedule of Mitigation and Mitigation Route Map.</p>	<p>The mitigation in ES Chapter 20 Onshore Ecology and Ornithology [APP-106] in relation to invertebrates is captured in of the Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.3].</p> <p>It should be noted that the mitigation as set out in the Chapter supersedes that detailed in the Invertebrate Survey Report [APP-224], as the Report was drafted at an earlier stage in the project site selection process.</p>
36	<p>Woodland/Hedgerow Protection has not included protection for individual trees, including veteran and TPO trees. This should be identified through the Tree Protection Plan.</p> <p>We advise The Code of Construction Practice should be informed by the Tree Protection Plan and Hedgerow Mitigation Plans and Method Statements (as specified in the Outline Ecological Management Plan and to be included in the OLEMS).</p>	<p>The commitment to pre-construction arboricultural surveys is detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18] which is secured through Requirement 11 of the draft DCO (Revision C) [document reference 3.1].</p>
[APP-304] Outline Ecological Management Plan		
37	<p>As per our previous advice, Natural England would like the separate management documents combined to form the OLEMS. Consideration needs to be given as to how these will be secured in the DCO.</p>	<p>The Outline Landscape Management Plan and Outline Ecological Management Plans are secured by Requirements 11 and 13 respectively in the draft DCO (Revision C) [document reference 3.1]. The Applicant prefers to retain two separate documents particularly so as post consent, there will be a separate Landscape Management Plan (LMP) and Ecological Management Plan (EMP).</p> <p>Both documents refer to one another and it is intended that the post consent LMP and EMP will be developed in collaboration to ensure mitigation and monitoring dovetails as detailed design progresses.</p>

ID	Relevant Representation	Applicant Comment
38	<p>The Extended Phase 1 Habitat Survey was carried out in March to September 2020 and January – September 2021. We advise a pre-construction walk-over survey should be carried to validate whether habitats have changed significantly since last survey and assess whether habitats are suitable for protected species. This should also take note of invasive species.</p> <p>Any changes should have the relevant protected species surveys carried out if required. Details should be included in the OLEMS.</p>	<p>The Applicant confirms that pre-construction surveys are detailed in the revised Outline Ecological Management Plan [document reference 9.19 Revision B].</p>
39	<p>Buffer zones for ancient woodlands are not specified, rather buffer zones 'surrounding retained areas of woodland and mature broadleaved trees will be at least 15 metres (m) in width or at least the width of the tree root protection zone, as advised by an appropriately qualified arboriculturist.'</p> <p>We advise that buffer zones should reflect the habitat and where assessment shows other impacts are likely to extend beyond this distance, such as the effect of air pollution from development that results in a significant increase in traffic, the proposal may need a larger buffer zone.</p> <p>We refer the Applicant to Natural England's standing advice for ancient woodland Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK (www.gov.uk) and the management of buffers and suggest these are incorporated into the OLEMS.</p>	<p>SEP and DEP have undergone an extensive site selection process which has incorporated environmental considerations in collaboration with the engineering design requirements. These considerations have taken into account designated ecological sites. All ancient woodlands are at least 67m from the Order Limits, with the exception of Colton Wood ancient woodland which, at its closest boundary, is 10.5m from the Order Limits. Mitigation measures to control dust and NRMM emissions are detailed in the Outline Code of Construction Practice (Revision B) [document reference 9.17] and will be secured in the final Code of Construction Practice. With the implementation of the recommended mitigation measures, residual impacts of construction dust and NRMM emissions on Colton Wood ancient woodland (and all other designated ecological sites), from either SEP and/or DEP development scenario, are considered to be not significant. The number of vehicles travelling along the temporary haul road would result in a change below 1% of the Critical Level or Load at any ecological site, therefore these impacts on designated sites were considered to be insignificant.</p> <p>Six ancient woodlands were identified as being within 15m of road links affected by project-generated traffic. ES Chapter 22 Air Quality [APP-108, Table 22.21] compared the project-generated traffic flows with the in-combination traffic flows (i.e. project traffic, traffic growth from 2019 to 2025 and cumulative traffic) and demonstrated that the majority of in-combination annual average daily traffic (AADT) considered in the assessment comprises traffic other than SEP and/or DEP-generated traffic. On the links within 15m of ancient woodlands, SEP and/or DEP construction traffic contributes to approximately 4% to 16% of overall in-combination AADT, with the exception</p>

ID	Relevant Representation	Applicant Comment
		<p>of one link (Link 85) which has a low total AADT and therefore Project traffic contributes to a higher proportion of AADT increase, but no greater than 119 AADT. It is not possible to increase the buffer zone between the local road network and ancient woodlands. However, as previously stated in-combination traffic other than SEP and/or DEP-generated traffic contributes to the majority of AADT and therefore concentration and flux increase at ancient woodlands. The impact of the projects is also temporary. An outline CTMP (APP-301) has been submitted and includes measures to control SEP and/or DEP-generated traffic as far as possible, including prohibiting the use of certain routes by SEP and DEP heavy good vehicle (HGV) traffic, setting out measures to secure the adoption of more sustainable travel options (than single occupancy light vehicles for staff travel) and applying 'caps' to HGV movements along certain links to manage potential cumulative impacts (from Norfolk Vanguard, Norfolk Boreas and Hornsea Project Three). These measures will be secured through the final CTMP.</p>
40	<p>'The EMP will specify protective buffer zones around key retained habitats (e.g. woodland, mature broadleaved trees, ponds, species-rich grasslands and sections of watercourses). These will be specified in the EMP and relevant construction drawings, with reference to other appropriate documents, including Tree Protection Plans (TPPs), Construction Environmental Management Plan (CEMP) and standard industry guidance (e.g. BS5837:2012).'</p> <p>A full tree survey within the entire DCO boundary and Arboricultural Impact Assessment has not been undertaken. Therefore, we advise a full tree survey within the entire DCO boundary and Arboricultural Impact Assessment is required. The survey should assess potential impacts to ancient woodlands and veteran trees. Tree protection measures will need to be secured in the DCO through the OLEMS to include Tree Protection Plans and an Arboricultural Method Statement. The Code of Construction Practice and Schedule of Mitigation will also require updating to include the above.</p> <p>Where management of trees is required, we advise this must be completed by a qualified arborist to ensure tree health is not impacted.</p>	<p>The commitment to pre-construction arboricultural surveys is detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18] which is secured through Requirement 11 of the draft DCO (Revision C) [document reference 3.1].</p>

ID	Relevant Representation	Applicant Comment
	<p>No construction activities should take place within veteran tree buffer zones.</p>	
41	<p>The Breeding Bird Survey Report states that, 'In more sensitive areas of the DCO boundary for breeding birds, it will not be possible to complete a comprehensive check for the presence of active birds' nests, and for the ecologist to be able to confirm the locations of any such nests (thereby allowing avoidance of it).'</p> <p>The EMP makes no mention of this. For all sensitive habitats, Natural England advises clearance works must take place outside of the main breeding bird season (which runs from March to August inclusive).</p> <p>As advised in the Breeding Bird Survey Report, in the following sensitive habitats, all clearance works must be carried out outside of the main bird nesting season (which runs from March to August inclusive):</p> <ul style="list-style-type: none"> - 'Landfall including Weybourne Camp where ground nesting birds such as grey partridge and meadow pipit are breeding in higher densities - Mangreen Quarry where the Schedule 1 species, little ringed plover, is breeding - areas such as the area of woodland near Ringland <p>We advise the area outlined for tree clearance in Weybourne Wood to be undertaken in the autumn (September to November inclusive) to avoid impacts during the main breeding season and to the Schedule 1 species crossbill which breeds from January until April.</p>	<p>The revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.2] does detail the proposed approach to mitigation for impacts on breeding birds, including in the first instance removing vegetation outside of the bird nesting season.</p> <p>Regarding mitigation at Weybourne Wood, the revised Outline Ecological Management Plan (Revision B) [document reference 9.19 Section 2.3.2] now includes specific reference to avoiding the crossbill nesting season. There are no proposals for habitat clearance at woodland near Ringland or in Mangreen Quarry.</p>
42	<p>'If active birds' nests are found, these will be retained in situ and allowed to reach their natural conclusion without being disturbed or damaged.'</p> <p>There is no mention of a buffer areas for protection of birds' nest if any are found on site during construction.</p> <p>Where vegetation removal does not take place outside of the main breeding bird season and active birds' nest are found, a suitable buffer</p>	<p>Regarding buffer zones for active nests, this has been updated in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.2].</p>

ID	Relevant Representation	Applicant Comment
	<p>must be put in place to protect the nest until the young have fledged. The buffer area should be based on species type and sensitivity and should be advised by the ecologist but should be at least 5m and marked out with posts and tape to prevent accidental disturbance.</p>	
43	<p>It is noted that clearance of ground vegetation may be required to deter birds such as skylark nesting within the construction area, though there is no mention of timings. Where clearance of ground cover is required for determent of skylarks Natural England advises this should be carried out outside of the main breeding bird period, which extends from March to August.</p>	<p>See response to comment 20. Clearance of ground cover to deter skylark nesting would be completed between September and February inclusive, per Natural England's advice.</p>
44	<p>Soft-felling of trees assessed as having moderate and high potential for roosting bats should be carried out. Bats will roost switch regularly. As such, Natural England recommends soft-felling of trees requiring management/removal should be carried out even where further pre-construction surveys find no bats to be roosting.</p> <p>Due to the mobile nature of bats, where medium and high potential trees are to be impacted, soft-felling should be carried out where trees require removal/management to ensure that individuals are not harmed.</p> <p>Note, where roosts are confirmed present an EPS mitigation licence will be required and mitigation provided as detailed in the licence.</p>	<p>Regarding soft-felling, this has been updated in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19].</p>
45	<p>The Otter and Water Vole Survey Report states that 'In order to mitigate this possible impact, Construction Exclusion Zones (CEZ) will be established within 10m of all ten watercourses (i.e. all watercourses which provide suitable habitat for riparian mammals, including the one at Furze Meadow near Ketteringham in which no signs were found).' However, there is no reference to this in the OEMP.</p> <p>Natural England advises a 10m Construction Exclusion Zone is established within 10m of the watercourses providing suitable habitat for riparian mammals and detailed in the OLEMS.</p>	<p>Regarding Construction Exclusion Zones, this has been updated in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.5] with a 15m buffer zone defined.</p>

ID	Relevant Representation	Applicant Comment
46	<p>The Reptile Survey Report states that pre-construction walkover survey of the DCO boundary will be completed to identify any new areas of suitable reptile habitat which become established in the period between surveys and construction (Section 4.4). This is not included in the OEMP. The document does not detail sites in which translocation is required.</p> <p>We advise a pre-construction survey for reptiles is included in the OLEMs. Details of sites where translocation is required and details of the translocation site (e.g. location, suitability) are to be provided in the OLEMS.</p>	<p>Details of the circumstances in which pre-construction reptile surveys are proposed are detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Appendix 1].</p> <p>In relation to any 'translocation', see the response to comment 33 above.</p>
47	<p>Though a DLL for great crested newts will be applied, Reasonable Avoidance Measures (RAMs) should still be implemented.</p> <p>Natural England recommends RAMS is implemented and details provided in the OLEMS.</p>	<p>Regarding Reasonable Avoidance Measures for GCN, additional text on RAMs has been included in the revised Outline Ecological Management Plan (Revision B)[document reference 9.19, Section 2.3.7].</p>
48	<p>Post-construction mitigation measures are not detailed for all protected species.</p> <p>We advise the OLEMS contains a commitment to post-construction surveying/monitoring for designated habitats and species that will be affected.</p>	<p>The detail of post-construction monitoring surveys will be informed by the results of the pre-construction surveys, as that will ensure post-construction mitigation and monitoring reflects the contemporary situation (e.g. in 2024) rather than the pre-application situation (which was based on surveys completed from 2019-2021). Full details of monitoring surveys will be provided within the final Ecological Management Plan.</p>
<p>[APP-224] 6.3.20.11 Environmental Statement Appendix 20.11 - Invertebrate Survey Report</p>		
49	<p>The Invertebrate Survey Report states that 'Manipulation of dune communities to create mobile dune systems, with associated bare ground and habitat niches, are encouraged in other areas in the UK through the Dynamic Dunescapes initiative'.</p> <p>Natural England advises this mitigation should be included in the OLEMS.</p>	<p>It should be noted that the mitigation as set out in ES Chapter 20 Onshore Ecology and Ornithology [APP-106] in relation to invertebrates supersedes that detailed in the Invertebrate Survey Report [APP-224], as the Report was draft at an earlier stage in the project site selection process.</p>
50	<p>Several pre-works and post-construction mitigation measures are proposed in the Invertebrate Survey Report but are not included in the Outline Ecology Management Plan.</p>	<p>See response to comment 49.</p>

ID	Relevant Representation	Applicant Comment
	We advise Pre-works and post-construction mitigation measures for invertebrates to be detailed in the OLEMS and Schedule of Mitigation and Mitigation Route Map.	
51	Construction Exclusion Zones have been recommended in the Invertebrate Survey Report but have not been included in the OLEMS. Natural England advises Construction Exclusion Zones to be implemented and detailed in the OLEMS.	See response to comment 49.
[APP-129] 6.2.18 Environmental Statement Chapter 18 Figures - Water Resources and Flood Risk		
52	<p>The Applicant acknowledges the risk of bentonite breakout during the use of trenchless crossings to cross watercourses and associated floodplain wetland systems. However, it is also stated that, 'The use of trenchless crossing techniques means that there is no impact in the majority of water bodies.' Natural England advises the potential for bentonite to occur should be included within the assessment of impacts to watercourses. If there is a potential for breakout then there is the potential for an impacts.</p> <p>Natural England advises that further clarity is provided in the documents provided on HDD tolerance monitoring, how quickly bentonite release can be stopped, or an assessment of a worst-case scenario bentonite breakout considering extent, timings, and environmental impacts. We recommend the Applicant provides information on HDD tolerance monitoring, how quickly bentonite release can be stopped, or an assessment of a worst-case scenario bentonite breakout considering extent, timings, and environmental impacts.</p> <p>Sediment increases as a result of bentonite breakout should also be considered with regards to lamprey species which are present in several watercourses including Swannington Beck where its 'high sensitivity would combine with a low magnitude of effect to create an impact of moderate adverse significance' as a result of increased sediment supply.</p> <p>In Table 18-35 the potential for cumulative impact due to an increase supply of sediment is assessed as 'moderate adverse' for Swannington</p>	<p>As outlined in ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Section 20.6.1.1], a bentonite breakout mitigation plan will be developed and included within the project's final Code of Construction Practice, detailed in Requirement 19 (Code of Construction Practice) of the draft DCO (Revision C) [document reference 3.1]. An outline bentonite breakout mitigation plan is described in the Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.4 of 9.1].</p> <p>As noted in Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.4], site-specific mitigation measures detailed in the final CoCP and will be based upon updated design information regarding each HDD. The project is not able to provide this level of detail until this further design has been undertaken post-consent. This would include consideration of HDD tolerance monitoring.</p> <p>Lamprey species and white-clawed crayfish are considered under the umbrella of sensitive fish and aquatic invertebrate species under Impact 16, of ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Section 20.6.1.16]. Potential effects arising from short term changes to sediment supply (such as would be experienced during a bentonite breakout) are considered within this assessment.</p> <p>It is worth reiterating that bentonite breakouts are unlikely and worst-case, especially for short length HDDs, and in practice the inert clay released in such</p>

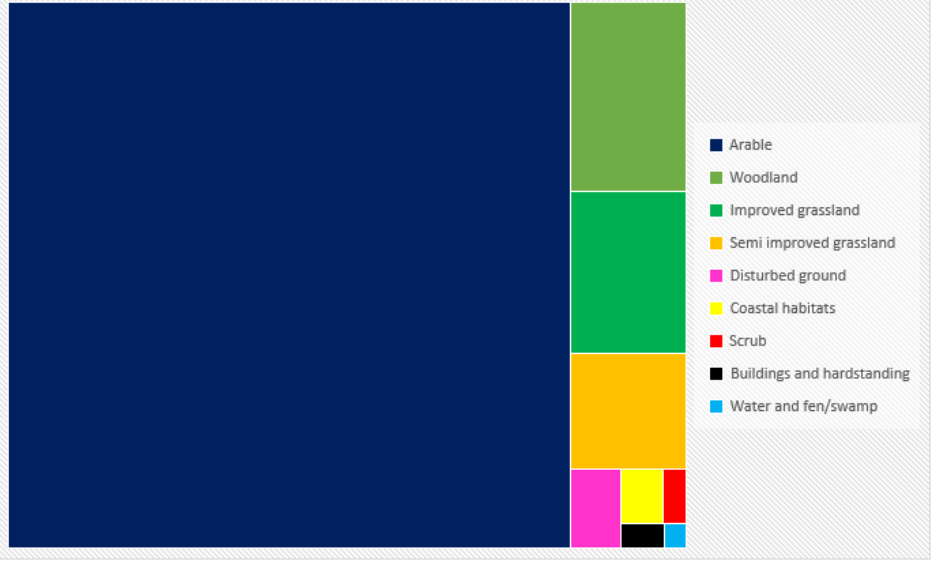
ID	Relevant Representation	Applicant Comment
	<p>Beck and the River Wensum for residual impacts.</p> <p>Natural England advises the restoration of the HDD compound on the flood plain of the river Wensum should be restored in accordance with the River Wensum Restoration Strategy and the River Wensum SAC conservation objectives. The conservation objectives require supporting processes (on which the features rely) are maintained. The target for water quality is to achieve at least good chemical and biological status. The potential impacts of HDD breakout and bentonite breakout and chemicals used to stop and clear up breakouts should be assessed against water quality guidelines.</p> <p>Further, potential impacts to white-clawed crayfish in the event of a breakout must also be assessed and a suitable emergency plan put in place.</p> <p>The potential impact of an HDD breakout is not included in the assessment for Increased Sediment Supply. We advise the potential impact of an HDD breakout on features of interest and their supporting habitats should be assessed.</p>	<p>a breakout is expected to wash through the system very quickly following release.</p> <p>The HDD compound on the flood plain of the river Wensum would be restored in accordance with the River Wensum Restoration Strategy and the River Wensum SAC conservation objectives, and the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 4.1] recognises this.</p>
[APP-130] 6.2.19 Environmental Statement Chapter 19 Figures - Land Use, Agriculture and Recreation		
53	<p>'The study area also crosses two Higher CSS agreements, and ten Middle CSS agreements'</p> <p>We advise the Applicant must consult the Rural Payments Agency at the earliest opportunity to discuss the impacts to schemes.</p> <p>In addition, mitigation should be provided to ensure that species of Page 117 of 141 conservation note are not unduly impacted by the projects.</p>	<p>ES Chapter 19 Land Use, Agriculture and Recreation [APP-130, para. 142 and 143] acknowledges that impacts on specific agreements will only be known once the landowner agreements are understood, confirming the extent and duration of impacts to specific land parcels and that the affected landowners and /or occupier will be consulted to enable them to liaise with the Rural Payments Agency. The exercise of compulsory acquisition powers under the DCO and the acquisition of land and/or rights through any voluntary agreements will be subject to the payment of compensation to landowners and/or occupiers' in respect of financial losses, where appropriate.</p> <p>The revised Outline Environmental Management Plan (Revision B) [document reference 9.19] provides details of mitigation to ensure that species</p>

ID	Relevant Representation	Applicant Comment
		<p>of conservation note are not unduly impacted by the projects and this is secured by Requirement 13 (Environmental Management Plan) of the draft DCO (Revision C) [document reference 3.1].</p>
54	<p>Open cut techniques will cross several Public Rights of Way (PRoW). Though trenchless crossing methods will be used to cross the Norfolk Coastal Path it is noted that access restrictions may occur during the short term. Any diversions of recreational routes must not impact upon protected species or habitats.</p>	<p>ES Chapter 19 Land Use, Agriculture and Recreation [APP-105, Section 19.7.1.9] considers disruption to users of recreational routes.</p> <p>There would be no permanent closures of any recreational routes. Any disruption to any recreational routes would be managed to ensure continued safe access for members of the public, and all efforts would be made to minimise the duration of any temporary diversions.</p> <p>Mitigation measures are presented in ES Chapter 19 Land Use, Agriculture and Recreation [APP-105, Section 19.7.1.9, para. 181] and describes steps that will be taken for all temporary alternatives routes required. Further steps are defined in the Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 10.1].</p> <p>Precise footpath diversion routes are not yet defined; this will be done pre-construction once precise crossing techniques, construction timeframes and other details are confirmed. However, any footpath diversions will take account of relevant ecological issues such as potential presence of nesting birds, reptiles, badgers etc. or designated sites/habitats in the nearby area.</p>
55	<p>The development will result in a 'permanent loss of less than 10ha of ALC grade 3 land' (assumed to be Grade 3a BMV agricultural land). It is noted that 'this represents a small proportion of the county resource. Therefore, the impact to agricultural productivity is still considered to be an effect of low magnitude' and that with the implementation of mitigation the residual impact significance would be minor adverse. Mitigation measures include private agreements with landowners regarding any permanent land losses, however, it is not clear how these private agreements will mitigate for the permanent loss of the agricultural land?.</p> <p>Natural England seeks clarification as to what the opportunities are for mitigation and details of mitigation measures that will reduce the impact to minor adverse to be detailed in the OLEMS and for consideration as to how these will be secured through the DCO.</p>	<p>Permanent land loss is associated with the site of the Onshore Substation. Landscape, visual and ecological considerations fed into the site selection studies, and the final onshore substation site has been identified as the most suitable site from a landscape and visual perspective for a number of reasons including the fact that it lies within an area of arable fields enclosed by woodland, tree belts and hedgerows which restricts potential visibility and effects to a relatively small area of landscape.</p> <p>The site lies within an area already influenced by existing electrical infrastructure including the Norwich Main Substation and lines of pylons and overhead wires. There are relatively few sensitive visual receptors within close proximity to the site that have potential to have clear views of the Onshore Substation, or to be significantly affected. There are no residential receptors</p>

ID	Relevant Representation	Applicant Comment
		<p>that would have clear or close views of the Onshore Substation.</p> <p>Balancing the environmental and engineering consideration together with landowner discussions during the Onshore Substation site selection exercise it was concluded that the site south of the existing Norwich Main Substation was most suitable.</p> <p>ES Chapter 19 Land Use, Agriculture and Recreation [APP-105, Section 19.7.2.2] considers both the potential ecological and financial impact of the permanent loss of land for agriculture. Paragraph 202 presents the proposed mitigation which is in relation to the financial impact.</p> <p>Detailed design will refine the permanent loss of land with the aim of minimising the loss of ALC Grade 3 land. The voluntary agreement currently being negotiated with the landowner gives the Applicant the flexibility to purchase the minimum amount of land required for the Onshore Substation, ensuring the loss of ALC Grade 3 land can be mitigated as much as possible in line with the detailed design.</p>
56	<p>Table 19-23 states the residual impact for the permanent loss of land for agriculture as Moderate Adverse. However, this is noted as Minor Adverse in the Potential Impacts During Operations Section. Clarification is needed here as to whether the residual impact will be moderate adverse or minor adverse.</p>	<p>Noted. The residual effect relating to the permanent loss of land for agriculture is a likely minor adverse effect.</p>
57	<p>The cumulative impact during construction for temporary loss of land for agricultural and soil degradation and loss of soil to erosion are given as minor adverse as each project has committed to best practice mitigation. Natural England encourages some communication between plans/projects to ensure mitigation covers all areas of concern.</p>	<p>The Applicant acknowledges the comment.</p>
58	<p>It is noted that there is potential for an increased area of permanent loss of agricultural land to occur and the potential for cumulative impacts to be present which may be greater than SEP and DEP alone. 'Additional mitigation measures may be required, including an agricultural survey to determine whether the land associated with the onshore substations is Grade 3a or 3b i.e. is the land included within the BMV banding which</p>	<p>The Outline Code of Construction Practice (OCoCP) (Revision B) [document reference number 9.19, Section 5] details mitigation measures relating to Soil Management. A Soil Management Plan (SMP) will be produced as part of the CoCP, which will define the site specific mitigation measures and best practice techniques required to be followed by all to protect soil resources. Paragraph 88 states "<i>The pre-construction soil survey will be undertaken by</i></p>

ID	Relevant Representation	Applicant Comment
	<p>would increase its sensitivity.’ Natural England advises additional mitigation measures and agricultural surveys must be detailed in the OLEMS and consideration should be given to how there will be secured in the DCO.</p>	<p><i>the competent soil specialist to identify the physical characteristics of the soils”.</i> Paragraph 89 states “A pre-construction land survey would be undertaken by a qualified ALO to record details of crop regimes, position and condition of field boundaries, existing drainage and access arrangements, and private water supplies.”</p> <p>A Code of Construction Practice and its accompanying management plans is secured in the draft DCO (Revision C) [document reference 3.1] via Requirement 19.</p> <p>The Outline Code of Construction Practice also refers to both the Outline Landscape Management Plan [APP-303] and the Outline Ecological Management Plan [APP-304], which are secured through Requirement 11 and 13 of the of the draft DCO (Revision C) [document reference 3.1].</p>
59	<p>It is stated that, ‘Monitoring is proposed for land use, agriculture and recreation via the Outline Landscape Management Plan (OLMP) (document reference 9.18)’. However, there appears to be no mention of this in the OLMP. We advise monitoring is detailed in the OLEMS and consideration as to how these measures will be secured through the DCO.</p>	<p>The Outline Landscape Management Plan (Revision B) [document reference 9.18, Section 1.5] outline the requirement for monitoring.</p> <p>A detailed landscape scheme is secured in the draft DCO (Revision C) [document reference 3.1] via Requirement 11 (Provision of Landscaping).</p>
60	<p>Habitats such as woodlands, waterbodies and grassland will provide suitable foraging habitat for bats and as noted, may also support roosting bats. However, the Static Bat Detector and Transect Survey Report does not mention the impacts to potential roosts within habitats. The Bat (Roosting) Report focuses on trees/structures within the PEIR boundary, but there is no mention of potential impacts to existing/known roosts within habitats that may be affected and those that may be functional linked e.g. Alderford Common SSSI.</p> <p>Pre-construction roosting surveys should consider potential impacts to existing roosts within habitats as well as trees and structures and should include hibernation roosts.</p>	<p>The Applicant considers the approach taken to assessing effects on bat using habitats within Zol (the Order limits plus a 50m buffer) for commuting, foraging and roosting is precautionary, proportionate and robust. Specific additional consideration of Alderford Common SSSI is not necessary for ensuring impacts to bats are identified and mitigated, given the site is >50m from the Order Limits (it is separated by approximately 180m at its closest point). Further information on the scale of potential effect on hedgerows potentially used by commuting bats is provided in the Technical Note: Bats – Alderford Common SSSI and Swannington Upgate Common SSSI [document reference 13.10].</p>
61	<p>It is unclear why only a 50m buffer has been applied for the NBIS data search for bats, ‘they were only included in the results where the location of the record was within approximately 50m of the DCO boundary or well connected to the boundary via good quality habitat such as woodland and</p>	<p>The Zol for indirect effects on bats is the order limits plus 50m as this captures indirect effects from light spill or from direct effects to tree root protection zones outwith the Order limits, which may be suitable roosting sites.</p>

ID	Relevant Representation	Applicant Comment
	<p>rivers.'</p> <p>Given the mobile nature of bats the proposed 50m buffer requires further justification. Though Core Sustenance Zones (CSZ) have been used for barbastelle maternity colonies within the Weston area, it is not clear whether these have been used for other key areas. Natural England would advise using CSZ when assessing impacts to bats and their habitats and consulting MAGIC to identify the presence of any protected species licence in the PEIR boundary, or within the zone of influence of the proposed development.</p>	
[APP-214] 6.3.20.1 Environmental Statement Appendix 20.1 - Extended Phase 1 Habitat Survey Report		
62	<p>Figure 1: 'Tree map' Showing Proportional Spatial Coverage of Broad Habitat Categories within the DCO Boundary does not display properly within the report. Editing error - Map to be replaced.</p>	<p>The Applicant confirms that '<i>Tree map' Showing Proportional Spatial Coverage of Broad Habitat Categories within the DCO Boundary</i> is displayed correctly in the ES Appendix 20.1 - Extended Phase 1 Habitat Survey Report [APP-214]. The aim of this Figure is to visually illustrate how predominant arable habitat is compared to all other habitats, and to show that the more valued habitats (particularly semi-improved grassland, scrub, coastal habitats and water/swamp) cover a very small proportions of the Order Limits.</p>

ID	Relevant Representation	Applicant Comment
		
<p>[APP-216] 6.3.20.3 Environmental Statement Appendix 20.3 - Bat Activity Survey Report</p>		
63	<p>It is noted that ‘the survey effort focused on areas within the onshore cable corridor that had been identified as likely to be key sites for commuting and foraging bats and/or areas where impacts were considered most likely, namely the onshore substation site.’ However, though Alderford Common SSSI lies outside of the DCO limits, is within 180m west of one of the areas of the static bat detector surveys and yet the common itself does not appear to have been surveyed, despite known roosts and hibernacula known at the common, plus providing suitable foraging habitat suitable foraging and commuting habitats connects the common to the site. It is noted that the River Wensum and Swannington appear the most important for barbastelle. However, there is a lack of survey data for this area with no transect or static data available for what is potentially an important foraging and commuting area (around Alderford Common SSSI). Sites outside of the DCO boundary that provide suitable foraging and roosting habitats, functionally</p>	<p>Sites outside the Order limits were not surveyed because terrestrial impacts from cable installation works will be temporary (during construction only) and highly focused inside the cable corridor. There was considered to be no value in surveying known roosting sites such as trees, barns or other structures outside of the zone of influence for direct or indirect effects on roosts because of the lack of an impact pathway. Essentially, it has been considered that roosts outside of the Order Limits would not be impacted. It is feasible that bats from such roosts will be commuting / foraging within the Zol, but that issue is addressed in the bat activity assessment. There was considered to be little value in completing surveys of Alderford Common SSSI, as it is certain that the surveys would record significant levels of bat activity, likely including rare species such as barbastelle, but this could not be related to impacts from SEP and DEP which are focused on a corridor of arable land approximately 180m away.</p>

ID	Relevant Representation	Applicant Comment
	<p>linked and core sustenance zones should be considered for surveys and evidence presented as to why surveys are not required.</p>	<p>The bat roost survey approach was discussed during the January 2020 and December 2020 ETG meetings (attended by NE), and the requirement to survey for potential roosts in trees, barns etc. outside of the Order Limits was not raised. The survey approach put forward during the meetings comprised a roost appraisal (followed by targeted roost surveys where appropriate) of all features within the Order Limits only, as this covered the area in which roosts were potentially vulnerable to being adversely impacted.</p> <p>To clarify, no impacts to bat roosts at Alderford Common SSSI are expected.</p> <p>The mitigation measures are detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19] such as restricted night lighting, reinstatement if habitats are expected to be effective at mitigating impacts to bats in the surrounding area which may overlap/fly over the working corridor; no additional mitigation measures beyond these already proposed are considered appropriate or necessary to mitigate impacts to bats in the surrounding areas, including known important bat sites such as Alderford Common SSSI.</p>
64	<p>Core Sustenance Zones (CSZ) have been considered around barbastelle maternity sites. However, it is not clear whether they have been considered for other potentially important areas, e.g. Alderford Common SSSI and for other species of bats.</p> <p>Natural England queries whether Core Sustenance Zones been considered for other potentially important areas and other bat species? Does the DCO boundary overlap with CSZ in other areas? Alderford Common lies within 180m west of the DCO boundary and there is good connectivity between the site and the DCO boundary. Connecting and supporting habitats should also be considered.</p>	<p>The impact assessment has considered the full species aggregation recorded on features located within the Order limits) during the bat activity surveys (ES Appendix 20.3 Bat Activity Survey Report [APP-216], and assessed the impact on the potential loss of habitat / segregation effects on this aggregation within ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Section 20.6.1.12]. This is considered a robust assessment of potential effects upon bats arising from the project's construction.</p> <p>Bat activity surveys covered the mosaic of pasture, woodland and ditches at Church Lane in Swannington (which is within the valley of a small tributary of the River Wensum) and within the floodplain of the River Wensum at Attlebridge. These two areas are considered to be the key foraging habitats intersected by the Order Limits in the vicinity of Alderford Common SSSI. The other habitats intersected in this area are entirely constituted of arable farmland, which is extremely unlikely to form a key foraging resource or an important component of Alderford Common SSSI bat populations' CSZs. Nevertheless, the connectivity issue will be addressed through pre-construction surveys if any hedgerows in the vicinity of/well connected to</p>

ID	Relevant Representation	Applicant Comment
		<p>Alderford Common SSSI are due to be breached during the construction works. Other features in the area which likely have an important function in terms of their connectivity, such as Marriott's Way, are due to be entirely retained (as the cables here would be installed using HDD). Further information on the scale of potential effect on hedgerows potentially used by commuting bats is provided in the Technical Note: Bats – Alderford Common SSSI and Swannington Ugate Common SSSI [document reference 13.10].</p>
65	<p>The data shows that the 'areas around the River Wensum and Swannington appear the most important for barbastelle, with the area being of District scale conservation importance to bats.' This is further supported by data searches and unseen data from Wild Wings Ecology which 'purports to show a meta-population of barbastelle bats, considered to be of international importance, located around the River Wensum corridor and nearby woodlands in the general area between Lenwade and the A47.' The River Wensum is considered to be of high importance for bats.</p> <p>Considering the above information, the Onshore Ecology chapter (20.6.1.11.1, Point 301) concludes that the magnitude of impact for all scenarios 'could be permanent due to irreversible damage to bat populations which could feasibly arise due to loss of important roosts (such as maternity or hibernation roosts) or substantial mortality of individual animals, particularly where this relates to rarer species such as barbastelle, Myotis species or serotine.'</p> <p>The area around Lenwade, Weston Longeville, Swannington, Ringland has been identified for its significance for important colonies of bats plus important foraging and commuting routes. We advise that loss of habitat should be minimised and impacts are minimised within this area to avoid irreversible damage to habitats and therefore species. Sufficient mitigation should be included in the OLEMS and secured with post-monitoring surveys completed.</p>	<p>Extensive efforts have been made to ensure this loss of habitat is minimised during construction, as detailed in ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Table 20-4].</p> <p>Mitigation in relation to temporary habitat loss (e.g. hedgerow reinstatement) is detailed in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 4.1].</p>
66	<p>The DCO boundary passes through woodland areas at Ringland Covert, Colton Wood. It is noted that 'the data from 2021 suggests that the river</p>	<p>See response to comment 30.</p>

ID	Relevant Representation	Applicant Comment
	<p>sites and Ringland Covert are sites for foraging bats, including some rarer species, namely barbastelle, Myotis species and serotine.’ In combination - The route for the Norwich Western Link Road crosses the SEP and DEP cable route. This may have direct and / or indirect cumulative effects on commuting, foraging and roosting bats. The point at which the projects overlap is within an area important for a range of roosting, foraging and commuting bat species, including an important barbastelle colony. [APP-131] Table 20-15 (Onshore Ecology & Ornithology) states that the Norwich Western Link project, ‘will be subject to a planning process requiring appropriate mitigation measures to be implemented therefore limiting the potential for cumulative effects to occur.’ However, it is not clear if the impacts will be fully mitigated to an acceptable level; therefore, there is the potential for there still be cumulative impacts from the residual impacts. It is unclear whether mitigation measures will be sufficient. Natural England encourage some communication between plans/projects to ensure mitigation covers all areas of concern. We emphasise the importance of minimising habitat loss, fragmentation and disturbance to roosting and foraging and/or commuting bats.</p>	<p>The Applicant is in contact with the developer of the NWL road with a view to ensuring that between the projects there is a coherent and sound approach to various issues including bat mitigation.</p> <p>It should be noted that no woodlands in the vicinity of the River Wensum (including Ringland Covert and Colton Wood) would be directly impacted because cable installation either entirely avoids woodland habitat or would use HDD to ensure no loss of this habitat.</p>
67	<p>Figure 4.10 Onshore Project Area shows an Open cut technique used for a section of Scotchwood Hills, this area is important for foraging, commuting and roosting bats, in particular barbastelle (see above) in combination with the proposed Western Link. Natural England recommends trenchless technique should be considered here to minimise impacts to important colonies of bats.</p>	<p>This location is an area which will be installed using either trenchless or open cut techniques, with the method to be determined post-consent once further design has been undertaken. It should be noted that, as outlined in ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Section 4.1], the working width at sensitive features will be reduced to 20m, and at this location there is an approx. 50m gap between woodland parcels, ensuring that the woodland areas do not require removal to facilitate construction (see ES Chapter 4 Figures – Project Description [APP-117, sheet 11 of 18, Figure 4.10].</p> <p>The Applicant will consider this site as one where there is a preference for trenchless techniques should it be feasible following further site investigation post-consent.</p>

ID	Relevant Representation	Applicant Comment
[APP-223] 6.3.20.10 Environmental Statement Appendix 20.10 - Bat (Roosting) Survey Report		
68	<p>The report states that in several locations the registration times of bat recordings suggests roosts may be located in the vicinity. 'Of particular note are the significant number of barbastelle registrations.... This site recorded the highest number of registrations for barbastelle across all sites surveyed for bats. Timings suggest there could be a maternity roost or roosts nearby.'</p> <p>Also of note are the registration times at Weybourne Woods suggesting there may be roosts located in the vicinity. There will be removal of trees within this area which could impact upon commuting and/or foraging and roosting bats.</p> <p>It is not clear why the results of the bat static surveys were not used to inform assessments of trees where static detector survey data suggest roosts within close proximity to the DCO boundary. 'Where analysis has revealed bat activity close to sunset/sunrise times, this can be indicative of nearby roost locations. However, a different survey approach (i.e. emergence/re- entry surveys of potential roost features) would be required to confirm the location of any roosts.'</p> <p>Natural England advises that further clarity is needed as to why these areas where potential maternity roosts /trees with potential to support roosting bats within close proximity to the DCO boundary were not surveyed. Consideration needs to be given to Core Sustenance Zones (CSZ) and connecting and supporting habitats to avoid disturbance and impact to foraging and roosting bats.</p>	<p>It is only trees with Moderate or High Bat Roosting Potential (in accordance with 2016 Bat Conservation Trust guidelines) which were subject to detailed surveys for roosting bats, and only trees which are at risk of removal would have an associated impact on roosting bats which may be using them. The two issues are separate. Further explanation is contained within the response to comment 68. There may be roosting bats in trees, buildings and other structures outside of the Order Limits but there is no impact pathway for any such roosts. The approach for surveying features within the DCO boundary for roosting bats was agreed during the January 2020 and December 2020 ETG meetings; there was no suggestion to extend the bat roost survey coverage to trees, buildings etc. outside the order limits because it was/is considered that such features would experience neutral impacts as a result of SEP and DEP.</p>
69	<p>The report states that, 'trees within the onshore cable corridor were appraised for their potential to support roosting and hibernating bats.' It is not clear whether the results of the bat static surveys were used to inform assessments of trees where static detector survey data suggest roosts within close proximity to the DCO boundary. The Static Bat Detector and Transect Survey Report (Section 4.13) states that 'Where analysis has revealed bat activity close to sunset/sunrise times, this can be indicative of nearby roost locations. However, a different survey approach (i.e. emergence/re-entry surveys of potential roost features) would be required to confirm the location of any roosts.' This implies further surveys of these</p>	<p>As detailed in ES Appendix 20.3 - Bat Activity Survey Report [APP-216], the static detector surveys did record some early registrations of bats, which can be indicative of nearby roosting, but nearby in this sense can mean within a few hundred metres or even 1km+. Roosts could be located in buildings, trees or other structures, and there may be hundreds of such features within a 1km radius (or more) of a static bat detector location, so attempting to identify roosts from which bats emerged (where these roosts are outside the Order Limits) would be an imprecise and excessive undertaking. Furthermore, if the roost is outside the Order Limits then it is irrelevant because the roost would not be impacted. Therefore the two issues are separate - static bat detector</p>

ID	Relevant Representation	Applicant Comment
	<p>areas have not been carried out. Further clarity is required if trees were surveyed where static data suggested roosting in close proximity.</p>	<p>data did not inform which trees were subject to roost surveys, and roost surveys did not inform where activity surveys were completed. Instead, all trees within accessible and surveyed parts of the Order limits were individually appraised for their roost potential, and those with Moderate or High potential (per BCT 2016 classification guidelines) were subject to further surveys. This is a more robust approach than the alternative suggested here, because if static detectors had not recorded early emerging bats, it would have been a clear oversight to ignore nearby trees with bat roost potential simply because static surveys had not recorded early emerging bats. The two issues were considered separately - roost surveys were completed on any features within the Order Limits which showed credible roosting potential, and activity surveys were completed on parts of the Order Limits with moderate or high suitability for foraging and commuting bats. It would not be appropriate to use one set of records to determine where the other surveys occur, given how wide ranging bats can be.</p>
70	<p>Natural England notes hibernation surveys of trees have not been carried out. Hibernation roosts represent important habitats and bats are a highly mobile species and the report states that, 'It should be noted that none of the 13 trees subject to nocturnal emergence/re-entry surveys were considered to have significant hibernation roost potential.' Though not considered to provide optimal conditions for hibernating bats 'the use of tree roosts for transition or opportunistic roosting during mild weather in winter months cannot be ruled out.'</p> <p>Natural England advises pre-construction surveys should include a re-assessment of hibernation potential and where hibernation potential exists, further surveys should be carried out where trees will be impacted. Where trees are to be removed/managed trees should be soft-felled outside of the main hibernation and maternity roosting period. Suitable periods for this are usually September to October and end of February to March, depending on weather conditions.</p>	<p>Comments noted re hibernation potential of trees. The points raised will be included in the scope of pre-construction surveys.</p>
71	<p>The report mentions that trees assessed as having Low bat roost potential will be soft-felled if suitable roosting features exist. Natural England advises soft-felling should be carried out as a precautionary measure on those trees with potential for roosting bats,</p>	<p>Regarding soft-felling, this has been updated in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19].</p> <p>Comment noted re potential of trees to support roosting bats despite absence of positive survey results. As outlined in the Bat (Roost) Survey report [APP-</p>

ID	Relevant Representation	Applicant Comment
	<p>even where bats have not been identified as roosting during surveys. Bats are a mobile species and will switch roosts regularly. Please note that trees with confirmed bat roosts will be subject to an EPS mitigation licence in which standard mitigation includes soft- felling of features.</p>	<p>223], soft-felling will be adopted for trees with Low Bat Roost Potential, and it will be added to the Outline Ecological Management Plan [APP-304] as a requirement for those trees with High and Moderate BRP which have not been found to support roosting bats through detailed surveys.</p>
<p>[APP-218] 6.3.20.5 Environmental Statement Appendix 20.5 - Breeding Bird Survey Report</p>		
72	<p>Natural England advises that Annex I Pink Foot Geese as our primary concern and will work with the Applicant to implement standard mitigation measures for this species. Natural England/Applicant will be able to share more information on this prior to the start of Examination</p>	<p>It should be noted that ES Chapter 20 Onshore Ecology and Ornithology [APP-106] identified that '<i>direct or indirect impacts to pink-footed geese are unlikely to occur</i>' [APP-106, Section 2.3.8, para 323] given that wintering bird surveys in 2019-20 and 2020-21 recorded no pink-footed geese within the order limits. Current provisions for mitigation for pink-footed geese to be detailed in the final Ecological Management Plan to be submitted post consent are outlined in Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.1]. The Applicant appreciates that the distribution of PFG foraging habitat can change over time.</p>
73	<p>It is noted that, 'A thorough check can only be carried out on small areas such as sections of hedgerows; in larger areas particularly woodland and extensive areas of vegetation, it will not be possible to definitely rule out the possibility of secretive nesting species, so in such cases it will be necessary to time works accordingly to avoid the main bird nesting season.'</p> <p>In such instances we advise work should only take place outside of the main breeding bird season to avoid disturbance and/or killing/injury to breeding birds.</p>	<p>See response to comment 40.</p> <p>Acknowledged/agreed. This timing restriction is specified within the Breeding Bird Survey Report [APP-218] and within the revised Outline Ecological Management Plan (Revision B) [document reference 9.19].</p>
74	<p>The Breeding Bird Report outlines habitat creation for breeding birds. Natural England advises this should be included in the scheme. We recommend habitat creation is detailed in the OLEMS. This should include details of enhancements following consultation with landowners and other stakeholders.</p>	<p>All habitat creation is outlined in the revised Outline Ecological Management Plan (Revision B) [document reference 9.19, Section 4.1], and Outline Landscape Management Plan (Revision B) [document reference 9.19]. Plans for habitat creation will be developed further once detailed design for the project's onshore infrastructure has been finalised post-consent, and will be detailed in the final Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C)</p>

ID	Relevant Representation	Applicant Comment
		[document reference 3.1], and on which Natural England will be consulted on by the relevant planning authority prior to discharge.
75	<p>It is noted that, 'These pre-emptively cleared areas would likely require pre-construction checks by an ecologist to confirm the absence of nesting birds, but this habitat manipulation should successfully deter most nesting bird activity from these areas'.</p> <p>Natural England advises a pre-construction check of such areas should be carried out by a suitably qualified ecologist to ensure absence of nesting birds. This as well as habitat manipulation should be detailed in the OLEMS.</p>	Such checks are captured in the Outline Landscape Management Plan (Revision B) [document reference 9.18, Section 2.3.2].
[APP-219] 6.3.20.6 Environmental Statement Appendix 20.6 - Initial Biodiversity Net Gain Assessment		
76	<p>Natural England welcomes SEP and DEP's voluntary commitment to achieve BNG.</p> <p>Much of the DCO order limits runs through arable fields defined by hedgerows. Biological Net Gain is partly focused on hedgerow habitats, including in-filled and new hedgerows. Hedgerows and treelines provide important connectivity and foraging habitat to a range of species including, nesting birds, foraging and commuting bats, badgers, hedgehogs, amphibians, invertebrates, and reptiles, the Applicant should ensure this approach is adhered to. There may be opportunities to enhance habitats for reptiles.</p> <p>Natural England welcomes that BNG details are being considered for hedgerows within the OLEMS and the proposed ecological mitigation and enhancement package. We recommend restoration of important habitats, such as hedgerows and SSSIs (including the River Wensum and Alderford Common SSSI) should be focused on for BNG.</p> <p>Natural England emphasises the importance of ensuring restoration to address potential impacts around particular areas, such as those used by roosting, foraging and commuting bats (e.g. near the River Wensum, Alderford Common SSSI).</p> <p>We emphasise the importance of enhancing and creating new connectivity between habitats.</p>	The Applicant acknowledges the comment and looks forward to continuing to work with Natural England on the delivery of Biodiversity Net Gain or the project post-consent.

ID	Relevant Representation	Applicant Comment
77	<p>Natural England considers it is important that a that a landscape scale approach is applied with a clear strategy of how measures can be delivered across a wider area beyond the compulsory purchase corridor of the route. Measures to create new, restore existing and link severed or isolated habitats across the wider area should be incorporated, with the focus on wetland and woodland habitats.</p> <p>Natural England emphasises the importance of first following the mitigation hierarchy, with BNG additional to this. To be secured this approach should also Biodiversity Net Gain should be secured.</p>	<p>This approach has already been factored into the enhancement aims, with proposals to, for example, infill defunct hedgerows (i.e. hedgerows with gaps) on land parcels (assuming landowner permission) even if the defunct hedgerows are outside the construction footprint (i.e. it is not only hedgerows which would be removed/breached that could be enhanced post-construction; other hedgerows within the Order Limits which are retained could also be enhanced). Further specific enhancement options will be explored pre-construction when landowners will be consulted directly with the aim of establishing what enhancements they would be amenable to, and captured in the final Ecological Management Plan secured through Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1], and on which Natural England will be consulted on by the relevant planning authority prior to discharge.</p>
[APP-220] 6.3.20.7 Environmental Statement Appendix 20.7 - Onshore Ecology Desk Study		
78	<p>The search area for 'online resources was also subsequently refined in November 2021 to cover only the area within 2km of the DCO boundary'. It is unclear if this information involves the use of the Impact Risk Zone layer to inform the decision. Clarification should be requested.</p>	<p>Impact Risk Zones were considered within the study area for ES Chapter 20 Onshore Ecology and Ornithology [APP-106, Table 20-2].</p>
[APP-221] 6.3.20.8 Environmental Statement Appendix 20.8 - Reptile Survey Report		
79	<p>It is noted that refuge mats were destroyed at three sites resulting in incomplete survey data for those sites. 'At both the River Tud and Valley Farm, Swardeston reptile survey sites, interference with the refuges from cattle was so extensive that these surveys had to be aborted as the majority of refuges were regularly destroyed each time they were redeployed.'</p> <p>'A number of the refuges' were also destroyed at the Muckleburgh Collection, the area at which the landfall compound will be set up. Two of the 15 sites surveyed sites were also located outside of the DCO boundary.</p> <p>Several surveys were subject to suboptimal weather with temperatures outside of the optimal conditions and many surveys carried out in overcast conditions. Although adverse weather only affected a small proportion of the surveys, this is in addition to the above constraints</p>	<p>The Applicant would draw attention to ES Appendix 20.8 Reptile Survey Report (APP-221, Section 4.3), which states that:</p> <p><i>"These constraints are not considered to have a substantial impact on the reliability of the survey results; the results are considered to be sufficiently accurate and reliable to inform the ecological impact assessment and in turn identify any mitigation requirements for this species."</i> (p.32)</p> <p>In the case of the survey sites at the River Tud and Valley Farm, Swardeston, the introduction of the livestock which disrupted the survey also impacted habitat suitability by grazing the fields in which the surveys had commenced, so the surveys would have likely been abandoned in any case given the reduction in habitat suitability. At the Muckleburgh Collection survey site, the targeted grass cutting formed part of the baseline habitat management of the site and so was not considered to materially reduce the habitat suitability,</p>

ID	Relevant Representation	Applicant Comment
	<p>mentioned. Clarity is required regarding the completeness and validity, and therefore the robustness, of the survey data. We advise sufficient mitigation must be employed and detailed in the OLEMS.</p>	<p>hence the decision to reinstate survey refugia and continue with the survey at this site. It should also be noted the full pre-construction surveys for reptiles, where appropriate, will be undertaken prior to construction as detailed in the Outline Ecological Management Plan (Revision B) [document reference 9.19, Appendix 1].</p>
<p>[APP-225] 6.3.20.12 Environmental Statement Appendix 20.12 - National Vegetation Classification (NVC) Survey Report</p>		
80	<p>Several pre-works and post-construction mitigation measures are proposed in the Invertebrate Survey Report that overlap with mitigation for important plant assemblages. For audit trial purposes and avoidance of doubt Natural England recommends details should be included in the Outline Management Plan. See reference to Invertebrates within the OLEMS comments</p>	<p>See response to comment 35.</p>
81	<p>The report states, 'Clearly the impacts will need to be taken into account in any Biodiversity Net Gain calculation. The landowner has put forward some enhancement proposals across the site which may help to offset any further negative impacts if tied in with the project.' Natural England reminds the Applicant the mitigation hierarchy should be adhered to in the first instance. Biodiversity Net Gain is additional to this. Impacts should be avoided and mitigated for in the first instance. We welcome the inclusion of measures for habitats and protected species to be incorporated into the Biodiversity Net Gain. However, these measures must be additional to the mitigation required to avoid/reduce/mitigate for impacts.</p>	<p>Noted.</p>
<p>[APP-226] 6.3.20.13 Environmental Statement Appendix 20.13 - Riparian Mammals (Water Vole and Otter) Survey Report</p>		
82	<p>Water vole presence (water vole feeding sign) is noted near Little Barningham along a stream. The method of crossing at this section is not detailed as open cut or HDD. The area does not appear to be a stream/ditch on the habitat map but is described in the Otter and Water Vole Survey Report as 'unnamed ditch south of Little Barningham, which is part of a tributary of the River Bure' and appears to be a watercourse as does on Google maps.</p>	<p>The crossing technique at this feature is yet to be determined, and will be identified post-consent. The habitat here is a small drainage ditch with no buffer strip, and isolated mature trees along its banks (see ES Appendix 20.13 Riparian Mammals (Water Vole and Otter) Survey Report [APP-226, Photo 2, Annex 1]. If the open-cut technique is used, avoidance of harm to water vole will be achieved by displacement using habitat manipulation, as permitted under a Natural England General Licence and described in the revised Outline</p>

ID	Relevant Representation	Applicant Comment
	Natural England advises clarification of the type of habitat at this area and crossing method for this location to be detailed.	Ecological Management Plan (Revision B) [document reference 9.19, Section 2.3.5].
[APP-228] 6.3.20.15 Environmental Statement Appendix 20.15 - Arboriculture Report		
83	The Arboricultural Report is not an Arboricultural Impact Assessment. Natural England advises a full tree survey within the entire DCO boundary is required prior to work on the onshore cables commencing. This should highlight any ancient/veteran trees to avoid and then using micro-siting and HDD to avoid these trees and should inform an arboricultural impact assessment. An arboricultural impact assessment will inform a method statement to detail specific measures for tree protection to include figures and tree root protection zones must be included in the OLEMS and should be secured.	Arboricultural survey and assessment would be undertaken prior to construction, this is detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18] and secured via Requirement 11 (Provision of landscaping) of the draft DCO (Revision C) [document reference 3.1]

4.18.10 Appendix J Legislative and Policy Context

Table 4.18.9 Applicant's comments on Natural England's Appendix J Legislative and Policy Context relevant representation

ID	Relevant Representation	Applicant Comment
1	N/A	<p>The Applicant agrees with the summary of the legislative and policy framework set out in Appendix J, subject to the following comments:</p> <ol style="list-style-type: none"> 1. The Applicant's full assessment of the legislative and policy framework applicable to the determination of the DCO application is set out in the Planning Statement (document reference AS-031) and the ES Chapter 2 – Policy and Legislative Context (document reference APP-088). 2. Paragraph 3.1 of Appendix J refers to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2010 when it should refer to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. This has caused some errors in cross-references to relevant Regulations. 3. At paragraph 3.3.8 of Appendix J, Step 5 should be noted to be subject to Regulation 64 of the Habitats Regulations. 4. At paragraph 3.3.10, footnote 47 does not appear to give the correct reference to the relevant paragraph of the judgment – the footnote refers to paragraph 48 of the CJEU Case C-258/11 Peter

ID	Relevant Representation	Applicant Comment
		<p>Sweetman and Others v An Bord Pleanála [2013] ECR-000, which states “<i>The requirement that the effect in question be ‘significant’ exists in order to lay down a de minimis threshold. Plans or projects that have no appreciable effect on the site are thereby excluded. If all plans or projects capable of having any effect whatsoever on the site were to be caught by Article 6(3), activities on or near the site would risk being impossible by reason of legislative overkill.</i>” This is different to the point being made in paragraph 3.3.10 and so we assume there is an error in the paragraph reference.</p> <ol style="list-style-type: none"> 5. Paragraph 3.4.5 refers to the 2018 version of the National Planning Policy Framework, which has since been updated in 2021. This has caused some errors in cross-referencing to NPPF paragraphs here and later at paragraphs 4.3.1 – 4.3.2. 6. There are some errors in cross-references to NPS paragraphs throughout paragraphs 4.2.2 – 4.2.25. 7. The Applicant notes that Natural England has not referred to the draft Energy NPSs, which the Applicant has assumed will be considered important and relevant considerations in the determination of the DCO application.

4.19 Norfolk Local Access Forum [RR-066]

Table 4.19.1 Applicant’s comments on Norfolk Local Access Forum relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Norfolk Local Access Forum broadly supports the Outline Public Rights of Way Strategy set out. It recognises that there will be inevitable impact on communities along the route, and believes they are therefore entitled to some long-term benefit once works are completed. It therefore asks that funding be set aside from the start that will ensure that every opportunity is taken not simply to restore what has been disrupted, but to make improvements to all the rights of way affected, including upgrades to their status where possible. As to the actual works, it is proposed that • disruption and closures are minimised, both in number and duration, and care taken to schedule closures of proximate sections to allow diversionary routes wherever feasible • all closures and diversions are notified widely and well beforehand (including specifically to organisations that promote usage of the access network, such as walking, cycling and riding bodies,</p>	<p>The Norfolk Local Access Forum have been consulted during both the Section 42 statutory consultation in 2021 as well as the Onshore Targeted Consultation in 2022. The applicant also met with the Forum on 25/01/23 and provided a presentation on the project and potential impacts to rights of way.</p> <p>The Outline Code of Construction Practice (OCoCP) (Revision B) [document reference 9.17] includes measures to mitigate impacts to users of Public Rights of Way (PRoW) and is secured in the draft Development Consent Order (DCO) (Revision C) [document reference 3.1] via Requirement 19. Paragraph 165, details measures to be followed for all temporary alternative routes which includes pre and post construction surveys and advertising.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>which may plan programmes of activities some months ahead) • extra consideration is given to intensively used routes (such as the Marriott's Way) to avoid (if possible) complete closure Norfolk Local Access Forum does not normally make representations regarding detailed closure proposals, though recognises that other bodies may well wish to do so and should be given every opportunity accordingly. One possible exception concerns Stoke Holy Cross Bridleway 3, where it seeks clarification of the intention regarding "the permanent interaction" between the onshore substation access road and the bridleway. It is stated that there will be "installation of gates where the road and bridleway cross one another. The gates will remain within this location on a permanent basis." To just what will those gates prevent access?</p>	<p>Paragraph 163 of the OCoCP states "Following the cessation of construction works, all footpaths, other PRoWs or any land landward of MLWS within the Order limits that is used temporarily for construction of the onshore works, and not ultimately incorporated in permanent works or approved landscaping, will be reinstated to its former condition, or such condition as the relevant planning authority may approve, as soon as reasonably practicable and in any event within twelve months of completion of the relevant phase of the onshore works, or such other period as the relevant planning authority may approve, in accordance with Requirement 25 of the Draft DCO (Revision C) [document reference 3.1]".</p> <p>The Applicant confirms that all footpaths, other PRoWs will be reinstated to its former condition post construction.</p> <p>Impacts to PRoW are considered in ES Chapter 19 Land Use, Agriculture and Recreation [APP-105, Section 19.7.1.9 and 19.7.2.5]. Potential interactions with recreational routes during the construction period are limited to works along the onshore cable corridor and at the onshore substation. The landfall works would not require any closures to the coastal path, although some activities may require brief periods of restricted access. Embedded mitigation includes avoiding recreational routes or if this is not possible, for crossings to be trenchless where reasonably practicable.</p> <p>ES Appendix 19.1 Public Rights of Way and Cycle Routes Crossing Schedule [APP-213], outlines the PRoW and cycle routes that are crossed by the onshore cable corridor and the proposed management method to be used in each case. Marriott's Way will be a trenchless crossing, e.g. HDD, with no haul road.</p> <p>The Public Rights of Way (to be temporarily stopped up) Plan - Revision B [AS-008] details interactions with PRoW. In addition, in accordance with Requirement 24 (Public Rights of Way Strategy) of the Draft DCO (Revision C) [document reference 3.1], no phase of the onshore works that would affect a PRoW specified in Schedule 4 (PRoWs to be temporarily stopped up) is to be undertaken until a PRoW strategy has been submitted</p>

I.D.	Relevant Representation	Applicant Comment
		<p>to and approved by the relevant planning authority in consultation with the local highway authority.</p> <p>The Outline Public Rights of Way (PRoW) Strategy [APP-309] (herein 'the PRoW Strategy') presents measures to be employed by the Applicant and its contractors during the construction phase of the onshore infrastructure for SEP and DEP. This PRoW Strategy outlines the health and safety requirements associated with the interactions of PRoWs during construction works within the Order Limits, as well as the PRoW management methodologies that will be implemented.</p> <p>During the operational phase, routine and ad hoc maintenance activities are not anticipated to require disruption to or closure of any paths or non-motorised routes and will not interfere with local recreation activities such as walking or cycling.</p> <p>Any alternative routes proposed for the construction phase would be removed and the original routes reinstated post-construction. Gates will be installed during the operational phase of SEP and DEP where Stoke Holy Cross Bridleway 3 crosses the permanent onshore substation access road. It is anticipated that the road would be used for routine and ad hoc maintenance activities only. No impacts are predicted during operation. The gates will prevent access to the onshore substation access road.</p>

4.20 Norfolk Rivers Internal Drainage Board [RR-067]

Table 4.20.1 Applicant's comments on Norfolk Rivers Internal Drainage Board relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The development area is partially within the Internal Drainage District (IDD) of the Norfolk Rivers Internal Drainage Board (NRIDB) and the Board is the regulator for several elements of the proposed works which require consent as per the Land Drainage Act, 1991 (including the Board's Byelaws). The Board is therefore an interested party due to the potential impact of the project on the Board's ability to carry out its statutory functions. Watercourse crossings The applicant intends to cross multiple</p>	<p>Norfolk Rivers Internal Drainage Board comments are noted.</p> <p>Insofar as protection to Norfolk Rivers Internal Drainage Board assets is concerned, the Applicant has included Protective Provisions for the benefit of Norfolk Rivers Internal Drainage Board in Part 5 of Schedule 14 of the draft DCO (Revision C) [document reference 3.1] , with detailed discussions ongoing to reach agreed wording with Norfolk Rivers Internal Drainage Board. Information on interactions with the development is being</p>

I.D.	Relevant Representation	Applicant Comment
	<p>watercourses within the IDD, both for the cable and for the temporary access road. Depending on the status of the watercourse (Board Maintained Watercourse or not) and the crossing methodology (trenchless, trenched or temporary culvert) many of these will require consent from the NRIDB. Surface water discharge The applicant intends to discharge surface water into watercourses during the construction phase. Where this occurs within the NRIDD into a watercourse which is not Main River, this would also require temporary consent from the Board. Development Consent Order – Protective Provision Following discussions with the applicant, it has been agreed that a protective provision for the NRIDB would be appropriate. We consider that such a provision may act to avoid conflict between the planning process and the Board's regulatory regime and consenting process (as per the Land Drainage Act 1991 and the Board's Byelaws) while assuring the Board that their interests and ability to undertake their statutory functions are safeguarded and subject to due consideration.</p>	<p>shared with Norfolk Rivers Internal Drainage Board to facilitate and progress negotiation of protective provisions and the Applicant hopes to conclude those negotiations in advance of the Examination closing</p>

4.21 Norfolk Wildlife Trust [RR-068]

Table 4.21.1 Applicant's comments on Norfolk Wildlife Trust relevant representation

ID	Relevant Representation	Applicant Comment
Offshore		
1	<p>Offshore 1. Avoidance of chalk reef features of the Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone (MCZ) – we support the commitment to avoid all the exposed chalk features of the MCZ. Evidence to verify this should be provided to regulators during construction.</p>	<p>The Applicant is committed to avoiding areas of outcropping chalk in the nearshore through use of trenchless techniques (HDD). A Cromer Shoal Chalk Beds (CSCB) Marine Conservation Zone (MCZ) Cable Specification and Installation Monitoring Plan (CSIMP) in accordance with the Outline CSCB MCZ CSIMP [APP-291] as secured through DML condition 12 (1) (e) of Schedules 12 and 13 of the Draft DCO (Revision C) [document reference 3.1] will be produced in the pre-construction stage which will include details of cable specification, installation and monitoring including at the HDD exit point in the subtidal.</p>

ID	Relevant Representation	Applicant Comment
2	<p>Long term habitat losses to cable protection – we welcome the commitment by the developer to minimise the use of cable protection in the MCZ but remain concerned at the potential cumulative impacts of habitat loss to this when considered alongside existing losses within the MCZ from other energy and similar infrastructure.</p>	<p>Noted. The Applicant has committed to removing any installed external cable protection, if required at decommissioning stage, within the MCZ.</p> <p>Within the Stage 1 CSCB MCZ Assessment [APP-083] cumulative effects assessment, projects, plans and activities that exist at the time of SEP and DEP data collection (i.e. field surveys undertaken in 2020) are considered part of the baseline and are therefore screened out of the cumulative assessment.</p>
3	<p>We note the worst case scenario of 1,800m² of long-term habitat loss to rock armour and similar. Whilst described in the applications documents as only a small percentage of the total area of the MCZ (and below any % significance threshold), this must be considered cumulatively with the other pressures on the soft sediment features of the MCZ (from existing hard infrastructure and cable protection from other offshore wind and oil and gas developments and fishing activity).</p>	<p>A review of the other currently planned projects in the vicinity of the CSCB MCZ identified projects and plans that have the potential to interact with the proposed SEP and DEP activities. These are:</p> <ul style="list-style-type: none"> • Dudgeon Offshore Wind Farm (operation and decommissioning only); • Sheringham Shoal Offshore Wind Farm (operation and decommissioning only); • Hornsea Project Three Offshore Wind Farm; and • Fisheries management within the CSCB MCZ, i.e. byelaws. However, it should be noted that this management protects the MCZ features, meaning there is no pathway for interaction with SEP and DEP. <p>The projects are screened with reference to their likely spatial and temporal extent and potential for interaction with effects arising from SEP and DEP.</p> <p>The assessment of whether the conservation objectives of the MCZ would be hindered is based upon the potential impacts on the broadscale habitat features that will be affected by the installation of external cable protection. The proportion of the entire MCZ affected is only provided for context.</p>
4	<p>We also seek clarification regarding the 1800m² worst case scenario and whether it includes operational requirements or just installation. Whilst it is recognised that neither of the original Sheringham and Dudgeon wind farms have not had to undergo any reburial or repair operations to date, operations-phase requirements must be included in the application to assess the long-term impacts on the MCZ.</p>	<p>The assessment of long term habitat loss from the installation of external cable protection within the MCZ assumes that up to 1,800m² of cable protection would be installed for the 40 year operational period of SEP and DEP. As described within the Outline Offshore Operations and Maintenance Plan (OOMP) (Revision B) which has been updated at Deadline 1 [document reference 9.9], unless the area of external cable protection installed exceeds this or a period of five years has elapsed since the completion of construction, then no additional marine licence is</p>

ID	Relevant Representation	Applicant Comment
		<p>required. However, approval will be required prior to the installation of additional external cable protection in different locations. In the extremely unlikely event the required level of external cable protection was to exceed 1,800m²; or a period of five years had elapsed since completion of construction, then a new marine licence would be required for the installation of external cable protection within the MCZ.</p> <p>It should be noted that as described within the Outline CSCB MCZ CSIMP [APP-291], if successfully buried cable was to subsequently become exposed, the Applicant would attempt remedial reburial techniques before using external cable protection as a last resort. In addition, the Applicant's proposed MEEB would offer a greater than 1:5 ratio of compensation.</p>
5	<p>Measures of Equivalent Environmental Benefit (MEEB) - MEEB Option 1, Oyster Bed Planting.</p> <p>a. We welcome that the project has committed to monitoring for the lifetime of the project in order to deliver against the conservation objectives. As provision of MEEB is in the public interest, it is important that the monitoring data is made publicly available for transparency and to further the development of best practice in the industry.</p>	<p>It should be noted that the In-Principle CSCB MCZ MEEB Plan (Revision B) [document reference 5.7.1] has been updated at Deadline 1 to address comments from Natural England and to provide additional information where relevant.</p> <p>Monitoring data would be shared and discussed with the members of the MEEB steering group which is anticipated to include Norfolk Wildlife Trust.</p>
6	<p>b. We are concerned that the preferred option, provision of new oyster beds, will not provide equivalent ecological function to the features of the MCZ that would be lost or damaged. Defra best practice guidance (Defra, Best practice for developing compensatory measures in relation to Marine Protected Areas, 2021) states that MEEB should address the specific damage caused by the permitted activity and focus on providing the same ecological function or where this is not technically possible, provide functions and properties that are comparable to those that originally justified designation. We maintain the position previously expressed by the Wildlife Trusts that this would not provide either the same ecological function as subtidal coarse sediment, subtidal mixed sediments and subtidal sand or provide functions and properties that are comparable to those that originally justified designation. Therefore it is difficult to see how this could be determined to be MEEB as per the Defra guidance.</p>	<p>The Applicant has undertaken extensive consultation through the Evidence Plan Process (EPP) on numerous potential MEEB options which are described in detail in Annex A Review of Potential MEEB of the In-Principle CSCB MCZ MEEB Plan (Revision B) [document reference 5.7.1 summarised in Table 7.1]. The planting of native oyster beds within the MCZ is supported by Natural England.</p> <p>Native oyster were once widespread throughout the region and are thought to have been a historic feature of the CSCB MCZ which the Applicant would be seeking to partially restore.</p> <p>It is the Applicant's view that successful implementation of a self-sustaining oyster bed would provide enhanced ecological function to the areas of subtidal coarse, sand or mixed sediments that may be lost by installation of external cable protection. Native oyster beds support increased biodiversity and provide nursery grounds for juvenile fish and other species (Coen et</p>

ID	Relevant Representation	Applicant Comment
		<p>al., 2007, cited in Robertson et al. 2021). They are also filter feeders, supporting water quality by removing impurities. Particles that are not eaten are deposited as pseudofaeces which enriches surrounding sediment and contributes to organic nitrate and organic carbon fixation and removal from the water column (Coen et al., 2007; Fodrie et al., 2017; Lee et al., 2020). In addition, studies (e.g. Fodrie et al. 2017) suggest that oyster beds have the capacity to deliver carbon sequestration, due to their use of carbon in producing the calcium carbonate shell.</p> <p>The Defra guidance acknowledges that it will not always be possible to deliver compensatory measures on a like-for-like basis and it is noted that the Energy Security Bill Policy Statement (BEIS, 2023) on the Offshore Wind Environmental Improvement Package Measures includes detail about changes proposed to compensation requirements to remove the need for 'like-for-like' compensation and also the powers that are proposed to be given to the Secretary of State to create regulations for the establishment and management of the marine recovery fund.</p>
7	<p>c. Due to our concerns regarding the differing ecological function of the developer's preferred MEEB option, we repeat our previous recommendation that avoidance options should be considered further.</p>	<p>The Applicant understands the Norfolk Wildlife Trust position to be that the only option that would be supported is to have no external cable protection within the MCZ.</p> <p>It is noted that during the early MEEB discussions, the option to include free-spanning cables to avoid the need for external cable protection in the MCZ was considered however this was subsequently ruled out due to fisheries snagging concerns raised by EIFCA.</p> <p>It is noted that Natural England and EIFCA broadly support the planting of native oyster beds (either in the MCZ or in the wind farm sites) and consider these to be viable MEEB options.</p> <p>The Applicant has minimised the requirement for and committed to remove at decommissioning, if required, any installed external cable protection within the MCZ to mitigate habitat loss impacts during the operational phase. External cable protection will only be used where deemed to be essential, in the instance that adequate burial is not possible for any section of the route through the MCZ. Until detailed project design and site</p>

ID	Relevant Representation	Applicant Comment
		investigation (which will be finalised post-consent) is undertaken, the exact quantities of cable protection required in the MCZ are unknown.
8	<p>MEEB alternatives:</p> <p>a. Whilst the developer has indicated a preference for the oyster bed MEEB option, other alternatives have not been absolutely ruled out. We are not supportive of the following options:</p> <p>i. Removal of anthropogenic features – marine litter/debris removal;</p> <p>ii. Site extension/designation; and</p> <p>iii. Removal of anthropogenic features – disused</p> <p>b. We are particularly concerned and strongly do not support the inclusion of the Removal of Marine Litter, due to the challenges this measure has caused for other recent offshore wind farms where it has been consented as a compensatory measure</p>	Noted. These measures would only be considered through adaptive management, in consultation with the MEEB steering group and following approval by the SoS.
Onshore		
9	Onshore Ecology & Ornithology – Chapter 20 6. We support the proposed use of HDD under features of ecological importance to avoid impacts entirely.	The Applicant acknowledges and thanks the Norfolk Wildlife Trust (NWT) for its Relevant Representation and its support for the Projects' use of trenchless techniques e.g. HDD, to avoid impacts to features of ecological importance.
10	Whilst Impact 12 correctly identifies the impacts on bat commuting routes from the need to maintain easements at points where the terrestrial cable route crosses hedgerows or similar linear habitats, we strongly disagree with the characterisation and estimation of the impact scales in paragraphs 306-307 of this chapter.	The Applicant acknowledges NWT's comment. Please refer to comment 11 below.
11	Where sections of such routes are lost to open space, for bat species which are reluctant to cross open space due to fear of predation the necessary change in commuting routes will increase energy costs and place extra stress on the colonies that rely on them. Paragraph 307 describes the impact as 'potential disruption of commuting and/or foraging bats being experienced across more than one active bat season and therefore may affect access to feeding locations or potentially temporary or maternity roosts that may be	<p>The Applicant is in agreement that there are potential severance effects which may occur for the duration of construction and the period of habitat reinstatement. As this is over multiple active seasons, the effects have the potential to occur in the long term (albeit with the effects diminishing with each year that the reinstated hedgerow moves towards maturity).</p> <p>These effects have been considered based on the baseline data which records the species aggregation which uses each receptor and predicts a</p>

ID	Relevant Representation	Applicant Comment
	<p>located outside the SEP and DEP DCO limits'. Where the text refers to 'more than one active season' this should actually refer to the long term impacts that would occur over the multiple decades of the operational phase. In addition, supporting information on the likely impacts on maternity colonies and other roost sites outside of the DCO limit but functionally linked and dependent on the commuting routes impacted within the DCO limit appears to be absent. Paragraph 308 states that the impact is only of 'localised disturbance and/or loss of habitat, that does not threaten the long-term viability or function of the receptor' but no supporting information on the presence or absence of receptor maternity colonies or similar in functionally linked areas outside the DCO limit has been provided, and therefore we seek clarification regarding the evaluation of the impact as minor as we believe this to be incorrect.</p>	<p>potential severance effect on this aggregation. It is not possible to understand precisely how the nearby maternity roosts use the habitats affected by the project, as (i) the location of all maternity roosts within 5km of the features is not known; and (ii) the precise distribution of habitat used by the individuals of these roosts is not known.</p> <p>Therefore, it is considered a more useful exercise to record the species range and bat passes at each habitat features affected, and then draw conclusion about the potential severance effects on this aggregation. This is the approached detailed in Appendix 20.3 - Bat Activity Survey Report [APP-216] and ES Chapter 20 Onshore Ecology and Ornithology [APP-106].</p> <p>The Applicant considers the assessment approach adopted provides a realistic worst-case assessment of impacts upon commuting and foraging bats.</p> <p>A technical note, Bats – Alderford Common SSSI and Swannington Common SSSI Technical Note [document reference 13.10] presents further information specific to this area.</p>
12	<p>The terrestrial Outline Ecological Management Plan notes a potential moderate adverse impact on Hall Hills/ Ringland Covert County Wildlife Site depending on the level of post-construction enhancement that can be agreed with the landowner. Clarity is sought on the proposed mitigation and compensation measures needed should agreement not be possible with the landowner</p>	<p>The Applicant would like to clarify that potential effects upon Hall Hills/ Ringland Covert County Wildlife Site (CWS) are avoided through use of trenchless techniques, e.g. HDD. No mitigation would be required in relation to this woodland.</p>

4.22 North Norfolk Fishermen's Society [RR-070]

Table 4.22.1 Applicant's comments on North Norfolk Fishermen's Society relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Loss of traditional fishing grounds displacement already been encroached upon by other wind farms a lack of research into the effects on crab, lobsters, skate, rays (fish) regarding the loss of electricity through cables	<p>The impact of offshore construction activities leading to reduction in access to, or exclusion from, established fishing areas for the UK potting fleet was assessed to be significant in EIA terms, requiring additional mitigation to reduce the residual impact to minor significance (see ES Chapter 12 Commercial Fisheries [APP-098], Section 12.6). This additional mitigation commits to following the procedures as outlined in the FLOWW guidance (2014 and 2015), including with respect to any justifiable disturbance payment. In addition, the Applicant commits to developing a Fisheries Liaison and Coexistence Plan (FLCP), which will follow the submitted with the DCO application. The Applicant highlights that the Outline FLCP [APP-295] details a Coexistence Strategy which, amongst other measures, commits to continuing consultation and liaison with the fishing industry with the aim of assisting the fishing industry to safely resume their fishing activities within the operational sites and along the export cable corridor.</p> <p>Regarding potential effects on fish and shellfish species from Electromagnetic Fields (EMF), this is assessed in Section 9.6.2.8.8 of ES Chapter 9 Fish and Shellfish Ecology [APP-095]. Table 9-27 of the ES chapter provides the results from the project specific EMF assessment (Tripp, 2021). Cables will be buried as far as possible and where burial is not possible external cable protection will be installed which will attenuate EMF. SEP and DEP will involve installing offshore (and onshore) export cable circuits using HVAC technology. Fish and shellfish species are less likely to exhibit responses to HVAC cables when compared to High Voltage Direct Current (HVDC) transmission cables due to the higher strength EMF emitted by HVDC cables (Normandeau, Tricas and Gill, 2011).</p> <p>The magnetic fields were assessed to reduce to very low levels within a few metres from the circuits and it is important to note that these levels do not take account of shielding factors of the cable sheath which would further reduce EMF. Overall, the assessment concludes that EMF emitted</p>

I.D.	Relevant Representation	Applicant Comment
		from operational cables would result in an impact of minor adverse significance.

4.23 Novus Renewable Services Limited [RR-071]

Table 4.23.1 Applicant's comments on Novus Renewable Services Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Novus Renewable Services Limited (Novus) are currently working on a potential Battery Energy Storage project south of Norwich Main Substation which would connect into the substation via an extant grid connection. The project is not currently subject to a planning application. If the project progresses we will interface with the DCO boundary. We have had early discussions with representatives of Equinor to start to discuss the extent of potential overlap and how that might be managed, and those discussions will continue. We would like to register as an Interested Party at this stage. Thank you	The Applicant thanks Novus Renewable Services Limited for and notes its response.

4.24 Orsted Hornsea Project Three (UK) [RR-072]

Table 4.24.1 Applicant's comments on Orsted Hornsea Project Three (UK) relevant representation

I.D.	Relevant Representation	Applicant Comment
1	This relevant representation is made by Orsted Hornsea Project Three (UK) Limited ("Hornsea Three") the named undertaker on the Development Consent Order (DCO) for the Hornsea Three Offshore Wind Farm Order 2020 (the "Hornsea Three Order"). The proposed Order limits and Order land for the Application overlap with the Order limits and Order land as defined in the Hornsea Three Order. Hornsea Three engaged with Equinor New Energy Limited (the Applicant) in relation to the possible interactions and impacts of the Application on Hornsea Three prior to the submission of the Application. Hornsea Three has subsequently reviewed the Application which has been accepted by PINS. This letter forms the initial	<p>Orsted Hornsea Project Three (UK) Limited's ("Hornsea Three") comments are noted.</p> <p>The Applicant also considers that SEP and DEP and Hornsea Three's offshore wind project can co-exist.</p> <p>Further information on interactions with SEP and DEP is being shared with Hornsea Three to facilitate the ongoing discussions and negotiations in relation to the protective provisions and a potential co-operation agreement. The Applicant is having regular discussions with Hornsea</p>

I.D.	Relevant Representation	Applicant Comment
	<p>representation to the proposal. The Application will interact with the Hornsea Three Order in two main ways: a. nearby or overlapping rights for the onshore grid connection cable routes at: i. The point of landfall; and ii. The connection with the substation at Dunston b. the potential for crossing and proximity of the cables at three locations east and south-east of Weston Longville. The Application provides four “scenarios” to address the various potential consenting and construction methodologies for the project. The works listed as forming part of the Authorised Development in Schedule 1 are split into works A (relating to the Sheringham Extension Project) works B (relating to the Dudgeon Extension Project) and works C (Sheringham and Dudgeon Extension Projects integrated works). The plans anticipate broadly similar land interaction with the Hornsea Three cable route, irrespective of whether works A or B are undertaken. There is less interaction with works C. As noted above there are three main points of interaction; landfall, a crossing area where the Application’s cable route crosses the Hornsea Three cable route and interaction in the vicinity of the substation. There are also overlapping rights e.g rights of access. Further work is currently being undertaken to fully understand the extent of the interaction between the Application and the Hornsea Three Order. Hornsea Three shall make further representations once the interface is fully understood. The rights to be acquired by the Applicant include freehold acquisition, temporary possession and collections of rights and restrictive covenants labelled A to I, inclusive. The plots of land where Hornsea Three is recognised as having an interest are generally subject to only one category of Right at a time. Hornsea Three is the holder of a generation licence under the Electricity Act 1989 and a statutory undertaker for the purposes of s127 of the Planning Act 2008. Hornsea Three has the benefit of a number of Option Agreements over land within the proposed Order limits in the Application. Hornsea Three note that there are generic protective provisions for Electricity Act 1989 licence holders but as currently drafted these only apply to existing apparatus and would not therefore apply to the construction of the Hornsea Three cables. The Application does include protective provisions for the benefit of Hornsea Three in respect of “specified works” (the “Protective Provisions”). Specified Works are defined as works within a “crossing area” (being land within as-yet-unspecified land</p>	<p>Three team and hopes to conclude those negotiations in advance of the Examination closing.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>parcel(s)); within as-yet-unspecified number of meters of the Hornsea Three cable corridor or apparatus; or that may in any way adversely affect any apparatus. Issues to be resolved: Hornsea Three considers that the two schemes can co-exist and therefore does not have an in-principle objection to the Application. However, as Hornsea Three is a consented nationally significant infrastructure project with a contract for difference, it is crucial that the Application does not prohibit or delay the construction and/or operation of Hornsea Three or result in Hornsea Three being in breach of the Hornsea Three Order or its obligations under the contract for difference. Hornsea Three has identified a number of issues that need to be resolved so as to ensure that no serious detriment is caused to Hornsea Three. A fuller account of the issues, and the measures that Hornsea Three requires to resolve them will be provided once Hornsea Three has scrutinised the Applicants proposed plans. In the meantime Hornsea Three shall engage with the Applicant to agree amendments to the Protective Provisions to address the following:</p> <ul style="list-style-type: none"> i. Provisions relating to the timing and coordination of construction works including: a. construction programme (e.g., to ensure that alternative access is provided before an existing access is materially blocked) b. construction mitigation measures including discharge of any requirements; c. landscape and ecological measures including discharge of any requirements; d. ground investigations; e. fencing and other security measures; f. construction traffic management g. liaison between contractors (including monitoring, communication and emergency protocols); and h. community liaison and complaints procedure. ii. Provisions relating to the timing of consent. iii. Greater specificity in respect of when thermal interaction alone will not be a reasonable objection, i.e. by reference to parameters above which thermal interaction would nevertheless be a reasonable objection; iv. Provisions relating to the payment of any additional costs; v. An indemnity for any loss or damage; and 	

I.D.	Relevant Representation	Applicant Comment
	<p>vi. Provisions relating to dispute resolution prior to arbitration (e.g. internal escalation) and reference to another party and not the Secretary of State in the event that an arbitrator cannot be agreed.</p> <p>The environmental statement submitted by the Applicant refers to the Applicants desire to enter into a co-operation agreement relating to the proposed crossings/proximity arrangements and the interface at the substation site. Hornsea Three is open to discussion in this regard. Additional Information requested: Hornsea Three wishes to engage to improve its understanding of the construction activities that the Applicant is proposing to undertake and any permanent operational apparatus to be installed within the area of overlapping Order limits so it can be understood whether such activities will have an impact on the construction, operation or maintenance of Hornsea Three. Hornsea Three would also like to understand whether there is likely to be any temporal overlaps relating to any survey or construction activities. It would also be helpful if the Applicant could provide sufficient information to Hornsea Three to establish whether the Application will have any impacts on the Hornsea Three construction traffic routes, location and use of construction compounds and/or services It is imperative that Hornsea Three maintains its commitments to relevant stakeholders and any interactions therefore must take account of any existing commitments outside of the Hornsea Three DCO. Hornsea Three will continue to work with the Applicant to facilitate agreement between the parties to ensure both projects can co-exist. This agreement should include the ongoing engagement with affected landowners. Hornsea Three looks forward to further engagement with the Applicant on these and any other matters that may arise.</p>	

4.25 Outer Dowsing Offshore Wind [RR-074]

Table 4.25.1 Applicant's comments on Outer Dowsing Offshore Wind relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Outer Dowsing Offshore Wind Ltd is a joint venture between Total Energies and Corio Generation (wholly owned by Macquarie's Green Investment Group Limited). Having been awarded Preferred Bidder Status in The Crown Estate's Offshore Wind Leasing Round 4 in February 2021, work is underway to progress the development of a 1.5GW offshore windfarm, known as Outer Dowsing Offshore Wind (ODOW) in the southern North Sea region, together with associated onshore and offshore transmission infrastructure. Given the proximity of the ODOW project to Sheringham and Dudgeon Extension Projects, we would welcome the opportunity to become an Interested Party for case number EN010109. We may wish to make representations in relation to cumulative and in-combination issues, as well as other possible project interactions. We reserve the right to make further comments through the Examination process, including, but not limited to seeking protective provisions within the DCO to protect the ODOW project.</p>	<p>The Applicant thanks the Outer Dowsing Offshore Wind Ltd. for its response and notes that further comments on the application may be forthcoming.</p>

4.26 Royal Society for the Protection of Birds [RR-083]

Table 4.26.1 Applicant's comments on Royal Society for the Protection of Birds relevant representation

ID	Relevant Representation	Applicant Comment
1	<p>INTRODUCTION</p> <p>The RSPB supports the deployment of renewable energy projects, providing that they are sited in appropriate places and designed to avoid potential adverse impacts on wildlife.</p>	<p>Noted. ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089] describes the approaches which led to the selection of the offshore sites.</p>
2	<p>We are grateful for the constructive pre-application discussions that have taken place with Equinor in respect of this proposal, particularly through the Evidence Plan process. While methodological concerns remain, progress</p>	<p>Noted.</p>

ID	Relevant Representation	Applicant Comment
	towards resolving a number of issues was made during the pre-application discussions for this project.	
3	We continue to have significant concerns relating to the project's in-combination and cumulative collision risk and displacement impacts including their assessment. In respect of the Applicant's derogation case, there is particular concern regarding the compensation measure proposals.	Noted. The Applicant has submitted at Deadline 1 a Collision Risk Modelling (CRM) Updates Technical Note [document reference 13.2] and Apportioning and HRA Updates Technical Note [document reference 13.3] which provide updated calculations based on the updated CRM parameters provided in Appendix B1 of Natural England's Relevant Representation [RR-063] and advice received within Appendix B of the Natural England Relevant Representation.
4	<p>OFFSHORE ORNITHOLOGY IMPACTS - SUMMARY OF RSPB POSITION We have significant concerns regarding the findings of some of the impact assessments and as such consider that an adverse effect on the integrity (AEOI) on the following qualifying features of the Flamborough and Filey Coast (FFC) Special Protection Area (SPA), North Norfolk Coast SPA or Greater Wash SPA cannot be ruled out: Project in combination with other plans and projects – RSPB AEOI conclusions In-combination impacts on the following features of the Flamborough and Filey Coast (FFC) SPA, North Norfolk Coast (NNC) SPA or Greater Wash (GW) SPA:</p> <ul style="list-style-type: none"> - Kittiwake: cannot rule out adverse effect on site integrity due to the impact of collision mortality on the Flamborough and Filey Coast SPA population - Gannet: cannot rule out adverse effect on site integrity due to the impact of combined collision and displacement mortality on the Flamborough and Filey Coast SPA population - Guillemot: cannot rule out adverse effect on site integrity due to the impact of displacement mortality on the Flamborough and Filey Coast SPA population - Razorbill: cannot rule out adverse effect on site integrity due to the impact of displacement mortality on the Flamborough and Filey Coast SPA population - Sandwich tern: cannot rule out adverse effect on site integrity due the impact of collision mortality on the North Norfolk Coast and Greater Wash SPA populations 	<p>The Applicant agrees that an AEol of the kittiwake feature of the FFC SPA cannot be ruled out due to in-combination collision risk effects (but notes that the Apportioning and HRA Updates Technical Note [document reference 13.3] reports a reduced level of predicted impact as a result of the updated CRM parameters provided in Appendix B1 of Natural England's Relevant Representation [RR-063]). Therefore, the Applicant has put forward compensatory measures proposals for this species (see Appendix 3 - Kittiwake Compensation Document [APP-072]).</p> <p>The Applicant also agrees that an AEol of the Sandwich tern feature of the GW and NNC SPA cannot be ruled out due to in-combination collision risk effects. Therefore, the Applicant has put forward compensatory measures proposals for this species (see Appendix 2 - Sandwich Tern Compensation Document [APP-069]).</p> <p>With respect to the gannet feature of the FFC SPA, the Applicant notes that Natural England state in Appendix C of their Relevant Representation [RR-063]: <i>'Natural England can advise that on the basis of the information so far provided, we believe there will be no requirement for provision of gannet compensation'</i>. Natural England confirmed via email (16 February 2022) that they will provide formal advice on their position once an updated FFC SPA gannet in-combination assessment (including impacts from Hornsea Four) is submitted into Examination. The Applicant can confirm that an updated gannet in-combination assessment has been provided in the Apportioning and HRA Updates Technical Note [document reference</p>

ID	Relevant Representation	Applicant Comment
	<p>- Red-throated diver: cannot rule out adverse effect on site integrity due the impact of displacement on the Greater Wash SPA population.</p>	<p>13.3] submitted at Deadline 1. The Applicant anticipates being able to reach a final agreed position on this with Natural England at Deadline 2.</p> <p>The Applicant disagrees that AEol cannot be ruled out for all the other qualifying features and relevant SPAs listed by RSPB, although confirms that without prejudice compensatory proposals for guillemot and razorbill have been put forward (see Appendix 4 – Gannet, Guillemot and Razorbill Compensation Document [APP-074]).</p>
5	<p>Whilst we recognise that the individual contributions from the two extension projects alone may be less than some of the other OWF located nearby, this does not make their cumulative and in combination impacts any less significant.</p> <p>We welcome that a derogation case has been submitted with the DCO application, and this will form the focus of our comments through the examination. We still have some outstanding methodological concerns regarding the assessments, notably for gannet and red-throated diver, and will expand on these at further stages of the Examination.</p>	<p>Noted.</p>
6	<p>Impact assessment, Flamborough and Filey Coast SPA For gannet, notwithstanding the methodological concerns detailed below, the Applicant's own combined displacement and collision assessment shows that the FFC SPA population is likely to be 53.5-51.9% lower after the lifetime of the wind farms than it would be without the developments in-combination with other developments, or 30.0-23.6% lower if the macro-avoidance correction factor is applied. In the context of the current outbreak of Highly Pathogenic Avian Influenza there is considerable uncertainty as to the continued viability of this population. As such, it is not possible to rule out an Adverse Effect on the Integrity of the FFC SPA gannet population for the projects in-combination.</p>	<p>See the Applicant's response at ID 4 of this table.</p> <p>In addition, it is important to note that the outputs from the Population Viability Analysis (PVA) should be interpreted within the context of the fact that the FFC SPA gannet population has shown marked growth over the long-term (at least up until the outbreak of HPAI in 2022). As outlined in the RIAA [APP-059], on the basis of these long-term, historical, growth rates, the predicted effects from collisions and displacement combined (for the in-combination assessment) would not prevent the further growth of this SPA population and would not prevent the SPA Conservation Objectives being met.</p> <p>In relation to the HPAI outbreak, the Applicant notes that (beyond the counts from the 2022 breeding season, as presented in Clarkson et al. 2022) the effects on the FFC SPA gannet population are not yet understood, even in terms of the immediate, short-term. The Applicant does not consider that updates to assessments already presented are required but will be guided by the SNCBs on how HPAI may need to be</p>

ID	Relevant Representation	Applicant Comment
		<p>considered in the future. Based on the initial guidance on HPAI from Natural England (Appendix B2 of [RR-063]), there is an expectation that at a broad level the resultant declines in colony populations will be associated with proportionate reductions in the abundance of birds from such colonies in at-sea surveys, with the consequence that the scale of impact is likely to remain in proportion to the size of the colony.</p> <p>Finally, note that the Apportioning and HRA Updates Technical Note [document reference 13.3] submitted at Deadline 1 reports a reduced level of predicted impact (relative to that reported in the RIAA [APP-059]) as a result of the updated CRM parameters provided in Appendix B1 of Natural England's Relevant Representation [RR-063].</p>
7	<p>For kittiwake, the Applicant's assessment shows that the FFC SPA population is likely to be 20.6% lower in-combination with other developments. Given the FFC SPA restore objective for this species' population and the vulnerability of the population, both locally and in the wider biogeographic region, the RSPB agrees with the Applicant it is not possible to rule out that an Adverse Effect on Integrity exists in-combination.</p>	<p>Noted (and also see the Applicant's response to ID 4 above in relation to the Apportioning and HRA Updates Technical Note [document reference 13.3] submitted at Deadline 1).</p>
8	<p>For guillemot, the Applicant's own displacement assessment, with probable displacement rate of 60% and mortality rates of 1 and 5%, shows that the FFC SPA population will be 39.4-9.5% lower after the lifetime of the wind farms in-combination with other developments than it would be without the development. As such, it is not possible to rule out an Adverse Effect on the Integrity of the FFC SPA guillemot population for the projects in-combination.</p> <p>For razorbill, the Applicant's own displacement assessment, with probable displacement rate of 60% and mortality rates of 1 and 5%, shows that the FFC SPA population will be 22.7-5.0% lower after the lifetime of the wind farms in-combination with other developments than it would be without the development. As such, it is not possible to rule out an Adverse Effect on the Integrity of the FFC SPA razorbill population for the projects in-combination.</p>	<p>The Applicant notes that evidence-based displacement/mortality rates on which the assessment conclusions have been formed assume a 50% displacement and 1% mortality rate. This combination of displacement and mortality rates predicts that the FFC SPA guillemot population will be 8.0% lower after the lifetime of SEP and DEP in-combination with other developments than it would be without SEP and DEP in-combination with other developments. For the FFC SPA razorbill population, this combination of displacement and mortality rates predicts that the population will be 4.1% lower after the lifetime of SEP and DEP in-combination with other developments than it would be without SEP and DEP in-combination with other developments.</p> <p>The Applicant considers that these levels of predicted impact do not represent an AEoI of the FFC SPA (see the RIAA [APP-059] and Apportioning and HRA Updates Technical Note [document reference 13.3]).</p>

ID	Relevant Representation	Applicant Comment
9	Impact assessment, North Norfolk Coast SPA For sandwich tern, the Applicant's own combined displacement and collision assessment shows that the North Norfolk Coast SPA population will be potentially 62.4% lower after the lifetime of the wind farms in-combination with other developments than it would be without the development. As such, the RSPB agrees with the Applicant that it is not possible to rule out an Adverse Effect on the Integrity of the North Norfolk Coast SPA sandwich tern population for the projects in-combination. Impact assessment, Greater Wash SPA For sandwich tern, the Applicant has not presented a population viability analysis for the consequences of the mortality arising from displacement and collision. In the absence of this the RSPB is unable to reach conclusions with regard to Adverse Effects on the Integrity of the Greater Wash SPA population for the projects in-combination.	Noted. For the North Norfolk Coast (NNC) SPA and Greater Wash (GW) SPA the designated Sandwich tern feature references the same population (i.e. NNC SPA contains the breeding sites, while GW SPA provides foraging habitat for these colonies). As set out in Paragraph 1020 of the RIAA [APP-059] the PVA presented for NNC SPA is also applicable to the GW SPA, given that impacts apply to the same Sandwich tern population. The only difference between the two sites is the inclusion of passage season impacts for the NNC SPA. As this results in a small increase in predicted mortalities for NNC SPA, this provides additional precaution to the PVA outputs when applied to the GW SPA.
10	For red throated diver, as described below, the Applicant has not fully considered the Conservation Objectives relevant to that population. As such, it is not possible to rule out an Adverse Effect on the Integrity of the Greater Wash SPA population for the projects in-combination.	See the Applicant's response at ID 15 of this table.
11	IMPACT ASSESSMENT – METHODOLOGICAL CONCERNS The RSPB's key concerns with the impact assessment relate to the use of avoidance rates in gannet collision risk modelling, the application of a macro avoidance correction to bird density inputting into CRM, a lack of consideration of impacts compounded by HPAI, and insufficient consideration for the conservation objectives of the Greater Wash SPA with regard to red-throated diver.	Noted, see the Applicant's responses to ID 12 and 13 of this table with respect to gannet and ID 15 of this table with respect to red-throated diver.
12	Gannet modelling For collision risk modelling, the Applicant has presented Avoidance Rates as recommended by the SNCBs (JNCC et al, 2014) Whilst the RSPB agrees with almost all of the SNCB's recommended rates, we differ with regard to gannet. We are content that 98.9% is suitable for non-breeding birds, but do not agree that this figure should be applied to the breeding season due to the lack of available evidence relating to breeding birds. Furthermore, GPS tracking of gannets breeding on the Bass Rock has shown variation in the two-dimensional foraging behaviour of birds across the breeding season (prior to chick-rearing, and during chick-rearing), between	Noted. The Applicant has used the recommended parameters (which do not align with those recommended by RSPB) in Table 2 of Appendix B1 of the Natural England Relevant Representation [RR-063] to re-run the CRM. Updated calculations are presented in the CRM Updates Technical Note [document reference 13.2] and Apportioning and HRA Updates Technical Note [document reference 13.3] both of which have been submitted at Deadline 1.

ID	Relevant Representation	Applicant Comment
	<p>sexes, and between years (Cleasby et al. 2015a, Lane et al. 2020, Lane and Hamer 2021). Three-dimensional tracking of gannets during chick-rearing has revealed that flight height and flight speed both vary according to behaviour, sex and wind conditions (Cleasby et al. 2015b, Lane et al. 2019, Lane et al. 2020,) and similar patterns have been recorded in other seabirds (Masden et al. 2021). As the misspecification of these parameters contributes to the model error component of avoidance rate (Johnston et al., 2021) such variability should result in differential avoidance rates. As such we recommend the use of the default seabird avoidance rate of 98% for gannet during the breeding season.</p>	
13	<p>The Applicant has also, in the Report to Inform Appropriate Assessment (RIAA) [paragraph 1456] reduced the density of birds inputted into collision risk modelling by 0.600 to 0.800 to take into account macro avoidance. This approach follows suggestions in Cook (2021), the recommendations from which have not yet been adopted by the SNCBs. Cook (2021) is currently being reviewed and revised by two projects, one funded by JNCC and one by Natural England. Until these projects have reported, the RSPB do not accept this approach. As well as the reliance on a report that has not been placed before the examination, the RSPB also highlights potential issues with this approach, that is, seasonality and within-windfarm avoidance. The seasonality point is that, as described above, gannet will show different levels of macro-avoidance dependent on breeding status and the consequent constraints of central place foraging. For within-windfarm avoidance, the revised approach continues to use the “all gulls” avoidance rate for the modelling, while using adjusted densities accounting for macro avoidance. The RSPB considers that within-windfarm avoidance may need to be adjusted to account for the lower manoeuvrability of gannets compared with gulls, and consequent lower ability to take last minute reactive behaviour to avoid rotating turbines.</p>	
14	<p>The RSPB is also similarly concerned with the application of a macro avoidance correction factor in the sandwich tern collision risk models.</p>	<p>It should be noted that calculations incorporating Sandwich tern macro-avoidance factors were included within the Development Consent Order (DCO) application for information purposes. The updated Sandwich tern calculations within the CRM Updates (EIA Context) Technical Note [document reference 13.2] and Apportioning and HRA Updates Technical Note [document reference 13.3] both of which have been</p>

ID	Relevant Representation	Applicant Comment
		submitted at Deadline 1, do not incorporate Sandwich tern macro-avoidance.
15	<p>Red-throated diver displacement</p> <p>The conservation objectives for the Greater Wash SPA are: Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the aims of the Wild Birds Directive, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of the habitats of the qualifying features • The structure and function of the habitats of the qualifying features • The supporting processes on which the habitats of the qualifying features rely • The population of each of the qualifying features, and, • The distribution of the qualifying features within the site. <p>There is clear evidence of the displacement of red-throated divers from offshore wind farms (e.g. Furness et al. 2013, Mendel et al., 2019) with a significant effect detectable 10-15km from the wind farm (Heinänen et al. 2020). The Greater Wash SPA is 7km from SEP and 16km from DEP. The numbers of red throated divers, their distribution within the SPA and their ability to use all suitable habitat contained in the SPA are relevant to the SPA conservation objectives but are not considered by the Applicant.</p> <p>If red-throated divers are displaced from part of the SPA which would otherwise be suitable for them the effect is to reduce the functional size of the SPA, undermining the conservation objectives. The RSPB therefore cannot rule out the impact of displacement on the integrity of the Greater Wash SPA, arising through the project alone (SEP) and in combination.</p>	<p>The Applicant has provided an updated operational phase displacement assessment for the red-throated diver feature of the GW SPA within the Apportioning and HRA Updates Technical Note [document reference 13.3] submitted at Deadline 1 which the Applicant considers takes full account of the conservation objectives for red-throated diver. The assessment concludes that an AEol can be ruled out. The Applicant understands that Natural England and the RSPB are intending to review this updated assessment following which it is anticipated an updated position will be provided.</p> <p>It should also be noted that the Applicant's operations and maintenance (O&M) vessel displacement assessments on the red-throated diver features of the GW SPA and Outer Thames Estuary SPA conclude that AEol can be ruled out (see the RIAA [APP-059]). Finally, the Applicant is intending to update the export cable laying vessel red-throated diver displacement assessment and provide this at Deadline 2 within an update to the Apportioning and HRA Updates Technical Note [document reference 13.3] to address comments from Natural England; however, this is also very likely to conclude that an AEol can be ruled out.</p> <p>The assessments for red-throated diver consider the potential area within which birds could be subject to displacement and then, based on various displacement and mortality rates, calculates the number that could be subject to mortality. This is the standard approach for seabird displacement assessments and is considered to allow consideration of the effect against all of the conservation objectives including restoring or maintaining 'The distribution of the qualifying features within the site' (Natural England 2019).</p>
16	<p>HIGHLY PATHOGENIC AVIAN INFLUENZA (HPAI) A new virulent form of bird flu, Highly Pathogenic Avian Influenza (HPAI), that originated in poultry in east Asia has now killed tens of thousands of wild birds in the UK and around the world. First confirmed in Britain during winter 2021/22, it has had major impacts on populations of seabirds across Scotland, and there have been an</p>	<p>The Applicant notes that Natural England has provided some initial guidance (Appendix B2 of [RR-063]) regarding the implications of HPAI for OWF impact assessments. In light of this, the Applicant does not consider that updates to the assessments already presented are required; however,</p>

ID	Relevant Representation	Applicant Comment
	<p>increasing number of confirmed cases appearing across England, including east coast seabird colonies, such as the Flamborough and Filey Coast SPA. There was also significant mortality of Sandwich terns at Scolt Head Island, part of the North Norfolk Coast SPA; a population for which a restoration target has been set. It is currently unclear what the population scale impacts of the outbreak will be, but it is likely that they will be severe. This scale of impact means that seabird populations will be much less robust to any additional mortality arising from offshore wind farm developments. It also means that there may need to be a reassessment of whether SPA populations are in Favourable Conservation Status. With such uncertainty as to the future of these populations, there is the need for a high level of precaution to be included in examination of impacts arising from the proposed development.</p>	<p>the Applicant will be guided by the SNCBs on how HPAI needs to be considered in future.</p>
17	<p>DEROGATION CASE</p> <p>Based on the RSPB's conclusions on adverse effect on integrity, the RSPB considers a derogation case is required if the Secretary of State for Business, Energy and Industrial Strategy (BEIS) is to consider consenting a damaging project. The RSPB welcomes the information provided by the Applicant to enable its derogation case to be reviewed. As part of any derogation case, the RSPB considers compensation measures would be required for the following species, should the Secretary of State decide to consent the Application as it is currently proposed:</p> <ul style="list-style-type: none"> • Sandwich tern, • gannet, • kittiwake, • guillemot, and • razorbill. <p>The RSPB welcomes the constructive dialogue by the Applicant with stakeholders to explore potential compensation measures for these species.</p>	<p>Noted. See the Applicant's response at ID 4 of this table.</p>

ID	Relevant Representation	Applicant Comment
18	<p>RSPB APPROACH TO ASSESSING COMPENSATION PROPOSALS</p> <p>The RSPB has reviewed both the EC (2018) and previous Defra (2012) guidance on compensatory measures. Both are in broad alignment as to the principles to adopt when considering compensatory measures. We supplement this based on the RSPB's practical experience of applying the principles when assessing compensatory measures. We will use the combination of the EC guidance and the RSPB's experience in this field to assess the Applicant's compensatory measures. Below, we summarise some of the key elements of that approach before setting out our initial comments on the Applicant's compensation proposals.</p>	<p>Noted. The Applicant has given regard to EC (2018) and Defra (2012), as well as the draft Defra (2021) guidance during the development of the SEP and DEP compensatory measures proposals.</p>
19	<p>These are necessarily initial comments as it is the RSPB's view that there is still substantive work to be done with regards to the compensation proposals, based on agreement of the nature and scale of predicted adverse effects on integrity. This is critical to inform discussions on: - what ecologically effective compensation for those impacts could comprise; - the options to be considered to provide such compensation; and - the detailed consideration of possible locations and designs to implement ecologically effective compensation with a reasonable guarantee of success.</p>	<p>The Applicant has submitted a Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note at Deadline 1. This provides an update regarding progress on the Applicant's compensatory measures proposals including consultation undertaken since submission of the DCO application.</p>
20	<p>In summary, the criteria for designing compensatory measures include: - Targeted – appropriate to the impact(s) predicted; - Effective – based on best scientific knowledge. Measures where there is no reasonable guarantee of success should not be considered; - Technical feasibility –taking into account the specific requirements of the ecological features to be reinstated; - Extent – directly related to quantitative and qualitative aspects of the elements of integrity likely to be impaired and estimated effectiveness of the measure(s); - Location – located in areas where they will be most effective in maintaining the overall coherence of the National Site Network for the impacted species; - Timing - must provide continuity in the ecological processes essential to maintain the structure and functions that contribute to the National Site Network.</p>	<p>Noted.</p>

ID	Relevant Representation	Applicant Comment
21	Each compensation measure should be fully functional before any damage occurs; - Long-term implementation – legal and financial security required for long term implementation. Must be in place prior to consent being granted.	<p>The Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 provides an update on the delivery programme with respect to obtaining the necessary licences, agreements and consents to deliver the Applicant's key project-led compensatory measures for Sandwich tern (inland pool at Loch Ryan) and kittiwake (nest site improvements at Gateshead). However, the implementation timelines are as stated in the respective compensation documents submitted as part of the DCO application as well as the Draft DCO (Revision C) [document reference 3.1].</p> <p>Regarding financial security, the Applicant has submitted Appendix 5 Derogation Funding Statement (Habitats Regulations and Marine and Coastal Access Act) [APP-076].</p>
22	The length of time the compensation measures should be secured for must be based on the combination of the lifetime of the development plus the time it will take the affected seabird population to recover from the impacts.	Noted. Details on the implementation period are secured within Schedule 17 of the Draft DCO (Revision C) [document reference 3.1] with reference to the requirement for an implementation timetable for the delivery of the proposed measures to be agreed with relevant stakeholders through the respective species' compensation and implementation monitoring plans.
23	Compensatory measures must be additional to existing obligations e.g. measures necessary to site management of an SPA or SAC to restore or maintain a designated feature to favourable status.	Noted. The Applicant notes that the Energy Security Bill Policy Statement (BEIS, 2023) on the Offshore Wind Environmental Improvement Package Measures states that " <i>Government is also considering enabling developers to undertake work already identified by Government to improve the condition of protected species and habitats. This would substantially increase the number of measures available to developers and also accelerate marine recovery for some sites</i> " (pg. 10 & 11). Final guidance on compensatory measures is due to be published by the Department for Environment, Food & Rural Affairs (Defra) in late 2023 and this is expected to provide further information on how additionality should be considered going forwards.
24	We also consider that there must be an appropriate level of detail on the proposed compensation measures provided sufficiently in advance of the start of the examination to enable interested parties to assess it fully. This is critical to enable proper scrutiny of any compensation proposals by interested parties and the Examining Authority. This is summarised below. At this stage,	The Applicant is promoting the Projects in a complex and ever evolving situation pertaining to different species as well as dealing with some novel issues. The Applicant delayed the submission of the DCO application substantially to allow further evolution of its compensatory measures proposals, in particular. The Applicant has followed an iterative process

ID	Relevant Representation	Applicant Comment
	<p>despite the work carried out by the Applicant and the material presented, we do not consider the necessary detail has been provided to enable proper scrutiny of the compensation measures.</p>	<p>throughout, with substantial engagement with Natural England and other key stakeholders. The Applicant reached the point where Natural England was satisfied with the degree of maturity of its proposals and encouraged the Applicant to submit the DCO application. The respective compensation documents set out a road map for maturing the different measures and the Applicant continues to act in accordance with that.</p> <p>To this end, the Applicant has submitted a Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note at Deadline 1 to provide an update on the progress made since application.</p>
25	<p>LEVEL OF DETAIL REQUIRED</p> <p>The RSPB considers it important not to leave all/most of the critical issues to be addressed post-DCO consent. The RSPB considers that detail about the location, design, implementation, monitoring and review of any proposed compensatory measures is needed to: inform the application and examination process and enable proper public scrutiny, including relevant agreements, consents, and permissions. This should provide the Secretary of State with the necessary confidence as to whether those measures can be secured and implemented with a reasonable guarantee of success, thereby protecting the coherence of the National Site Network.</p>	<p>The Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 sets out the onward programme of work that is being undertaken by the Applicant to mature its compensatory proposals in parallel to Examination. This includes developing key aspects of the proposals in relation to location, design and obtaining the necessary land agreements, consents and permissions to implement the proposed measures. The aforementioned document demonstrates the positive progress being made with respect to the Applicant's compensatory measures proposals and provides an outline programme indicating when further information will be made available.</p>
26	<p>We note that these details should be settled before DCO consent is decided, and be available as part of the application documentation. This will enable potential interested parties the opportunity to fully review and assess the adequacy of the compensation measures before deciding whether to formally register as an interested party and submit a relevant representation.</p>	<p>The Applicant notes that the finer details of the proposed compensatory measures will be progressed post-consent through the various Compensation, Implementation and Monitoring Plans, in consultation with key stakeholders, and subject ultimately to approval by the Secretary of State. This approach has been accepted on numerous other offshore wind farm DCOs which have been granted.</p>
27	<p>The required details include:</p> <ul style="list-style-type: none"> - Nature/magnitude of compensation: sufficient detail to enable agreement on the scale of compensation required in relation to the predicted impacts, 	<p>The Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 provides an update on the progress made by the Applicant since</p>

ID	Relevant Representation	Applicant Comment
	<p>including the detailed compensation objectives, associated success criteria and timeline;</p> <ul style="list-style-type: none"> - Location: legal securing of proposed compensation sites with ability to scrutinise design, evidence of relevant consents and relevant legal agreements to secure land; - Monitoring and review: detailed monitoring and review packages agreed in advance including terms of reference and ways of working for any “regulators group” to oversee implementation of measure; - Compliance and enforcement: details and evidence of how the proposed compensation measures will be reviewed by the relevant regulator and the legal mechanisms available to those regulators to review and enforce any approved compensation plans. This is especially important if the proposed measures lie outside the jurisdiction of the decision-making authority (as is the case with some of the measures suggested by the Applicant). <p>We consider it is unsafe to assume an outline compensation measure can be translated in to a detailed and workable measure “on the ground” at a later date and all the necessary consents and agreements successfully secured. By providing these details it should ensure these issues are properly addressed before the Secretary of State is required to make a decision on whether to grant DCO consent and ensure, among other things, that it is possible to:</p> <ul style="list-style-type: none"> - Identify the detailed location and mechanism(s) of the proposed compensation measure; - Identify the relevant consenting and/or licensing mechanisms required; - Identify any potential impacts of the proposed measure on the receptor site(s) and surrounding environment and carry out appropriate screening; - Identify any particular impact assessment requirements necessary which might arise from likely direct and indirect effects of the compensation measure on other receptors; - Be satisfied that the relevant legal consents are secured before any decision on DCO consent. If consent has not been granted, the Examining Authority and Secretary of State would know in advance. The criteria, 	<p>submission of the DCO application to mature its compensatory proposals and includes an outline programme for further planned workstreams.</p> <p>In terms of a forward look, the Applicant is still finalising its onward engagement programme but expects to undertake the following consultation activities in the coming months with respect to Sandwich tern compensation proposals at Loch Ryan:</p> <ul style="list-style-type: none"> • Submit an Environmental Impact Assessment (EIA) Screening Request; • Formal pre-application consultation with Dumfries and Galloway Council, as the relevant Local Planning Authority (LPA), to build on informal engagement already undertaken and to gain feedback on the scope of the application, key material and planning policy considerations and the likelihood of planning permission being granted; • Further engagement with relevant statutory bodies and landowners; and • Further engagement with key stakeholders relevant to DCO Examination (i.e. Natural England and RSPB). <p>In addition, the Applicant also intends to undertake public consultation to which local stakeholders and interest groups will be invited to attend. This will be undertaken irrespective of whether the proposed scheme is considered a ‘major’ or ‘local’ development as defined in The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and any statutory requirements.</p> <p>Similarly for kittiwake compensation proposals at Gateshead, the Applicant is still finalising its onward engagement programme but expects to undertake the following activities in the next few months:</p> <ul style="list-style-type: none"> • Formal pre-application consultation with Gateshead Council to obtain feedback from the Council’s wider team of technical officers on the scope of the planning application; • Further engagement with Gateshead Council’s property service team with respect to land matters;

ID	Relevant Representation	Applicant Comment
	<p>guidance and associated requirements set out above will guide how the RSPB assesses the compensation measure proposals submitted as part of the application.</p>	<ul style="list-style-type: none"> • Further engagement with relevant statutory bodies, non-statutory organisations and local interest groups; and • Further engagement with key stakeholders relevant to Examination (i.e. Natural England and RSPB).
28	<p>COMMENTS ON VARIOUS COMPENSATION PROPOSALS The Applicant has summarised its compensation measures in section 5.7 of APP-064 (Appendix 1 – Compensatory Measures Overview). It distinguishes between project-led measures (paragraph 36) versus collaborative and strategic measures (paragraph 37) which may become available. Further detail is provided in separate documents submitted as part of the application. The RSPB will scrutinise each of these measures in detail to assess the amount of weight and confidence that can be placed in each, and to determine whether they are capable of meeting the criteria and level of detail required, as outlined above. However, in general, significantly more detail should be presented to the examination for scrutiny by the Examining Authority and Interested Parties to enable a full assessment of the different compensation proposals, including all the necessary detail, permissions and consents. Below, we make very brief commentary against each species for which compensation measures have been proposed, highlighting some of the issues raised by review of the application documents. Further detailed submissions will be made in the RSPB's written representation.</p>	<p>Noted. The Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 provides an update on the Applicant's compensatory measures proposals. Additionally, the Applicant has submitted a Gateshead Kittiwake Tower Modification – Quantification of Productivity Benefits Technical Note [document reference 13.1] and Sandwich tern – Quantification of Productivity Benefits Technical Note [document reference 13.4] at Deadline 1 which seek to address concerns raised by Natural England in their Relevant Representation [RR-063] regarding the benefits of the proposed project-led measures.</p>
29	<p>Sandwich tern compensation measures are outlined in APP-069 (Sandwich Tern Compensation Document).</p> <ul style="list-style-type: none"> - Nesting habitat improvements and restoration of lost breeding range at Scar Point, Loch Ryan (project led) – see comments below. - Improved breeding success at SPA sites other than NNC - Farne Islands SPA (project-led). - Prey enhancement through sandeel stock recovery and sprat stock protection and ecosystem-based management (strategic): no specific mechanism is presented for securing this measure, therefore the RSPB considers little or no weight can be placed on it at this stage. 	<p>Noted.</p>

ID	Relevant Representation	Applicant Comment
	<p>We support the conclusion that an AEOL on integrity of the Greater Wash SPA and North Norfolk Coast SPA cannot be ruled out. We agree that management measures considered within the North Norfolk Coast and other SPAs cannot be considered compensation measures, as they should form management necessary to restore and maintain Sandwich terns in favourable condition; additionality cannot be demonstrated. We have engaged with the developer over delivery of new sites for Sandwich terns.</p>	
30	<p>We have some concerns about the Loch Ryan proposal which appears to be constrained by rising land and woodland and the Applicant acknowledges there is uncertainty about whether or not Sandwich terns would recolonise Loch Ryan if provided with restored breeding habitat, and how quickly this may occur. We consider the compensation package should include a greater number of sites to provide confidence that sufficient capacity will be created to accommodate Sandwich terns and ensure that suitable options are available for birds to have options to breed and build resilience into the SPA network. The addition of a single site will make limited contribution to addressing the resilience. Our comments through the Examination will focus on the Sandwich tern evidence base, the assessment assumptions and conclusions, and the quality and appropriateness of the compensation package to address impacts on Sandwich terns.</p>	<p>The Applicant's expert ornithologist has undertaken several visits to Loch Ryan to assess the suitability of sites within the identified Area of Search. This led to the identification of several sites within the preferred area of search (see Figure 3 in Appendix A - Supporting Figures for the Applicant's Responses to Relevant Representations [document reference 12.3.1]) which, as agreed with Dumfries and Galloway Council and NatureScot, are considered to represent the most ecologically suitable and least constrained options, and likely to have the greatest chance of success.</p> <p>The Applicant has undertaken a robust and iterative site selection process informed by an extensive programme of consultation with the HRA Compensation ETG. Whilst as part of this process, other locations were reviewed and discussed with stakeholders, no other suitable location for implementing compensation that has as high a chance of success was identified. The Applicant is therefore committed to securing a suitable site at Loch Ryan.</p> <p>The Applicant also notes that the level of compensation required would be to increase Sandwich tern numbers by more than the equivalent of the 95% upper confidence limit of ca. 12-17 adults (mean ca. 6-7 adults) which are estimated to be subject to annual mortality during operation (see the Apportioning and HRA Updates Technical Note [document reference 13.3] submitted at Deadline 1). Natural England's guidance in relation to quantifying compensation requirements considers that compensation should at least match the upper 95% confidence limit for the estimated number of birds from the SPA population that might be subject to mortality based on the Band model estimate using precautionary estimates derived mainly from terrestrial wind farm collision data. The avoidance estimates in</p>

ID	Relevant Representation	Applicant Comment
		<p>Natural England guidance are also regarded by the Applicant as precautionary, so that the actual number of collisions is likely (though not certain) to be considerably smaller than the mean number estimated by the Band model, and therefore likely to be very much smaller than the 95% upper confidence limit. The Applicant considers the overall approach to be extremely over precautionary but has nonetheless accepted to base its compensation requirements for Sandwich tern on the 95% upper confidence limit.</p> <p>The Applicant has developed a package of compensatory measures for Sandwich tern which includes improving breeding success at SPA sites other than North Norfolk Coast – Farne Islands SPA. The Applicant considers its proposal to undertake measures to improve breeding success at the Farne Islands SPA to be an important part of its proposed package of compensatory measures for Sandwich tern. It is considered that there is sufficient evidence outlined in the Appendix 2 – Sandwich Tern Compensation Document [APP-069] and the Sandwich Tern Quantification of Productivity Benefits Technical Note [document reference 13.4] submitted at Deadline 1, to demonstrate that if delivered at an appropriate scale, the measures proposed could provide substantial benefits to breeding numbers of Sandwich tern at the Farnes as well as address any accrued mortality debt associated with the Applicant's proposed measure at Loch Ryan.</p>
31	<p>Kittiwake</p> <p>Kittiwake compensation measures are outlined in APP-072 (Kittiwake Compensation Document).</p> <p>- Nest site improvements to enhance breeding success: relies on demonstrating improved breeding success in urban locations where success is argued to be constrained by human disturbance or predation. Potential locations suggested (e.g. in Lowestoft and Tyne) but none apparently secured at the time of the application. Challenges include but are not limited to: demonstrating improved breeding success over the long-term against a detailed evidential baseline, demonstrating additionality against other kittiwake nesting initiatives already underway in selected locations.</p>	<p>It should be noted that modifications to the existing kittiwake tower at Gateshead represents the Applicant's preferred option for delivering nest site improvements to enhance kittiwake breeding success. The Applicant recognises that there is strong opposition from East Suffolk Council for project-led delivery of nest site improvements to enhance kittiwake breeding success within Lowestoft town as it would be contrary to their strategic position. Whilst it remains the Applicant's view that its proposal for Lowestoft has strong ecological merit and is technically feasible, in light of East Suffolk Council's view and recognising the positive progress being made with respect to securing the option at Gateshead (see the Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 which</p>

ID	Relevant Representation	Applicant Comment
		<p>includes a letter of support from Gateshead Council in Appendix B), the decision has been taken to not actively progress the option at Lowestoft further at this stage.</p> <p>Also see the Gateshead Kittiwake Tower Modification – Quantification of Productivity Benefits Technical Note [document reference 13.1] submitted at Deadline 1 which provides further information regarding the Applicant's kittiwake proposal. This includes consideration of RWE's kittiwake tower which is currently under construction on the site adjacent to the existing Saltmeadows tower. The information provided demonstrates that there is existing and, at present, increasing demand for new or improved nesting provision within the Tyne area. Thus, there is considered to be sufficient capacity within the Tyne kittiwake population to accommodate both the Applicant's and RWE's initiatives.</p>
32	<p>- Construction of new artificial breeding sites (onshore or offshore): the RSPB notes and agrees with the Applicant's comment that concerns have been raised by stakeholders around the potential for diminishing returns with an increased number of new artificial nesting structures for kittiwakes. Such measures are currently unproven as compensation measures e.g. delivering against an agreed set of compensation objectives. In addition, there is significant legal uncertainty at this time in respect of the ability to repurpose offshore structures for this use as the view of BEIS and the Offshore Petroleum Regulator for Environment & Decommissioning (OPRED) has not been established at this point.</p>	Noted.
33	<p>- Prey enhancement through sandeel stock recovery and ecosystem-based management (strategic): no specific mechanism is presented for securing this measure, therefore the RSPB considers little or no weight can be placed on it at this stage. Should more detail be presented the RSPB will review its position.</p>	<p>The Applicant advocates provision of strategic compensation to enable the offshore wind industry to deliver the 50 gigawatts by 2030 Government ambition and contribute to net zero targets, but recognises that implementing certain strategic compensation solutions (such as prey enhancement) can only be achieved by Government action (see the Strategic and Collaborative Approaches to Compensation and Measures of Equivalent Environmental Benefit [APP-084] and the Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 for further information).</p>

ID	Relevant Representation	Applicant Comment
34	<p>Guillemot and razorbill Compensation measures for guillemots and razorbills are set out in APP-074 (Gannet Guillemot and Razorbill Compensation Document). We note that for two of the measures the Applicant relies, in part, on submissions made by Hornsea Project Four, without reference to the detailed and critical comments by the RSPB and Natural England on those proposals.</p> <p>- Bycatch reduction (project-led and collaborative): the applicant refers to various possible measures to achieve bycatch reduction, although no specific measure with the necessary detail is proposed to enable a proper assessment as compensation. Any proposal must be evidenced and specific to a particular fishery in order to determine if it will result in sustained bycatch reduction for each species beyond the lifetime of the OWF. This typically requires multi-year trials which have not been carried out prior to application. Therefore, the Applicant's claim of there being no delay to compensation delivery are not proven. Reference is made to use the use of looming eye buoys (LEB) as one potential measure. LEBs are an experimental prototype measure that has been developed by the RSPB/BirdLife International in collaboration with Fishtek Marine. It has not been proven to be an effective measure for bycatch reduction with respect of guillemot and razorbill at the time of writing. The Applicant appears to place reliance on claims made by Orsted in its submissions to the Hornsea Four examination. The RSPB carefully reviewed the evidence presented by Orsted, was highly critical of it and considers that at this stage little weight can be placed on it as a viable compensation measure (see sections 6 and 9 of the RSPB's REP6-069 to the Hornsea Four examination).</p>	<p>Since submission of the DCO application the Applicant has had further discussions with fisheries stakeholders in the northeast and has ascertained that the level of set net fishing activity and therefore auk bycatch is unlikely to be of a sufficient scale to present a feasible compensation measure.</p> <p>However, in response to the points raised by Natural England within their Relevant Representation [RR-063], the Applicant is now investigating options for the implementation of the same or similar measures in the southwest of England. The Applicant is intending to submit in the early stages of Examination an Auk Bycatch Reduction Feasibility Statement which will include further details on these proposals including how the Applicant proposes to gather evidence on the extent of bycatch in southwest England and the proposed approach to the implementation and monitoring of bycatch reduction technologies.</p> <p>It should be noted that the Applicant's proposal also includes measures that could potentially be delivered on either a collaborative (bycatch reduction and predator eradication from a breeding colony) or strategic basis (i.e. contribution to strategic compensation fund such as the Marine Recovery Fund). See the Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1 for further information with respect to these options.</p>
35	<p>- Predator eradication from a breeding colony (collaborative): no specific measure is proposed by the Applicant. Reference is made to proposals by Hornsea Project Four in respect of Guernsey, again without reference to the detailed comments made by the RSPB and Natural England on those proposals at the end of the examination. The RSPB's REP6-069 to the Hornsea Four examination sets out its detailed concerns with those proposals. As such, little weight can be placed on it as a viable compensation measure at this time.</p>	

ID	Relevant Representation	Applicant Comment
	<p>- Prey enhancement through sandeel stock recovery (strategic): no specific mechanism is presented for securing this measure, therefore the RSPB considers little or no weight can be placed on it at this stage. Should more detail be presented the RSPB will review its position.</p>	
36	<p>Gannet</p> <p>Compensation measures for gannet are set out in APP-074 (Gannet Guillemot and Razorbill Compensation Document). - Enhance the conservation of wintering and migrant shorebirds and waterfowl at Loch Ryan, Scotland (non like-for-like compensation): this cannot be considered as compensation. It is not compliant with the requirement to protect the overall coherence of the National Site Network for gannet. The RSPB notes the Applicant refers to draft Defra guidance, which has not been published in final form. The RSPB was highly critical of the element of Defra's draft guidance relied on by the Applicant as the RSPB considers it does not comply with the legal requirements for compensation under the Habitats Regulations as such measures cannot protect the overall coherence of the National Site Network for the impacted species.</p> <p>- Bycatch reduction (project-led and collaborative): this comprises a research proposal to establish the scale and pattern of bycatch of gannet in Portuguese waters and to investigate the merits of different bycatch reduction measures. The RSPB recognises there is a need for such research. However, it does not comprise a feasible compensation measure for any predicted adverse effects on integrity on FFC SPA gannets. Such research will take many years to complete and may not produce viable bycatch reduction measures. Therefore it cannot be relied on as a compensation measure at this stage and we cannot see how this will change prior to the end of the examination.</p>	<p>See Applicant's response at ID 4 of this table. The Applicant is not currently progressing compensatory measures for gannet.</p>
37	<p>Red-throated diver</p> <p>The species could be affected by vessels moving through the northern section of the Outer Thames Estuary SPA from Great Yarmouth and also affected by vessel movements and turbine construction in the Greater Wash</p>	<p>Noted. See Applicant's response at ID 15 of this table.</p>

ID	Relevant Representation	Applicant Comment
	<p>SPA. We will set out fuller comments on these and other issues relating to the Applicant's derogation submissions in our main written submission.</p> <p>Finally, the RSPB reserves the right to add to and/or amend its position in light of changes to or any new information submitted by the Applicant.</p>	

4.27 RWE Renewables [RR-084]

Table 4.27.1 Applicant's comments on RWE Renewables relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p><i>RWE Renewables Limited (RWE) wishes to make a Relevant Representation as an interested party for the examination of the Equinor Sheringham and Dudgeon Extensions Project, PINS Ref: EN010109. RWE may wish to make representations on aspects of the Environmental Statement and Report to Inform Appropriate Assessment, specifically those related to cumulative/in-combination impacts that could cause potential adverse effects on site integrity. RWE are currently in discussions with Equinor regarding the possible requirement for compensation on breeding kittiwake and are exploring the potential for a collaborative approach to addressing this issue to ensure that the respective proposals of each company are complementary. Discussions are on-going and RWE will continue to liaise with Equinor over this and other matters where it benefits both parties. RWE may also look to make further representations where RWE interests are referenced</i></p>	<p>Noted. The Applicant is continuing its dialogue with RWE in relation to the delivery of new or improved kittiwake nesting habitat in the Tyne area and potential opportunities for collaboration. See the Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted a Deadline 1 for the latest information regarding the Applicant's derogation case and compensatory proposals for kittiwake.</p>

4.28 The Crown Estates [RR-114]

Table 4.28.1 Applicant's comments on The Crown Estates relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The Crown Estate requests to be registered as an Interested Party in the examination of the Sheringham and Dudgeon Extension Projects. Our</p>	<p>No response required</p>

I.D.	Relevant Representation	Applicant Comment
	interest in the projects is that Equinor holds Agreements for Lease from The Crown Estate.	

4.29 The Woodland Trust [RR-115]

Table 4.29.1 Applicant's comments on The Woodland Trust relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The Woodland Trust welcomes the opportunity to register a representation to the following project. We hold serious concerns regarding the potential impact to Colton Wood (designated on Natural England's Ancient Woodland Inventory), plus four trees recognised as veteran within the Arboricultural Impact Assessment (reference: APP-228). We also hold concerns regarding the likely increase in air quality impacts to a number of ancient woodlands. The Trust is concerned that Colton Wood's proximity to the cabling boundary will result in noise and dust pollution during construction. As such, we recommend that a buffer zone of 30 metres is implemented to Colton Wood to mitigate for the above impacts. This is in line with Natural England and Forestry Commission's standing advice which states: "the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic." In addition, Ringland Covert - which appears on maps dated in the 1880s and is referred to within the application documents as ancient woodland – will be subject to likely direct loss and/or detrimental impact to facilitate the proposed cabling works. Natural England should therefore be consulted for their opinion on the scheme, the antiquity of the site and its likely effects on this important piece of woodland. Furthermore, four veteran trees are recorded within the DCO boundary. The Trust asks that during construction these trees are adequately protected in line with Natural England and the Forestry Commission's standing advice which states: "For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the</p>	<p>The Applicant thanks The Woodland Trust for its comments and provides a response to the specific points raised in this representation below.</p> <p>A detailed assessment of the potential dust and air quality emissions effects upon Colton Wood and other ancient woodland within 200m of the Order limits is presented in of Environmental Statement (ES) Chapter 22 Air Quality [APP-108, Sections 22.6.1.1 and 22.6.1.2].</p> <p>These assessments conclude that dust and air quality emissions will have a non-significant effect upon these sites. The Applicant will seek to ensure that the maximum buffer possible is left between Colton Wood and the working width during construction. As a minimum, Root Protection Zones (RPZ) will be retained between the ancient woodland and the working area.</p> <p>An Outline Landscape Management Plan (Revision B) [document reference 9.18] and Outline Ecological Management Plan (Revision B) [document reference 9.19] has been submitted in support of the application which are secured by Requirements 11 (Provision of Landscaping), 12 (Implementation and Maintenance of Landscaping) and 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1].</p> <p>Clarification: The potential effects upon Ringland Covert woodland CWS (which, although listed as such in Table 20-10 of ES Chapter 20 Onshore Ecology and Ornithology [APP-106], is not classified as an ancient woodland in the Ancient Woodland Inventory) is being avoided through use of trenchless techniques, e.g. HDD. In addition, there is no associated Haul Road, and as such impacts to the CWS are avoided.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area. Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone." In summary, the Woodland Trust objects to the proposed development on the grounds of impact to ancient woods and trees. We hope our comments are of use to you</p>	<p>Please note that the two of the veteran trees located within the Order limits (T057, T062) would be avoided by the use of trenchless techniques, e.g. HDD. These are shown in Figure 4.10 of ES Chapter 4 Figures - Project Description [APP-117] and Figures 19-20 of ES Appendix 20.15 Arboricultural Survey Report [APP-228]. RPZ will be sought to be avoided during detailed design of the HDD compounds and the onshore substation. The two remaining trees (T028 and T045) are located within Work No 18A/B which comprises permanent mitigation, landscaping and drainage works (Works Plans – Onshore, [AS-005]) and as such there would be no impact to the trees. There is also a group of three veteran sycamores (G14) located to the north of the footpath within the woodland W4, no impacts are anticipated to this group.</p>

4.30 UK Chamber of Shipping [RR-117]

Table 4.30.1 Applicant's comments on UK Chamber of Shipping relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The UK Chamber of Shipping is the trade association for the UK shipping industry, representing some 200 members, operating 900 vessels equalling 18 million GT in capacity, trading around the UK and globally. The Chamber represents the full breadth of the industry, including dry and wet trades, passenger transport (cruise & ferry), offshore supply and construction, towage, and specialist, as well as professional service providers with shipping interests. The Chamber fully supports the Government's obligations to achieve Net Zero and welcomes the development of offshore renewable energy to achieve is. The shipping industry and accompanying ports play an essential role in enabling those targets to be achieved by providing bases and vessels for construction, operation & maintenance, and decommissioning. The Chamber also asserts that the planning process and framework must support both the UK's offshore renewable goals for decarbonisation and the wider shipping industry to ensure that navigational safety is not compromised nor economic contribution from the shipping industry jeopardised, in accordance with the National Planning Statements. The Chamber seeks to ensure navigational safety is upheld and that</p>	<p>The Respondent's comment is noted.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>developments are appropriately positioned to enable existing commercial navigation to continue safely and efficiently. Shipping is the greenest form of cargo transport and proposed offshore renewable developments must take fully into consideration the routing and operations of commercial shipping to enable this to continue. The Chamber has been closely involved in the planning process for Sheringham and Dudgeon Extension Projects prior to DCO application, through PEIR, Hazard Workshops and the NRA, advocating for full consideration for navigation safety and environmental efficiency of commercial shipping. The Chamber wishes to have opportunity to provide further representation on navigation, where necessary.</p>	

4.31 UK Health Security Agency [RR-118]

Table 4.31.1 Applicant's comments on UK Health Security Agency relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Thank you for your consultation regarding the above development. The UK Health Security Agency (UKHSA) and the Office for Health Improvement and Disparities (OHID) (formerly Public Health England) welcome the additional targeted consultation prior to the completion of the Environmental Statement (ES). Advice offered by UKHSA and OHID is impartial and independent. We can confirm that: With respect to Registration of Interest documentation, we are reassured that earlier comments raised by us on 9th June 2021 have been addressed. In addition, we acknowledge that the ES has not identified any issues which could significantly affect public health. Following our review of the submitted documentation we are satisfied that the proposed development should not result in any significant adverse impact on public health. On that basis, we have no additional comments to make at this stage and can confirm that we have chosen NOT to register an interest with the Planning Inspectorate on this occasion. Please do not hesitate to contact us if you have any questions or concerns.</p>	<p>The Applicant acknowledges and thanks the UK Health Security Agency for its Relevant Representation.</p>

4.32 Vattenfall [RR-119]

Table 4.32.1 Applicant's comments on Vattenfall relevant representation

I.D.	Relevant Representation	Applicant Comment
Onshore		
1	<p>The DEP/SEP proposed cable corridor crosses the Norfolk Vanguard cable route in the Parish of Oulton. Vattenfall Wind Power Ltd would expect that any rights granted will not acquire, extinguish, suspend, override or interfere with any rights that Vattenfall Wind Power Ltd has in respect of any apparatus already installed or permitted to be installed at this location. Vattenfall Wind Power Ltd also expect to maintain unfettered access during their construction phase and beyond for inspection and repair. Vattenfall Wind Power Ltd will seek to ensure that there are suitable protections in place for the easement area and infrastructure included, or proposed to be included within it.</p> <p>The Street, Oulton</p> <p>Whilst the siting of the offshore array, export cable route and the onshore connection points differ between Norfolk Vanguard and the SEP/DEP, Vattenfall Wind Power Ltd notes that the proposed DEP/SEP onshore cable will still cross The Street, near Oulton airfield. Whilst the DEP/SEP construction traffic numbers presented at Preliminary Environmental Information Report (PEIR) on The Street are very low, Vattenfall Wind Power Ltd would expect Equinor New Energy Limited to demonstrate that their approach to that crossing, and use of The Street to access works either side of The Street, would not conflict with mitigation measures already secured for Norfolk Vanguard. Specifically the introduction of passing places along The Street and a cap on the maximum number of Heavy Goods Vehicles permitted to use that route.</p> <p>The A1067</p> <p>The A1067 (the main route serving the preferred DEP/SEP main construction compound location) is also a road link for construction traffic for Norfolk Vanguard. Vattenfall Wind Power Ltd would expect the reported Norfolk Vanguard construction traffic numbers to be factored into Equinor</p>	<p>Norfolk Vanguard's comments are noted.</p> <p>Detailed discussions regarding adequate protection of Norfolk Vanguard's assets are ongoing.</p> <p>Information on interactions with SEP and DEP is being shared with Vattenfall Wind Power Limited to facilitate the ongoing discussions and negotiations in relation to protective provisions. The Applicant hopes to conclude those negotiations in advance of the Examination closing.</p> <p>With regard to comments in relation to The Street, the A1067 and the B1149 the Applicant would respond as follows:</p> <p>The Street, Oulton</p> <p>The Applicants Crossing Schedule [APP-178] details a commitment to the use of trenchless techniques, e.g. horizontal directional drilling to install SEP and / or DEPs cables under The Street at Oulton. The use of trenchless technologies at The Street will ensure that there would be no impact upon the Norfolk Vanguard/Boreas works along this road.</p> <p>Section 24.7.4 of Chapter 24 Traffic and Transport of the ES [APP-110] includes a detailed cumulative assessment for all links within the traffic and transport study area (including The Street, Oulton). Mitigation measures to cap SEP and DEP traffic via The Street, Oulton are outlined with the Outline Construction Traffic Management Plan (Revision B) [document reference 9.16].</p> <p>The A1067</p> <p>Section 24.7.4 of Chapter 24 Traffic and Transport of the ES [APP-110] includes a detailed cumulative assessment for all links within the traffic and transport study area (including the A1067). To inform the cumulative assessment, a worst-case scenario has been adopted that utilises the peak period for SEP and DEP and peak traffic flows for Norfolk Vanguard (NV).</p>

I.D.	Relevant Representation	Applicant Comment
	<p>New Energy Limited's assessment of cumulative traffic impacts on the A1067 as part of their application.</p> <p>B1149 Access</p> <p>The DEP/SEP boundary overlaps with two construction accesses required by Norfolk Vanguard; one is required to undertake a trenchless crossing of the B1149 for Norfolk Vanguard and the other is near the junction of The Street and Heydon Road which is required to access the Norfolk Vanguard cable logistics area. Both accesses are also required for cable pulling operations for Norfolk Vanguard post duct installation. Vattenfall Wind Power Ltd therefore require assurances that the proposed routing of the DEP/SEP cables would not impact the construction programmes for Norfolk Vanguard; both at these construction accesses and across the onshore cable route.</p>	<p>Reported traffic numbers for NV have been taken from the NV Outline Construction Traffic Management Plan.</p> <p>With the application of mitigation (as required), Section 24.7.4 of Chapter 24 Traffic and Transport of the ES [APP-110] outlines the residual cumulative impacts would not be significant.</p> <p>B1149 Access</p> <p>The Applicant has reviewed the Access to Works Plan for Norfolk Vanguard [DCO reference REP2-013] and has identified proposed access AC89 from the B1149 and access AC88 from The Street.</p> <p>The Applicants Access to Works Plan [AS-006] does not show an overlap with the SEP and DEP order limits at access AC89. An overlap with the Norfolk Vanguard and SEP and DEP order limits is however identified at access AC88 from The Street. As outlined in response to comments above on The Street, the Applicant intends to install cables for SEP and DEP under the Street using trenchless technology. The Applicant will engage with Vattenfall Wind Power Ltd to explore opportunities for co-ordinated working.</p>
Offshore		
2	<p>Collision risk predictions were presented in the DEP/SEP PEIR and, as advised by Natural England, these were included in a revised cumulative assessment for Norfolk Vanguard. The updated predictions presented in the DEP/SEP application do not significantly differ from those presented at PEIR. The DEP/SEP HRA and integrity matrices identify an in combination effect on the kittiwake feature at the Flamborough and Filey coast Special Protection Area (SPA) and therefore propose compensation for this feature. The Norfolk Projects (the combination of Norfolk Boreas Limited and Norfolk Vanguard) note that DEP/SEP are proposing the upgrading or increase in capacity of existing kittiwake colonies which have established on artificial structures. One option is the creation of narrow ledges on one wall of the BT building in Lowestoft. The Norfolk projects are intending on installing Kittiwake nesting structures on the outer port at Lowestoft in the near future and therefore there would be potential for the two compensation</p>	<p>It should be noted that modifications to the existing kittiwake tower at Gateshead represents the Applicant's preferred option for delivering nest site improvements to enhance breeding success of kittiwakes, recognising the positive progress being made with respect to securing this option (see the Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1). In recognition of strong opposition from East Suffolk Council for projected delivery of nest site improvements to enhance kittiwake breeding success within Lowestoft town, since it would be contrary to their strategic position, the decision has been taken to not actively progress the option at Lowestoft at this stage.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>measures to interact. Although, the number of nests which Equinor New Energy Limited are proposing to provide for is much smaller than the Norfolk projects it will be essential for Equinor New Energy Limited to keep the Norfolk Projects updated on its progress as the Norfolk Projects are further developed than DEP/SEP in terms of its delivery programme. In particular, and to the extent available, Norfolk Vanguard would welcome sight of further detail from the SEP and the DEP on the relevant topics. Norfolk Vanguard hopes that this additional data can be shared as part of the continued dialogue between the projects.</p>	<p>The Applicant will endeavour to keep Vattenfall updated on progress related to the development of its HRA compensation measures at appropriate points throughout the Examination.</p>
3	<p>Vattenfall Wind Power Ltd note that both the DEP/SEP projects include monopile and piled jacket options for foundations and that although only indicative programs for construction have been provided at this stage there is potential for the Unexploded Ordnance (UXO) clearance and piling activities to overlap with the construction programme for Norfolk Vanguard (no piling overlap identified). Equinor New Energy Limited have identified the potential for cumulative impacts for a number of species including harbour porpoise, bottlenose dolphin, white beaked dolphin, minke whale, and grey and harbour seal. Given the potential for overlapping construction programmes it will be essential that Equinor New Energy Limited keep Vattenfall Wind Power Ltd and Norfolk Vanguard updated as UXO and construction programmes are developed and once more certainty around these timeframes is available. The Norfolk Projects note that the DEP/SEP projects are located outside of the Southern North Sea Special Area of Conservation (SAC) but are within 14.1 km at the closest point. Therefore, there is potential for Likely Significant Effects on the SAC to occur. It will therefore be important to consider the cumulative effects of the DEP/SEP projects with the Norfolk projects within the Habitats Regulations Assessment (HRA) and further information on timing of activities will be key to reducing the risk of possible effects to the SAC.</p>	<p>The Applicant will liaise with Vattenfall as UXO and construction programmes are developed and once more certainty around these timeframes is available. The Applicant is willing to work closely with Vattenfall to understand the potential for cumulative effects on the SNS SAC and agrees that sharing information on timing of activities will be key to reducing the risk of possible effects to the SAC.</p>
Both		
4	<p>Norfolk Vanguard Limited (Norfolk Vanguard) has received notification that the Sheringham Shoal Extension Project (SEP) and the Dudgeon Extension Project (DEP) have been accepted for examination. Please accept this</p>	<p>Noted.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>letter as Norfolk Vanguard's representation that it has an interest in the SEP and DEP applications, and wishes to be treated as an interested party for the purposes of the examination process. Development consent was secured for Norfolk Vanguard on 11th February 2022. In principle, Norfolk Vanguard supports the SEP/DEP as it will provide an important contribution towards meeting the government's renewable energy targets, and will enable the UK to continue its growth in the offshore wind sector. If consented, there is the potential for interaction between the projects and Norfolk Vanguard is keen to ensure, where appropriate and to the extent necessary, that this is considered during the SEP/DEP examination.</p>	
5	<p>Norfolk Vanguard has undertaken a preliminary review of the documents provided in support of the SEP/DEP application and its initial comments, focusing primarily on the cumulative effects as assessed in the Environmental Statement (ES) and the in-combination assessment contained in the Report to Inform Appropriate Assessment, are set out below. In general, Norfolk Vanguard welcomes the findings of the cumulative and in-combination assessments between Norfolk Vanguard and the SEP/DEP where Norfolk Vanguard has been included. However, it is noted that for a number of pertinent topics where Norfolk Vanguard has been referenced by name within the relevant chapter, detailed assessment has not been included. Given the similarity of the nature of the SEP/DEP and Norfolk Vanguard, Norfolk Vanguard is keen to continue to work collaboratively with Equinor New Energy Limited, particularly in relation to the following topics in which cumulative effects with Norfolk Vanguard have not been assessed in detail: • Marine mammals • Offshore ornithology • Commercial fisheries • Traffic and Transport • Socio-economics • Aviation and radar • Noise and Vibration • LVIA • Historic Environment Some further detail is provided on key topics of interest below (but not necessarily limited to these topic areas).</p>	<p>Noted. The Applicant is willing to work closely with Vattenfall to understand the potential for cumulative effects and whether additional cumulative assessment is required. However, at this stage, the Applicant considers that the information provided within the application documents is appropriate and adequate.</p> <p>The Applicant directs the Respondent to the following documents and sections for details in relation to consideration of Norfolk Vanguard in the cumulative impact assessment:</p> <ul style="list-style-type: none"> • ES Chapter 21 Onshore Archaeology and Cultural Heritage [APP-107], Section 21.7.2 and Table 21-15; • ES Chapter 23 Noise and Vibration [APP-109], Section 23.7.2 and Table 23-28; • ES Chapter 24 Traffic and Transport [APP-110], Section 24.7.4 and Table 24-53; • ES Chapter 26 Landscape and Visual Impact Assessment [APP-112], Section 26.7.2 and Table 26-16; • ES Chapter 27 Socio-economics and Tourism [APP-113], Section 27.7.2 and Table 27-18.

4.33 Vattenfall Wind Power Limited [RR-120]

Table 4.33.1 Applicant's comments on Vattenfall Wind Power Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Norfolk Boreas Limited (Norfolk Boreas) has received notification that the Sheringham Shoal Extension Project (SEP) and the Dudgeon Extension Project (DEP) have been accepted for examination. Please accept this letter as Norfolk Boreas' representation that it has an interest in the SEP and DEP applications, and wishes to be treated as an interested party for the purposes of the examination process. Development consent was secured for Norfolk Boreas on 10th December 2021. In principle, Norfolk Boreas supports the SEP/DEP as it will provide an important contribution towards meeting the government's renewable energy targets, and will enable the UK to continue its growth in the offshore wind sector.</p> <p>If consented, there is the potential for interaction between the projects and Norfolk Boreas is keen to ensure, where appropriate and to the extent necessary, that this is considered during the SEP/DEP examination. Norfolk Boreas has undertaken a preliminary review of the documents provided in support of the SEP/DEP application and its initial comments, focusing primarily on the cumulative effects as assessed in the Environmental Statement (ES) and the in-combination assessment contained in the Report to Inform Appropriate Assessment, are set out below.</p> <p>In general, Norfolk Boreas welcomes the findings of the cumulative and in-combination assessments between Norfolk Boreas and the SEP/DEP where Norfolk Boreas has been included. However, it is noted that for a number of pertinent topics where Norfolk Boreas has been referenced by name within the relevant chapter, detailed assessment has not been included. Given the similarity of the nature of the SEP/DEP and Norfolk Boreas, Norfolk Boreas is keen to continue to work collaboratively with Equinor New Energy Limited, particularly in relation to the following topics in which cumulative effects with Norfolk Boreas have not been assessed in detail:</p> <ul style="list-style-type: none"> • Marine mammals • Offshore ornithology 	<p>Norfolk Boreas Limited's comments are noted.</p> <p>Detailed discussions regarding adequate protection of Norfolk Boreas's assets are ongoing.</p> <p>Information on interactions with SEP and DEP is being shared with Norfolk Boreas to facilitate the ongoing discussions and negotiations in relation to protective provisions. The Applicant hopes to conclude those negotiations in advance of the Examination closing.</p> <p>In relation to the cumulative impact assessment, The Applicant directs the Respondent to the following documents and sections for details in relation to consideration of Norfolk Boreas in the cumulative impact assessment:</p> <ul style="list-style-type: none"> • ES Chapter 10 Marine Mammals [APP-096], Section 10.7.1.1.1 and Appendix 10.3 Marine Mammal CIA Screening [APP-193]; • ES Chapter 11 Offshore Ornithology [APP-097], Section 11.7.3 and Appendix 11.2 Information to Inform the Offshore Ornithology Cumulative Impact Assessment [APP-196]; • Chapter 12 Commercial Fisheries [APP-098], Section 12.7.3; • ES Chapter 21 Onshore Archaeology and Cultural Heritage [APP-107], Section 21.7.2 and Table 21-15; • ES Chapter 23 Noise and Vibration [APP-109], Section 23.7.2 and Table 23-28; • ES Chapter 24 Traffic and Transport [APP-110], Section 24.7.4 and Table 24-53 (note, Norfolk Vanguard worst case scenario numbers have been used (i.e. inclusive of Norfolk Boreas duct installation) as a worst cumulative case assessment); • ES Chapter 26 Landscape and Visual Impact Assessment [APP-112], Section 26.7.2 and Table 26-16;

I.D.	Relevant Representation	Applicant Comment
	<ul style="list-style-type: none"> • Commercial fisheries • Traffic and Transport • Socio-economics • Aviation and radar • Noise and Vibration • LVIA • Historic Environment <p>Some further detail is provided on key topics of interest below (but not necessarily limited to these topic areas).</p>	<ul style="list-style-type: none"> • ES Chapter 27 Socio-economics and Tourism [APP-113], Section 27.7.2 and Table 27-18.
2	<p>Cable Crossing Location</p> <p>The DEP/SEP proposed cable corridor crosses the Norfolk Boreas cable route in the Parish of Oulton. Vattenfall Wind Power Ltd would expect that any rights granted will not acquire, extinguish, suspend, override or interfere with any rights that Vattenfall Wind Power Ltd has in respect of any apparatus already installed or permitted to be installed at this location. Vattenfall Wind Power Ltd also expect to maintain unfettered access during their construction phase and beyond for inspection and repair.</p> <p>Vattenfall Wind Power Ltd will seek to ensure that there are suitable protections in place for the easement area and infrastructure included, or proposed to be included within it.</p>	<p>Norfolk Boreas' comments are noted. Detailed discussions regarding adequate protection of Norfolk Boreas' assets are ongoing.</p>
3	<p>The Street, Oulton</p> <p>Whilst the siting of the offshore array, export cable route and the onshore connection points differ between Norfolk Boreas and the SEP/DEP, Vattenfall Wind Power Ltd notes that the proposed DEP/SEP onshore cable will still cross The Street, near Oulton airfield. Whilst the DEP/SEP construction traffic numbers presented at Preliminary Environmental Information Report (PEIR) on The Street are very low, Vattenfall Wind Power Ltd would expect Equinor New Energy Limited to demonstrate that their approach to that crossing, and use of The Street to access works either side of The Street, would not conflict with mitigation measures</p>	<p>The Applicants Crossing Schedule [APP-178] details a commitment to the use of trenchless techniques, e.g. horizontal directional drilling to install SEP and / or DEPs cables under The Street at Oulton. The use of trenchless technologies at The Street will ensure that there would be no impact upon the Norfolk Vanguard/Boreas works along this road.</p> <p>Section 24.7.4 of Chapter 24 Traffic and Transport of the ES [APP-110] includes a detailed cumulative assessment for all links within the traffic and transport study area (including The Street, Oulton). Mitigation measures to cap SEP and DEP traffic via The Street, Oulton are outlined with the Outline Construction Traffic Management Plan [APP-301].</p>

I.D.	Relevant Representation	Applicant Comment
	<p>already secured for Norfolk Boreas. Specifically the introduction of passing places along The Street and a cap on the maximum number of Heavy Goods Vehicles permitted to use that route. The A1067 The A1067 (the main route serving the preferred DEP/SEP main construction compound location) is also a road link for construction traffic for Norfolk Boreas. Vattenfall Wind Power Ltd would expect the reported Norfolk Boreas construction traffic numbers to be factored into Equinor New Energy Limited's assessment of cumulative traffic impacts on the A1067 as part of their application.</p>	
4	<p>B1149 Access</p> <p>The DEP/SEP boundary overlaps with two construction accesses required by Norfolk Boreas; one is required to undertake a trenchless crossing of the B1149 for Norfolk Boreas and the other is near the junction of The Street and Heydon Road which is required to access the Norfolk Boreas cable logistics area. Both accesses are also required for cable pulling operations for Norfolk Boreas post duct installation. Vattenfall Wind Power Ltd therefore require assurances that the proposed routing of the DEP/SEP cables would not impact the construction programmes for Norfolk Boreas; both at these construction accesses and across the onshore cable route.</p>	<p>B1149 Access</p> <p>The Applicant has reviewed the Access to Works Plan for Norfolk Vanguard [DCO reference REP2-013] and has identified proposed access AC89 from the B1149 and access AC88 from The Street.</p> <p>The Applicants Access to Works Plan [AS-006] does not show an overlap with the SEP and DEP order limits at access AC89. An overlap with the Norfolk Vanguard and SEP and DEP order limits is however identified at access AC88 from The Street. As outlined in response to comments above on The Street, the Applicant intends to install cables for SEP and DEP under the Street using trenchless technology. The Applicant will engage with Vattenfall Wind Power Ltd to explore opportunities for co-ordinated working.</p>
5	<p>Marine Mammals</p> <p>Vattenfall Wind Power Ltd note that both the DEP/SEP projects include monopile and piled jacket options for foundations and that although only indicative programs for construction have been provided at this stage there is potential for the Unexploded Ordnance (UXO) clearance and piling activities to overlap with the construction programme for Norfolk Boreas (possible piling overlap). Equinor New Energy Limited have identified the potential for cumulative impacts for a number of species including harbour porpoise, bottlenose dolphin, white beaked dolphin, minke whale, and grey and harbour seal.</p>	<p>The Applicant will liaise with Vattenfall as UXO and construction programmes are developed and once more certainty around these timeframes is available. The Applicant is willing to work closely with Vattenfall to understand the potential for cumulative effects on the SNS SAC and agrees that sharing information on timing of activities will be key to reducing the risk of possible effects to the SAC.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>Given the potential for overlapping construction programmes it will be essential that Equinor New Energy Limited keep Vattenfall Wind Power Ltd and Norfolk Boreas updated as UXO and construction programmes are developed and once more certainty around these timeframes is available. The Norfolk Projects note that the DEP/SEP projects are located outside of the Southern North Sea Special Area of Conservation (SAC) but are within 14.1 km at the closest point. Therefore, there is potential for Likely Significant Effects on the SAC to occur. It will therefore be important to consider the cumulative effects of the DEP/SEP projects with the Norfolk projects within the Habitats Regulations Assessment (HRA) and further information on timing of activities will be key to reducing the risk of possible effects to the SAC.</p>	
6	<p>Offshore Ornithology</p> <p>Collision risk predictions were presented in the DEP/SEP PEIR and, as advised by Natural England, these were included in a revised cumulative assessment for Norfolk Boreas. The updated predictions presented in the DEP/SEP application do not significantly differ from those presented at PEIR. The DEP/SEP HRA and integrity matrices identify an in combination effect on the kittiwake feature at the Flamborough and Filey coast Special Protection Area (SPA) and therefore propose compensation for this feature.</p> <p>The Norfolk Projects (the combination of Norfolk Boreas and Norfolk Vanguard Limited) note that DEP/SEP are proposing the upgrading or increase in capacity of existing kittiwake colonies which have established on artificial structures. One option is the creation of narrow ledges on one wall of the BT building in Lowestoft. The Norfolk projects are intending on installing Kittiwake nesting structures on the outer port at Lowestoft in the near future and therefore there would be potential for the two compensation measures to interact. Although, the number of nests which Equinor New Energy Limited are proposing to provide for is much smaller than the Norfolk projects it will be essential for Equinor New Energy Limited to keep the Norfolk Projects updated on its progress as the Norfolk Projects are further developed than DEP/SEP in terms of its delivery programme. In particular, and to the extent available, Norfolk Boreas would welcome sight of further detail from the SEP and the DEP on the relevant topics. Norfolk</p>	<p>It should be noted that modifications to the existing kittiwake tower at Gateshead represents the Applicant's preferred option for delivering nest site improvements to enhance breeding success of kittiwakes recognising the positive progress being made with respect to securing the option at Gateshead (see the Habitats Regulations Assessment Derogation and Compensatory Measures Update [document reference 13.7] note submitted at Deadline 1). In recognition of strong opposition from East Suffolk Council for project-led delivery of nest site improvements to enhance kittiwake breeding success within Lowestoft town, since it would be contrary to their strategic position, the decision has been taken to not actively progress the option at Lowestoft at this stage.</p> <p>The Applicant will endeavour to keep Vattenfall updated on progress related to the development of its HRA compensation measures at appropriate points throughout the Examination.</p>

I.D.	Relevant Representation	Applicant Comment
	Boreas hopes that this additional data can be shared as part of the continued dialogue between the projects.	

4.34 Yare Power Limited [RR-123]

Table 4.34.1 Applicant's comments on Yare Power Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>I am writing on behalf of Yare Power Limited, a company which has secured planning permission and the necessary land rights to construct, own and operate a 49.9 MW battery storage facility situated on land owned by National Grid at Norwich Main Substation. Whilst not falling within the legal definition of a "nationally strategic infrastructure project", the Yare Power project is an important element of the UK's energy transition, and will help the UK meet its net zero commitments, As part of the Sheringham Shoal Extension Project and Dudgeon Extension Project DCO process to date Yare Power has received correspondence outlining the proposed plans and has responded to these outlining its concerns with regard to interaction between those projects and the Yare Power project. These concerns can be summarised as follows: 1. In correspondence with Equinor and the information Yare power has received from the promoters of the Sheringham Shoal Extension Project and Dudgeon Extension Project we consider there is a possibility that the proposed DCO boundary for the Sheringham Shoal Extension Project and Dudgeon Extension Project will overlap the consented battery storage facility and lease boundary of the Yare Power project. We expect the Yare Power project to exercise its land option and commence construction within 2023 and construction activity will take 12-18 months. The DCOs, if made, will need to take account of the interaction between all three projects to ensure that none is adversely impacted by the others. 2. Having reviewed the DCO submission it is clear that both the Yare Power and Equinor projects will utilise a shared access into Norwich main substation both for construction and ongoing long-term operations. This access road is also used by National Grid and other third parties given it is the only entrance to the wider substation complex. The DCOs, if made, will need to take account of the shared access</p>	<p>The Applicant thanks Yare Power Limited for its response.</p> <p>In response to the comments raised:</p> <ol style="list-style-type: none"> 1. The Applicant is aware of the proposal for a 49.9MW battery storage facility to the north east of Norwich Main Station and that there will be an interaction between the projects. The Applicant and Yare Power Limited have already had discussions surrounding the interactions between the projects. 2. The Applicant is in discussions with National Grid regarding shared use of the access road at Norwich Main. 3. The Applicant has actively sought to avoid this area in the application. Notwithstanding, where interactions exist, these can be managed through micro-siting and entering into a crossing agreement. 4. Whilst the application avoids the site of the proposed battery storage facility, the Applicant notes Yare Power Limited's concerns. As set out within Sheet 40 of 40 of the Onshore Works Plans [AS-005], the Applicant intends to utilise the existing access to the east of the Yare Power Limited site for construction and operations of the onshore substation. The land to the north, west and south of the proposed battery storage facility is required for temporary working areas and construction access and therefore there would be no long-term impact to Yare Power Limited.

I.D.	Relevant Representation	Applicant Comment
	<p>arrangements to ensure all projects can coexist through construction and into operations, alternatively Yare Power would be pleased to discuss appropriate contractual solutions with the DCO promoters. 3. Having reviewed the DCO submission it looks highly likely that the Sheringham Shoal Extension Project and Dudgeon Extension Project will look to utilise land upon which Yare Power's electrical and communication cables are likely to be installed. The DCOs, if made, will need to protect the Yare Power project infrastructure and certain measures (whether protective provisions, or requirements) will be needed to ensure that the Yare Power project is not impacted by the design of the Sheringham Shoal Extension Project and Dudgeon Extension Project. 4. Having reviewed the DCO submission it would appear that the Sheringham Shoal Extension Project and Dudgeon Extension Project intends to take land that surrounds the land that Yare Power intends to construct and operate its battery storage facility. Given the close proximity to the Yare Power development, the DCOs, if made, will need to deliver certain measures to ensure that the Yare Power project is not impacted by the design of the Sheringham Shoal Extension Project and Dudgeon Extension Project. Yare Power welcomes the opportunity to participate in the Examination process as an Interested Party. Building upon this DCO Relevant Representation, in due course Yare Power reserves its right to submit a detailed Written Representation</p>	

5 Comments on Public and Land Interest Relevant Representations

8. The Applicant's comments on relevant representations received from statutory consultees are provided in this section.

5.1 Benjamin Shrive [PDA-016]

Table 5.1.1 Applicant's comments on Benjamin Shrive relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Hi Menaka, As the owner of (redacted), I completely oppose the proposed cable route of the Sheringham Wind Farm Extension project that currently is planned to be directly along the boundary with my garden. There are outbuildings which we will be converting into accommodation within a couple of metres of this.	The Respondent's comment is noted.
2	I have registered my objection on the planning inspectorate portal and noted that Equinor / Dalcour McLaren gave me the impression on the phone that the cable was going to be located about 100m from the edge of the property boundary. This is not the case as I understand it is directly next to the hedge that adjoins our garden.	The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.
3	I have instructed my barrister on this issue, but wanted to make you aware directly that I do not want the cable to run anything like as closely as is currently being proposed. I am sure you understand. Yours sincerely Benjamin Shrive	The Respondent's comment is noted.

5.2 ADAS on behalf of Tarmac [RR-001]

Table 5.2.1 Applicant's comments on ADAS on behalf of Tarmac relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
2	Access - the appropriateness of the proposed access as it is likely to be a working access for a recycling centre at the time of the works for SEP and DEP.	The Applicant was of the understanding from discussions with Tarmac that the quarry was due to be reinstated with restoration being completed in 2024.

I.D.	Relevant Representation	Applicant Comment
3	Traffic Movements - little detail has been provided on timings and the likely interaction of the Project traffic on the traffic using the site for its existing use	On the basis that the quarry restoration works may have been complete prior to the commencement of SEP/and or DEP, it was established that there may potentially be a redundant access from the A140 that could provide a suitable means of access for construction traffic to the onshore substation for SEP and/or DEP.
4	Construction - how the proposed road is to be constructed given part of the route forms part of a quarry so the ground level are very varied.	<p>Noting the lack of certainty in regard to availability of the quarry access, the Transport Assessment [APP-268] outlines three potential options for construction traffic to access the onshore substation, including one option (Access ACC74) via the existing quarry access. However, paragraph 102 of the Transport Assessment acknowledges that access ACC74 may not be available:</p> <p>“At the time of drafting, it is unclear if access from the quarry ACC74 would be possible as there maybe ongoing restoration works which could conflict. However, should the restoration works at the quarry be complete, SEP and/or DEP construction traffic could potentially use access ACC74”.</p> <p>In the event that the access to the quarry is being used for restoration works (or as an access to a recycling center) the Applicant can confirm that it would use one of the alternative options from Mangreen Lane.</p>

5.3 Alison Shaw [RR-003]

Table 5.3.1 Applicant's comments on Alison Shaw's relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I wish to register as an Interested Party in the Examination of Equinor's SEP/DEP application for DCO. I am a longstanding resident and parish councillor in Oulton, Norfolk, and have already participated three times in the 6-month NSIP examination processes for Hornsea Three, Norfolk Vanguard and Norfolk Boreas.	Noted
2	The path of Equinor's proposed cable route would cut (and burrow) a swathe right through the northern, western and southern parts of this parish. A major crossover of the SEP/DEP cable trench with Vattenfall's Vanguard/Boreas cable trench would have to be constructed within metres	The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three,

I.D.	Relevant Representation	Applicant Comment
	<p>of the parish boundary. We live in a terraced cottage [Redacted], which is currently impacted by the construction of a Highway Intervention Scheme at its southern end, in order to facilitate an access route to the Main Construction Compounds for Orsted's Hornsea Three and Vattenfall's Vanguard/Boreas projects. This will transform our quiet rural lane into an industrial slip road for two-way HGV traffic, for the foreseeable future. Both developers have chosen to site their main compounds in Oulton and we will therefore bear the brunt of lights, noise, emissions and HGV traffic, six days a week, for many years to come. Researching and responding to the DCO applications for these first 3 projects over the past 5 years has already stolen much of my time and energy, and most of my peace of mind. And I am not alone in that. This strong community, in the heart of which we have brought up our three children, is already demoralised and weary of contemplating the next 10 years of disruption, disturbance and environmental degradation. The combined impacts of these projects on this parish are overwhelming. It is devastating now to face the prospect of trying to present the severity of the cumulative impacts of the onshore elements of all these projects – for a fourth time – to yet another panel of inspectors. I must stress that we are utterly supportive of the goal of reaching Net Zero, preferably before 2050, and completely understand the need for the massive contribution that offshore wind will make to that endeavour</p>	<p>Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p> <p>To reduce potential construction related impacts on Oulton the Applicant has committed to not routing HGV traffic through Oulton village but instead using the B1149. This will mitigate the impacts of SEP & DEP HGV construction traffic on the village. This commitment is set out within the Outline Construction Traffic Management Plan (Revision B) [document reference 9.16], secured by Requirement 15 of the draft DCO (Revision C) [document reference 3.1].</p>
3	<p>As SEP/DEP is a near-shore project, this Applicant was encouraged by many people in Norfolk to re-negotiate its grid connection point, for instance to Walpole. It has steadfastly refused to consider doing that. Such an alteration would completely avoid the SEP/DEP project adding to the already toxic mix of adverse impacts from the other projects on the onshore environment and communities. The tragedy for East Anglia is that the connection of all these projects to the onshore grid has NOT been strategically planned. As a consequence, much of the wind resource will be</p>	<p>The Connection and Infrastructure Options Note (CION) Process is the mechanism used by National Grid to evaluate potential transmission options to identify the connection point in line with their obligation to develop and maintain an efficient, coordinated and economical system of the electricity transmission network. The grid connection point SEP and DEP was determined by National Grid following the completion of the CION process. The CION process stipulates that it is the decision of National</p>

I.D.	Relevant Representation	Applicant Comment
	wasted, and the onshore environment and communities will be needlessly and expensively sacrificed. This could be done so much better.	<p>Grid rather than the Applicant to decide where the grid connection point will be.</p> <p>For more information regarding the grid connection point see Sections 3.6 and 3.10 of ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089].</p>

5.4 Andrew McCall [RR-004]

Table 5.4.1 Applicant's comments on Andrew McCall relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The village of Bodham is well known as a tranquil village within the beautiful North Norfolk countryside. I suspect the laying of a cable for this project will encroach and disrupt activity in the village, particularly at Overton Square. Overton Square has a reputation as a quiet classic Norfolk retreat, and has many tourist visitors to stay who will not appreciate an industrial operation being carried out nearby.	<p>Whilst there will be some construction presence in the area of Bodham, it will not be long term. It is expected that each 1km section of cable corridor will take a month to complete. Although there will be some construction presence beyond this as a haul road will be established to transport materials to the work front and the works progress. Further details are set out in ES Chapter 4 Project Description [APP-090].</p> <p>As set out in Table 23-33 of ES Chapter 23 Noise and vibration [APP-109] the impact of construction noise along the onshore cable corridor will be negligible, once mitigation measures are put in place.</p> <p>Both Holt Road and The Street will be crossed using a trenchless crossing technique, preventing road closures and thus limiting the effects of construction on the village. This is captured within the Crossing Schedule [AS-022].</p>

5.5 Bidwells on behalf of Great Melton Farms Limited [RR-008]

Table 5.5.1 Applicant's comments on Bidwells on behalf of Great Melton Farms Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration:-	No response required by the Applicant. .

I.D.	Relevant Representation	Applicant Comment
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice(Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on the route.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement, [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Access – clear defined access routes to the working strip will need to be agreed.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to the Access to Works Plan, [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip to include reference to the growing of Christmas trees.	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 of Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	Ducting –the cable routes for both projects to be ducted.	The Applicant refers to Please see Section 4.3.1 of Environmental Statement Chapter 4, – Project Description, [APP-090] for confirmation that cables will be installed in ducts.
8	Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.	Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, [APP-090].

I.D.	Relevant Representation	Applicant Comment
		The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.
9	Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, [APP- 130].</p> <p>The Outline Code of Construction Practice, (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey area requires clarification, their duration and any restrictions.	The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.
13	Fencing – appropriate fencing of the working width will need to be agreed.	The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the

I.D.	Relevant Representation	Applicant Comment
		approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 390, 395, 396, 416, 422, 427, 429, 431, 432, 434, 435, 437, 439, 442, 445, 450, 451, 452, 457, 459.</p>
15	Cable depth – this must be a minimum of 1.2m.	Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.
16	Offshore Transmission Licence holder “OFTO” – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 29-004, 29-006, 29-007, 30-014, 31-002, 31-004, 31-005, 31-011, 31-012, 32-001, 32-006, 33-013, 33-014, 33-017, 31-003, 31-006, 31-009 and 32-005. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement</p>

I.D.	Relevant Representation	Applicant Comment
		<p>ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	<p>Security – is a major concern which needs to be addressed at an early stage of the of the project.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.5 Site Security. Adequate security will be provided by the Principal Contractor working on behalf of the Applicant to protect the public and personnel, prevent theft from or damage to the works, and prevent unauthorised entry to or exit from the site. Site gates will be closed and locked when there is no site activity and appropriate security measures shall be implemented. Further details on site security measures will be provided in the CoCP.</p>
19	<p>Land subject for temporary occupational and use : - further clarification and details required.</p>	<p>The Applicant refers to the Explanatory Memorandum, Section 1.8.6.9 (Revision C) [document reference 3.2] which explains the requirement for Article 26 covering temporary use of land for carrying out the authorised development. Table 11-1 of the Statement of Reasons [APP-028] also includes a description of each of the Work Nos together with an explanation of the powers being sought in relation to each (permanent acquisition/acquisition of rights/temporary possession). The summaries of landowner and statutory undertaker negotiations at Appendices 2 and 3 of the Statement of Reasons also include a description of the reason for acquisition or temporary use in relation to each landowner.</p>
20	<p>Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> the policing of construction activities by an Agricultural Liaison Officer (ALO) agricultural land drainage pre and post construction identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> the undertaking of a pre-construction land survey by the ALO treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.6 Bidwells on behalf of John Roger Barnard [RR-009]

Table 5.6.1 Applicant's comments on Bidwells on behalf of John Roger Barnard relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration	No response required by the Applicant
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice 9Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on any route amendments proposed for the project.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Access – clear defined access routes to the working strip will need to be agreed.	In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan[AS-006].

I.D.	Relevant Representation	Applicant Comment
		<p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	<p>Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip.</p>	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 of Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	<p>Ducting –the cable routes for both projects to be ducted.</p>	<p>The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4 – Project Description[APP-090] for confirmation that cables will be installed in ducts.</p>
8	<p>Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	<p>Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.</p>	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey areas requires clarification, their duration and any restrictions.	<p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.</p>
13	Fencing – appropriate fencing of the working width will need to be agreed.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2[APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 459.</p>
15	Cable depth – this must be a minimum of 1.2m.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p>

I.D.	Relevant Representation	Applicant Comment
16	Offshore Transmission Licence holder "OFTO" – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 33-011, 34-004, 34-003, 33-012, 33-013 and 34-001. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised. It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p>

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.7 Bidwells on behalf of Nicholas Edward Evans-Lombe [RR-010]

Table 5.7.1 Applicant's comments on Bidwells on behalf of Nicholas Edward Evans-Lombe relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration:-	No response required by the Applicant.
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice(Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on any route amendments proposed for the project.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Access – clear defined access routes to the working strip will need to be agreed.	In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].

I.D.	Relevant Representation	Applicant Comment
		<p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	<p>Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip to include the growing of Christmas trees.</p>	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	<p>Ducting –the cable routes for both projects to be ducted.</p>	<p>The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4, Project Description [APP-090] for confirmation that cables will be installed in ducts.</p>
8	<p>Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	<p>Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.</p>	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation[APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice(Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey areas requires clarification, their duration and any restrictions.	<p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.</p>
13	Fencing – appropriate fencing of the working width will need to be agreed.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 429, 431, 432, 441, 422, 434, 435, 450, 451, 452, 455, 457, 459, 439 and 441.</p>
15	Cable depth – this must be a minimum of 1.2m.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p>

I.D.	Relevant Representation	Applicant Comment
16	Offshore Transmission Licence holder "OFTO" – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 29-004, 29-007, 30-014, 31-002, 31-005, 31-011, 32-001, 33-016, 30-013, 30-015, 29-005, 31-001, 31-007, 32-002, 33-017, 31-009, 31-010 and 31-008. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be</p>

I.D.	Relevant Representation	Applicant Comment
		<p>undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.8 Bidwells on behalf of Peter Gowing & Partners [RR-011]

Table 5.8.1 Applicant's comments on Bidwells on behalf of Peter Gowing & Partners relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration	No response required by the Applicant.
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on any route amendments proposed for the project.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
5	Access – clear defined access routes to the working strip will need to be agreed.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip.	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 of Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	Ducting –the cable routes for both projects to be ducted.	The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4 Project Description [APP-090] for confirmation that cables will be installed in ducts.
8	Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the</p>

I.D.	Relevant Representation	Applicant Comment
		approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey areas requires clarification, their duration and any restrictions.	The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.
13	Fencing – appropriate fencing of the working width will need to be agreed.	The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique 1for each crossing identified. The Crossing ID's specifically relevant are as follows: 473</p>
15	Cable depth – this must be a minimum of 1.2m.	Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.

I.D.	Relevant Representation	Applicant Comment
16	Offshore Transmission Licence holder "OFTO" – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 34-004 and 34-010. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised. It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p>

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.9 Bidwells on behalf of Punter Southall SIPP Trustees [RR-012]

Table 5.9.1 Applicant's comments on Bidwells on behalf of Punter Southall SIPP Trustees relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration	No response required by the Applicant.
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on any route amendments proposed for the project.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Access – clear defined access routes to the working strip will need to be agreed.	In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].

I.D.	Relevant Representation	Applicant Comment
		<p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	<p>Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip.</p>	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 of Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	<p>Ducting –the cable routes for both projects to be ducted.</p>	<p>The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4, Project Description [APP-090] for confirmation that cables will be installed in ducts.</p>
8	<p>Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	<p>Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.</p>	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey areas requires clarification, their duration and any restrictions.	<p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.</p>
13	Fencing – appropriate fencing of the working width will need to be agreed.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 429, 431, 432</p>
15	Cable depth – this must be a minimum of 1.2m.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p>

I.D.	Relevant Representation	Applicant Comment
16	Offshore Transmission Licence holder "OFTO" – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 31-003, 31-006, 31-010, 31-004, 31-012 and 31-007. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (AS-009) secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All</p>

I.D.	Relevant Representation	Applicant Comment
		<p>construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.10 Bidwells on behalf of Robert Alan Barnard [RR-013]

Table 5.10.1 Applicant's comments on Bidwells on behalf of Robert Alan Barnard relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration:-	No response required by the Applicant.
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on the route.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
5	Access – clear defined access routes to the working strip will need to be agreed.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip to include reference to the growing of Christmas trees.	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 of Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	Ducting –the cable routes for both projects to be ducted.	The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4, Project Description [APP-090] for confirmation that cables will be installed in ducts.
8	Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the</p>

I.D.	Relevant Representation	Applicant Comment
		approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey area requires clarification, their duration and any restrictions.	The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.
13	Fencing – appropriate fencing of the working width will need to be agreed.	The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 442, 445, 447, 450, 451, 452, 455, 457, 459.</p>

I.D.	Relevant Representation	Applicant Comment
15	Cable depth – this must be a minimum of 1.2m.	Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.
16	Offshore Transmission Licence holder “OFTO” – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant’s preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 33-017, 33-015, 33-008, 33-012, 33-013, 33-010, 33-009 and 33-011. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant’s preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Security – is a major concern which needs to be addressed at an early stage of the of the project.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17] - Section 3,5 Site Security. Adequate security will be provided by the Principal Contractor working on behalf of the Applicant to protect the public and personnel, prevent theft from or damage to the works, and prevent unauthorised entry to or exit from the site. Site gates will be closed and locked when there is no site activity and

I.D.	Relevant Representation	Applicant Comment
		appropriate security measures shall be implemented. Further details on site security measures will be provided in the CoCP.
19	Land subject for temporary occupational and use : - further clarification and details required.	The Applicant refers to the Explanatory Memorandum (Revision C) [document reference 3.2] which explains the requirement for Article 26 covering temporary use of land for carrying out the authorised development. Table 11-1 of the Statement of Reasons [APP-028] also includes a description of each of the Work Nos together with an explanation of the powers being sought in relation to each (permanent acquisition/acquisition of rights/temporary possession). The summaries of landowner and statutory undertaker negotiations at Appendices 2 and 3 of the Statement of Reasons also include a description of the reason for acquisition or temporary use in relation to each landowner.
20	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control

I.D.	Relevant Representation	Applicant Comment
		Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).

5.11 Bidwells on behalf of Robert Glover [RR-014]

Table 5.11.1 Applicant's comments on Bidwells on behalf of Robert Glover relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration which we reserve the right to comment on.	No response required by the Applicant.
2	Ecosystem/ecology – I am concerned the effect the Horizontal Directional Drilling may have on the River Bure and the water table and how it will impact on the ecosystem/ecology and habitat in the area to be crossed which is an area of rough carr/marsh and a haven for wildlife, it is also where my bee hives are located-further details of the drilling process are required and what safeguards are proposed to prevent any detrimental effects as a result of the works and to preserve the existing amenity of the area.	<p>The Applicant refers to Environmental Statement (ES) Chapter 18 Water Resources and Flood Risk [APP-104] in respect of the concerns raised on the effect of the Horizontal Directional Drill on the River Bure.</p> <p>The HDD entry/exit compounds would be set back from Mr Glover's landholding in areas of arable land, so the more ecologically valued habitat bordering the River Bure is not expected to be impacted.</p> <p>HDD depth under main rivers would be at least 2m below the channel bed. However, it should be noted that the exact depth of the HDD would likely be deeper (approximately 10m) and precise depth would be confirmed at detailed design stage. The depth of the HDD would be such that hydrologically sensitive habitats such as the river itself and areas of grassland/carr bordering it are not predicted to experience any adverse impacts.</p>
3	Heat/energy dissipation/vibration-what will be the heat/energy dissipation/vibration from the cables when installed and how will this be minimised-further details are required to comment on.	<p>The Applicant refers to ES Chapter 23 Noise and Vibration [APP-109] in respect of vibrations from the cable installation and how they can be mitigated.</p> <p>The effect of heat transfer from the buried cables on the surrounding ground has been modelled as part of the Cable System Study and this model is based on the last 10km where the current rating requirements are at their maximum.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The output of the simulation for this scenario shows that topsoil temperature will not be significantly impacted. Ground temperature directly on top of each circuit remains at the assumed summer temperature of 15°C. The study shows that the temperature starts to increase by 1°C at approximately 5cm intervals from ground level. The general depth of the cables of 1.2m will be such that at 0.3m depth the soil will see a maximum temperature of 20°C.</p>
4	<p>Residential Property-the route is crossing land within the curtilage of a residential property where I live, the presence of the cables will have an adverse effect on the enjoyment of the property and cause a depreciation in value.</p>	<p>The cables will be installed by Horizontal Directional Drill method over 100m away from the existing residential property at a depth where the Applicant does not consider there will be an adverse effect on the Respondent's enjoyment of the property nor a depreciation in its value.</p>
5	<p>Route-a preferable and less obtrusive route for the cables would be to the north of the B1354 road/east of the River Bure bridge which would then largely cross farmland and not residential property.</p>	<p>The Applicant refers to ES Chapter 3 Site Selection & Assessment of Alternatives [APP-089, Section 3.9] which sets out the approach taken to selection of the onshore cable corridor.</p>
6	<p>It is believed there is a recorded Roman encampment in the option area which must be preserved.</p>	<p>The Applicant refers to ES Chapter 21 Onshore Archaeology and Cultural Heritage [APP-107] which provides details of all known and potential heritage assets within the Order Limits.</p> <p>The Outline Written Scheme of Investigation (Onshore) (Revision B) [document reference 9.21] provides further information on the archaeological staged approach to evaluation which will inform the mitigation requirements. The approach to archaeological evaluation will establish the presence or absence of all known and potential heritage assets within the Order Limits.</p> <p>The archaeological evaluation and mitigation requirements will be further discussed and agreed in ongoing consultation with the Archaeological Advisor to Norfolk County Council.</p>

5.12 Bidwells on behalf of Sarah Frances Buxton [RR-015]

Table 5.12.1 Applicant's comments on Bidwells on behalf of Sarah Frances Buxton relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration:-	No response required by the Applicant.
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on the route.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Access – clear defined access routes to the working strip will need to be agreed.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip to include reference to the growing of Christmas trees.	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	Ducting –the cable routes for both projects to be ducted.	The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4, Project Description [APP-090] for confirmation that cables will be installed in ducts.

I.D.	Relevant Representation	Applicant Comment
8	Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey area requires clarification, their duration and any restrictions.	<p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.</p>
13	Fencing – appropriate fencing of the working width will need to be agreed.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary</p>

I.D.	Relevant Representation	Applicant Comment
		<p>fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
14	<p>Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.</p>	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 437.</p>
15	<p>Cable depth – this must be a minimum of 1.2m.</p>	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p>
16	<p>Offshore Transmission Licence holder “OFTO” – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.</p>	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	<p>The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 32-003, 32-006, 32-004 and 32-005. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1] .</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level</p>

I.D.	Relevant Representation	Applicant Comment
		<p>or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Security – is a major concern which needs to be addressed at an early stage of the of the project.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.5 Site Security. Adequate security will be provided by the Principal Contractor working on behalf of the Applicant to protect the public and personnel, prevent theft from or damage to the works and prevent unauthorised entry to or exit from the site. Site gates will be closed and locked when there is no site activity and appropriate security measures shall be implemented. Further details on site security measures will be provided in the CoCP.
19	Land subject for temporary occupational and use : - further clarification and details required.	The Applicant refers to the Explanatory Memorandum (Revision C) [document reference 3.2] which explains the requirement for Article 26 covering temporary use of land for carrying out the authorised development. Table 11-1 of the Statement of Reasons [APP-028] also includes a description of each of the Work Nos together with an explanation of the powers being sought in relation to each (permanent acquisition/acquisition of rights/temporary possession). The summaries of landowner and statutory undertaker negotiations at Appendices 2 and 3 of the Statement of Reasons also include a description of the reason for acquisition or temporary use in relation to each landowner.
20	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice. Section 2.3 Construction Principles refers to:

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.13 Bidwells on behalf of The Trustees of the Lombe Estate Trust [RR-016]

Table 5.13.1 Applicant's comments on Bidwells on behalf of The Trustees of the Lombe Estate Trust relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The following need further/better consultation and consideration:-	No response required by the Applicant.
2	Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction.
3	The Route – the right is reserved to comment on the route.	No response required by the Applicant.
4	Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Access – clear defined access routes to the working strip will need to be agreed.	In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].

I.D.	Relevant Representation	Applicant Comment
		<p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	<p>Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip to include reference to the growing of Christmas trees.</p>	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	<p>Ducting –the cable routes for both projects to be ducted.</p>	<p>The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4, Project Description [APP-090] for confirmation that cables will be installed in ducts.</p>
8	<p>Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	<p>Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.</p>	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice(Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey area requires clarification, their duration and any restrictions.	<p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.</p>
13	Fencing – appropriate fencing of the working width will need to be agreed.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2 [APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 439, 441, 5450, 451, 452, 457, 459.</p>
15	Cable depth – this must be a minimum of 1.2m.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p>

I.D.	Relevant Representation	Applicant Comment
16	Offshore Transmission Licence holder "OFTO" – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 32-002, 33-001, 33-014, 33-015, 33-017, 32-003, 33-003, 33-005, 32-004, 33-002 and 33-004. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Security – is a major concern which needs to be addressed at an early stage of the of the project.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.5 Site Security. Adequate security will be provided by the Principal Contractor working on behalf of the Applicant to protect the public and personnel, prevent theft from or damage to the works and prevent unauthorised entry to or exit from the site. Site gates will be closed and locked when there is no site activity and appropriate security measures shall be implemented. Further details on site security measures will be provided in the CoCP.</p>

I.D.	Relevant Representation	Applicant Comment
19	Land subject for temporary occupational and use : - further clarification and details required.	<p>The Applicant refers to the Explanatory Memorandum (Revision C) [document reference 3.2] which explains the requirement for Article 26 covering temporary use of land for carrying out the authorised development. Table 11-1 of the Statement of Reasons [APP-028] also includes a description of each of the Work Nos together with an explanation of the powers being sought in relation to each (permanent acquisition/acquisition of rights/temporary possession). The summaries of landowner and statutory undertaker negotiations at Appendices 2 and 3 of the Statement of Reasons also include a description of the reason for acquisition or temporary use in relation to each landowner.</p>
20	Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (AS-009) secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

5.14 Brown & Co [RR-017]

Table 5.14.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR – 017 Brown & Co	N/A	N/A	N/A

Table 5.14.2 Applicant's comments on Brown & Co relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Brown & Co act on behalf on numerous landowners impacted by the Scheme.	The Respondent's comment is noted.
2	I, Jonathan Rush, am one of the appointed members of the Land Agency Team in Norwich would is leading advice to our clients.	The Applicant has had productive and continued discussions with the respondent.
3	Brown & Co is also part of the Land Interest Group, being a group of agents acting in concert to provide best representation to landowners.	The Applicant has had productive and continued discussions with the respondent.
4	Brown & Co will make representations on behalf of its clients on the matters listed below, which is not exhaustive.	The Respondent's comment is noted.
5	Route design	The Applicant refers to Chapter 3 – Site Selection & Assessment of Alternatives document 6.1.3 [APP-089] Section 3.9.
6	Construction methods,	The Applicant refers to Section 4 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090] for details regarding onshore construction.
7	program and design	The Applicant refers to Section 4.7 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090] for details regarding construction program.
8	Mitigation of damage to soils and landscape	The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation , document 6.2.19 [APP- 130].

I.D.	Relevant Representation	Applicant Comment
		<p>Mitigation measures for soil resources relating to construction activities are outlined in Section 19.7.1 of ES Chapter 19 Land Use, Agriculture and Recreation [APP-105]. They are also set out in the Outline Code of Construction Practice [APP-302] Section 5, which addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1]. The Outline Landscape Management Plan (Revision B) [document reference 9.18), secured by Requirement 11 in the draft DCO, sets out the proposed landscape mitigation measures that are integral and embedded into the final design of SEP and/or DEP. The Applicant is committed to replacement planting of hedgerow and hedgerow trees and has committed to 10-year monitoring and maintenance period as per the Outline Landscape Management Plan (Revision B) [document reference 9.18] and Outline Ecological Management Plan (Revision B) [document reference 9.19].</p>
9	Mitigation of impact to landowners business	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130] Section 19.7.1.2.5 referring to Mitigation Measures.</p>
10	Negotiations are ongoing and productive, however it is necessary to reserve the ability to make representations to PINS on relevant matters should direction be required.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had productive and continued discussions with the respondent.</p>

5.15 Ceres Rural on behalf of Trustees of the B E Brooks 1983 Settlement [RR-020]

Table 5.15.1 Applicant's comments on Ceres Rural on behalf of Trustees of the B E Brooks 1983 Settlement relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Representations will me made relating to the impacts of the proposed scheme concerning	The Respondent's comment is noted.

I.D.	Relevant Representation	Applicant Comment
2	Access,	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
3	Working areas,	<p>The Applicant refers to Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] which sets out the onshore cable corridor parameters and the typical working easement diagrams.</p> <p>Section 19.7.1.2.5 of Chapter 19 – Land Use, Agriculture and Recreation [APP- 130] details mitigation measures to ensure the Respondent's farming operations are not restricted and access is maintained to retained land for farming operations.</p>
4	Treatment of soils during construction,	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice, document reference 9.1.7 (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
5	Boundary treatment along with other practical matters as required.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130] Section 19.7.1.2.5 referring to Mitigation Measures.</p>

5.16 Ceres Rural on behalf of Woodlands Farm [RR-021]

Table 5.16.1 Applicant's comments on Ceres Rural on behalf of Woodlands Farm relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Representations will be made relating to the impacts of the proposed scheme concerning	The Respondent's comment is noted.
2	Access,	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
3	Working areas,	<p>The Applicant refers to Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] which sets out the onshore cable corridor parameters and the typical working easement diagrams.</p> <p>Section 19.7.1.2.5 of Chapter 19 – Land Use, Agriculture and Recreation [APP- 130] details mitigation measures to ensure the Respondent's farming operations are not restricted and access is maintained to retained land for farming operations.</p>
4	Treatment of soils during construction,	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice, document reference 9.1.7 (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
5	Boundary treatment along with other practical matters as required.	The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130] Section 19.7.1.2.5 referring to Mitigation Measures.

5.17 Chris Tansley [RR-022]

Table 5.17.1 Applicant's comments on Chris Tansley relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The proposed cables will travel beneath our land and whilst I understand and broadly support this application, I would like to make representations as to route details through our property.	The Respondent's comment is noted.
2	We have positive suggestions for the protection of wildlife and ways to mitigate the effects that the construction process will have on the 26 properties built on this site.	The Respondent's comment is noted.

5.18 Christopher Hughes [RR-023]

Table 5.18.1 Applicant's comments on Christopher Hughes relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Dear Sirs, I am the owner of Dell Lodge, [Redacted]. I have received details of this application through my tenants who are in residence in this property. My interests relate to potential temporary and permanent works that could affect my property and access to it.</p> <p>In addition, the property has restrictive covenants which I need to ensure are not broken by any of the planned works associated with this project. Kind regards, Christopher Hughes</p>	<p>The Applicant can confirm that Dell Lodge will not be directly affected by the proposed works related to SEP and DEP.</p> <p>Please refer to the Works Plans (Onshore) [AS-005] for further information regarding the proposed location of the cable route.</p> <p>Both Holt Road and The Street will be crossed using a trenchless crossing technique, preventing road closures. This is captured within the Crossing Schedule [AS-022].</p>

5.19 Christopher Monk [RR-024]

Table 5.19.1 Applicant's comments on Christopher Monk relevant representation

I.D.	Relevant Representation	Applicant Comment
1	As a resident of Cawston I am concerned about the cumulative impacts of this application, taken together with Hornsea 3, Norfolk Boreas and Norfolk Vanguard.	<p>The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describe the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
2	traffic and congestion in the wider local area	<p>Based on the traffic impact assessment found in ES Chapter 24 Traffic and Transport [APP-110] the residual impact of traffic upon all receptors was assessed to be not significant once mitigation measures are put in place. Mitigation measures include:</p> <ul style="list-style-type: none"> Committed to the trenchless crossing of all A and B roads and 20 other local roads.

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • Construction of a haul road along the cable corridor to reduce the number of access points and Heavy Goods Vehicle (HGV) movements on the local road network. • Repositioned numerous construction access locations to meet stakeholder and landowner requests, avoid ecological features and to ensure road safety. • Use of pilot/escort vehicles and/or passing places to manage the movement of construction traffic via narrow roads. • Driver information packs and inductions/ training to ensure compliance with delivery times, approved/prohibited routes, and raise awareness of highway safety concerns, etc. • The appointment of a Community Liaison Officer to help effectively coordinate deliveries during local planned events (e.g., harvests, fêtes) and to respond to any concerns. • Liaise with other projects to ensure the co-ordination of deliveries, road closures, etc. • Establishing monitoring and reporting system to ensure compliance with the Construction Traffic Management Plan (CTMP) (Revision B) [document reference 9.16] <p>Further to the mitigation measures listed above, no HGV construction traffic will route through Cawston Village. This is captured within the Outline Construction Traffic Management Plan (CTMP) (Revision B) [document reference 9.16] which is secured by Requirement 15 of the draft DCO (Revision C) [document reference 3.1].</p>
3	road safety	<p>The safety of residents has been included as part of the Applicants traffic assessments. Measures set out to mitigate any potential safety impacts have been set out in Section 4.7 of the Outline CTMP (Revision B) [document reference 9.16].</p>

I.D.	Relevant Representation	Applicant Comment
4	mental health of residents	As set out in ES Chapter 28 Health [APP-114] the effects of the Projects on both physical and mental health is expected to be negligible
5	impacts on local businesses	<p>It is not anticipated that the Projects will have an adverse effect on the standard operations of local businesses. Please refer to ES chapter 27 Socio-Economics and Tourism [APP-113] for further information.</p> <p>Access routes into Cawston village will remain open during construction and there will be no HGV construction traffic routed through the village. This is captured within the Outline CTMP (Revision B) [document reference 9.16].</p> <p>As set out within the Outline Code of Construction Practice (Revision B) [document reference 9.17], a Stakeholder Communications will be prepared with the aim of keeping residents and businesses affected by the project aware of progress. The Outline Code of Construction Practice is secured by Requirement 19 of the draft DCO (Revision C) [document reference 3.1]</p>
6	It is impossible for residents to review fully the volume of documents; this results in an unfair process.	<p>All application documents are available to view online on both the Planning Inspectorate's website (https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sheringham-and-dudgeon-extension-projects/?ipcsection=overview) and the Projects' website (https://sepanddep.commonplace.is/). Additionally, hard copies of the documents are available to view in both the Broadland and South Norfolk, and North Norfolk District Council offices.</p> <p>The public information lines (0808 1963 673) remain open if there are any specific questions regarding the Projects that will be answered by one of the project team.</p>

5.20 CPRE Norfolk [RR-026]

Table 5.20.1 Applicant's comments on CPRE Norfolk relevant representation

I.D.	Relevant Representation	Applicant Comment
1	CPRE Norfolk will submit a representation based on the following points: Supporting the use of underground cabling for all onshore works.	The energy generated by the projects will be transmitted to Norwich Main using below ground cables both offshore and onshore. For more

I.D.	Relevant Representation	Applicant Comment
		information regarding the project related infrastructure see ES Chapter 4: Project Description [APP-090].
2	Siting and impact of the new onshore substation.	During the onshore substation site selection process, SEP and DEP has sought to identify a solution which minimises impacts on the environment. Further detail on the process can be found in ES Chapter 3: Site Selection and Assessment of Alternatives (APP-089) and the Onshore Substation Site Selection Report [APP-175].
3	Offshore lighting levels and type	Lighting requirements will be agreed post-consent with all relevant stakeholders (including the Ministry of Defence; Civil Aviation Authority (CAA); and Trinity House Lighthouse Service; . Lighting requirements are secured through Conditions 8 and 10 of Schedules 10 and 11 and Conditions 7 and 9 of Schedules 12 and 13 of the Draft Development Consent Order (DCO) (Revision C) [document reference 3.1].
4	Traffic impacts in and around Cawston	<p>The Applicant has engaged with Cawston PC and is aware of the concerns in regard to traffic passing through the centre of the village. During the site selection process a construction route to the east of Cawston was adopted. This provides access to the onshore cable corridor from accesses ACC27 and ACC28 east of Cawston. These accesses are shown on Figure 24.6 (Sheet 8) of the ES [APP-134]. This access strategy allows all HGV traffic to arrive and depart via the main B1149, thus avoiding minor roads and traffic needing to pass through the centre of Cawston.</p> <p>The Applicant has made a commitment to no HGV traffic travelling through Cawston. This commitment is contained within the Outline Construction Traffic Management Plan (OCTMP) (Revision B) [document reference 9.16] which is secured via Requirement 15 of the draft Development Consent Order (DCO) (Revision C) [document reference 3.1].</p> <p>Section 24.6 ES Chapter 24 Traffic and Transport [APP-110] presents an assessment of the impact of SEP and DEP traffic upon B1149 to the east of Cawston and identifies that impacts would be no greater than minor adverse.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant is also aware of concerns in relation to cumulative traffic impacts (especially with Hornsea Project Three and Norfolk Vanguard/Boreas) and has made a commitment to cap HGV traffic along the B1145 to ensure that cumulative traffic flows do not exceed levels previously agreed for Norfolk Vanguard, Boreas and Hornsea Project Three. This commitment is contained within the OCTMP (Revision B) [document reference 9.16] which is secured via Requirement 15 of the Draft DCO (Revision C) [document reference 3.1].</p>
5	<p>Need for the option to be included in the application for a DCO of an Offshore Transmission Network for offshore connections and cabling routes to landfall in Essex/Thames Estuary</p>	<p>The Applicant is supportive of the idea of an Offshore Transmission Network (OTN) however neither the regulatory nor technical framework exists at this current time to incorporate this into the Projects. SEP and DEP are designated OTNR pathfinder projects, and as such the Applicant is committed to initiatives to encourage coordination in the sector. The Applicant is working with governmental and industry bodies to identify barriers and solutions to offshore wind coordination.</p>
6	<p>Concern around the cumulative onshore impacts of this and other previously approved offshore windfarms, including battery storage facilities and the proposed East Anglia Green transmission route.</p>	<p>The cumulative impacts of the SEP and DEP project in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas projects, was included as part of the environmental impact assessment. Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091]. Issues that SEP and DEP are coordinating on with other projects include:</p> <ul style="list-style-type: none"> • Preparation for cable crossings to minimise disruption to transport networks. • Access routes to alleviate traffic. • Collaboration over biodiversity net gains to deliver the best possible coordinated results. <p>The Applicant will continue to coordinate with other infrastructure projects in the area to ensure that cumulative impacts are mitigated as far as possible.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The list of plans and projects included in the cumulative impact assessment (CIA) is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115] having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone has the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p> <p>At the time of the SEP and DEP DCO application, EAG was a Tier 3 development. As such, the Applicant considered there to be insufficient information to assess cumulative environmental effects with SEP and DEP for the majority of ES topics. There was low confidence in the available data in which to carry out a meaningful CIA.</p> <p>The exception to the above was within ES Chapter 26 Landscape Visual Impact Assessment [APP-112], where the EAG was considered in its CIA. From a landscape and visual perspective, sufficient information was available from National Grid's 'Project Background Document' (published in support of their first stage of public consultation in Spring 2022) from which to inform the CIA in a meaningful way, albeit it was acknowledged that only a 'moderate confidence' could be attributed to the details of EAG given the early stages of development at the time of the Applicant's DCO submission. Therefore, consideration of EAG and the Proposed Development was based on the following assumption: <i>"For the purposes of this cumulative assessment, information presented in National Grid's 'Project Background Document', which was published in</i></p>

I.D.	Relevant Representation	Applicant Comment
		<p><i>support of their first stage of public consultation in Spring 2022, has been used. Given the wide area of the preferred route option in which the East Anglia Green Energy Enablement (GREEN) Project could be installed, it is assumed that, in RWCS, it would be located as close to the SEP and/or DEP substation as possible.” [APP-112, section 26.7.3, para. 480].</i></p> <p>In relation to the other ES Topics, the Applicant suggests that EAG would be in a more suitable position to assess cumulative effects with SEP and DEP, which as a Tier 1 development, has a higher degree of certainty. Should SEP and DEP construction be completed prior to the commencement of EAG, effects arising from SEP and DEP should be considered as part of their baseline assessment.</p>

5.21 David John Coles [RR-027]

Table 5.21.1 Applicant’s comments on David John Coles relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Concerned about yet another on-shore radial connection and the lack of proper consideration by the applicant of an alternative more appropriate grid connection point -The impact this will have on the environment through increased HGV traffic, road closures and diversions, trees and hedgerows etc</p>	<p>The Connection and Infrastructure Options Note (CION) Process is the mechanism used by National Grid to evaluate potential transmission options to identify the connection point in line with their obligation to develop and maintain an efficient, coordinated and economical system of the electricity transmission network. The grid connection point SEP and DEP was determined by National Grid following the completion of the CION process. The CION process stipulates that it is the decision of National Grid rather than the Applicant to decide where the grid connection point will be.</p> <p>For more information regarding the grid connection point see Sections 3.6 and 3.10 of ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089].</p>
2	<p>need for the ExA to require attendance of the National Grid at the hearings, to be interrogated on their actions by the ExA, in public during the examination process</p>	<p>Noted. The decision of which bodies to invite to attend the examination hearings is at the discretion of the Examining Authority.</p>

I.D.	Relevant Representation	Applicant Comment
3	<p>that the SEP/DEP application should include as a necessary cumulative impact the proposed East Anglia Green project, upon the consenting of which it depends -</p>	<p>East Anglia Green is not linked to SEP and DEP nor are the two projects dependent on the others consent. East Anglia Green is not required in order for National Grid to provide the necessary grid capacity to connect SEP and DEP.</p> <p>Version 3 of Planning Inspectorate Advice Note Nine: Rochdale Envelope (PINS, 2018) and version 2 of Planning Inspectorate Advice Note Seventeen: Cumulative Effects Assessment (PINS, 2019a) provide guidance on plans and projects that should be considered in the CIA including:</p> <ul style="list-style-type: none"> • Projects that are under construction; • Permitted application(s) not yet implemented; • Submitted application(s) not yet determined; • All refusals subject to appeal procedures not yet determined; • Projects on the National Infrastructure Planning programme of projects; and • Projects identified in the relevant development plan (and emerging development plans – with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited and the resulting degree of uncertainty in the assessment that is possible. <p>As the 'East Anglia Green' project was only launched in January 2022 it was not included as part of the cumulative impact assessment as it did not meet any of the above criteria at the time of assessment. As with all projects in proximity to SEP and DEP, the Applicant will communicate and coordinate where possible and practicable to mitigate potential impacts.</p>
4	<p>the cumulative impact of the possible future construction of large battery storage facilities to improve the economic viability of the project, as has happened with the Hornsea 3 project</p>	<p>As per Section 4.6 of ES Chapter 4 Project Description [APP-090] battery storage is not included in the DCO application for this project.</p>

5.22 Essex Suffolk Norfolk Pylons [RR-033]

Table 5.22.1 Applicant's comments on Essex Suffolk Norfolk Pylons relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>My representations will focus on cumulative impact and functional interdependence of projects. We believe that the inspector should consider why East Anglia GREEN (National Grid's 180km power line proposal from Norwich to Tilbury) has not been considered under cumulative impacts in the Sheringham/Dudgeon Environmental Statements. Background: - In all (NG) Future Energy Scenarios, the East of England will be a power exporting region. - The EAG project website says, "A need was identified to resolve electrical boundary issues in East Anglia. There are three onshore power boundaries where additional system flexibility is required to ensure that power generated in the area from offshore windfarms and nuclear generation has more ways to flow into the wider transmission network during maintenance or faults on the system." Our understanding is that Equinor's Dudgeon/Sheringham schemes will require the additional capacity of EAG, and National Grid will be able to confirm this.</p> <p>FUNCTIONAL INTERDEPENDENCE If it is therefore the case that the Equinor projects cannot practically proceed without East Anglia GREEN, this falls under the 'functional interdependence' element of case law (Burridge v Breckland DC 2013 and Wingfield, R v Canterbury City Council 2019) Functional interdependence is where one part of a development could not function without another. This may indicate that they constitute a single project for cumulative impact purposes. In addition, a Scoping Opinion by the Planning Inspectorate for a Proposed North Wales Connection found that, "The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed." It also said that, "In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are [amongst others]. Projects on the National Infrastructure's programme of projects." East Anglia GREEN is a Nationally Significant Infrastructure Project. Without EAG (or an equivalent coordinated offshore grid that is the alternative lobbied for by Essex Suffolk Norfolk Pylons action group [REDACTED]) the East Anglian</p>	<p>Version 3 of Planning Inspectorate Advice Note Nine: Rochdale Envelope (PINS, 2018) and version 2 of Planning Inspectorate Advice Note Seventeen: Cumulative Effects Assessment (PINS, 2019a) provide guidance on plans and projects that should be considered in the CIA including:</p> <ul style="list-style-type: none"> • Projects that are under construction; • Permitted application(s) not yet implemented; • Submitted application(s) not yet determined; • All refusals subject to appeal procedures not yet determined; • Projects on the National Infrastructure Planning programme of projects; and • Projects identified in the relevant development plan (and emerging development plans – with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited and the resulting degree of uncertainty in the assessment that is possible. <p>At the time of the SEP and DEP DCO application, EAG was a Tier 3 development. As such, the Applicant considered there to be insufficient information to assess cumulative environmental effects with SEP and DEP for the majority of ES topics. There was low confidence in the available data in which to carry out a meaningful CIA.</p> <p>The exception to the above was within ES Chapter 26 Landscape Visual Impact Assessment [APP-112], where the EAG was considered in its CIA. From a landscape and visual perspective, sufficient information was available from National Grid's 'Project Background Document' (published in support of their first stage of public consultation in Spring 2022) from which to inform the CIA in a meaningful way, albeit it was acknowledged that only</p>

I.D.	Relevant Representation	Applicant Comment
	<p>grid will not have the capacity for the power from the Equinor projects submitted in this DCO. The two are functionally interdependent.</p>	<p>a 'moderate confidence' could be attributed to the details of EAG given the early stages of development at the time of the Applicant's DCO submission. Therefore, consideration of EAG and the Proposed Development was based on the following assumption:</p> <p><i>"For the purposes of this cumulative assessment, information presented in National Grid's 'Project Background Document', which was published in support of their first stage of public consultation in Spring 2022, has been used. Given the wide area of the preferred route option in which the East Anglia Green Energy Enablement (GREEN) Project could be installed, it is assumed that, in RWCS, it would be located as close to the SEP and/or DEP substation as possible."</i> [APP-112, section 26.7.3, para. 480].</p> <p>In relation to the other ES Topics, the Applicant suggests that EAG would be in a more suitable position to assess cumulative effects with SEP and DEP, which as a Tier 1 development, has a higher degree of certainty. Should SEP and DEP construction be completed prior to the commencement of EAG, effects arising from SEP and DEP should be considered as part of their baseline assessment.</p>

5.23 Ministry of Defence [AS-035]

Table 5.23.1 Applicant's comments on Ministry of Defence relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.</p>	<p>No response required</p>
2	<p>The purpose of my email yesterday was to highlight that the DIO Safeguarding Team wishes to be involved in this Nationally Significant Infrastructure application process. As the applicant has made clear in their submitted Environmental Statement (Chapter 15 Aviation and Radar,</p>	<p>No response required</p>

I.D.	Relevant Representation	Applicant Comment
	Volume 1 - Document Ref. 6.1.15, and Volume 2 – Document Ref. 6.2.15) the extension of existing wind farms at Sheringham Shoal and Dudgeon has the capacity to have an impact on Defence operations and capability. DIO Safeguarding participate in the application process to ensure that necessary assessments and, if necessary mitigations, can be secured to ensure that any detrimental impacts on Defence operations and capability are appropriately addressed. I acknowledge that the applicant's draft Development Consent Order contains, at requirements 10 and 27, potential wording to provide means to address MOD concerns.	
3	Whilst a more formal representation would normally have been made at this time, data required to carry out assessments of the proposed development was received late last week (10 November), these assessments are currently under way and I would hope to be able to provide a more detailed response later this week. Through my email yesterday I provided copies of correspondence sent to the applicant which identify the key issues/concerns MOD has previously identified. I would be grateful if you could provide confirmation that DIO Safeguarding will be consulted throughout the NSIP process. Please do not hesitate in contacting me directly if you wish to discuss further.	No response required

5.24 Gerald Goldner [RR-036]

Table 5.24.1 Applicant's comments on Gerald Goldner relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I believe that the various schemes needing consideration by the planning inspectorate are not being considered together. There are a number of separate cable routes to be approved and do not seem to be considered as a whole project. This results in construction work running in parallel in many parts of Norfolk, causing disruption over extended areas of Norfolk. There will be congestion, pollution and damage to roads and properties	Noted. The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].

I.D.	Relevant Representation	Applicant Comment
		<p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>

5.25 Councillor Greg Peck [RR-038]

Table 5.25.1 Applicant's comments on Councillor Greg Peck relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>As the County Councillor for the Reepham Division and District Councillor for Eynesford Ward I wish to Register as an Interested Party. This project will affect my residents as it passes through both my ward and division. I will be making representations to minimise the disruption caused to my residents during the construction phase and afterwards. I will be seeking assurances regarding the main construction depot (which will be located in my Division) in particular regarding traffic movements through my villages.</p>	<p>Noted.</p> <p>Information regarding potential impacts and mitigation measures are detailed in each technical chapter of the Environmental Statement (Chapters 6 – 29) [APP-092 – APP-115]. Traffic impacts and mitigation measures can be found within ES Chapter 24 Traffic and Transport [APP-110].</p> <p>Please refer to the Onshore Main Construction Compound Site Selection Report [APP-177] for further information regarding the assessment of choosing the main compound location.</p>

5.26 Howes Percival LLP on behalf of Clive Malcolm Hay-Smith [RR-042]

Table 5.26.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 042 Howes Percival LLP on behalf of Clive Malcolm Hay-Smith (Clive Malcolm Hay-Smith)	02-010;02-015;03-008	Permanent Rights	Owner
	02-002;02-012	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
	02-006	Permanent Rights	As reputed owner.
	03-010;04-003	Permanent Rights	Owner in respect of right of access, right to fell and transport trees and right of passage of services through conducting media.
	04-002;04-004;04-011;04-013	Temporary Possession	Owner in respect of right of access, right to fell and transport trees and right of passage of services through conducting media.
	02-009;02-014;03-002;03-005	Temporary Possession	Owner
	03-007	Temporary Possession	As reputed owner.
	03-001;03-006	Temporary Possession	Owner in respect of sub soil beneath half width of public highway.
	02-007;02-008	Temporary Possession	As reputed owner.

Table 5.26.2 Applicant's comments on Howes Percival LLP on behalf of Clive Malcolm Hay-Smith relevant representation

I.D.	Relevant Representation	Applicant Comment
Executive Summary		
	PLEASE NOTE A FULL RELEVANT REPRESENTATION HAS BEEN EMAILED TO sadep@planninginspectorate.gov.uk ON 14 NOVEMBER	The Applicant confirms receipt of the relevant representation issued via email.

I.D.	Relevant Representation	Applicant Comment
	2022 AND WHAT FOLLOWS IS THE EXECUTIVE SUMMARY OF THAT RESPONSE.	
A	We act for Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited ("Our Clients") in relation to the Sheringham and Dudgeon Extension Projects ("Projects") for which development consent has been applied for by Equinor New Energy Limited ("Equinor")	No response required by the Applicant.
B	Mr Clive Hay-Smith has interests affected by the Projects under title numbers NK259663 and NK274667 and Mr Paul Middleton has interests affected by the Projects under title numbers NK469059 and NK412600 (together referred to as "Our Clients' Land").	No response required by the Applicant.
C	Priory Holdings Limited carries on farming operations on the land owned by Mr Hay-Smith under title number NK274667 and these activities are operationally connected to Mr Middleton's farming operations on the land owned by Mr Middleton under title numbers NK469059 and NK412600. These farming operations are carried out on 417 hectares of land around Weybourne.	The Respondent's comment is noted.
D	The Projects involve the taking of temporary access, the carrying out of construction works and the acquisition of rights in connection with land in which Our Clients have interests.	No response required by the Applicant.
E	Our Clients shall register individually as Interested Parties, but it is their intention that they will act jointly where practical, in order to assist the Examination. This relevant representation has been prepared on that basis.	The Respondent's comment is noted.
F	Our Clients' position may be summarised as follows and is explained in more detail in this relevant representation:	No response required by the Applicant.
G	Mr Hay-Smith and Mr Middleton have been issued with heads of terms for a proposed private agreement by Equinor's representatives but discussions as to any such private arrangements for access or the acquisition of rights have not progressed. Neither Mr Hay-Smith nor Mr Middleton have entered into any agreement with Equinor. Our Clients would welcome further discussion with Equinor as to such private arrangements provided these	<p>The Applicant has had and continues to have productive discussions with the Respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>

I.D.	Relevant Representation	Applicant Comment
	take into account Our Clients' concerns with the Project as summarised below.	
H	Our Clients fully support the expansion of the UK's offshore wind farm infrastructure as being in the country's long-term strategic and environmental interests. Our Clients do not have an in-principle objection to off-shore wind farms.	The Respondent's comment is noted
I	However, based on the information before the Examination at present Our Clients have a number of particular concerns relating to the approach that Equinor appear to be taking with regard to the construction and the operation of the onshore cable runs associated with the Project. It appears to Our Clients that the Project is likely to have a severe impact on Our Clients' farming operations on Our Clients' Land for a number of years and also any wider aspirations Our Clients have for this land.	The Respondent's comment is noted.
J	In particular Our Clients consider that the potential length of the construction phase for the Projects and the potential for the Projects' stated construction access requirements to remove the ability of Our Clients' farming operations to access critical parts of Our Clients' farm could effectively prevent Our Clients' farming operations from being carried on for a number of years and affect the future viability of these operations too.	<p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to Environmental Statement Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130]. Section 19.7.1.2.5.</p>
K	The blight of uncertainty around the timing and long-term impact of the Projects directly impacts on Our Clients' joint and several ability to undertake succession planning and diversification including the sale or tenancy of their respective farming enterprises.	<p>The Applicant has been engaging with the Respondent and their appointed land agent during the pre-application phase in respect of current plans for the farming enterprises.</p> <p>The Applicant will continue to engage with and update the Respondent post-consent to enable them to undertake their succession planning and diversification projects. The Applicant is also prepared to engage with third parties interested in purchasing or entering into a tenancy to occupy the Respondent's land to ensure such parties are informed of the project and its potential impacts on their own plans for the land.</p>

I.D.	Relevant Representation	Applicant Comment
L	<p>We also consider that at this stage insufficient detail has been provided in terms of the rights that the Projects would acquire from the land owned by Mr Hay-Smith and Mr Middleton or the operation of the proposed accesses to the Project for Our Clients to fully understand the impact of the Project on them and their interests.</p>	<p>In respect of the relevant rights being sought, the Applicant refers to the Book of Reference (Revision B), document reference 4.1, section 4 – Description of Rights in conjunction with Table 1-2 of the Book of Reference which details the extent of acquisition or use. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the Development Consent Order (Revision C) [document reference 3.1].</p> <p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006] where these are set out.</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has had and is keen to continue to have productive discussions with the Respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
M	<p>Our Clients' are also concerned as to how the proposed impacts on the future use of Our Clients' Land for farming activities is to be protected during the operational phase and after the decommissioning of the Projects. This concern arises from ongoing drainage and irrigation issues that Our Clients have experienced on Our Clients' Land following works which were commissioned by Equinor (then known as Statoil) to construct the original Sheringham Shoal Offshore (SCIRA) Wind Farm in 2009/10.</p>	<p>The ownership of the transmission assets for Sheringham Shoal Offshore Wind Farm were transferred in 2013 to the appointed OFTO, as part of the sale from Scira Offshore Energy Limited (SOEL) to BTSS (Blue Transmission Sheringham Shoal) – the OFTO. This sale is required by the OFTO Regulations. Any issues relating to those transmission assets since 2013 are a matter for BTSS.</p> <p>In terms of SEP and DEP, protection for farming activities is addressed through the DCO provisions and any private land agreements entered into by a given Land Interest. The relevant powers and obligations under the DCO, and any relevant land agreements, will be transferred to the appointed OFTO pursuant to the OFTO Regulations. This means that responsibility during the operational phase (after the transfer to the OFTO) and decommissioning will fall on the OFTO.</p>
<p>Introduction and background</p>		

I.D.	Relevant Representation	Applicant Comment
1	We act for Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited (“Our Clients”) in relation to the Sheringham and Dudgeon Extension Projects (“Projects”) for which development consent has been applied for by Equinor New Energy Limited (“Equinor”).	No response required by the Applicant.
2	The Projects involve the taking of temporary access, the carrying out of construction works and the acquisition of rights in connection with land in which Our Clients have interests as set out below.	No response required by the Applicant.
3	Our Clients shall register individually as Interested Parties but it is their intention that they will act jointly where practical, in order to assist the Examination. This relevant representation has been prepared on that basis. Mr Paul Middleton has registered as an Interested Party under reference 20032995. Our Clients’ current primary interest in the land affected by the Project is for farming.	The Respondent’s comment is noted.
4	In general terms farming is currently facing uncertainty arising from a number of factors. The security that basic payments once offered is being withdrawn, farmers are being asked to deliver more for the environment from their customers, supply chains and the Government but without a crystallised level of support, high levels of inflation are exerting upward pressure on input prices while commodity prices are reducing in some cases and there are demands from non-agricultural land use such as solar, development, bioenergy, tree planting and biodiversity improvements which could take land out of agricultural production.	The Respondent’s comment is noted.
Land and interests affected		
5	Mr Hay-Smith has interests affected by the Projects under title numbers NK259663 and NK274667 and Mr Middleton has interests affected by the Projects under title numbers NK469059 and NK412600 (together referred to as “Our Clients’ Land”).	The Applicant confirms the extent of the Respondent’s identified interests is as set out in the Book of Reference (Revision B) , document reference 4.1.
6	Our Clients’ Land forms part of the Norfolk Coast Area of Outstanding Natural Beauty.	The Respondent’s comment is noted.

I.D.	Relevant Representation	Applicant Comment
7	Mr Middleton has actively farmed the 53 hectare freehold land comprising Home Farm, Weybourne as a trading partnership (MA Perkins and PB Middleton) with his late mother, Monica Perkins who died in August 2021.	The Respondent's comment is noted.
8	Mr Middleton has also been employed as the Farm Manager of Priory Holdings Limited since 2002. Mr Middleton's own farming business partnership is legally and financially independent of Priory Holdings Limited but is reliant on the shared operational infrastructure of the two, integrated farming operations.	The Respondent's comment is noted.
9	<p>The Book of Reference [APP-026] records Our Clients' interests in the following plots as shown on the Revision B Land Plans [AS-002]:</p> <p>9.1. Mr Hay-Smith:</p> <p>9.1.1. Acquisition of rights in the following plots: 02-002, 02-006, 02-010, 02,012, 02-015, 03-008, 03-010 and 04-003.</p> <p>9.1.2. Temporary possession: 02-007, 02-008, 02-009, 02-014, 03-001, 03-002, 03-005, 03-006, 03-007, 04-002, 04-004, 04-011 and 04-013.</p> <p>9.2. Mr Middleton:</p> <p>9.2.1. Acquisition of rights in the following plots: 01-036, 01-044, 02-002, 02-004, 02-005 and 02-006.</p> <p>9.2.2. Temporary possession: 01-040, 01-041, 01-042, 01-043, 02-001, 02-003 and 02-007.</p>	The Applicant confirms the extent of the Respondent's identified interests are as set out in the Book of Reference (Revision B) , document reference 4.1.
10	Priory Holdings Limited carries on farming operations on the land owned by Mr Hay-Smith under title number NK274667 and these activities are operationally connected to Mr Middleton's farming operations on the land owned by Mr Middleton under title numbers NK469059 and NK412600.	The Respondent's comment is noted.
11	For the past twenty years Our Clients have jointly farmed Our Clients' Land for an all arable, rotational crop system growing sugar beet and malting barley on a three year rotational cycle across this combined land holding.	The Respondent's comment is noted.

I.D.	Relevant Representation	Applicant Comment
12	<p>Whilst both entities are legally independent, Mr Middleton and Priory Holdings Limited's operations rely on fully integral use of common machinery (e.g. tractors, drills and combine harvester), infrastructure (e.g. grain drying and storage) and labour. As set out above, Mr Middleton is employed as Priory Holdings Limited's Farm Manager.</p>	<p>The Respondent's comment is noted.</p>
13	<p>Our Clients' Land includes a modern 2,000 tonne on-floor drying and grain storage building which was purpose built for Priory Holdings Limited in 2008. There is also an adjacent, secure farm equipment machinery storage and workshop building which was also constructed in 2008. These units serve Our Clients' combined farm operations and are currently accessed by separate private farm entrances off the main Station Road and A149. As discussed in more detail below, both of these entrances and related service roads are proposed for accesses to the Projects and for temporary possession under the draft DCO. This would render safe and ready access to these essential facilities and equipment impossible.</p>	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006] which includes details of accesses. It can be noted that access from Station Road would be for early works and access from the A149 would be for construction of SEP and/or DEP.</p> <p>ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5] details mitigation measures to ensure the Respondent's farming operations are not restricted and access is maintained to retained land for farming operations.</p>
14	<p>Priory Holdings Limited currently has a Higher-Level Stewardship scheme (AG00424686) with Natural England which ends in November 2023. Natural England has offered an extension of up to 5 years. Mr Middleton has an Entry-Level Countryside Stewardship Scheme with Natural England (494899) which ends in December 2027. Both Schemes relate to land affected by the Projects.</p>	<p>The Respondent's comment is noted.</p>
15	<p>In light of the above and Our Clients' other concerns set out below, Our Clients' fear that the Projects could prevent their participation in and compliance with existing and any extended/proposed environmental schemes and options.</p>	<p>The Applicant refers ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.4] referring to the impact to agri-environment schemes during construction.</p> <p>The Applicant has tried to avoid where possible land managed under an agri-environment scheme. Where the Project has impacts to an existing agreement that can't be avoided, affected landowners and or occupiers will be consulted to enable them to liaise with the Rural Payments Agency. If the Project impacts any land subject to schemes where compensation could become payable, the Applicant will review this on a case by case basis and will reimburse financial losses where appropriate and in line with the Compensation Code. Following completion of the construction works, land will be reinstated and would</p>

I.D.	Relevant Representation	Applicant Comment
		<p>therefore continue to be available for management under an Agri-environment scheme in the future.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights which sets out suitable compensation provisions for their financial losses.</p> <p>In general, it is considered that ecological losses associated with impacts to Agri environment schemes would be mitigated using the measures set out in ES Chapter 20 Onshore Ecology and Ornithology [APP-106] and details of habitat reinstatement as set out in the Outline Ecological Management Plan [APP-304].</p>
16	<p>Our Clients have recently been informed that the Environment Agency and Norfolk Rivers Trust will be on site on 15 November 2022 to oversee a previously agreed reintroduction of a threatened species of native freshwater crayfish in the chalk stream that intersects Mr Hay-Smith's land to the west of Station Road. We are instructed that this is the same site that was subject to an invasive borehole survey by Equinor (or their representatives) in July 2022. Mr Hay-Smith requested ecological survey information prior to the carrying out of any such borehole survey work by Equinor's representatives as there were concerns over the potential environmental impact of proposed survey work on the chalk-bed stream. However, such ecological survey information was only forthcoming from Equinor's representatives after this borehole survey work was completed following the issue of a formal section 172 notice to gain access to this part of Our Clients' Land.</p>	<p>The Respondent's comment is noted.</p>
Our Clients' engagement with Equinor		
17	<p>Mr Hay-Smith's agents, Brown & Co, submitted a response to Equinor's Preliminary Environmental Information Report ("PEIR") consultation in June 2021. This response made the following points:</p>	<p>The Applicant thanks the Respondent and confirms receipt of the PEIR response.</p>
17.1	<p>It would be preferable if the landfall location and onshore cable route was located away from the village of Weybourne and clear of residential and other built-up environments.</p>	<p>The Applicant has undertaken a thorough site selection process. The selection of landfall at Weybourne avoids populated areas at the coast and minimises direct disturbance to the Muckleburgh Collection and to users of the coastal path. The proposed onshore cable corridor was</p>

I.D.	Relevant Representation	Applicant Comment
		<p>selected based upon guiding design principles and a cable corridor refinement process which included consideration of consultation feedback. Permanent visual impacts during the operational life of SEP and DEP will be minimised with the use of an underground cable system. The cables will not be installed beneath any residential properties or gardens.</p> <p>The Applicant refers to the following documents which explain the rationale for the chosen landfall site:</p> <ul style="list-style-type: none"> • ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089, Section 3.7]. • ES Appendix 3.2 Cable Landfall Concept Study [APP- 176].
17.2	<p>The Projects would blight impacted properties whichever route is chosen and will interfere with farming, intended diversification projects, construction proposals and planning opportunities.</p>	<p>The Applicant refers to ES Chapter 3 Site Selection & Assessment of Alternatives [APP-089, Section 3.9] which sets out the approach taken to selection of the onshore cable corridor.</p>
17.3	<p>Concern was expressed about legacy issues which may not be adequately addressed associated with farming activities, diversification, development, rural land use and freedom to use and exploit private ownership rights.</p>	<p>The ownership of the transmission assets for Sheringham Shoal Offshore Wind Farm were transferred in 2013 to the appointed OFTO, as part of the sale from Scira Offshore Energy Limited (SOEL) to BTSS (Blue Transmission Sheringham Shoal) – the OFTO. This sale is required by the OFTO Regulations. Any issues relating to those transmission assets since 2013 are a matter for BTSS.</p> <p>In terms of SEP and DEP, protection for farming activities is addressed through the DCO provisions and any private land agreements entered into by a given Land Interest. The relevant powers and obligations under the DCO, and any relevant land agreements, will be transferred to the appointed OFTO pursuant to the OFTO Regulations. This means that responsibility during the operational phase (after the transfer to the OFTO) and decommissioning will fall on the OFTO.</p>
17.4	<p>The proposed onshore cable route would dissect and environmentally sensitive, spring-fed chalk beck and bankside setting to the west of Station</p>	<p>The Applicant refers to:</p>

I.D.	Relevant Representation	Applicant Comment
	<p>Road (this being the same area referred to in paragraph 16 above). This site is part of a joint on-going project between Mr Hay-Smith, Priory Holdings Limited and the Environment Agency to restore native wildlife including trout, water voles, newts and otters in a regenerated/replanted indigenous woodland setting.</p>	<ul style="list-style-type: none"> • Crossing Schedule – Revision B [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID’s specifically relevant is 17 and shows that Spring Beck will be crossed using trenchless techniques. • ES Chapter 4 Figures – Project Description [APP-178] which confirms the cables will be installed by trenchless techniques, e.g. Horizontal Directional Drill (HDD) at this location. • The use of HDD would avoid impacts to Spring Beck and associated ecological receptors.
17.5	<p>Routing of the onshore cables across the Station Road/Sandy Hill Lane roadway will further exacerbate the environmental impact on native trees and hedgerows to both the east and west of the road which forms a critical entry point to the village of Weybourne.</p>	<p>The Applicant refers to ES Chapter 4 Figures – Project Description [APP-178, Figure 4.10, Sheet 1] which confirms the cables will be installed by trenchless techniques, e.g. HDD at this location. This is also presented in the Crossing Schedule (Revision B) [AS-022]. As shown in the Tree Preservation and Important Hedgerow Plan [APP-017, Sheet 2], no tree or hedgerow removal is anticipated at this crossing.</p>
17.6	<p>The routing of the onshore cables will also severely impact the safety and business operation of the Station Road farm service road and buildings as the cable would run parallel to the farm’s entrance splay, service road, grain dryer, timber storage yard and equipment shed.</p>	<p>The Applicant refers to ES Chapter 4 Figures – Project Description [APP- 178] which confirms the cables will be installed by trenchless techniques, e.g. HDD method at this location. This is also presented in the Crossing Schedule (Revision B) [AS-022] and illustrated on Sheet 1 of 18 of Figure 4.10 of ES Volume 2 Chapter 4 Project Description [APP-090].</p> <p>ACEW06 is an early works access and would therefore only be utilised by light 4x4 vehicles for any pre-commencement works such as condition/topography surveys as well as any hedge clearance activities. The entrance is off Station Road and turns into the field after 70m. As part of the site induction our staff will be instructed to always give way to any local traffic and farm operations.</p> <p>The main construction access for works involving the delivery of plant and equipment is off the A149-Sheringham Road at ACC05.</p>

I.D.	Relevant Representation	Applicant Comment
		The Applicant therefore does not consider there to be any safety or business operation impact as a result of the road crossing at Station Road.
18	Many of the points above remain concerns to Our Clients as summarised below.	The Respondent's comment is noted.
19	Mr Hay-Smith and Mr Middleton were issued with heads of terms for a private land agreement by Equinor on 31 May 2022. Our Clients have a number of concerns around the Project as set out below and as a result it has not been possible to move the consideration of these heads of terms forward without further information on the Project. However, the submitted application before the Examination leaves a number of these concerns outstanding as set out below.	The Applicant has provided requested information when and where possible and will continue to work constructively with the Respondent.
20	However, Our Clients would welcome further discussion with Equinor as to such private arrangements provided these take into account Our Clients' concerns with the Project.	The Applicant has provided requested information when and where possible and will continue to work constructively with the Respondent.
21	Our Clients consider that they have remained cooperative with Equinor's representatives during previous discussions on their preparations for the Projects. However, Mr Hay-Smith has encountered difficulties with Equinor refusing to pay any legal costs relating to work carried out in connection with Equinor's previous proposals to route the onshore cable runs through Mr Hay-Smith's Highlands (Cherry Trees Farm) property in Weybourne. Mr Hay-Smith was also subject to formal section 172 notices issued to gain survey access to part of Our Clients' Land at a time when ill health and concerns over the potential environmental impact of proposed survey work on a chalk-bed stream delayed Mr Hay-Smith's consent to carry out this survey work under a private licence arrangement.	<p>The Applicant set out its position in respect of reimbursement of professional costs in advice to the Respondent dated 12th February 2020 which did not include legal fees. No undertaking was subsequently requested by the Respondent nor provided by the Applicant for legal costs associated with the onshore cable route.</p> <p>The Applicant completed a licence agreement for intrusive surveys in respect of the initial round of surveys (Phase 1) carried out between August 2021 and October 2021. The Applicant sought to enter into an agreed licence with the Respondent in respect of Phase 2 intrusive survey access (in April 2022) on the same terms as for Phase 1. However, the Respondent was unwilling to enter into the licence agreement for Phase 2 whilst the claim for legal fees was outstanding. In order to avoid delays to the survey programme which had the potential to impact on project delivery the Applicant relied on taking access under Section 172 of the Housing and Planning Act 2016 in the absence of agreement with the Respondent.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>When undertaking Phase 1 survey works under the licence and Phase 2 survey works under the section 172 notice, the Applicant was in regular contact with the Respondent in respect of timings and locations. To address the Respondent's concerns on the environmental impact of the works on the chalk bed stream, a borehole was relocated to the west of Spring Beck to a location the Respondent was satisfied with.</p>
Impact on Our Clients' business		
22	Impact during construction phase(s) of the Projects	No response required by the Applicant.
22.1	The nature of the Projects' construction	No response required by the Applicant.
22.1.1	<p>Paragraph 49 of the Planning Statement [AS-031] sets out that the Projects may be constructed at the same time or at different times. If the Projects are built at the same time both Projects could be constructed within four years but if built at different times each Project would require a four year period of construction. If built at different times the offset between the start of the construction of the first Project and the construction of the second Project may vary from two to four years. The maximum period during which construction could therefore take place is eight years for both Projects. The earliest construction start date is 2025.</p>	No response required by the Applicant.
22.1.2	<p>Paragraph 278 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] states that the installation of the onshore ducts and cables is expected to take up to 24 months (for one of the Projects constructed in isolation), 26 months (for both Projects constructed concurrently) or two separate periods of 24 months for the Projects where construction is carried out sequentially.</p>	No response required by the Applicant.
22.1.3	<p>As set out in paragraphs 281 and 296 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] once the cable ducts have been installed (to a minimum depth of 1.2m) there is a separate process of cable pulling to be carried out. The cable ducts would first be installed within trenches and backfilled with soil before the cables are pulled through the pre-laid ducts "at a later stage in the construction programme".</p>	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
22.1.4	However, the scenarios as defined in the draft DCO [AS-009] cater for the Projects to be constructed entirely separately, meaning that the first of the Projects which is constructed may not necessarily lay the ducts for the second of the Projects which is carried out at a later date.	No response required by the Applicant.
22.1.5	Paragraph 277 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] sets out that whilst the cable duct installation works are envisaged to be a “continuous activity” the haul road (being 5m in width to 8m at passing bay locations) would need to be retained throughout much of the cable corridor to maintain access to each work front, potentially therefore throughout the expected 24 (or 26) month construction period(s).	No response required by the Applicant.
22.1.6	In addition, paragraphs 301 and 302 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] set out that one below ground “link box” per circuit shall be required within 10m proximity to the joining bay locations to allow the cables to be bonded to earth. These would require periodic access by technicians for inspection and testing during operation and it is assumed that one would be required every 1km.	No response required by the Applicant.
22.1.7	Paragraph 191 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] states that it is assumed that each link box would result in a permanent land take of 2m x 2m given the need for these to be accessed via manhole covers at ground level and an above ground marker would be required to mark the location of each link box.	No response required by the Applicant.
22.1.8	Paragraph 105 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] identifies the “worst-case” scenario for impacts to drainage would be where the Projects are constructed sequentially because this would require two periods of disruption to agricultural drainage for two periods of onshore cable installation work. The construction work would also require the topsoil to be stripped (as set out in paragraph 131 of this Chapter 19).	No response required by the Applicant.
22.1.9	On the basis of the information submitted by Equinor as part of the application there remains a great deal of uncertainty as to how the Projects shall be constructed and when. Our Clients’ key concerns are as follows:	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
22.1.9.1	It appears that the earliest substantive construction work could begin is 2025 but the draft DCO [AS-009] would authorise the compulsory acquisition of land for up to seven years after the DCO is made.	The Applicant refers to the Explanatory Memorandum [AS-013, para. 86] which sets out the justification for seven years.
22.1.9.2	Indeed, Requirement 1 in Schedule 2 Part 1 of the draft DCO requires the respective Projects to simply “commence” within seven years beginning with the date the DCO comes into force.	No response required by the Applicant.
22.1.9.3	Therefore, assuming that the DCO is granted in late 2023 it could be that the Projects do not even commence until late 2030.	No response required by the Applicant.
22.1.9.4	In addition, there is further uncertainty over the different “scenarios” catered for in the draft DCO. This is particularly so given the two potentially entirely separate 24 month construction periods that could be carried out, each requiring a haul road and potentially other construction apparatus such as security fencing etc. to remain in place on Our Clients’ Land during much of these periods.	No response required by the Applicant.
22.1.9.5	This uncertainty is reinforced by the power in Article 26 of the draft DCO [AS-009] to enter on and take temporary possession of land enduring until one year after the date of completion of the part of the authorised project specified in the respective part of column (4) of Schedule 9 of the draft DCO [AS-009].	The Applicant refers to the Explanatory Memorandum [AS-013, para. 86] which sets out the justification for seven years.
22.1.9.6	All of the above create significant uncertainty for Our Clients’ in their short and long term planning of their farming operations on Our Clients’ Land and in trying to navigate the current uncertainty being experienced by the farming industry regardless of the Projects.	The Respondent’s comment is noted.
22.2	The access and rights sought by Equinor	No response required by the Applicant.
22.2.1	Permanent acquisition of rights:	No response required by the Applicant.
22.2.1.1	We cannot comment at present on the extent of rights sought by Equinor as Schedule 7 of the submitted draft DCO [AS-009] does not include any detail of the precise nature of the rights sought by Equinor. We contrast this to the detail provided within Column 2 of Schedule 7 to the recently made East	Schedule 7 of the Development Consent Order (Revision C) [document reference 3.1] describes the plots which will be subject to the acquisition of rights in Column 1 by referring to the plot numbers as shown on land plans. The plot numbers are listed in the Book of

I.D.	Relevant Representation	Applicant Comment
	<p>Anglia ONE North Offshore Wind Farm Order 2022 which provides greater detail on the extent of rights sought.</p>	<p>Reference [APP-026, Section 4]. Table 1-1 describes the new rights being sought by the Applicant. Table 1-2 describes which rights are sought in relation to the relevant plots.</p> <p>The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft DCO (Revision C) document reference 3.1].</p>
22.2.1.2	<p>Our Clients' request that further detail is provided on the extent of rights sought to be permanently acquired.</p>	<p>The Applicant has responded within response 22.2.1.1.</p>
22.2.1.3	<p>However, what is clear at present is that the acquisition of rights over Our Clients' land and construction of the Projects (or one of them) on the area identified on the Land Plans would sever Our Clients' Land in a number of cases and in any event disturb the ability for Our Clients to farm Our Clients' Land. The impact of this is detailed further below</p>	<p>The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5]</p> <p>The Applicant refers to the Book of Reference, document reference 4.1 [APP-026 Section 4]. Table 1-1 describes the new rights being sought by the Applicant which are assigned to the relevant plots in Table 1-2. The Applicant does not consider that acquisition of new rights over the Respondent's land would result in permanent severance. Any severance on the Respondent's land would be temporary during the construction period.</p> <p>The Applicant has sought to minimise the extent of land affected by SEP and DEP. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft DCO (Revision C) [document reference 3.1].</p>
22.2.1.4	<p>This is notwithstanding the potential impact of the construction of the Projects (or one of them) on the irrigation systems and soil quality on Our Clients' Land.</p>	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 (Code of construction practice) of the draft DCO (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
		The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 2.3] refers to identifying private water supplies so that they can be maintained (which extends to irrigation).
22.2.2	Temporary possession of land:	No response required by the Applicant.
22.2.2.1	The power under Article 26 of the draft DCO [AS-009] to enter on and take temporary possession of land enduring until one year after the date of completion of the part of the authorised project specified in the respective part of column (4) of Schedule 9 of the draft DCO is broad.	The Applicant has sought to reduce the amount of land subject to permanent acquisition through the use of temporary possession powers. The Applicant refers to the Explanatory Memorandum , [AS-013, Section 1.8.6.9] which explains the requirement for this Article 26.
22.2.2.2	This is particularly so when this relates to key existing accesses on to Our Clients Land in the case of plots 03-002 and 02-014. The temporary possession of these plots would prevent access to this part of the farm and the buildings located to the south of this area of land to the north of the railway line. The impact of this is detailed further below.	In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006]. Plot 03-002 is identified as an early works access and the Respondent would not be prevented from using this access during any works. Plot 02-014 is identified as a construction access and the Applicant will work with the Respondent as confirmed in ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5], which refers to maintaining access to the Respondent's retained land.
22.2.2.3	Our Clients request clarity and justification as to why two separate accesses onto the land east of Station Road and the south of the A149 Sheringham Road are required.	The Applicant refers to Access to Works Plan [AS-006]. ACEW06 is an early works access off Station Road whilst ACC05 is a construction access.
22.2.2.4	We can see no reference in the Outline Code of Construction Practice [APP-302], Outline Construction Traffic Management Plan [APP-301] or Chapter 19 (Land Use and Recreation) of the Environmental Statement [APP105] which considers even the possibility of sharing such accesses with farmers to ensure their operations are not adversely impacted during the construction phase and in the years following this.	In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006]. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5] which refers to mitigation measures and maintaining access to landowners' retained land. The Applicant refers to the response provide in 22.2.2.2.

I.D.	Relevant Representation	Applicant Comment
22.2.2.5	Article 26(1)(c) would allow the construction of security fencing and whilst it is understood that details of the fencing would need to be submitted and approved under Requirement 14 there is no guarantee that such fencing would not be erected so as to physically prevent Our Clients' access to Our Clients' Land.	<p>The Respondent notes that security fencing can be erected under the temporary construction powers in Article 26(1)(c) of the DCO (Revision C) [document reference 3.1] and the undertaker will have this power in relation to the Respondent's land.</p> <p>The exercise of this power is not subject to Requirement 14 which is in relation to the approval of details for permanent fencing. However, details of temporary fencing will be included in a Construction Fencing Plan which must be submitted to the relevant planning authorities for approval before the relevant stage of construction works can commence pursuant to the Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 3.3]. Approval of the Code of Construction Practice is secured under Requirement 19 of the draft DCO (Revision C) [document reference 3.1].</p> <p>ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130 Section 19.7.1.2.5] refers to maintaining access to the Respondent's retained land.</p>
22.2.2.6	Further, Article 26(1)(b) would allow the removal of any buildings, agricultural plant and apparatus, drainage, fences, debris and vegetation from land subject to temporary possession. However, under Article 26(4) there would be no requirement to replace any building, structure, drain or electric line removed under Article 26.	No response required by the Applicant.
22.2.3	Access to Works:	No response required by the Applicant.
22.2.3.1	Our Clients have reviewed the Access to Works Plan (Revision B) [AS-006]. It appears the following accesses are proposed to Our Clients' Land:	No response required by the Applicant.
22.2.3.1.1	22.2.3.1.1. Mr Hay-Smith: 22.2.3.1.1.1. Construction Access: ACC03, ACC04, ACC05, ACC07 and ACC09 22.2.3.1.1.2. Early Works Access: ACEW04, ACE05, ACEW06, ACEW09 and ACEW100.	ACC09 and ACEW09 provide access to the Applicant onto land outside of the Respondent's ownership and occupancy. The other access reference numbers listed are acknowledged by the Applicant.
22.2.3.1.2	22.2.3.1.2. Mr Middleton:	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	22.2.3.1.2.1. Construction Access: ACC02, ACC03 22.2.3.1.2.2. Early Works Access: ACEW02, ACEW03	
22.2.3.2	However, at present it is not clear what the distinction between an “Early Works Access” and a “Construction Access” is. Our Clients request clarity on this point.	An early works access will typically be utilised by smaller vehicles such as 4x4’s for pre-construction works including hedge removal, surveys and setting out construction corridor. A construction access will be utilised for the main construction works including import of equipment and materials.
22.2.3.3	The accesses identified by ACC05 and ACEW06 are existing farm accesses and are the only ways to access the land owned by Mr Hay-Smith and farmed by Priory Holdings Limited to the east of Station Road and the south of the A149 Sheringham Road. The use of these accesses and associated temporary possession of plots 03-002 and 02-014 would prevent access to this part of the farm and the buildings located to the south of this area of land to the north of the railway line.	The Applicant refers to the response provided to 22.2.2.2.
22.2.3.4	As set out above, Mr Middleton and Priory Holdings Limited’s farming operations rely on fully integral use of common machinery (e.g. tractors, drills and combine harvester), infrastructure (e.g. grain drying and storage) and labour.	No response required by the Applicant.
22.2.3.5	Access to Our Clients’ modern 2,000 tonne on-floor drying and grain storage building and adjacent secure farm equipment machinery storage and workshop building which serve Our Clients’ combined farm operations are currently accessed by separate private farm entrances off the main Station Road and A149.	The Respondent’s comment is noted
22.2.3.6	Both of these entrances and related service roads are proposed for accesses to the Projects and for temporary possession under the draft DCO. This would render safe and ready access to these essential facilities and equipment impossible.	The Applicant refers to the response provided to 22.2.2.2.
22.2.3.7	The proposed routing of the onshore cable runs associated with the Projects effectively bisects Our Clients’ total farmed area of 471 hectares	The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support

I.D.	Relevant Representation	Applicant Comment
	preventing free and contiguous access to land and essential infrastructure over an indeterminate timeframe.	<p>this. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5].</p> <p>In respect of the timeframe, ES Chapter 4 Project Description [APP-090, Section 4.7.2] refers to the onshore construction programme for the different scenarios.</p>
22.2.3.8	This not only creates operational uncertainty for Our Clients' farming operations but also would have a direct and negative impact on the financial viability of the individual and combined farming operations.	The Applicant refers to the response provided in item K.
22.2.3.9	Indeed, Mr Middleton is 59 years old and Mr Hay-Smith is 65 years old and the blight of uncertainty around the timing and long-term impact of the Projects directly impacts on Our Clients' joint and several ability to undertake succession planning and diversification including the sale or tenancy of their respective farming enterprises.	The Applicant refers to the response provided in item K.
22.2.3.10	In addition, given the impacts of the Projects identified in these representations, it is Our Clients' position that the Projects may also jeopardise the fulfilment of Our Clients' contractual arrangements with third parties for sugar beet and malting barley tonnage.	<p>The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130 Section 19.7.1.2.5] which details mitigation measures and compensation in line with the compulsory purchase Compensation Code.</p> <p>The Applicant refers to the draft DCO (Revision C) [document reference 3.1], Article 26 which confirms compensation is payable to the owners and occupiers of land with reference to the Land Compensation Act 1961 which confirms the basis of compensation.</p> <p>The Applicant will continue to engage and consult with the Respondent on their farming arrangements in order to mitigate potential losses.</p>
22.2.3.11	It also appears there is an error in Schedule 6 of the draft DCO as reference ACEW100 is used twice.	The Application acknowledges the Respondents comment. Revisions to Schedule will be submitted at Deadline 2.
22.3	Other comments on the provisions on the draft DCO [AS-009]	No response required by the Applicant.
22.3.1	We note that pursuant to Requirement 9(1) in Schedule 2 Part 1 of the draft DCO [AS-009] the authorised project must not commence until a	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	notification has been submitted as to whether scenario 1, 2, 3 or 4 shall be commenced.	
22.3.2	Requirement 9(4) then requires each scheme to be implemented as notified under “sub-paragraphs (2), (3) and (4)”. However, there is no reference to sub-paragraph (1) and therefore at present no requirement to implement the scheme in accordance with the notification which is required under Requirement 9(1). We request the Examining Authority consider this point.	The draft DCO (Revision C) [document reference 3.1] [has been updated to correct this error. Sub-paragraph (4) of Requirement 9 should read ‘as notified under sub-paragraphs (1), (2) and (3)’.
22.3.3	Our Clients also have a concern with the broad power under Article 34 of the draft DCO to fell or lop trees and remove hedgerows (including cutting back the roots of trees or shrubs). This power would extend not only to trees or shrubs within or overhanging land within the Order limits but also simply “near to any part of the authorised project” if the undertaker “reasonably believes” it necessary to do so to prevent the tree or shrub from obstructing or interfering with the construction, maintenance or operation of the Projects or an apparatus used in connection with them.	Please see response at 22.3.4.
22.3.4	The term “near to any part of the authorised project” is vague and does not give any certainty as to the scope of this broad power. Our Clients question why such a power should be required and whether this can be justified by Equinor in this case. Indeed, if Equinor require certain trees or shrubs “near” to the Projects to be affected in this way we question why these are not included within the Order limits. This is particularly so given the location of this part of the Projects in the Norfolk Coast AONB.	<p>The drafting of Article 34 reflects the drafting in the model provisions and is therefore based on standard wording and wording which has been included in recently granted offshore wind development consent orders, for example East Anglia One North Offshore Wind Farm Order 2022. See the Explanatory Memorandum [AS-012, Section 1.8.8.3].</p> <p>The Applicant has sought to avoid removal of trees and shrubs within the Order Limits, as detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18]. The drafting of this Article provides a fall-back position in the event a tree or shrub requires removal. This is within the spirit of the DCO as it allows for the undertaker to avoid delays in project delivery due to uncertainties like this and therefore is reasonable to include.</p> <p>The Outline Landscape Management Plan also sets out the requirement for ‘[trees] and woodland that are removed to construct the onshore cable corridor [to] be replanted within the Order Limits’ [APP-303, Section 1.2.3] so affected trees and shrubs will be reinstated. The</p>

I.D.	Relevant Representation	Applicant Comment
		approval of the final Landscape Management Plan by the relevant local planning authority is secured by Requirement 11 (Provision of landscaping) of the draft DCO (Revision C) [document reference 3.1].
23	Impact during operational phase of the Projects	No response required by the Applicant.
23.1	Our Clients' note the post construction assessment and proposed mitigation measures set out in Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105].	No response required by the Applicant.
23.2	However, it is noted that much of the detail as to the drainage for the operational phase is left to Requirement 17 in the draft DCO [AS-009].	No response required by the Applicant
23.3	In this regard, whilst we note Requirement 17(4) includes a requirement to implement as approved each operational drainage plan we note that there is no requirement for the details (presumably including the apparatus and measures) set out in the approved operational drainage plan(s) to be maintained and managed.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.
23.4	There is no express requirement in Requirements 17(1), (2) or (3) for the operational drainage plan to include measures for maintenance and management.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.
23.5	In addition, it appears from Requirement 17(3) that the operational drainage plan may only relate to the onshore substation and not matters relating to the onshore cables and associated apparatus. Indeed, the Outline Operational Drainage Plan submitted [APP-307] only deals with the onshore substation.	<p>The Applicant confirms that the Outline Operational Drainage Plan [APP-307] only deals with the proposed onshore substation as this is the only permanent above ground infrastructure associated with the project.</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] requires that a construction surface water drainage plan is produced for SEP and DEP. This is secured by Requirement 19 (Code of Construction Practice) of the draft DCO (Revision C) [document reference 3.1].</p>
23.6	It appears to us that whilst the Outline Code of Construction Practice [APP302] which would inform the codes submitted under Requirement 19 of the draft DCO discusses drainage matters (including surface water drainage) this appears to be solely in the context of the construction phase	The Applicant confirms that the Outline Code of Construction Practice (Revision B) [document reference 9.17], as secured via Requirement 19 of the draft DCO (Revision C) [document reference 3.1]

I.D.	Relevant Representation	Applicant Comment
	of the Projects (or any one of them). In addition and in any event, Requirement 19(3) would only require the “construction works” for each phase to be in accordance with the relevant approved code of construction practice.	outlines drainage matters (including surface water drainage) in the context of the construction phase of the Project(s).
23.7	It is therefore not clear to Our Clients how the drainage associated with the operational phase of the Projects (or any one of them) – even if this includes the reinstatement of alteration of existing drainage systems – is to be controlled.	<p>The Applicant confirms that the Outline Operational Drainage Plan submitted [APP-307] only deals with the proposed onshore substation as this is the only permanent above ground infrastructure associated with the project.</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5, para. 119], states that:</p> <p>“Existing land drains along the onshore cable route and at the onshore project substation will be reinstated following construction. A local specialist drainage contractor will undertake surveys to locate drains and create drawings both pre- and post-construction and ensure appropriate reinstatement. The Construction Surface Water Drainage Plan will include provisions to minimise water within the working area and ensure ongoing drainage of surrounding land.”</p> <p>The Code of Construction Practice, which include the above, is secured via Requirement 19 of the draft DCO (Revision C) [document reference 3.1]. In addition, and Agricultural Liaison Officer (ALO) would be appointed to work with landowners.</p>
23.8	Further and importantly, it does not appear that there is any enforceable requirement that requires the undertaker of the Projects (or any one of them) to monitor, manage and maintain the drainage systems which have through the construction and subsequent operation of the Projects (or any one of them) been installed or altered. Given the unresolved legacy land drainage issues experienced by Our Clients since the initial construction of the original (and now to-be-extended) offshore wind farm in 2009/10, Our Clients request that clarity is sought on how post-construction drainage matters are to be approved and, if required, enforced.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.
24	Impact during the decommissioning of the Projects	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
24.1	Paragraph 222 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] states that no decision has yet been made regarding the final decommissioning policy for the onshore export cables. However, this paragraph sets out that it is likely that the cables would be pulled through the ducts and removed, with the ducts themselves left in situ.	No response required by the Applicant.
24.2	It is also noted that whilst Requirement 8 in the draft DCO [AS-009] requires a decommissioning programme to be submitted to the Secretary of State for approval before offshore works on either of the Projects begins.	No response required by the Applicant.
24.3	However, this should be contrasted with Requirement 29 which deals with onshore decommissioning. Requirement 29 would only require an onshore decommissioning programme to be submitted to the planning authority for approval within six months of the permanent cessation of the commercial operation of either of the Projects.	No response required by the Applicant.
24.4	This approach and proposed trigger means that the uncertainty as to the approach to decommissioning shall endure throughout the proposed 40 year operational life of the Projects. We question whether Equinor could provide any further certainty or parameters for the decommissioning of the Projects at this stage.	The approach taken is in line with recently granted offshore wind development consent orders and is reasonable in the circumstances. It is anticipated that there will be changes to industry best practice, policy and legislation during the considerable length of time between now and decommissioning (see example ES Chapter 19 Land Use, Agriculture and Recreation , [APP- 130, Section 19.7.3]). The Applicant seeks to ensure that decommissioning is suited to those altered conditions and therefore does not seek to provide any further details at this stage. The periods for approval set out in Requirements 8 and 29 of the draft DCO (Revision C) [document reference 3.1] are suitable in the circumstances.
24.5	We also note that unlike, for example, Requirement 20 in the East Anglia ONE North Offshore Wind Farm Order 2022, Requirement 29(1) in the draft DCO [AS-009] would allow the planning authority to alter the obligations of this Requirement given the addition of the wording “unless otherwise agreed in writing by the relevant planning authority”. This has the potential to create further uncertainty as to the decommissioning of the Projects. We question whether this approach is appropriate in this case.	It is within the spirit of the DCO process to allow flexibility to change schemes, like a decommissioning scheme, with the appropriate approval of the relevant local planning authority in order to account for changes in circumstances. As such the Applicant does not intend to amend the wording of Requirement 29(1) as this contains the flexibility it considers necessary in order to deliver decommissioning.

I.D.	Relevant Representation	Applicant Comment
24.6	In any event, at this stage Our Clients' simply cannot form a robust view on the impact that the decommissioning may have on Our Clients' Land and their business operations.	The Respondent's comment is noted.
24.7	At the very least it appears that the removal of the cables as part of decommissioning work may involve the reinstatement of a haul road and access to the link boxes in a similar way to the cable pulls associated with the construction phase of the Projects (or any one of them).	<p>As described in ES Chapter 4 Project Description [APP-090, para. 350-351] a full EIA will be carried out ahead of any decommissioning works being undertaken. The programme for decommissioning is expected to be similar in duration to the construction phase of 48 months (based on both Projects being decommissioned at the same time). The detailed activities and methodology for decommissioning will be determined later within the project lifetime, in line with relevant policies at that time. The decommissioning methodology cannot be finalised until immediately prior to decommissioning but would be in line with relevant policy at that time.</p> <p>It is anticipated that for the purposes of a worst-case scenario, the impacts would be no greater than those identified for the construction phase (which includes the haul road).</p>

5.27 Howes Percival LLP on behalf of Priority Holdings Limited [RR-043]

Table 5.27.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR-043 Howes Percival LLP on behalf of Priority Holdings Limited (Priority Holdings Limited)	N/A	N/A	N/A

Table 5.27.2 Applicant's comments on Howes Percival LLP on behalf of Priority Holdings Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
Executive Summary		
	PLEASE NOTE A FULL RELEVANT REPRESENTATION HAS BEEN EMAILED TO sadep@planninginspectorate.gov.uk ON 14 NOVEMBER 2022 AND WHAT FOLLOWS IS THE EXECUTIVE SUMMARY OF THAT RESPONSE.	The Applicant confirms receipt of the relevant representation issued via email.
A	We act for Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited ("Our Clients") in relation to the Sheringham and Dudgeon Extension Projects ("Projects") for which development consent has been applied for by Equinor New Energy Limited ("Equinor")	No response required by the Applicant.
B	Mr Clive Hay-Smith has interests affected by the Projects under title numbers NK259663 and NK274667 and Mr Paul Middleton has interests affected by the Projects under title numbers NK469059 and NK412600 (together referred to as "Our Clients' Land").	No response required by the Applicant.
C	Priory Holdings Limited carries on farming operations on the land owned by Mr Hay-Smith under title number NK274667 and these activities are operationally connected to Mr Middleton's farming operations on the land owned by Mr Middleton under title numbers NK469059 and NK412600. These farming operations are carried out on 417 hectares of land around Weybourne.	The Respondent's comment is noted.
D	The Projects involve the taking of temporary access, the carrying out of construction works and the acquisition of rights in connection with land in which Our Clients have interests.	No response required by the Applicant.
E	Our Clients shall register individually as Interested Parties but it is their intention that they will act jointly where practical, in order to assist the Examination. This relevant representation has been prepared on that basis.	The Respondent's comment is noted.
F	Our Clients' position may be summarised as follows and is explained in more detail in this relevant representation:	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
G	<p>Mr Hay-Smith and Mr Middleton have been issued with heads of terms for a proposed private agreement by Equinor's representatives but discussions as to any such private arrangements for access or the acquisition of rights have not progressed. Neither Mr Hay-Smith nor Mr Middleton have entered into any agreement with Equinor. Our Clients would welcome further discussion with Equinor as to such private arrangements provided these take into account Our Clients' concerns with the Project as summarised below.</p>	<p>The Applicant has had and continues to have productive discussions with the Respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
H	<p>Our Clients fully support the expansion of the UK's offshore wind farm infrastructure as being in the country's long-term strategic and environmental interests. Our Clients do not have an in-principle objection to off-shore wind farms.</p>	<p>The Respondent's comment is noted</p>
I	<p>However, based on the information before the Examination at present Our Clients have a number of particular concerns relating to the approach that Equinor appear to be taking with regard to the construction and the operation of the onshore cable runs associated with the Project. It appears to Our Clients that the Project is likely to have a severe impact on Our Clients' farming operations on Our Clients' Land for a number of years and also any wider aspirations Our Clients have for this land.</p>	<p>The Respondent's comment is noted.</p>
J	<p>In particular Our Clients consider that the potential length of the construction phase for the Projects and the potential for the Projects' stated construction access requirements to remove the ability of Our Clients' farming operations to access critical parts of Our Clients' farm could effectively prevent Our Clients' farming operations from being carried on for a number of years and affect the future viability of these operations too.</p>	<p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document reference 2.9 (AS-006).</p> <p>The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to Environmental Statement Chapter 19 – Land Use, Agriculture and Recreation, document reference 6.2.19 [APP- 130]. Section 19.7.1.2.5.</p>
K	<p>The blight of uncertainty around the timing and long-term impact of the Projects directly impacts on Our Clients' joint and several ability to undertake succession planning and diversification including the sale or tenancy of their respective farming enterprises.</p>	<p>The Applicant has been engaging with the Respondent and their appointed land agent during the pre-application phase in respect of current plans for the farming enterprises.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant will continue to engage with and update the Respondent post-consent to enable them to undertake their succession planning and diversification projects. The Applicant is also prepared to engage with third parties interested in purchasing or entering into a tenancy to occupy the Respondent's land to ensure such parties are informed of the project and its potential impacts on their own plans for the land.</p>
L	<p>We also consider that at this stage insufficient detail has been provided in terms of the rights that the Projects would acquire from the land owned by Mr Hay-Smith and Mr Middleton or the operation of the proposed accesses to the Project for Our Clients to fully understand the impact of the Project on them and their interests.</p>	<p>In respect of the relevant rights being sought, the Applicant refers to the Book of Reference (Revision B), document reference 4.1, section 4 – Description of Rights in conjunction with Table 1-2 of the Book of Reference which details the extent of acquisition or use. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the Development Consent Order (Revision C) [document reference 3.1].</p> <p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document reference 2.9 (AS-006) where these are set out.</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has had and is keen to continue to have productive discussions with the Respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
M	<p>Our Clients' are also concerned as to how the proposed impacts on the future use of Our Clients' Land for farming activities is to be protected during the operational phase and after the decommissioning of the Projects. This concern arises from ongoing drainage and irrigation issues that Our Clients have experienced on Our Clients' Land following works which were commissioned by Equinor (then known as Statoil) to construct the original Sheringham Shoal Offshore (SCIRA) Wind Farm in 2009/10.</p>	<p>The ownership of the transmission assets for Sheringham Shoal Offshore Wind Farm were transferred in 2013 to the appointed OFTO, as part of the sale from Scira Offshore Energy Limited (SOEL) to BTSS (Blue Transmission Sheringham Shoal) – the OFTO. This sale is required by the OFTO Regulations. Any issues relating to those transmission assets since 2013 are a matter for BTSS.</p> <p>In terms of SEP and DEP, protection for farming activities is addressed through the DCO provisions and any private land agreements entered into by a given Land Interest. The relevant powers and obligations under</p>

I.D.	Relevant Representation	Applicant Comment
		the DCO, and any relevant land agreements, will be transferred to the appointed OFTO pursuant to the OFTO Regulations. This means that responsibility during the operational phase (after the transfer to the OFTO) and decommissioning will fall on the OFTO.
Introduction and background		
1	We act for Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited ("Our Clients") in relation to the Sheringham and Dudgeon Extension Projects ("Projects") for which development consent has been applied for by Equinor New Energy Limited ("Equinor").	No response required by the Applicant.
2	The Projects involve the taking of temporary access, the carrying out of construction works and the acquisition of rights in connection with land in which Our Clients have interests as set out below.	No response required by the Applicant.
3	Our Clients shall register individually as Interested Parties but it is their intention that they will act jointly where practical, in order to assist the Examination. This relevant representation has been prepared on that basis. Mr Paul Middleton has registered as an Interested Party under reference 20032995. Our Clients' current primary interest in the land affected by the Project is for farming.	The Respondent's comment is noted.
4	In general terms farming is currently facing uncertainty arising from a number of factors. The security that basic payments once offered is being withdrawn, farmers are being asked to deliver more for the environment from their customers, supply chains and the Government but without a crystallised level of support, high levels of inflation are exerting upward pressure on input prices while commodity prices are reducing in some cases and there are demands from non-agricultural land use such as solar, development, bioenergy, tree planting and biodiversity improvements which could take land out of agricultural production.	The Respondent's comment is noted.
Land and interests affected		

I.D.	Relevant Representation	Applicant Comment
5	Mr Hay-Smith has interests affected by the Projects under title numbers NK259663 and NK274667 and Mr Middleton has interests affected by the Projects under title numbers NK469059 and NK412600 (together referred to as "Our Clients' Land").	The Applicant confirms the extent of the Respondent's identified interests are as set out in the Book of Reference (Revision B) , document reference 4.1.
6	Our Clients' Land forms part of the Norfolk Coast Area of Outstanding Natural Beauty.	The Respondent's comment is noted.
7	Mr Middleton has actively farmed the 53 hectare freehold land comprising Home Farm, Weybourne as a trading partnership (MA Perkins and PB Middleton) with his late mother, Monica Perkins who died in August 2021.	The Respondent's comment is noted.
8	Mr Middleton has also been employed as the Farm Manager of Priory Holdings Limited since 2002. Mr Middleton's own farming business partnership is legally and financially independent of Priory Holdings Limited but is reliant on the shared operational infrastructure of the two, integrated farming operations.	The Respondent's comment is noted.
9	<p>The Book of Reference [APP-026] records Our Clients' interests in the following plots as shown on the Revision B Land Plans [AS-002]:</p> <p>9.1. Mr Hay-Smith:</p> <p style="padding-left: 40px;">9.1.1. Acquisition of rights in the following plots: 02-002, 02-006, 02-010, 02,012, 02-015, 03-008, 03-010 and 04-003.</p> <p style="padding-left: 40px;">9.1.2. Temporary possession: 02-007, 02-008, 02-009, 02-014, 03-001, 03-002, 03-005, 03-006, 03-007, 04-002, 04-004, 04-011 and 04-013.</p> <p>9.2. Mr Middleton:</p> <p style="padding-left: 40px;">9.2.1. Acquisition of rights in the following plots: 01-036, 01-044, 02-002, 02-004, 02-005 and 02-006.</p> <p style="padding-left: 40px;">9.2.2. Temporary possession: 01-040, 01-041, 01-042, 01-043, 02-001, 02-003 and 02-007.</p>	The Applicant confirms the extent of the Respondent's identified interests are as set out in the Book of Reference (Revision B) , document reference 4.1.

I.D.	Relevant Representation	Applicant Comment
10	Priory Holdings Limited carries on farming operations on the land owned by Mr Hay-Smith under title number NK274667 and these activities are operationally connected to Mr Middleton's farming operations on the land owned by Mr Middleton under title numbers NK469059 and NK412600.	The Respondent's comment is noted.
11	For the past twenty years Our Clients have jointly farmed Our Clients' Land for an all arable, rotational crop system growing sugar beet and malting barley on a three year rotational cycle across this combined land holding.	The Respondent's comment is noted.
12	Whilst both entities are legally independent, Mr Middleton and Priory Holdings Limited's operations rely on fully integral use of common machinery (e.g. tractors, drills and combine harvester), infrastructure (e.g. grain drying and storage) and labour. As set out above, Mr Middleton is employed as Priory Holdings Limited's Farm Manager.	The Respondent's comment is noted.
13	Our Clients' Land includes a modern 2,000 tonne on-floor drying and grain storage building which was purpose built for Priory Holdings Limited in 2008. There is also an adjacent, secure farm equipment machinery storage and workshop building which was also constructed in 2008. These units serve Our Clients' combined farm operations and are currently accessed by separate private farm entrances off the main Station Road and A149. As discussed in more detail below, both of these entrances and related service roads are proposed for accesses to the Projects and for temporary possession under the draft DCO. This would render safe and ready access to these essential facilities and equipment impossible.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006] which includes details of accesses. It can be noted that access from Station Road would be for early works and access from the A149 would be for construction of SEP and/or DEP.</p> <p>ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5] details mitigation measures to ensure the Respondent's farming operations are not restricted and access is maintained to retained land for farming operations.</p>
14	Priory Holdings Limited currently has a Higher Level Stewardship scheme (AG00424686) with Natural England which ends in November 2023. Natural England has offered an extension of up to 5 years. Mr Middleton has an Entry-Level Countryside Stewardship Scheme with Natural England (494899) which ends in December 2027. Both Schemes relate to land affected by the Projects.	The Respondent's comment is noted.

I.D.	Relevant Representation	Applicant Comment
15	<p>In light of the above and Our Clients' other concerns set out below, Our Clients' fear that the Projects could prevent their participation in and compliance with existing and any extended/proposed environmental schemes and options.</p>	<p>The Applicant refers ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.4] referring to the impact to agri-environment schemes during construction.</p> <p>The Applicant has tried to avoid where possible land managed under an agri-environment scheme. Where the Project has impacts to an existing agreement that can't be avoided, affected landowners and or occupiers will be consulted to enable them to liaise with the Rural Payments Agency. If the Project impacts any land subject to schemes where compensation could become payable, the Applicant will review this on a case by case basis and will reimburse financial losses where appropriate and in line with the Compensation Code. Following completion of the construction works, land will be reinstated and would therefore continue to be available for management under an Agri-environment scheme in the future.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights which sets out suitable compensation provisions for their financial losses.</p> <p>In general, it is considered that ecological losses associated with impacts to Agri environment schemes would be mitigated using the measures set out in ES Chapter 20 Onshore Ecology and Ornithology [APP-106] and details of habitat reinstatement as set out in the Outline Ecological Management Plan [APP-304].</p>
16	<p>Our Clients have recently been informed that the Environment Agency and Norfolk Rivers Trust will be on site on 15 November 2022 to oversee a previously agreed reintroduction of a threatened species of native freshwater crayfish in the chalk stream that intersects Mr Hay-Smith's land to the west of Station Road. We are instructed that this is the same site that was subject to an invasive borehole survey by Equinor (or their representatives) in July 2022. Mr Hay-Smith requested ecological survey information prior to the carrying out of any such borehole survey work by Equinor's representatives as there were concerns over the potential environmental impact of proposed survey work on the chalk-bed stream. However, such ecological survey</p>	<p>The Respondent's comment is noted.</p>

I.D.	Relevant Representation	Applicant Comment
	information was only forthcoming from Equinor’s representatives after this borehole survey work was completed following the issue of a formal section 172 notice to gain access to this part of Our Clients’ Land.	
Our Clients’ engagement with Equinor		
17	Mr Hay-Smith’s agents, Brown & Co, submitted a response to Equinor’s Preliminary Environmental Information Report (“PEIR”) consultation in June 2021. This response made the following points:	The Applicant thanks the Respondent and confirms receipt of the PEIR response.
17.1	It would be preferable if the landfall location and onshore cable route was located away from the village of Weybourne and clear of residential and other built-up environments.	<p>The Applicant has undertaken a thorough site selection process. The selection of landfall at Weybourne avoids populated areas at the coast and minimises direct disturbance to the Muckleburgh Collection and to users of the coastal path. The proposed onshore cable corridor was selected based upon guiding design principles and a cable corridor refinement process which included consideration of consultation feedback. Permanent visual impacts during the operational life of SEP and DEP will be minimised with the use of an underground cable system. The cables will not be installed beneath any residential properties or gardens.</p> <p>The Applicant refers to the following documents which explain the rationale for the chosen landfall site:</p> <ul style="list-style-type: none"> • ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089, Section 3.7]. • ES Appendix 3.2 Cable Landfall Concept Study [APP- 176].
17.2	The Projects would blight impacted properties whichever route is chosen and will interfere with farming, intended diversification projects, construction proposals and planning opportunities.	The Applicant refers to ES Chapter 3 Site Selection & Assessment of Alternatives [APP-089, Section 3.9] which sets out the approach taken to selection of the onshore cable corridor.
17.3	Concern was expressed about legacy issues which may not be adequately addressed associated with farming activities, diversification, development, rural land use and freedom to use and exploit private ownership rights.	The ownership of the transmission assets for Sheringham Shoal Offshore Wind Farm were transferred in 2013 to the appointed OFTO, as part of the sale from Scira Offshore Energy Limited (SOEL) to BTSS (Blue Transmission Sheringham Shoal) – the OFTO. This sale is required by

I.D.	Relevant Representation	Applicant Comment
		<p>the OFTO Regulations. Any issues relating to those transmission assets since 2013 are a matter for BTSS.</p> <p>In terms of SEP and DEP, protection for farming activities is addressed through the DCO provisions and any private land agreements entered into by a given Land Interest. The relevant powers and obligations under the DCO, and any relevant land agreements, will be transferred to the appointed OFTO pursuant to the OFTO Regulations. This means that responsibility during the operational phase (after the transfer to the OFTO) and decommissioning will fall on the OFTO.</p>
17.4	<p>The proposed onshore cable route would dissect and environmentally sensitive, spring-fed chalk beck and bankside setting to the west of Station Road (this being the same area referred to in paragraph 16 above). This site is part of a joint on-going project between Mr Hay-Smith, Priory Holdings Limited and the Environment Agency to restore native wildlife including trout, water voles, newts and otters in a regenerated/replanted indigenous woodland setting.</p>	<p>The Applicant refers to:</p> <ul style="list-style-type: none"> • Crossing Schedule – Revision B [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant is 17 and shows that Spring Beck will be crossed using trenchless techniques. • ES Chapter 4 Figures – Project Description [APP-178] which confirms the cables will be installed by trenchless techniques, e.g. Horizontal Directional Drill (HDD) at this location. • The use of HDD would avoid impacts to Spring Beck and associated ecological receptors.
17.5	<p>Routing of the onshore cables across the Station Road/Sandy Hill Lane roadway will further exacerbate the environmental impact on native trees and hedgerows to both the east and west of the road which forms a critical entry point to the village of Weybourne.</p>	<p>The Applicant refers to ES Chapter 4 Figures – Project Description [APP-178, Figure 4.10, Sheet 1] which confirms the cables will be installed by trenchless techniques, e.g. HDD at this location. This is also presented in the Crossing Schedule (Revision B) [AS-022]. As shown in the Tree Preservation and Important Hedgerow Plan [APP-017, Sheet 2], no tree or hedgerow removal is anticipated at this crossing.</p>
17.6	<p>The routing of the onshore cables will also severely impact the safety and business operation of the Station Road farm service road and buildings as the cable would run parallel to the farm's entrance splay, service road, grain dryer, timber storage yard and equipment shed.</p>	<p>The Applicant refers to ES Chapter 4 Figures – Project Description [APP- 178] which confirms the cables will be installed by trenchless techniques, e.g. HDD method at this location. This is also presented in the Crossing Schedule (Revision B) [AS-022] and illustrated on Sheet</p>

I.D.	Relevant Representation	Applicant Comment
		<p>1 of 18 of Figure 4.10 of ES Volume 2 Chapter 4 Project Description [APP-. 090]</p> <p>ACEW06 is an early works access and would therefore only be utilised by light 4x4 vehicles for any pre-commencement works such as condition/topography surveys as well as any hedge clearance activities. The entrance is off Station Road and turns into the field after 70m. As part of the site induction our staff will be instructed to always give way to any local traffic and farm operations.</p> <p>The main construction access for works involving the delivery of plant and equipment is off the A149-Sheringham Road at ACC05.</p> <p>The Applicant therefore does not consider there to be any safety or business operation impact as a result of the road crossing at Station Road.</p>
18	<p>Many of the points above remain concerns to Our Clients as summarised below.</p>	<p>The Respondent's comment is noted.</p>
19	<p>Mr Hay-Smith and Mr Middleton were issued with heads of terms for a private land agreement by Equinor on 31 May 2022. Our Clients have a number of concerns around the Project as set out below and as a result it has not been possible to move the consideration of these heads of terms forward without further information on the Project. However, the submitted application before the Examination leaves a number of these concerns outstanding as set out below.</p>	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the Respondent.</p>
20	<p>However, Our Clients would welcome further discussion with Equinor as to such private arrangements provided these take into account Our Clients' concerns with the Project.</p>	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the Respondent.</p>
21	<p>Our Clients consider that they have remained cooperative with Equinor's representatives during previous discussions on their preparations for the Projects. However, Mr Hay-Smith has encountered difficulties with Equinor refusing to pay any legal costs relating to work carried out in connection with Equinor's previous proposals to route the onshore cable runs through Mr Hay-Smith's Highlands (Cherry Trees Farm) property in Weybourne. Mr Hay-Smith was also subject to formal</p>	<p>The Applicant set out its position in respect of reimbursement of professional costs in advice to the Respondent dated 12th February 2020 which did not include legal fees. No undertaking was subsequently requested by the Respondent nor provided by the Applicant for legal costs associated with the onshore cable route.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>section 172 notices issued to gain survey access to part of Our Clients' Land at a time when ill health and concerns over the potential environmental impact of proposed survey work on a chalk-bed stream delayed Mr Hay-Smith's consent to carry out this survey work under a private licence arrangement.</p>	<p>The Applicant completed a licence agreement for intrusive surveys in respect of the initial round of surveys (Phase 1) carried out between August 2021 and October 2021. The Applicant sought to enter into an agreed licence with the Respondent in respect of Phase 2 intrusive survey access (in April 2022) on the same terms as for Phase 1. However, the Respondent was unwilling to enter into the licence agreement for Phase 2 whilst the claim for legal fees was outstanding. In order to avoid delays to the survey programme which had the potential to impact on project delivery the Applicant relied on taking access under Section 172 of the Housing and Planning Act 2016 in the absence of agreement with the Respondent.</p> <p>When undertaking Phase 1 survey works under the licence and Phase 2 survey works under the section 172 notice, the Applicant was in regular contact with the Respondent in respect of timings and locations. To address the Respondent's concerns on the environmental impact of the works on the chalk bed stream, a borehole was relocated to the west of Spring Beck to a location the Respondent was satisfied with.</p>
Impact on Our Clients' business		
22	Impact during construction phase(s) of the Projects	No response required by the Applicant.
22.1	Thenature of the Projects' construction	No response required by the Applicant.
22.1.1	<p>Paragraph 49 of the Planning Statement [AS-031] sets out that the Projects may be constructed at the same time or at different times. If the Projects are built at the same time both Projects could be constructed within four years but if built at different times each Project would require a four year period of construction. If built at different times the offset between the start of the construction of the first Project and the construction of the second Project may vary from two to four years. The maximum period during which construction could therefore take place is eight years for both Projects. The earliest construction start date is 2025.</p>	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
22.1.2	Paragraph 278 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] states that the installation of the onshore ducts and cables is expected to take up to 24 months (for one of the Projects constructed in isolation), 26 months (for both Projects constructed concurrently) or two separate periods of 24 months for the Projects where construction is carried out sequentially.	No response required by the Applicant.
22.1.3	As set out in paragraphs 281 and 296 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] once the cable ducts have been installed (to a minimum depth of 1.2m) there is a separate process of cable pulling to be carried out. The cable ducts would first be installed within trenches and backfilled with soil before the cables are pulled through the pre-laid ducts "at a later stage in the construction programme".	No response required by the Applicant.
22.1.4	However, the scenarios as defined in the draft DCO [AS-009] cater for the Projects to be constructed entirely separately, meaning that the first of the Projects which is constructed may not necessarily lay the ducts for the second of the Projects which is carried out at a later date.	No response required by the Applicant.
22.1.5	Paragraph 277 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] sets out that whilst the cable duct installation works are envisaged to be a "continuous activity" the haul road (being 5m in width to 8m at passing bay locations) would need to be retained throughout much of the cable corridor to maintain access to each work front, potentially therefore throughout the expected 24 (or 26) month construction period(s).	No response required by the Applicant.
22.1.6	In addition, paragraphs 301 and 302 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] set out that one below ground "link box" per circuit shall be required within 10m proximity to the joining bay locations to allow the cables to be bonded to earth. These would require periodic access by technicians for inspection and testing during operation and it is assumed that one would be required every 1km.	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
22.1.7	Paragraph 191 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] states that it is assumed that each link box would result in a permanent land take of 2m x 2m given the need for these to be accessed via manhole covers at ground level and an above ground marker would be required to mark the location of each link box.	No response required by the Applicant.
22.1.8	Paragraph 105 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] identifies the “worst-case” scenario for impacts to drainage would be where the Projects are constructed sequentially because this would require two periods of disruption to agricultural drainage for two periods of onshore cable installation work. The construction work would also require the topsoil to be stripped (as set out in paragraph 131 of this Chapter 19).	No response required by the Applicant.
22.1.9	On the basis of the information submitted by Equinor as part of the application there remains a great deal of uncertainty as to how the Projects shall be constructed and when. Our Clients’ key concerns are as follows:	No response required by the Applicant.
22.1.9.1	It appears that the earliest substantive construction work could begin is 2025 but the draft DCO [AS-009] would authorise the compulsory acquisition of land for up to seven years after the DCO is made.	The Applicant refers to the Explanatory Memorandum [AS-013, para. 86] which sets out the justification for seven years.
22.1.9.2	Indeed, Requirement 1 in Schedule 2 Part 1 of the draft DCO requires the respective Projects to simply “commence” within seven years beginning with the date the DCO comes into force.	No response required by the Applicant.
22.1.9.3	Therefore, assuming that the DCO is granted in late 2023 it could be that the Projects do not even commence until late 2030.	No response required by the Applicant.
22.1.9.4	In addition, there is further uncertainty over the different “scenarios” catered for in the draft DCO. This is particularly so given the two potentially entirely separate 24 month construction periods that could be carried out, each requiring a haul road and potentially other construction	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	apparatus such as security fencing etc. to remain in place on Our Clients' Land during much of these periods.	
22.1.9.5	This uncertainty is reinforced by the power in Article 26 of the draft DCO [AS-009] to enter on and take temporary possession of land enduring until one year after the date of completion of the part of the authorised project specified in the respective part of column (4) of Schedule 9 of the draft DCO [AS-009].	The Applicant refers to the Explanatory Memorandum [AS-013, para. 86] which sets out the justification for seven years.
22.1.9.6	All of the above create significant uncertainty for Our Clients' in their short and long term planning of their farming operations on Our Clients' Land and in trying to navigate the current uncertainty being experienced by the farming industry regardless of the Projects.	The Respondent's comment is noted.
22.2	The access and rights sought by Equinor	No response required by the Applicant.
22.2.1	Permanent acquisition of rights:	No response required by the Applicant.
22.2.1.1	We cannot comment at present on the extent of rights sought by Equinor as Schedule 7 of the submitted draft DCO [AS-009] does not include any detail of the precise nature of the rights sought by Equinor. We contrast this to the detail provided within Column 2 of Schedule 7 to the recently made East Anglia ONE North Offshore Wind Farm Order 2022 which provides greater detail on the extent of rights sought.	Schedule 7 of the draft DCO (Revision C) [document reference 3.1] describes the plots which will be subject to the acquisition of rights in Column 1 by referring to the plot numbers as shown on land plans. The plot numbers are listed in the Book of Reference (Revision B, Section 4) . Table 1-1 describes the new rights being sought by the Applicant. Table 1-2 describes which rights are sought in relation to the relevant plots. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft DCO (Revision C) document reference 3.1].
22.2.1.2	Our Clients' request that further detail is provided on the extent of rights sought to be permanently acquired.	The Applicant has responded within response 22.2.1.1.
22.2.1.3	However, what is clear at present is that the acquisition of rights over Our Clients' land and construction of the Projects (or one of them) on the area identified on the Land Plans would sever Our Clients' Land in a	The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5]

I.D.	Relevant Representation	Applicant Comment
	number of cases and in any event disturb the ability for Our Clients to farm Our Clients' Land. The impact of this is detailed further below	<p>The Applicant refers to the Book of Reference (Revision B, Section 4), document reference 4.1. Table 1-1 describes the new rights being sought by the Applicant which are assigned to the relevant plots in Table 1-2. The Applicant does not consider that acquisition of new rights over the Respondent's land would result in permanent severance. Any severance on the Respondent's land would be temporary during the construction period.</p> <p>The Applicant has sought to minimise the extent of land affected by SEP and DEP. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft DCO (Revision C) [document reference 3.1].</p>
22.2.1.4	This is notwithstanding the potential impact of the construction of the Projects (or one of them) on the irrigation systems and soil quality on Our Clients' Land.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 (Code of construction practice) of the draft DCO (Revision C) [document reference 3.1].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 2.3] refers to identifying private water supplies so that they can be maintained (which extends to irrigation).</p>
22.2.2	Temporary possession of land:	No response required by the Applicant.
22.2.2.1	The power under Article 26 of the draft DCO [AS-009] to enter on and take temporary possession of land enduring until one year after the date of completion of the part of the authorised project specified in the respective part of column (4) of Schedule 9 of the draft DCO is broad.	<p>The Applicant has sought to reduce the amount of land subject to permanent acquisition through the use of temporary possession powers.</p> <p>The Applicant refers to the Explanatory Memorandum, [AS-013, Section 1.8.6.9] which explains the requirement for this Article 26.</p>
22.2.2.2	This is particularly so when this relates to key existing accesses on to Our Clients Land in the case of plots 03-002 and 02-014. The temporary possession of these plots would prevent access to this part of the farm and the buildings located to the south of this area of land to the north of the railway line. The impact of this is detailed further below.	<p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006]. Plot 03-002 is identified as an early works access and the Respondent would not be prevented from using this access during any works. Plot 02-014 is identified as a construction access and the Applicant will work with the Respondent as confirmed in ES Chapter 19 Land Use, Agriculture and Recreation [APP-</p>

I.D.	Relevant Representation	Applicant Comment
		130, Section 19.7.1.2.5], which refers to maintaining access to the Respondent's retained land.
22.2.2.3	Our Clients request clarity and justification as to why two separate accesses onto the land east of Station Road and the south of the A149 Sheringham Road are required.	The Applicant refers to Access to Works Plan [AS-006]. ACEW06 is an early works access off Station Road whilst ACC05 is a construction access.
22.2.2.4	We can see no reference in the Outline Code of Construction Practice [APP-302], Outline Construction Traffic Management Plan [APP-301] or Chapter 19 (Land Use and Recreation) of the Environmental Statement [APP105] which considers even the possibility of sharing such accesses with farmers to ensure their operations are not adversely impacted during the construction phase and in the years following this.	In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006]. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5] which refers to mitigation measures and maintaining access to landowners' retained land. The Applicant refers to the response provide in 22.2.2.2.
22.2.2.5	Article 26(1)(c) would allow the construction of security fencing and whilst it is understood that details of the fencing would need to be submitted and approved under Requirement 14 there is no guarantee that such fencing would not be erected so as to physically prevent Our Clients' access to Our Clients' Land.	The Respondent notes that security fencing can be erected under the temporary construction powers in Article 26(1)(c) of the DCO (Revision C) [document reference 3.1]and the undertaker will have this power in relation to the Respondent's land. The exercise of this power is not subject to Requirement 14 which is in relation to the approval of details for permanent fencing. However, details of temporary fencing will be included in a Construction Fencing Plan which must be submitted to the relevant planning authorities for approval before the relevant stage of construction works can commence pursuant to the Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 3.3]. Approval of the Code of Construction Practice is secured under Requirement 19 of the draft DCO (Revision C) [document reference 3.1]. ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130 Section 19.7.1.2.5] refers to maintaining access to the Respondent's retained land.
22.2.2.6	Further, Article 26(1)(b) would allow the removal of any buildings, agricultural plant and apparatus, drainage, fences, debris and vegetation from land subject to temporary possession. However, under	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	Article 26(4) there would be no requirement to replace any building, structure, drain or electric line removed under Article 26.	
22.2.3	Access to Works:	No response required by the Applicant.
22.2.3.1	Our Clients have reviewed the Access to Works Plan (Revision B) [AS-006]. It appears the following accesses are proposed to Our Clients' Land:	No response required by the Applicant.
22.2.3.1.1	22.2.3.1.1. Mr Hay-Smith: 22.2.3.1.1.1. Construction Access: ACC03, ACC04, ACC05, ACC07 and ACC09 22.2.3.1.1.2. Early Works Access: ACEW04, ACE05, ACEW06, ACEW09 and ACEW100.	ACC09 and ACEW09 provide access to the Applicant onto land outside of the Respondent's ownership and occupancy. The other access reference numbers listed are acknowledged by the Applicant.
22.2.3.1.2	22.2.3.1.2. Mr Middleton: 22.2.3.1.2.1. Construction Access: [ACC02, ACC03] 22.2.3.1.2.2. Early Works Access: [ACEW02, ACEW03]	No response required by the Applicant.
22.2.3.2	However, at present it is not clear what the distinction between an "Early Works Access" and a "Construction Access" is. Our Clients request clarity on this point.	An early works access will typically be utilised by smaller vehicles such as 4x4's for pre-construction works including hedge removal, surveys and setting out construction corridor. A construction access will be utilised for the main construction works including import of equipment and materials.
22.2.3.3	The accesses identified by ACC05 and ACEW06 are existing farm accesses and are the only ways to access the land owned by Mr Hay-Smith and farmed by Priory Holdings Limited to the east of Station Road and the south of the A149 Sheringham Road. The use of these accesses and associated temporary possession of plots 03-002 and 02-014 would prevent access to this part of the farm and the buildings located to the south of this area of land to the north of the railway line.	The Applicant refers to the response provided to 22.2.2.2.
22.2.3.4	As set out above, Mr Middleton and Priory Holdings Limited's farming operations rely on fully integral use of common machinery (e.g. tractors,	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	drills and combine harvester), infrastructure (e.g. grain drying and storage) and labour.	
22.2.3.5	Access to Our Clients' modern 2,000 tonne on-floor drying and grain storage building and adjacent secure farm equipment machinery storage and workshop building which serve Our Clients' combined farm operations are currently accessed by separate private farm entrances off the main Station Road and A149.	The Respondent's comment is noted
22.2.3.6	Both of these entrances and related service roads are proposed for accesses to the Projects and for temporary possession under the draft DCO. This would render safe and ready access to these essential facilities and equipment impossible.	The Applicant refers to the response provided to 22.2.2.2.
22.2.3.7	The proposed routing of the onshore cable runs associated with the Projects effectively bisects Our Clients' total farmed area of 471 hectares preventing free and contiguous access to land and essential infrastructure over an indeterminate timeframe.	<p>The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5].</p> <p>In respect of the timeframe, ES Chapter 4 Project Description [APP-090, Section 4.7.2] refers to the onshore construction programme for the different scenarios.</p>
22.2.3.8	This not only creates operational uncertainty for Our Clients' farming operations but also would have a direct and negative impact on the financial viability of the individual and combined farming operations.	The Applicant refers to the response provided in item K.
22.2.3.9	Indeed, Mr Middleton is 59 years old and Mr Hay-Smith is 65 years old and the blight of uncertainty around the timing and long-term impact of the Projects directly impacts on Our Clients' joint and several ability to undertake succession planning and diversification including the sale or tenancy of their respective farming enterprises.	The Applicant refers to the response provided in item K.
22.2.3.10	In addition, given the impacts of the Projects identified in these representations, it is Our Clients' position that the Projects may also jeopardise the fulfilment of Our Clients' contractual arrangements with third parties for sugar beet and malting barley tonnage.	The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130 Section 19.7.1.2.5] which details mitigation measures and compensation in line with the compulsory purchase Compensation Code.

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant refers to the draft DCO (Revision C) [document reference 3.1], Article 26 which confirms compensation is payable to the owners and occupiers of land with reference to the Land Compensation Act 1961 which confirms the basis of compensation.</p> <p>The Applicant will continue to engage and consult with the Respondent on their farming arrangements in order to mitigate potential losses.</p>
22.2.3.11	It also appears there is an error in Schedule 6 of the draft DCO as reference ACEW100 is used twice.	The Application acknowledges the Respondents comment. Revisions to Schedule will be submitted at Deadline 2.
22.3	Other comments on the provisions on the draft DCO [AS-009]	No response required by the Applicant.
22.3.1	We note that pursuant to Requirement 9(1) in Schedule 2 Part 1 of the draft DCO [AS-009] the authorised project must not commence until a notification has been submitted as to whether scenario 1, 2, 3 or 4 shall be commenced.	No response required by the Applicant.
22.3.2	Requirement 9(4) then requires each scheme to be implemented as notified under “sub-paragraphs (2), (3) and (4)”. However, there is no reference to sub-paragraph (1) and therefore at present no requirement to implement the scheme in accordance with the notification which is required under Requirement 9(1). We request the Examining Authority consider this point.	The draft DCO (Revision C) [document reference 3.1] [has been updated to correct this error. Sub-paragraph (4) of Requirement 9 should read ‘as notified under sub-paragraphs (1), (2) and (3)’.
22.3.3	Our Clients also have a concern with the broad power under Article 34 of the draft DCO to fell or lop trees and remove hedgerows (including cutting back the roots of trees or shrubs). This power would extend not only to trees or shrubs within or overhanging land within the Order limits but also simply “near to any part of the authorised project” if the undertaker “reasonably believes” it necessary to do so to prevent the tree or shrub from obstructing or interfering with the construction, maintenance or operation of the Projects or an apparatus used in connection with them.	Please see response at 22.3.4.
22.3.4	The term “near to any part of the authorised project” is vague and does not give any certainty as to the scope of this broad power. Our Clients	The drafting of Article 34 reflects the drafting in the model provisions and is therefore based on standard wording and wording which has been

I.D.	Relevant Representation	Applicant Comment
	<p>question why such a power should be required and whether this can be justified by Equinor in this case. Indeed, if Equinor require certain trees or shrubs “near” to the Projects to be affected in this way we question why these are not included within the Order limits. This is particularly so given the location of this part of the Projects in the Norfolk Coast AONB.</p>	<p>included in recently granted offshore wind development consent orders, for example East Anglia One North Offshore Wind Farm Order 2022. See the Explanatory Memorandum [AS-012, Section 1.8.8.3].</p> <p>The Applicant has sought to avoid removal of trees and shrubs within the Order Limits, as detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18]. The drafting of this Article provides a fall-back position in the event a tree or shrub requires removal. This is within the spirit of the DCO as it allows for the undertaker to avoid delays in project delivery due to uncertainties like this and therefore is reasonable to include.</p> <p>The Outline Landscape Management Plan also sets out the requirement for ‘[trees] and woodland that are removed to construct the onshore cable corridor [to] be replanted within the Order Limits’ [APP-303, Section 1.2.3] so affected trees and shrubs will be reinstated. The approval of the final Landscape Management Plan by the relevant local planning authority is secured by Requirement 11 (Provision of landscaping) of the draft DCO (Revision C) [document reference 3.1].</p>
23	Impact during operational phase of the Projects	No response required by the Applicant.
23.1	Our Clients’ note the post construction assessment and proposed mitigation measures set out in Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105].	No response required by the Applicant.
23.2	However, it is noted that much of the detail as to the drainage for the operational phase is left to Requirement 17 in the draft DCO [AS-009].	No response required by the Applicant
23.3	In this regard, whilst we note Requirement 17(4) includes a requirement to implement as approved each operational drainage plan we note that there is no requirement for the details (presumably including the apparatus and measures) set out in the approved operational drainage plan(s) to be maintained and managed.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.

I.D.	Relevant Representation	Applicant Comment
23.4	There is no express requirement in Requirements 17(1), (2) or (3) for the operational drainage plan to include measures for maintenance and management.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.
23.5	In addition, it appears from Requirement 17(3) that the operational drainage plan may only related to the onshore substation and not matters relating to the onshore cables and associated apparatus. Indeed, the Outline Operational Drainage Plan submitted [APP-307] only deals with the onshore substation.	The Applicant confirms that the Outline Operational Drainage Plan [APP-307] only deals with the proposed onshore substation as this is the only permanent above ground infrastructure associated with the project. The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] requires that a construction surface water drainage plan is produced for SEP and DEP. This is secured by Requirement 19 (Code of Construction Practice) of the draft DCO (Revision C) [document reference 3.1].
23.6	It appears to us that whilst the Outline Code of Construction Practice [APP302] which would inform the codes submitted under Requirement 19 of the draft DCO discusses drainage matters (including surface water drainage) this appears to be solely in the context of the construction phase of the Projects (or any one of them). In addition and in any event, Requirement 19(3) would only require the “construction works” for each phase to be in accordance with the relevant approved code of construction practice.	The Applicant confirms that the Outline Code of Construction Practice (Revision B) [document reference 9.17], as secured via Requirement 19 of the draft DCO (Revision C) [document reference 3.1] outlines drainage matters (including surface water drainage) in the context of the construction phase of the Project(s).
23.7	It is therefore not clear to Our Clients how the drainage associated with the operational phase of the Projects (or any one of them) – even if this includes the reinstatement of alteration of existing drainage systems – is to be controlled.	The Applicant confirms that the Outline Operational Drainage Plan submitted [APP-307] only deals with the proposed onshore substation as this is the only permanent above ground infrastructure associated with the project. The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5, para. 119], states that: “Existing land drains along the onshore cable route and at the onshore project substation will be reinstated following construction. A local specialist drainage contractor will undertake surveys to locate drains and create drawings both pre- and post-construction and ensure appropriate reinstatement. The Construction Surface Water Drainage Plan will

I.D.	Relevant Representation	Applicant Comment
		<p>include provisions to minimise water within the working area and ensure ongoing drainage of surrounding land.”</p> <p>The Code of Construction Practice, which include the above, is secured via Requirement 19 of the draft DCO (Revision C) [document reference 3.1]. In addition and Agricultural Liaison Officer (ALO) would be appointed to work with landowners.</p>
23.8	<p>Further and importantly, it does not appear that there is any enforceable requirement that requires the undertaker of the Projects (or any one of them) to monitor, manage and maintain the drainage systems which have through the construction and subsequent operation of the Projects (or any one of them) been installed or altered. Given the unresolved legacy land drainage issues experienced by Our Clients since the initial construction of the original (and now to-be-extended) offshore wind farm in 2009/10, Our Clients request that clarity is sought on how post-construction drainage matters are to be approved and, if required, enforced.</p>	<p>The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.</p>
24	Impact during the decommissioning of the Projects	No response required by the Applicant.
24.1	<p>Paragraph 222 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] states that no decision has yet been made regarding the final decommissioning policy for the onshore export cables. However, this paragraph sets out that it is likely that the cables would be pulled through the ducts and removed, with the ducts themselves left in situ.</p>	No response required by the Applicant.
24.2	<p>It is also noted that whilst Requirement 8 in the draft DCO [AS-009] requires a decommissioning programme to be submitted to the Secretary of State for approval before offshore works on either of the Projects begins.</p>	No response required by the Applicant.
24.3	<p>However, this should be contrasted with Requirement 29 which deals with onshore decommissioning. Requirement 29 would only require an onshore decommissioning programme to be submitted to the planning</p>	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	authority for approval within six months of the permanent cessation of the commercial operation of either of the Projects.	
24.4	This approach and proposed trigger means that the uncertainty as to the approach to decommissioning shall endure throughout the proposed 40 year operational life of the Projects. We question whether Equinor could provide any further certainty or parameters for the decommissioning of the Projects at this stage.	The approach taken is in line with recently granted offshore wind development consent orders and is reasonable in the circumstances. It is anticipated that there will be changes to industry best practice, policy and legislation during the considerable length of time between now and decommissioning (see example ES Chapter 19 Land Use, Agriculture and Recreation , [APP- 130, Section 19.7.3]). The Applicant seeks to ensure that decommissioning is suited to those altered conditions and therefore does not seek to provide any further details at this stage. The periods for approval set out in Requirements 8 and 29 of the draft DCO (Revision C) [document reference 3.1] are suitable in the circumstances.
24.5	We also note that unlike, for example, Requirement 20 in the East Anglia ONE North Offshore Wind Farm Order 2022, Requirement 29(1) in the draft DCO [AS-009] would allow the planning authority to alter the obligations of this Requirement given the addition of the wording "unless otherwise agreed in writing by the relevant planning authority". This has the potential to create further uncertainty as to the decommissioning of the Projects. We question whether this approach is appropriate in this case.	It is within the spirit of the DCO process to allow flexibility to change schemes, like a decommissioning scheme, with the appropriate approval of the relevant local planning authority in order to account for changes in circumstances. As such the Applicant does not intend to amend the wording of Requirement 29(1) as this contains the flexibility it considers necessary in order to deliver decommissioning.
24.6	In any event, at this stage Our Clients' simply cannot form a robust view on the impact that the decommissioning may have on Our Clients' Land and their business operations.	The Respondent's comment is noted.
24.7	At the very least it appears that the removal of the cables as part of decommissioning work may involve the reinstatement of a haul road and access to the link boxes in a similar way to the cable pulls associated with the construction phase of the Projects (or any one of them).	As described in ES Chapter 4 Project Description [APP-090, para. 350-351] a full EIA will be carried out ahead of any decommissioning works being undertaken. The programme for decommissioning is expected to be similar in duration to the construction phase of 48 months (based on both Projects being decommissioned at the same time). The detailed activities and methodology for decommissioning will be determined later within the project lifetime, in line with relevant policies at that time. The decommissioning methodology cannot be finalised until immediately prior to decommissioning but would be in line with relevant policy at that time.

I.D.	Relevant Representation	Applicant Comment
		It is anticipated that for the purposes of a worst-case scenario, the impacts would be no greater than those identified for the construction phase (which includes the haul road).

5.28 James Hill [RR-046]

Table 5.28.1 Applicant's comments on James Hill relevant representation

I.D.	Relevant Representation	Applicant Comment
1	[Redacted] Project would be improved if both proposed schemes are to be delivered at the same time. This would reduce the impact.	The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
2	Furthermore, should both projects not proceed at the same time it would be sensible for ducting to be laid for the second project so that should the second project subsequently receive Planning Permission then the environmental impact would be reduced.	As per item 1, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
3	Drainage and soil reinstatement needs to be at the forefront of the Developer's mind.	<p>The Outline Code of Construction Practice, document reference 9.1.7 (Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p> <p>Section 2.3 Construction Principles refers to agricultural land drainage pre and post construction.</p> <p>Section 5.1 refers to the undertaking of a pre-construction land survey by an Agricultural Liaison Officer (ALO) and treatment of soils for weed control.</p>

5.29 Jean Hufton [RR-047]

Table 5.29.1 Applicant's comments on Jean Hufton relevant representation

I.D.	Relevant Representation	Applicant Comment
1	There has been insufficient detail provide thus far to enable me to understand the impact on my home - including disruption from construction, proximity to my house, the total loss of land - will the house remain inhabitable whilst construction is happening	<p>For information regarding the exact DCO boundary please see the Works Plans (onshore) [AS-005].</p> <p>It is expected that each 1km section of the cable corridor will take a month to complete including the reinstatement of land. Please refer to ES Chapter 4 Project Description [APP-090] for further information.</p> <p>The Applicant can confirm that the respondent will not incur any loss of land due to SEP and DEP and all properties will remain habitable during construction.</p>
2	the impact of the vibrations from the drilling	As set out in in ES Chapter 23 Noise and vibration [APP-109] no impacts from vibration have been identified.
3	the level of air and noise pollution	<p>As set out in ES Chapter 22 Air Quality [APP-108] there are not expected to be significant impacts related to air pollution.</p> <p>As set out in ES Chapter 23 Noise and vibration [APP-109] the impact of construction noise along onshore cable corridor will be negligible.</p> <p>Any disruption will be limited and temporary as the cable corridor will be constructed in sequential sections with each 1km section of cable corridor taking one month to construct.</p>
4	Without full details that are clear and appropriately described I am unable to support the construction. I do not support the application for construction.	<p>Noted.</p> <p>The full set of application documents are available on both the Planning Inspectorate's (https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sheringham-and-dudgeon-extension-projects/?ipcsection=overview) and the Project's (https://sepanddep.commonplace.is/) websites . Hard copies of the documents are also available to view in South Norfolk and Broadland, and North Norfolk District Council offices.</p>

5.30 Jonathan Paul Betts [RR-048]

Table 5.30.1 Applicant's comments on Jonathan Paul Betts relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>I object in the strongest way possible to this DCO application as follows: 1. Lack of proper consideration by the Applicant of an alternative, more appropriate, grid connection point The Applicant claimed, falsely and continuously, through the consultation process that it was unable to change the grid connection point set by National Grid (approx. 40 miles of onshore cable needed, affecting numerous communities). The most appropriate grid connection for this project is at the Walpole substation (7 miles of onshore cable needed, affecting very few people). The applicant has failed to fully consider this option despite being repeatedly requested to do so.</p>	<p>The Connection and Infrastructure Options Note (CION) Process is the mechanism used by National Grid to evaluate potential transmission options to identify the connection point in line with their obligation to develop and maintain an efficient, coordinated and economical system of the electricity transmission network. The grid connection point SEP and DEP was determined by National Grid following the completion of the CION process. The CION process stipulates that it is the decision of National Grid rather than the Applicant to decide where the grid connection point will be.</p> <p>For more information regarding the grid connection point see Sections 3.6 and 3.10 of ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089].</p>
2	<p>2. Need for the ExA to require the attendance of National Grid at the Hearings, to be interrogated on their actions by the ExA, in public, during the examination process National Grid should be asked to explain which alternative connection points were considered in reaching a decision about the grid connection for this project and the extent to which the impact on the environment and communities was taken into account.</p>	<p>Noted. The decision of which bodies to invite to attend the examination hearings is at the discretion of the Examining Authority.</p>
3	<p>3. Recognition, in relation to the work of the OTNR, that SEP/DEP is not an "in-flight" project</p>	<p>Whilst SEP and DEP have not yet received consent, a project timeline has been created based on the UK Government's offshore wind and carbon reduction plans. The Applicant is supportive of the idea of an Offshore Transmission Network (OTN) however neither the regulatory nor technical framework exists at this current time to incorporate this into the Projects.</p> <p>SEP and DEP are designated OTNR pathfinder projects, and as such the Applicant is committed to initiatives to encourage coordination in the sector. The Applicant is working with governmental and industry bodies to remove barriers and identify solutions to offshore wind coordination.</p>
4	<p>4. The onshore in-combination, cumulative impacts of SEP/DEP's landfall, substation and cable corridor construction are unacceptable when</p>	<p>The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including</p>

I.D.	Relevant Representation	Applicant Comment
	<p>considered alongside the already consented Hornsea Three, Vanguard and Boreas projects We are seriously concerned about disruption to our lives caused by this project which may last for many years. The road leading to our house will be closed and the noise and pollution from the project will directly impact us. We are also concerned about the long-term impacts on the wildlife and countryside. Connection of SEP and DEP to the grid at Walpole would avoid this</p>	<p>other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
5	<p>5. That the SEP/DEP application should include – as a necessary cumulative impact – the proposed East Anglia Green project, upon the consenting of which it depends</p>	<p>East Anglia Green is not linked to SEP and DEP nor are the two projects dependent on the others consent. East Anglia Green is not required in order for National Grid to provide the necessary grid capacity to connect SEP and DEP.</p> <p>Version 3 of Planning Inspectorate Advice Note Nine: Rochdale Envelope (PINS, 2018) and version 2 of Planning Inspectorate Advice Note Seventeen: Cumulative Effects Assessment (PINS, 2019a) provide guidance on plans and projects that should be considered in the CIA including:</p> <ul style="list-style-type: none"> • Projects that are under construction; • Permitted application(s) not yet implemented; • Submitted application(s) not yet determined;

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • All refusals subject to appeal procedures not yet determined; • Projects on the National Infrastructure Planning programme of projects; and • Projects identified in the relevant development plan (and emerging development plans – with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited and the resulting degree of uncertainty in the assessment that is possible. <p>As the 'East Anglia Green' project was only launched in January 2022 it was not included as part of the cumulative impact assessment as it did not meet any of the above criteria at the time of assessment. As with all projects in proximity to SEP and DEP the Applicant will communicate and coordinate where possible and practicable to mitigate potential impacts.</p>
6	6. The cumulative impact of the possible future construction of large battery storage facilities to improve the economic viability of the project, as has happened with the Hornsea Three project	As per Section 4.6 of the ES Chapter 4 Project Description [APP-090] battery storage is not included in the DCO application for this project.
7	7. Unacceptable development scenarios are presented for single project and sequential development. Scenarios 1a, 1b, 1c, 3 and 4 should not be permitted Orsted's Hornsea 3 project and Vattenfall's Vanguard and Boreas projects can bring into Norfolk 2.4 GW and 3.6 GW respectively. Therefore, we cannot see the justification for the Applicant wanting to dig approximately the same width cable path through Norfolk for a mere 0.338 from SEP or 0.448 GW from DEP (scenarios 1a and 1b). Scenarios 1c, 3 and 4 involve digging up the cable path twice! The huge cost to the environment and disruption to people's lives and livelihoods of these scenarios is simply not justified.	<p>As set out in Section 7 of the Scenarios Statement [APP-314] the preferred option is a development scenario with an integrated transmission system, providing transmission infrastructure which serves both of the wind farms, where both Projects are built concurrently, and the onshore infrastructure is integrated (i.e. scenario 4). The Applicant recognises that a concurrent development is beneficial for communities, the environment, and for the ultimate economics of the Project, in addition to the benefits this has for consumers.</p> <p>Given the different commercial ownerships of each Project, alternative development scenarios such as a separated grid option (i.e. transmission infrastructure which allows each Project to transmit electricity entirely separately) will allow SEP and DEP to be constructed in a phased approach, if necessary. Therefore, the DCO application seeks to consent a range of development scenarios in the same cable corridors to allow for</p>

I.D.	Relevant Representation	Applicant Comment
		<p>separate development if required, and to accommodate either sequential or concurrent build of the two Projects.</p> <p>Potential solutions to avoid staged development include either Anticipatory Investment (AI) or combined Contract for Difference (CfD) bids. The principle of AI has been decided, with details still being discussed. Regarding opportunities for combined CfD bids, the Applicant is still awaiting an outcome from BEIS on whether the regulatory regime will be changed to make this possible.</p> <p>The Applicant is continuing to work with the relevant authorities, including OFGEM and BEIS, to overcome barriers and enable a concurrent construction scenario.</p>
8	8. The Applicant has sought to prevent objections to the project via restrictive clauses in heads of terms contract documents with landowners.	The Applicant has included standard wording within the draft Heads of Terms that have been issued to affected landowners which requires the relevant party not to object to the DCO application. The Applicant notes that several parties to whom Heads of Terms have been issued have submitted relevant representations to the Examining Authority.

5.31 Keith Nichols [RR-049]

Table 5.31.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR-049	03-006	Temporary Possession	As reputed owner
Keith Nichols (Keith Ranald Nichols)	03-007	Temporary Possession	Owner in respect of sub soil beneath half width of public highway.

Table 5.31.2 Applicant's comments on Keith Nichols relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Boundary of proposed corridor is too close to my property (>18metres) and we have concerns about noise disruption, subsidence, wildlife impact and EMF levels amongst other things.	<p>The Applicant refers to Environmental Statement Chapter 23 - Noise and Vibration document 6.1.23 [APP-109].</p> <p>Further information on EMF is available within the Environmental Statement Chapter 28 – Health [APP-114] and Appendix 28.1 of the Environmental Statement – EMF Assessment [APP-279].</p> <p>The Applicant refers to Environmental Statement Chapter 20 - Onshore Ecology and Ornithology document 6.1.20 [APP-106].</p> <p>The Applicant refers to Environmental Statement Appendix 28.1 - Sheringham and Dudgeon Extension Projects EMF Assessment document 6.3.28.1 [APP-279] for information on EMFs.</p>
2	Our property is off Sandy Hill Lane and we understand that our entry/exit access will be blocked for extended periods which is unacceptable.	Entry/exit to properties will be maintained at all times.
3	We believe that a route slightly further east than proposed (plan 03-008-04-015) would be less disruptive/intrusive and offer easier access than what is proposed.	The Applicant refers to Environmental Statement Chapter 3 – Site Selection & Assessment of Alternatives , document 6.1.3 [APP-089] Section 3.9 which sets out the approach taken to selection of the onshore cable corridor.
4	The proposed landfall site will adversely impact the residents and businesses of Weybourne. Making landfall further east would offer a more direct route avoiding roads and residential areas.	<p>The Applicant refers to the following documents which explain the reasoning for the chosen landfall site:</p> <ul style="list-style-type: none"> • Environmental Statement Chapter 3 – Site Selection & Assessment of Alternatives document 6.1.3 [APP-089] Section 3.7 <p>Environmental Statement Appendix 3.2 – Cable Landfall Concept Study document 6.3.3.2 [APP- 176]</p>
5	A roughly straight line north from 04-017 and 04-016 to the coast would avoid the proposed "westerly dog-leg" through residential areas, Weybourne Railway station and Weybourne village.	The Applicant refers to Environmental Statement Chapter 3 – Site Selection & Assessment of Alternatives , document 6.1.3 [APP-089] Section 3.9 which sets out the approach taken to selection of the onshore cable corridor.

5.32 Laurence Tanner-Ashby [RR-050]

Table 5.32.1 Applicant's comments on Laurence Tanner-Ashby relevant representation

I.D.	Relevant Representation	Applicant Comment
1	My concerns are specific to the location and management of the site compound that is estimated to be present for 6 years at the aforementioned location in Attlebridge.	<p>Noted.</p> <p>As set out in ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089] the potential presence of the main construction compound of 72 months (6 years) is based on a two-project sequential scenario. If a single or two project concurrent scenario was chosen, then the main construction compound would be required to be in place for 36 months (3 years). Regardless of the construction scenario, the Applicant recognises that the main onshore construction compound would have a continuous construction presence throughout the onshore works, and a decision was made to adopt the same level of site selection assessment for this aspect of the works as that taken for the permanent infrastructure.</p>
2	1) I believe there is a fundamental issue regarding traffic management and no consideration has been given to the injection point that has become a hot spot for RTA's over the years both minor and serious.	A review of collision clusters was undertaken for the BRAG assessment in the Onshore Main Construction Compound Site Selection Report [APP-177] using the latest publicly available collision data. The BRAG defined a collision cluster as more than three collisions. It can be observed from this data source that there has been only one 'slight' injury collision at the junction of Old Fakenham Road and the A1067 in the last five years.
3	2) I believe that inadequate consideration has been given to dust, noise and light pollution on site and the subsequent impact it shall have on local residents. Alternative sites could have been considered that utilise the NDR and would have mitigated these issues.	<p>As set out in Table 22.59 of ES Chapter 22 Air Quality [APP-108] the impact of dust is expected to be non-significant following the mitigation measures set out in Section 22.6 of the same ES chapter.</p> <p>As set out in Section 3.3.4 of the Onshore Main Construction Compound Site Selection Report [APP-177] one of the site selection principles is to keep the visual and noise effects of the compound to a reasonable practicable minimum.</p> <p>Eight different potential sites were assessed during the site selection process using a Black-Red-Amber-Green (BRAG) assessment. The results of this assessment can be seen in Table 3.3-2 of the Onshore Main Construction Compound Site Selection Report [APP-177]. The BRAG</p>

I.D.	Relevant Representation	Applicant Comment
		<p>assessment showed that the chosen main construction site was the most appropriate site.</p> <p>The Applicant has made a commitment to route HGVs to the main compound via the A1067 only, i.e., no HGVs will route through Attlebridge. This commitment is captured within the Outline Construction Traffic Management Plan (CTMP) (Revision B) [document reference 9.16].</p>
4	Visual and physical impact to what is part of a conservation area.	<p>There is an 80 metre gap between the edge of the DCO order limits for the Main construction compound and the County Wildlife Site. Measures to mitigate the impact of light pollution are set out in the Outline Ecological Management Plan (Revision B) [document reference 9.19].</p>

5.33 Lighthouse Development Consulting on behalf of Docking Farm Solar Ltd [RR-051]

Table 5.33.1 Applicant's comments on Lighthouse Development Consulting on behalf of Docking Farm Solar Ltd relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I am writing on the behalf of Docking Farm Solar Ltd who are a specialist solar farm developer and have permission to implement two planning permissions which could be impacted by upon by this Development Consent Order.	No response required by the Applicant.
2	The solar farm has been partially addressed through the crossing schedule (Appendix 4.1 of the ES) and is referred to as the Stark Energy Solar Farm.	No response required by the Applicant.
3	We would like to submit this Representation on the Sheringham and Dudgeon Extension Projects Planning Inspectorate Reference:EN010109 and would like to become and Interested Party and take part in this Examination.	No response required by the Applicant.
4	We will be making further written representation to the Examining Authority in due course. In summary the Relevant Representation relates to the following points:	No response required by the Applicant.
5	Planning permission was granted by Broadland District Council at Land north of The Street for Ground-mounted solar farm including associated	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
	infrastructure, namely inverters, transformer, a DNO substation & grid connection under reference 20211288 and 20211249.	
6	Both permissions were granted permission in February 2022 and in combination, relate to a single development proposal, known as the Docking Farm Solar Scheme. The related planning conditions to these consents are currently being discharged and it is envisaged that a start on site would be made on the project in 2023.	<p>The Applicant is aware of the planned solar farm development and that when the Local Planning Authority adopted it's Screening Opinion, confirmed the proposed solar farm is not EIA development as defined in the 2017 Regulations.</p> <p>The solar farm has been considered within the cumulative impact assessment for SEP & DEP where confidence in data allows (given the solar farm project is not EIA development, data is limited to allow a meaningful assessment). Although there is a potential spatial overlap between the two projects, it is understood the proposed solar farm will require minimal construction works and as such, it is not anticipated there will be any cumulative effects arising from interactions between the project and SEP & DEP.</p>
7	As defined under the Draft DCO, Works No.12A/B or 12C Onshore connection works and Works No. 12A/B, Access track would take place across the same site to which the above planning permissions relate.	In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].
8	As such, the onshore cable connection for the Sheringham and Dudgeon extension project is planned to go through the above site at a time when the above solar farm would be fully constructed .	Please see Outline Code of Construction Practice (Revision B) [document reference 9.17]-Section 2.5.9 - Trenchless Crossings where the Applicant has committed to trenchless crossing techniques at the Solar Park. The Outline Code of Construction Practice is secured by Requirement 19 of the draft DCO (Revision C) [document reference 3.1].
9	Docking Farm Solar are not opposed to the Sheringham and Dudgeon Extension project and offer our conditional support for this project.	No response required by the Applicant.
10	However, this support is contingent upon the precise method of cabling that would be undertaken through the Solar site. In this respect Docking Farm Solar would request that this cabling should be completed through Horizontal Direction Drilling (HDD) and at depths of 10m to 20m , depending on the final specific route so as to minimise impacts upon the operation of the solar farm.	<p>As described in Environmental Statement Chapter 3 - Site Selection and Assessment of Alternatives, document reference 6.2.3 [APP-116], the methodology adopted for selecting and assessing the cable corridor, including the final option, is considered robust and appropriate.</p> <p>Borehole ground investigation has been undertaken along the drill alignment and two number drill profiles have been produced taking into</p>

I.D.	Relevant Representation	Applicant Comment
		<p>account the current Solar Farm consented area and the possibility of the extension to the site. Both drill profiles have an average depth of 15m.</p> <p>The Applicant also refers to Crossing Schedule – Revision B, document reference 6.3.4.1 [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 200.</p>
11	<p>Such an approach should be robustly secured through the DCO. This could be through specific wording contained within the legislation or within an appropriate plan referenced within the Schedules to the DCO.</p>	<p>The Applicant also refers to Crossing Schedule [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows:200. The Crossing Schedule is a certified document under Article 38(1) of the draft DCO (Revision C) [document reference 3.1].</p>
12	<p>In relation to this request, Docking Farm Solar would like to use this opportunity to reserve our right to appear at this examination if this is considered necessary.</p>	<p>No response required by the Applicant.</p>

5.34 M.P. Kemp Ltd [RR-052]

Table 5.34.1 Applicant's comments on M.P. Kemp Ltd (RR-052)relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The following need further/better consultation and consideration:-</p>	<p>No response required by the Applicant.</p>
2	<p>Drainage – existing drainage schemes must be considered at an early stage in the projects together with the reinstatement proposals.</p>	<p>The Applicant refers to the Outline Code of Construction Practice,(Revision B) [document reference 9.17]. Section 2.3 refers to consideration of existing drainage schemes and agricultural land drainage pre and post construction. The Outline Code of Construction Practice is secured by Requirement 19 of the draft DCO (Revision C) [document reference 3.1].</p>
3	<p>The Route – the right is reserved to comment on the route.</p>	<p>No response required by the Applicant</p>
4	<p>Timing – every effort should be made to ensure that both projects are built in tandem so as to minimise the disruption to the landowners.</p>	<p>The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>

I.D.	Relevant Representation	Applicant Comment
5	Access – clear defined access routes to the working strip will need to be agreed.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
6	Restrictions on land use – full clarification is required on the restrictions to be imposed on the land use within the easement strip.	<p>The Applicant refers to Section 4, Categories of New Rights and Table 1-1 of Book of Reference (Revision B) [document reference 4.1] as well as Part 5 of the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>The Applicant has had and continues to have productive discussions with the respondent to document the required restrictions within a voluntary agreement.</p>
7	Ducting –the cable routes for both projects to be ducted.	The Applicant refers to Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.
8	Link boxes/joint bays – the location of link boxes/joint bays to be advised and agreed at the earliest opportunity.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
9	Soil Management plan – it is essential a soil management plan, including aftercare, is put in place before works commence. This plan needs to be provided to the landowners at the earliest opportunity and incorporated within the Code of Construction practice.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice(Revision B) [document reference 9.17] Section 5 addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the</p>

I.D.	Relevant Representation	Applicant Comment
		approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
10	Water supplies – it is imperative that water supplies are maintained and reinstated wherever reasonably practical during the construction process.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Section 2.3 confirms private water supplies will be identified so that they can be maintained.</p> <p>The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to water supplies within the voluntary agreement.</p>
11	Dust – clarification is required on how practical issues, like dust, will be controlled during construction works.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice,(Revision B) [document reference 9.17] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
12	Survey areas – the treatment of the survey area requires clarification, their duration and any restrictions.	The Applicant has had and continues to have productive discussions with the respondent to agree wording in relation to survey access area within the voluntary agreement.
13	Fencing – appropriate fencing of the working width will need to be agreed.	The Outline Code of Construction Practice (Revision B) [document reference 9.17] Section 3.3 addresses fencing and confirms details of temporary fencing will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].
14	Horizontal Directional Drilling (HDD) – further details of the HDD requirements/works where/if applicable to be provided at the earliest opportunity.	<p>The Applicant refers to Environmental Statement Chapter 4 – Project Description Volume 2,[APP-117] which illustrates the location of Horizontal Directional Drills and indicative compounds.</p> <p>The Applicant also refers to Crossing Schedule[AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant are as follows: 466, 470, 471.</p>

I.D.	Relevant Representation	Applicant Comment
15	Cable depth – this must be a minimum of 1.2m.	Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description[APP-090] confirms that the minimum depth of cable after burial will be 1.2m.
16	Offshore Transmission Licence holder “OFTO” – the landowner requires to deal with one OFTO and not two OFTOs and to understand the management structure and who is responsible for future remedial works.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete.</p> <p>The Applicant’s preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP, however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.</p>
17	The term – why is the term suggested in perpetuity/ why is this required? The term should be for a limited period.	<p>The Statement of Reasons (APP-028) sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 19-007, 19-008 and 19-009. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant’s preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
18	Security – is a major concern which needs to be addressed at an early stage of the of the project.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]Section 3.5 Site Security. Adequate security will be provided by the Principal Contractor working on behalf of the Applicant to protect the public and personnel, prevent theft from or damage to the works, and prevent unauthorised entry to or exit from the site. Site gates will be closed and locked when there is no site activity and appropriate security measures shall be implemented. Further details on site

I.D.	Relevant Representation	Applicant Comment
		<p>security measures will be provided in the CoCP which is secured by Requirement 19 (Code of Construction Practice) within the draft Development Consent Order (DCO). This Requirement will need to be discharged prior to commencement of any phase of onshore construction works.</p>
19	<p>Land subject for temporary occupational and use : - further clarification and details required.</p>	<p>The Applicant refers to the Explanatory Memorandum, Section 1.8.6.9 (Revision C) [document reference 3.2] which explains the requirement for Article 26 covering temporary use of land for carrying out the authorised development. Table 11-1 of the Statement of Reasons [APP-028] also includes a description of each of the Work Nos together with an explanation of the powers being sought in relation to each (permanent acquisition/acquisition of rights/temporary possession). The summaries of landowner and statutory undertaker negotiations at Appendices 2 and 3 of the Statement of Reasons also include a description of the reason for acquisition or temporary use in relation to each landowner.</p>
20	<p>Code of Construction Practice – this needs to be agreed to include: - Soil surveys and Records of Condition - Biosecurity - Land drainage/irrigation - Treatment of soils - Existing water supplies - Agricultural Liaison Officer (ALO) services</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the policing of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control

I.D.	Relevant Representation	Applicant Comment
		Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).

5.35 Mr Derek Aldous [RR-055]

Table 5.35.1 Applicant's comments on Mr Derek Aldous relevant representation

I.D.	Relevant Representation	Applicant Comment
1	As a local resident, daily life will be affected by both temporary and permanent effects of the Dudgeon and Sheringham Shoal extension projects	Noted. The potential impacts for the Projects are detailed in each technical chapter of the Environmental Statement (Chapters 6 – 29) [APP-092 – APP-115].
2	<p>These effects include cumulative impacts when considered in conjunction with other offshore wind projects coming ashore in Norfolk, large scale battery storage projects, and several other Nationally Significant Infrastructure Projects including the proposed East Anglia Green pylon route. The assessment of cumulative impacts should start from a common baseline of the present situation in which none of these projects have been carried out. Ten years ago, in 2012, the Dudgeon and Sheringham Shoal offshore wind farm was refused consent due to an assessment of cumulative impacts. Studies were published afterwards describing lessons learned. One of these lessons was that the order in which decisions are taken can lead to an unfortunate outcome (e.g. Broadbent and Nixon, 2019). Five years ago, in February 2017, The Crown Estate announced the Round 2 Extension Opportunity, and in October 2018 it confirmed its intention to grant rights to extend the Dudgeon and Sheringham Shoal offshore wind farm leases. It completed a favourable Habitats Regulations Assessment in August 2019 and the leases for those projects were confirmed in September 2020. The lessons learned from the Dudgeon and Sheringham Shoal extension projects. Seven years ago, as part of a consortium, the applicant took part in the IOTP (East) feasibility study of August 2015 and can reasonably be assumed to be familiar with the general nature of its main findings, which were</p>	<p>The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as</p>

I.D.	Relevant Representation	Applicant Comment
	submitted to the Planning Inspectorate for the Norfolk Vanguard and Boreas DCO examinations (EN010079-003084 May 2019, and EN010087-001737 February 2020).	identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.
3	Integrated grid connection options were raised with the applicant during the public consultation for the Dudgeon and Sheringham Shoal extensions. In its Phase One Consultation Summary Report of November 2020 (page 14), the applicant stated: 'In the absence of a legislative proposal to support a coordinated approach, it is not possible for us to integrate that option with the Extension projects.' This statement was challenged during the consultation. Since then, National Grid ESO has published a Holistic Network Design which does not appear to require a legislative proposal in order to proceed. It would appear that residents may have been misled during the consultation.	<p>SEP and DEP are designated OTNR pathfinder projects, and as such the Applicant is committed to initiatives to encourage coordination in the sector. The Applicant is working with governmental and industry bodies, including OFGEM and BEIS, to identify barriers and solutions to offshore wind coordination.</p> <p>National Grid ESO's Holistic Network Design remains a recommendation at this current time and there would need to be regulatory changes made to enable an integrated grid connection.</p>

5.36 Mr Searson [RR-056]

Table 5.36.1 Applicant's comments on Mr Searson relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I have read and understand the above submission.	The Respondent's comments are noted.
2	We live at the above address which is in close proximity to the planned works and we are concerned on the impact this will have on our daily lives.	From a review of the Hornsea Project Three and Norfolk Vanguard/Boreas examinations, the Applicant is aware of the concerns of the Consultee in relation to traffic and noise impacts.
3	Which has already been disturbed greatly by the works being carried out by Orsted and Vattenfall.	The Applicant would clarify that onshore cable route has been located to the south of the property. This allows the Applicant to make the commitment that all construction traffic to be routed from main B1149 to temporary access south of the property (accesses ACC25, 25b and 26) avoiding the need to pass the property and though Oulton Village. The accesses referred to are shown on Figure 24.6 of the ES [APP-134].
4	Kind regards Mr Clive and Mrs Nicola Searson [Redacted]	<p>The Applicant has made a formal commitment to no HGV traffic travelling through Oulton. This commitment is contained within the outline Construction Traffic Management Plan (OCTMP) (Revision B) [document</p>

I.D.	Relevant Representation	Applicant Comment
		reference 9.16] which is secured via Requirement 15 of the draft Development Consent Order (DCO) (Revision C) [document reference 3.1].

5.37 National Farmers Union [RR-057]

Table 5.37.1 Applicant's comments on National Farmers Union relevant representation

I.D.	Relevant Representation	Applicant Comment
1.	Introduction 1.1 These are the Outline Representations of the National Farmers Union ("NFU") to the application for a Development Consent Order by the Secretary of State for Business, Energy and Industrial Strategy identified as the Sheringham and Dudgeon Extension Offshore Wind Farm Projects order.	No response required by the Applicant.
2.	The objectives of the NFU are to champion farming in England and Wales and to provide professional representation and service to its members.	The Respondent's comments are noted.
3.	The matters raised in these Outline Representations are matters not only of concern to the farming owners of agricultural land affected by this DCO, but also of concern to, and raise points of principle that will affect, members of the NFU having farm holdings that may be affected by similar Offshore Wind Farm schemes.	The Respondent's comments are noted.
4.	Consultation and Engagement 2.1 There have been constructive and proactive face to face meetings with Equinor and their agents. Heads of terms were sent out and some of these have been signed by landowners who are in agreement to the main principles of the scheme but they have still been signed subject to caveats due to outstanding queries which have not been answered by Equinor or where agreement has still not been reached.	The Applicant has engaged with NFU on the Projects during the pre-Application process, both in terms of informal non-statutory engagement and statutory consultation carried out pursuant to Section 42 of the Planning Act 2008.
5.	There has been no contact from Equinor in the last few months with no more detail forthcoming.	The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.
6.	The NFU and agents acting for clients and members are yet to see a voluntary option agreement.	The Applicant's legal advisors circulated the draft documents to Birkett's LLP on 25h November 2022.

7.	Term 3.1 A term is being sought in perpetuity and agreement has not been reached with Equinor on this as on all other offshore wind farm schemes a term of 99 years has been agreed.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots land. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (AS-009).</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8.	The NFU has been given no reason as to why the Sheringham and Dudgeon schemes need to be in perpetuity.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 19-007, 19-008 and 19-009. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9.	4.0 Cables and Ducting 4.1 There is still ongoing concern with Equinor over the scheme being two projects under one DCO. The NFU has made it clear that it is looking for Equinor to lay the first set of cables in ducts so that the second set of cables can be pulled through the ducting. This will cause less interference to landowners and occupiers by reducing the impact on operations on the land.	<p>As described in ES Chapter 3 Site Selection and Assessment of Alternatives [APP-116], the methodology adopted for selecting and assessing the cable corridor, including the final option, is considered robust and appropriate.</p> <p>The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p> <p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p>
10.	The NFU really does not want the projects to go ahead sequentially as the easement width required is greater and the timing and construction of works is too long.	<p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>

11.	The NFU would like to see cables with a minimum depth of 1.2m to the top of the tile.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land. Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
12.	It does understand that there may be engineering reasons for the cable/ducting to deeper or shallower. Where this occurs landowners and occupiers must be provided with a plan to highlight where the cable is shallower.	The Respondent's comments are noted and confirms this request has been included within voluntary terms.
13.	Construction and Funding 5.1 Landowners from the start were notified by Equinor that the project is two schemes Sheringham and Dudgeon even though only one DCO.	The Applicant refers to the Scenarios Statement, document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
14.	It is understood that Equinor may not be willing to lay cables in ducts for one project for the cables of the second project, as each project will only fund its own cables.	The Applicant refers to the Scenarios Statement, document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
15.	Due to issues highlighted above over easement width and construction times this must be addressed at the examination	The Respondent's comment is noted.
16.	Questions still need to be answered over the funding for each project.	The Applicant refers to the Funding Statement (APP-027) which sets out the funding arrangements for SEP and DEP.
17.	Cumulative Impact 6.1 Further information is still required from Equinor on whether a Cumulative Affect Assessment has been addressed in regard to other schemes programmed in the area including Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements. This greatly impacts the number of landowners affected and as this takes more land out of agricultural production.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the</p>

		<p>construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
18.	<p>Jointing bays and Link Boxes 7.1 There is still great concern over the design and siting of link boxes. Exact locations of link boxes are still to be agreed with landowners and occupiers.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
19.	<p>Link boxes do stand proud above ground level and due to the number where they can be parallel or staggered do greatly interfere with agricultural operations and are a hazard to farm machinery. It is extremely important to have further design information on link boxes and the siting of them. The preference is that link boxes are located within field boundaries where possible and Equinor must accept the interference they cause. Due to so many underground cable schemes coming forward there is now a greater understanding of the size of link boxes and the interference caused generally.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the Land Interests with regards to link box locations and has provided information to Land Interests when requested.</p>
20.	<p>Outline Code of Construction 8.1 The NFU has particular that it would like to see included in the outline code of construction/ environmental management plan which covers how practical on the ground matters are dealt with during and after construction.</p> <p>Wording covers the following: a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Soil Statement, Soil treatment and Soil Aftercare. f. Agricultural Land Drainage g. Treatment of Soils h. Agricultural Water Supplies</p>	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17] includes all relevant mitigation measures specified in ES Chapter 19 Land Use, Agriculture and Recreation [APP-105] and is appropriate for managing construction and post construction impacts from the Projects on Land Use, Recreation and Agricultural receptors. The requirement for submission and approval of a Code of construction practice is adequately secured through the requirement at Schedule 2, Part 1, Requirement 19 of the Draft DCO (Revision C) [document reference 3.1].</p> <p>The habitat stewardships and habitat mitigation requirements set out in the Outline Ecological Management Plan (Revision B) [document reference</p>

	<p>The NFU would like to see the wording in the CoCP to be included in to the Voluntary Option agreement and as yet this has not been agreed.</p>	<p>9.19] secured by Requirement 13 (Ecological Management Plan) of the draft DCO (Revision C) [document reference 3.1] are considered sufficient to avoid or mitigate ecological impacts during the pre-construction, construction and operational phases of SEP and DEP.</p> <p>The soil handling, management and restoration requirements outlined in the Outline Code of Construction Practice (Revision B) [document reference 9.17] secured by Requirement 19 (Code of Construction Practice) of the draft DCO (Revision C) [document reference 3.1] are considered sufficient.</p> <p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft DCO (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>An Invasive Non-Native Species Management Plan will be prepared as part of the Outline Code of Construction Practice (Revision B) [document</p>
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		reference 9.17] secured by Requirement 19 of the draft DCO (Revision C) [document reference 3.1]. Of note, Section 8 of the Outline Code of Construction Management Plan confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).
21.	Flood Issues/Discharge of water 9.1 No details have been provided to landowners and occupiers on how any increase in surface run off of water from the haul road or the construction compounds will be dealt with during construction. Landowners and occupiers will not want to see discharge of water on to the land surface. Drains to be discharge into will need to be agreed.	The pre- and post-construction drainage plan requirements set out in the Outline Code of Construction Practice (Revision B) [document reference 9.17] secured by Requirement 19 (Code of Construction Practice) of the draft DCO (Revision C) [document reference 3.1] are considered sufficient.
22.	Dust/Irrigation 10.1. Clarification is needed on how practical issues like dust will be controlled during construction and how can the effect on irrigation be minimised?	The Applicant refers to Environmental Statement Chapter 22 – Air Quality , document reference 6.2.22 [APP- 259]. The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice , the approval of which is secured by Requirement 19 of the draft Order (AS-009).
23.	Access routes to the Order Limits 11.1 At the present time Equinor still need to agree access routes it would like to use to gain access to the working strip.	In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006). In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.
24.	OFTO 12.1. The NFU would like to receive details from Equinor what happens once the onshore assets are transferred to an OFTO how will landowners and occupiers be able to communicate with the OFTO in regard to any issues which may arise.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables after the OFTO appointment and related asset transfer process is complete. The Applicant's preferred outcome of the OFTO process is that there is a single OFTO for all transmission infrastructure serving SEP and DEP,

		however it cannot guarantee that this will be the case. For example, under the current regulatory position, if the projects are built sequentially on a standalone basis, then it is possible that there will be a different OFTO for each project.
25.	Request to Attend Hearings and make Representations 13.1 The NFU will if required lodge a full Written Representations in due course and requests to make oral representations at the compulsory acquisition hearing or any other hearings which may be held on behalf NFU members which are directly affected by the proposed projects. Louise Staples NFU Agriculture House Stoneleigh Park Stoneleigh Warwickshire CV8 2TZ DATED 14th November 2022.	No response required by the Applicant.

5.38 Paul Andrew Sutton [RR-075]

Table 5.38.1 Applicant's comments on Paul Andrew Sutton relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I am extremely concerned that the impact of Sheringham and Dudgeon Extension Projects Planning Inspectorate Reference: EN010109 will be nothing other than detrimental to the life of our village of Cawston and wish to be kept informed of all developments.	<p>Noted.</p> <p>The potential impacts and mitigation measures for the Projects are detailed in each technical chapter of the Environmental Statement (Chapters 6 – 29) [APP-092 – APP-115].</p> <p>The Applicant will endeavour to minimise potential impacts as far as possible. In Cawston the Applicant has committed to routing no HGV construction traffic through the village. This is captured within the Construction Traffic Management Plan (Revision B) [document reference 9.16].</p>

5.39 Paul Clarke [RR-076]

Table 5.39.1 Applicant's comments on Paul Clarke relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The whole process is un clear. Please will someone set up an appointment to visit communities to explain all you wish to do. I have watched hours online, I have read the expensive letters you have sent	<p>Noted.</p> <p>The Applicant hosted public information days during March 2022 and will note your feedback to further events in the future.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>and still I do not know the basics Where, When, and how much will it effect me and my family? I cannot even find a definitive map of where the cable will be going. Please can we have a simple explanation, drawings, maps showing what you need to achieve. Kind Regards Paul Clarke.</p>	<p>For a detailed plan showing the cable route see Works Plan (Onshore) [AS-005].</p> <p>Information regarding the project can be found in the Environmental Statement, specifically ES Chapter 4 Project Description [APP-090].</p> <p>The project information lines (0808 1963 673) remain open and the project team can be contacted through these to ask any specific questions. The full suite of application documents can be found on the Planning Inspectorate's website (https://infrastructure.planninginspectorate.gov.uk/projects/eastern/sheringham-and-dudgeon-extension-projects/?ipcsection=docs)</p>

5.40 Paul Cowley [RR-077]

Table 5.40.1 Applicant's comments on Paul Cowley relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>I wish to register myself as an interested party as the planned cable route runs directly through the middle of Weston Longville and crosses land adjoining my property, as does the Orsted Hornsea 3 project and the Norwich Western link. This construction project along with the Orsted project and the Western link will have a major impact on my property and and the local environment. These include but are not limited to:</p>	<p>Noted.</p>
2	<p>The impact of the heavy construction accessing the cable route on unsuitable single carriageway roads, including noise, damage to verges and hedgerows, and wildlife disturbance The volume of construction traffic increasing as it accesses the planned construction compound on the edge of the Parish. The increase in contractor traffic commuting to work at the compound by using the Parish road network which is already overloaded as a rat run from A47 to the Broadland Northway</p>	<p>With regard to various topics, the Applicant would respond as follows:</p> <p>Traffic Matters</p> <p>Chapter 24 of the Environmental Statement (ES) Traffic and Transport [APP-110] provides an assessment of the impacts of SEP and DEP construction traffic. The ES concludes that with the application of mitigation measures (as required), the residual traffic and transport impacts would be no greater than minor adverse.</p> <p>Of note, Section 24.6.1.8 provides an assessment of the SEP and DEP construction traffic upon roads that are considered to experience width constraints i.e. comprise a constrained width for two HGVs passing.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Where this constraint is identified, a range of mitigation measures are outlined in Table 24-48 of the ES Chapter 24: Traffic and Transport [APP-110]. These measures are captured within Section 4.4 of the Outline Construction Traffic Management Plan (OCTMP) [APP-301] and include:</p> <ul style="list-style-type: none"> • Road/ junction widening; • Formalising existing informal passing places; or • Using mobile traffic management, such as an escort vehicle. <p>Section 4.4 of the OCTMP [APP-301] outlines that the final measures and details will be agreed with the Norfolk County Council (NCC) through the development of the OCTMP prior to commencement of the authorised project. The OCTMP [APP-301] is secured via Requirement 15 of the draft DCO (AS-009).</p> <p>Section 4.12 of the OCTMP [APP-301] provides details of measures to ensure that any damage to the highway (including verges) as a consequence of SEP and DEP is monitored and repaired.</p> <p>The Applicant highlights that the OCTMP [APP-301] includes a commitment for SEP and/or DEP HGV traffic to avoid Weston Longville. The Applicant however wishes to highlight an error with the OCTMP [APP-301] which incorrectly shows HGVs being permitted through Weston Longville.</p> <p>The Applicant can confirm that this error will be corrected in a revision to the OCTMP to be submitted to the examination at Deadline 1 and that no HGV traffic will be permitted to route via Weston Longville.</p> <p>Noise</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Section 23.6.1.4 of Chapter 23 of the Environmental Statement (ES) Noise and Vibration [APP-109] provides an assessment of the impacts of SEP and DEP construction traffic noise. The ES concludes that with the application of mitigation measures (as required), the residual construction traffic noise impacts would be no greater than minor adverse i.e. not significant (para 201 of APP-109). The revised OCTMP [APP-301] will show that HGV traffic are not permitted to route via Weston Longville; this will reduce road traffic noise impacts on the links passing through the village to below those predicted in the ES.</p> <p>Hedgerow and Wildlife</p> <p>The Applicant is committed to replacement planting of hedgerow and hedgerow trees and has committed to 10-year monitoring and maintenance period as per the Outline Landscape Management Plan (OLMP) [APP-303] which is secured through Requirements 11 of the draft DCO [AS-009]. Further information on the onshore ecological mitigation measures that will be implemented prior to, during and post construction of the onshore elements of SEP and DEP, and the long-term management measures to be set in place for reinstated and enhanced habitats, including hedgerows, trees and woodlands can be found in OLMP [APP-303] and OEMP [APP-304].</p> <p>Current provisions for mitigation for wildlife to be detailed in the final Ecological Management Plan to be submitted post consent are outlined in the OEMP [APP-304] which is secured through Requirement 13 of the draft DCO [AS-009]</p>
3	Environmental damage to trees, hedgerows and wildlife in the Wensum valley SEC.	<p>During the design development process, SEP and DEP has sought to minimise impacts on local ecology and wildlife. This includes but is not limited to the avoidance of ecologically designated sites where possible including incorporation of embedded mitigation such as HDD underneath sensitive areas where these cannot be avoided. Further detail on this can be found in the ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The potential impacts to the River Wensum SSSI are considered in Section 20.6 of ES Chapter 20 Onshore Ecology and Ornithology [APP-106]. The Applicant has committed to cross this designated water body using trenchless techniques to minimise the potential for any impacts.</p> <p>As set out above, the Applicant is committed to replacement planting of hedgerow and hedgerow trees and has committed to 10-year monitoring and maintenance. This and other mitigation will be set out within the OLMP [APP-303] and OEMP (APP-304) secured by Requirements 11 and 13 of the DCO [AS-009] respectively.</p>
4	All this at the same time as the New Western Link cuts through the Parish.	<p>The potential cumulative impacts of the Norwich Western Link (NWL) and SEP and DEP have been assessed following the methodology set out within ES Chapter 5 EIA Methodology [APP-091].</p> <p>As set out within ES Chapter 20 Onshore Ecology and Ornithology [APP-106] the NWL project will be subject to a planning process requiring appropriate mitigation measures to be implemented therefore limiting the potential for cumulative effects to occur.</p> <p>To reduce transport related impacts the Applicant has committed to install cables using trenchless techniques where they cross the proposed route of the NWL road. This is set out within ES Chapter 24 Traffic and Transport [APP-110].</p>
5	In addition to the above concerns I also believe that not enough consideration has been given to this project alongside all the other planned and future cable requirements. The Orsted Hornsea 3 project also running nearby on a similar but not parallel route, on which initial work has already started. The combined effect of that project with this one will have a major impact on a large area of countryside in the Parish. I do believe that there must be a coordinated approach of this and all future projects so that there	<p>Cumulative impacts</p> <p>The scope of the CIA (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of the Applicants Projects in conjunction with other projects, including the Hornsea Three Project, is included in the</p>

I.D.	Relevant Representation	Applicant Comment
	<p>is only one on shore cable route to connect to the National Grid. This can only be achieved by an off shore ring main and a single agreed onshore route that connects in one place to the National Grid.</p>	<p>Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>Offshore Ring Main</p> <p>The Applicant is supportive of the idea of an Offshore Transmission Network (OTN) however neither the regulatory nor technical framework exists at this current time to incorporate this into the Project.</p> <p>SEP and DEP are designated OTNR pathfinder projects, and as such the Applicant is committed to initiatives to encourage coordination in the sector.</p> <p>For more information regarding the grid connection point see Sections 3.6 and 3.10 of ES Chapter 3 Site Selection and Assessment of the Alternatives [APP-089].</p>
6	<p>It must be recognised in the examination process in relation to the work of the OTNR that SEP and DEP is not an “inflight” project.</p>	<p>Whilst SEP and DEP have not yet received consent, a project timeline has been created based on the UK Government’s offshore wind and carbon reduction plans. The Applicant is supportive of the idea of an Offshore Transmission Network (OTN) however neither the regulatory nor technical framework exists at this current time to incorporate this into the Project.</p> <p>SEP and DEP are designated OTNR pathfinder projects, and as such the Applicant is committed to initiatives to encourage coordination in the sector. The Applicant is working with governmental and industry bodies, including OFGEM and BEIS, to identify barriers and solutions to offshore wind coordination.</p>
7	<p>This project should include a cumulative impact assessment of the onshore impacts of SEP/DEP’s landfall, substation and cable corridor construction, when considered alongside the already consented Hornsea Three, Vanguard and Boreas projects.</p>	<p>The cumulative impacts of the SEP and DEP project in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas projects, was included as part of the environmental impact assessment. Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091]. Issues that SEP and DEP are coordinating on with these other projects include:</p> <ul style="list-style-type: none"> • Preparation of cable crossings to minimise disruption to transport networks.

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> Construction transport access routes to alleviate traffic. <p>We will seek to work with other developers to achieve overarching benefits e.g. opportunities associated with biodiversity net gain. The Applicant will continue to coordinate with other infrastructure projects in the area to ensure that cumulative impacts are mitigated as far as possible.</p> <p>The list of plans and projects included in the cumulative impact assessment (CIA) is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115] having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>

5.41 Paul Middleton [RR-078]

Table 5.41.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR – 078 Paul Middleton	01-042;01-044;02-005	Permanent Rights	Owner
	02-006	Permanent Rights	As reputed owner.
	01-036;02-002;02-004	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.

(Paul Brian Middleton)	01-041;01-043;02-001;02-003	Temporary Possession	Owner
	01-040;02-007	Temporary Possession	As reputed owner.

Table 5.41.2 Applicant's comments on Paul Middleton relevant representation

I.D.	Relevant Representation	Applicant Comment
Executive Summary		
	I am a landowner in Weybourne where Equinor's proposed cable will run through. The points I raise will be those I think are pertinent and help to other land owners who are in a similar position to myself.	The Respondent's comment is noted.
	PLEASE NOTE A FULL RELEVANT REPRESENTATION HAS BEEN EMAILED TO sadep@planninginspectorate.gov.uk ON 14 NOVEMBER 2022 AND WHAT FOLLOWS IS THE EXECUTIVE SUMMARY OF THAT RESPONSE.	The Applicant confirms receipt of the relevant representation issued via email.
A	We act for Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited ("Our Clients") in relation to the Sheringham and Dudgeon Extension Projects ("Projects") for which development consent has been applied for by Equinor New Energy Limited ("Equinor")	No response required by the Applicant.
B	Mr Clive Hay-Smith has interests affected by the Projects under title numbers NK259663 and NK274667 and Mr Paul Middleton has interests affected by the Projects under title numbers NK469059 and NK412600 (together referred to as "Our Clients' Land").	No response required by the Applicant.
C	Priory Holdings Limited carries on farming operations on the land owned by Mr Hay-Smith under title number NK274667 and these activities are operationally connected to Mr Middleton's farming operations on the land owned by Mr Middleton under title numbers NK469059 and NK412600. These farming operations are carried out on 417 hectares of land around Weybourne.	The Respondent's comment is noted.

I.D.	Relevant Representation	Applicant Comment
D	The Projects involve the taking of temporary access, the carrying out of construction works and the acquisition of rights in connection with land in which Our Clients have interests.	No response required by the Applicant.
E	Our Clients shall register individually as Interested Parties but it is their intention that they will act jointly where practical, in order to assist the Examination. This relevant representation has been prepared on that basis.	The Respondent's comment is noted.
F	Our Clients' position may be summarised as follows and is explained in more detail in this relevant representation:	No response required by the Applicant.
G	Mr Hay-Smith and Mr Middleton have been issued with heads of terms for a proposed private agreement by Equinor's representatives but discussions as to any such private arrangements for access or the acquisition of rights have not progressed. Neither Mr Hay-Smith nor Mr Middleton have entered into any agreement with Equinor. Our Clients would welcome further discussion with Equinor as to such private arrangements provided these take into account Our Clients' concerns with the Project as summarised below.	<p>The Applicant has had and continues to have productive discussions with the Respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
H	Our Clients fully support the expansion of the UK's offshore wind farm infrastructure as being in the country's long-term strategic and environmental interests. Our Clients do not have an in-principle objection to off-shore wind farms.	The Respondent's comment is noted.
I	However, based on the information before the Examination at present Our Clients have a number of particular concerns relating to the approach that Equinor appear to be taking with regard to the construction and the operation of the onshore cable runs associated with the Project. It appears to Our Clients that the Project is likely to have a severe impact on Our Clients' farming operations on Our Clients' Land for a number of years and also any wider aspirations Our Clients have for this land.	The Respondent's comment is noted.

I.D.	Relevant Representation	Applicant Comment
J	<p>In particular Our Clients consider that the potential length of the construction phase for the Projects and the potential for the Projects' stated construction access requirements to remove the ability of Our Clients' farming operations to access critical parts of Our Clients' farm could effectively prevent Our Clients' farming operations from being carried on for a number of years and affect the future viability of these operations too.</p>	<p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to Environmental Statement Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130). Section 19.7.1.2.5.</p>
K	<p>The blight of uncertainty around the timing and long-term impact of the Projects directly impacts on Our Clients' joint and several ability to undertake succession planning and diversification including the sale or tenancy of their respective farming enterprises.</p>	<p>The Applicant has been engaging with the Respondent and their appointed land agent during the pre-application phase in respect of current plans for the farming enterprises.</p> <p>The Applicant will continue to engage with and update the Respondent post-consent to enable them to undertake their succession planning and diversification projects. The Applicant is also prepared to engage with third parties interested in purchasing or entering into a tenancy to occupy the Respondent's land to ensure such parties are informed of the project and its potential impacts on their own plans for the land.</p>
L	<p>We also consider that at this stage insufficient detail has been provided in terms of the rights that the Projects would acquire from the land owned by Mr Hay-Smith and Mr Middleton or the operation of the proposed accesses to the Project for Our Clients to fully understand the impact of the Project on them and their interests.</p>	<p>In respect of the relevant rights being sought, the Applicant refers to the Book of Reference (Revision B), document reference 4.1 – Section 4 Description of Rights in conjunction with Table 1-2 of the Book of Reference (Revision B) which details the extent of acquisition or use. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006) where these are set out.</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has had and is keen to continue to have productive</p>

I.D.	Relevant Representation	Applicant Comment
		discussions with the Respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.
M	Our Clients' are also concerned as to how the proposed impacts on the future use of Our Clients' Land for farming activities is to be protected during the operational phase and after the decommissioning of the Projects. This concern arises from ongoing drainage and irrigation issues that Our Clients have experienced on Our Clients' Land following works which were commissioned by Equinor (then known as Statoil) to construct the original Sheringham Shoal Offshore (SCIRA) Wind Farm in 2009/10.	<p>The ownership of the transmission assets for Sheringham Shoal Offshore Wind Farm were transferred in 2013 to the appointed OFTO, as part of the sale from Scira Offshore Energy Limited (SOEL) to BTSS (Blue Transmission Sheringham Shoal) – the OFTO. This sale is required by the OFTO Regulations. Any issues relating to those transmission assets since 2013 are a matter for BTSS.</p> <p>In terms of SEP and DEP, protection for farming activities is addressed through the DCO provisions and any private land agreements entered into by a given Land Interest. The relevant powers and obligations under the DCO, and any relevant land agreements, will be transferred to the appointed OFTO pursuant to the OFTO Regulations. This means that responsibility during the operational phase (after the transfer to the OFTO) and decommissioning will fall on the OFTO.</p>
Introduction and background		
1	We act for Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited ("Our Clients") in relation to the Sheringham and Dudgeon Extension Projects ("Projects") for which development consent has been applied for by Equinor New Energy Limited ("Equinor").	No response required by the Applicant.
2	The Projects involve the taking of temporary access, the carrying out of construction works and the acquisition of rights in connection with land in which Our Clients have interests as set out below.	No response is required by the Applicant.
3	Our Clients shall register individually as Interested Parties but it is their intention that they will act jointly where practical, in order to assist the Examination. This relevant representation has been prepared on that basis. Mr Paul Middleton has registered as an Interested Party under reference 20032995. Our Clients' current primary interest in the land affected by the Project is for farming.	The Respondent's comment is noted.
4	In general terms farming is currently facing uncertainty arising from a number of factors. The security that basic payments once offered is being withdrawn, farmers are being asked to deliver more for the	The Respondent's comment is noted.

I.D.	Relevant Representation	Applicant Comment
	<p>environment from their customers, supply chains and the Government but without a crystallised level of support, high levels of inflation are exerting upward pressure on input prices while commodity prices are reducing in some cases and there are demands from non-agricultural land use such as solar, development, bioenergy, tree planting and biodiversity improvements which could take land out of agricultural production.</p>	
Land and interests affected		
5	<p>Mr Hay-Smith has interests affected by the Projects under title numbers NK259663 and NK274667 and Mr Middleton has interests affected by the Projects under title numbers NK469059 and NK412600 (together referred to as "Our Clients' Land").</p>	<p>The Applicant confirms the extent of the Respondent's identified interests are as set out in the Book of Reference (Revision B), document reference 4.1.</p>
6	<p>Our Clients' Land forms part of the Norfolk Coast Area of Outstanding Natural Beauty.</p>	<p>The Respondent's comment is noted.</p>
7	<p>Mr Middleton has actively farmed the 53 hectare freehold land comprising Home Farm, Weybourne as a trading partnership (MA Perkins and PB Middleton) with his late mother, Monica Perkins who died in August 2021.</p>	<p>The Respondent's comment is noted.</p>
8	<p>Mr Middleton has also been employed as the Farm Manager of Priory Holdings Limited since 2002. Mr Middleton's own farming business partnership is legally and financially independent of Priory Holdings Limited but is reliant on the shared operational infrastructure of the two, integrated farming operations.</p>	<p>The Respondent's comment is noted.</p>
9	<p>The Book of Reference [APP-026] records Our Clients' interests in the following plots as shown on the Revision B Land Plans [AS-002]:</p> <p>9.1. Mr Hay-Smith:</p> <p>9.1.1. Acquisition of rights in the following plots: 02-002, 02-006, 02-010, 02,012, 02-015, 03-008, 03-010 and 04-003.</p>	<p>The Applicant confirms the extent of the Respondent's identified interests are as set out in the Book of Reference (Revision B), document reference 4.1.</p>

I.D.	Relevant Representation	Applicant Comment
	<p>9.1.2. Temporary possession: 02-007, 02-008, 02-009, 02-014, 03-001, 03-002, 03-005, 03-006, 03-007, 04-002, 04-004, 04-011 and 04-013.</p> <p>9.2. Mr Middleton:</p> <p>9.2.1. Acquisition of rights in the following plots: 01-036, 01-044, 02-002, 02-004, 02-005 and 02-006.</p> <p>9.2.2. Temporary possession: 01-040, 01-041, 01-042, 01-043, 02-001, 02-003 and 02-007.</p>	
10	<p>Priory Holdings Limited carries on farming operations on the land owned by Mr Hay-Smith under title number NK274667 and these activities are operationally connected to Mr Middleton's farming operations on the land owned by Mr Middleton under title numbers NK469059 and NK412600.</p>	<p>The Respondent's comment is noted.</p>
11	<p>For the past twenty years Our Clients have jointly farmed Our Clients' Land for an all arable, rotational crop system growing sugar beet and malting barley on a three year rotational cycle across this combined land holding.</p>	<p>The Respondent's comment is noted.</p>
12	<p>Whilst both entities are legally independent, Mr Middleton and Priory Holdings Limited's operations rely on fully integral use of common machinery (e.g. tractors, drills and combine harvester), infrastructure (e.g. grain drying and storage) and labour. As set out above, Mr Middleton is employed as Priory Holdings Limited's Farm Manager.</p>	<p>The Respondent's comment is noted.</p>
13	<p>Our Clients' Land includes a modern 2,000 tonne on-floor drying and grain storage building which was purpose built for Priory Holdings Limited in 2008. There is also an adjacent, secure farm equipment machinery storage and workshop building which was also constructed in 2008. These units serve Our Clients' combined farm operations and are currently accessed by separate private farm entrances off the main Station Road and A149. As discussed in more detail below, both of these entrances and related service roads are proposed for accesses to the Projects and for temporary possession under the draft DCO. This</p>	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006] which includes details of accesses. It can be noted that access from Station Road would be for early works and access from the A149 would be for construction of SEP and/or DEP.</p> <p>ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5] details mitigation measures to ensure the Respondent's farming operations are not restricted and access is maintained to retained land for farming operations.</p>

I.D.	Relevant Representation	Applicant Comment
	would render safe and ready access to these essential facilities and equipment impossible.	
14	Priory Holdings Limited currently has a Higher Level Stewardship scheme (AG00424686) with Natural England which ends in November 2023. Natural England has offered an extension of up to 5 years. Mr Middleton has an Entry-Level Countryside Stewardship Scheme with Natural England (494899) which ends in December 2027. Both Schemes relate to land affected by the Projects.	The Respondent's comment is noted.
15	In light of the above and Our Clients' other concerns set out below, Our Clients' fear that the Projects could prevent their participation in and compliance with existing and any extended/proposed environmental schemes and options.	<p>The Applicant refers ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.4] referring to the impact to agri-environment schemes during construction.</p> <p>The Applicant has tried to avoid where possible land managed under an agri-environment scheme. Where the Project has impacts to an existing agreement that can't be avoided, affected landowners and or occupiers will be consulted to enable them to liaise with the Rural Payments Agency. If the Project impacts any land subject to schemes where compensation could become payable, the Applicant will review this on a case-by-case basis and will reimburse financial losses where appropriate and in line with the Compensation Code. Following completion of the construction works, land will be reinstated and would therefore continue to be available for management under an Agri-environment scheme in the future.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights which sets out suitable compensation provisions for their financial losses.</p> <p>In general, it is considered that ecological losses associated with impacts to Agri environment schemes would be mitigated using the measures set out in ES Chapter 20 Onshore Ecology and Ornithology [APP-106] and details of habitat reinstatement as set out in the Outline Ecological Management Plan [APP-304].</p>
16	Our Clients have recently been informed that the Environment Agency and Norfolk Rivers Trust will be on site on 15 November 2022 to	The Respondent's comment is noted.

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	<p>oversee a previously agreed reintroduction of a threatened species of native freshwater crayfish in the chalk stream that intersects Mr Hay-Smith's land to the west of Station Road. We are instructed that this is the same site that was subject to an invasive borehole survey by Equinor (or their representatives) in July 2022. Mr Hay-Smith requested ecological survey information prior to the carrying out of any such borehole survey work by Equinor's representatives as there were concerns over the potential environmental impact of proposed survey work on the chalk-bed stream. However, such ecological survey information was only forthcoming from Equinor's representatives after this borehole survey work was completed following the issue of a formal section 172 notice to gain access to this part of Our Clients' Land.</p>	
<p>Our Clients' engagement with Equinor</p>		
17	<p>Mr Hay-Smith's agents, Brown & Co, submitted a response to Equinor's Preliminary Environmental Information Report ("PEIR") consultation in June 2021. This response made the following points:</p>	<p>The Applicant thanks the Respondent and confirms receipt of the PEIR response.</p>
17.1	<p>It would be preferable if the landfall location and onshore cable route was located away from the village of Weybourne and clear of residential and other built-up environments.</p>	<p>The Applicant has undertaken a thorough site selection process. The selection of landfall at Weybourne avoids populated areas at the coast and minimises direct disturbance to the Muckleburgh Collection and to users of the coastal path. The proposed onshore cable corridor was selected based upon guiding design principles and a cable corridor refinement process which included consideration of consultation feedback. Permanent visual impacts during the operational life of SEP and DEP will be minimised with the use of an underground cable system. The cables will not be installed beneath any residential properties or gardens.</p> <p>The Applicant refers to the following documents which explain the rationale for the chosen landfall site:</p> <ul style="list-style-type: none"> • ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089, Section 3.7]. • ES Appendix 3.2 Cable Landfall Concept Study [APP- 176].

I.D.	Relevant Representation	Applicant Comment
17.2	The Projects would blight impacted properties whichever route is chosen and will interfere with farming, intended diversification projects, construction proposals and planning opportunities.	The Applicant refers to ES Chapter 3 Site Selection & Assessment of Alternatives [APP-089, Section 3.9] which sets out the approach taken to selection of the onshore cable corridor.
17.3	Concern was expressed about legacy issues which may not be adequately addressed associated with farming activities, diversification, development, rural land use and freedom to use and exploit private ownership rights.	<p>The ownership of the transmission assets for Sheringham Shoal Offshore Wind Farm were transferred in 2013 to the appointed OFTO, as part of the sale from Scira Offshore Energy Limited (SOEL) to BTSS (Blue Transmission Sheringham Shoal) – the OFTO. This sale is required by the OFTO Regulations. Any issues relating to those transmission assets since 2013 are a matter for BTSS.</p> <p>In terms of SEP and DEP, protection for farming activities is addressed through the DCO provisions and any private land agreements entered into by a given Land Interest. The relevant powers and obligations under the DCO, and any relevant land agreements, will be transferred to the appointed OFTO pursuant to the OFTO Regulations. This means that responsibility during the operational phase (after the transfer to the OFTO) and decommissioning will fall on the OFTO.</p>
17.4	The proposed onshore cable route would dissect and environmentally sensitive, spring-fed chalk beck and bankside setting to the west of Station Road (this being the same area referred to in paragraph 16 above). This site is part of a joint on-going project between Mr Hay-Smith, Priory Holdings Limited and the Environment Agency to restore native wildlife including trout, water voles, newts and otters in a regenerated/replanted indigenous woodland setting.	<p>The Applicant refers to:</p> <ul style="list-style-type: none"> • Crossing Schedule – Revision B [AS-022] which details the proposed crossing technique for each crossing identified. The Crossing ID's specifically relevant is 17 and shows that Spring Beck will be crossed using trenchless techniques. • ES Chapter 4 Figures – Project Description [APP-178] which confirms the cables will be installed by trenchless techniques, e.g. Horizontal Directional Drill (HDD) at this location. <p>The use of HDD would avoid impacts to Spring Beck and associated ecological receptors.</p>
17.5	Routing of the onshore cables across the Station Road/Sandy Hill Lane roadway will further exacerbate the environmental impact on native trees and hedgerows to both the east and west of the road which forms a critical entry point to the village of Weybourne.	The Applicant refers to ES Chapter 4 Figures – Project Description [APP-178, Figure 4.10, Sheet 1] which confirms the cables will be installed by trenchless techniques, e.g. HDD at this location. This is also presented in the Crossing Schedule (Revision B) [AS-022]. As shown in the Tree Preservation and Important Hedgerow Plan [APP-

I.D.	Relevant Representation	Applicant Comment
		017, Sheet 2], no tree or hedgerow removal is anticipated at this crossing.
17.6	The routing of the onshore cables will also severely impact the safety and business operation of the Station Road farm service road and buildings as the cable would run parallel to the farm's entrance splay, service road, grain dryer, timber storage yard and equipment shed.	<p>The Applicant refers to ES Chapter 4 Figures – Project Description [APP- 178] which confirms the cables will be installed by trenchless techniques, e.g. HDD method at this location. This is also presented in the Crossing Schedule (Revision B) [AS-022] and illustrated on Sheet 1 of 18 of Figure 4.10 of ES Volume 2 Chapter 4 Project Description [APP-.</p> <p>ACEW06 is an early works access and would therefore only be utilised by light 4x4 vehicles for any pre-commencement works such as condition/topography surveys as well as any hedge clearance activities. The entrance is off Station Road and turns into the field after 70m. As part of the site induction our staff will be instructed to always give way to any local traffic and farm operations.</p> <p>The main construction access for works involving the delivery of plant and equipment is off the A149-Sheringham Road at ACC05.</p> <p>The Applicant therefore does not consider there to be any safety or business operation impact as a result of the road crossing at Station Road.</p>
18	Many of the points above remain concerns to Our Clients as summarised below.	The Respondent's comment is noted.
19	Mr Hay-Smith and Mr Middleton were issued with heads of terms for a private land agreement by Equinor on 31 May 2022. Our Clients have a number of concerns around the Project as set out below and as a result it has not been possible to move the consideration of these heads of terms forward without further information on the Project. However, the submitted application before the Examination leaves a number of these concerns outstanding as set out below.	The Applicant has provided requested information when and where possible and will continue to work constructively with the Respondent.
20	However, Our Clients would welcome further discussion with Equinor as to such private arrangements provided these take into account Our Clients' concerns with the Project.	The Applicant has provided requested information when and where possible and will continue to work constructively with the Respondent.

I.D.	Relevant Representation	Applicant Comment
21	<p>Our Clients consider that they have remained cooperative with Equinor's representatives during previous discussions on their preparations for the Projects. However, Mr Hay-Smith has encountered difficulties with Equinor refusing to pay any legal costs relating to work carried out in connection with Equinor's previous proposals to route the onshore cable runs through Mr Hay-Smith's Highlands (Cherry Trees Farm) property in Weybourne. Mr Hay-Smith was also subject to formal section 172 notices issued to gain survey access to part of Our Clients' Land at a time when ill health and concerns over the potential environmental impact of proposed survey work on a chalk-bed stream delayed Mr Hay-Smith's consent to carry out this survey work under a private licence arrangement.</p>	<p>The Applicant set out its position in respect of reimbursement of professional costs in advice to the Respondent dated 12th February 2020 which did not include legal fees. No undertaking was subsequently requested by the Respondent nor provided by the Applicant for legal costs associated with the onshore cable route.</p> <p>The Applicant completed a licence agreement for intrusive surveys in respect of the initial round of surveys (Phase 1) carried out between August 2021 and October 2021. The Applicant sought to enter into an agreed licence with the Respondent in respect of Phase 2 intrusive survey access (in April 2022) on the same terms as for Phase 1. However, the Respondent was unwilling to enter into the licence agreement for Phase 2 whilst the claim for legal fees was outstanding. In order to avoid delays to the survey programme which had the potential to impact on project delivery the Applicant relied on taking access under Section 172 of the Housing and Planning Act 2016 in the absence of agreement with the Respondent.</p> <p>When undertaking Phase 1 survey works under the licence and Phase 2 survey works under the section 172 notice, the Applicant was in regular contact with the Respondent in respect of timings and locations. To address the Respondent's concerns on the environmental impact of the works on the chalk bed stream, a borehole was relocated to the west of Spring Beck to a location the Respondent was satisfied with.</p>
Impact on Our Clients' business		
22	Impact during construction phase(s) of the Projects	No response required by the Applicant.
22.1	The nature of the Projects' construction	No response required by the Applicant.
22.1.1	<p>Paragraph 49 of the Planning Statement [AS-031] sets out that the Projects may be constructed at the same time or at different times. If the Projects are built at the same time both Projects could be constructed within four years but if built at different times each Project would require a four year period of construction. If built at different times the offset between the start of the construction of the first Project and the construction of the second Project may vary from two to four</p>	No response required by the Applicant.

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	years. The maximum period during which construction could therefore take place is eight years for both Projects. The earliest construction start date is 2025.	
22.1.2	Paragraph 278 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] states that the installation of the onshore ducts and cables is expected to take up to 24 months (for one of the Projects constructed in isolation), 26 months (for both Projects constructed concurrently) or two separate periods of 24 months for the Projects where construction is carried out sequentially.	No response required by the Applicant.
22.1.3	As set out in paragraphs 281 and 296 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] once the cable ducts have been installed (to a minimum depth of 1.2m) there is a separate process of cable pulling to be carried out. The cable ducts would first be installed within trenches and backfilled with soil before the cables are pulled through the pre-laid ducts “at a later stage in the construction programme”.	No response required by the Applicant.
22.1.4	However, the scenarios as defined in the draft DCO [AS-009] cater for the Projects to be constructed entirely separately, meaning that the first of the Projects which is constructed may not necessarily lay the ducts for the second of the Projects which is carried out at a later date.	No response required by the Applicant.
22.1.5	Paragraph 277 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] sets out that whilst the cable duct installation works are envisaged to be a “continuous activity” the haul road (being 5m in width to 8m at passing bay locations) would need to be retained throughout much of the cable corridor to maintain access to each work front, potentially therefore throughout the expected 24 (or 26) month construction period(s).	No response required by the Applicant.
22.1.6	In addition, paragraphs 301 and 302 of Chapter 4 (Project Description) of the Environmental Statement [APP-090] set out that one below ground “link box” per circuit shall be required within 10m proximity to the joining bay locations to allow the cables to be bonded to earth. These would require periodic access by technicians for inspection and	No response required by the Applicant.

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	testing during operation and it is assumed that one would be required every 1km.	
22.1.7	Paragraph 191 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] states that it is assumed that each link box would result in a permanent land take of 2m x 2m given the need for these to be accessed via manhole covers at ground level and an above ground marker would be required to mark the location of each link box.	No response required by the Applicant.
22.1.8	Paragraph 105 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] identifies the “worst-case” scenario for impacts to drainage would be where the Projects are constructed sequentially because this would require two periods of disruption to agricultural drainage for two periods of onshore cable installation work. The construction work would also require the topsoil to be stripped (as set out in paragraph 131 of this Chapter 19).	No response required by the Applicant.
22.1.9	On the basis of the information submitted by Equinor as part of the application there remains a great deal of uncertainty as to how the Projects shall be constructed and when. Our Clients’ key concerns are as follows:	No response required by the Applicant.
22.1.9.1	It appears that the earliest substantive construction work could begin is 2025 but the draft DCO [AS-009] would authorise the compulsory acquisition of land for up to seven years after the DCO is made.	The Applicant refers to the Explanatory Memorandum [AS-013, para. 86] which sets out the justification for seven years.
22.1.9.2	Indeed, Requirement 1 in Schedule 2 Part 1 of the draft DCO requires the respective Projects to simply “commence” within seven years beginning with the date the DCO comes into force.	No response required by the Applicant.
22.1.9.3	Therefore, assuming that the DCO is granted in late 2023 it could be that the Projects do not even commence until late 2030.	No response required by the Applicant.
22.1.9.4	In addition, there is further uncertainty over the different “scenarios” catered for in the draft DCO. This is particularly so given the two potentially entirely separate 24 month construction periods that could	No response required by the Applicant.

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	be carried out, each requiring a haul road and potentially other construction apparatus such as security fencing etc. to remain in place on Our Clients' Land during much of these periods.	
22.1.9.5	This uncertainty is reinforced by the power in Article 26 of the draft DCO [AS-009] to enter on and take temporary possession of land enduring until one year after the date of completion of the part of the authorised project specified in the respective part of column (4) of Schedule 9 of the draft DCO [AS-009].	The Applicant refers to the Explanatory Memorandum [AS-013, para. 86] which sets out the justification for seven years.
22.1.9.6	All of the above create significant uncertainty for Our Clients' in their short and long term planning of their farming operations on Our Clients' Land and in trying to navigate the current uncertainty being experienced by the farming industry regardless of the Projects.	The Respondent's comment is noted.
22.2	The access and rights sought by Equinor	No response required by the Applicant.
22.2.1	Permanent acquisition of rights:	No response required by the Applicant.
22.2.1.1	We cannot comment at present on the extent of rights sought by Equinor as Schedule 7 of the submitted draft DCO [AS-009] does not include any detail of the precise nature of the rights sought by Equinor. We contrast this to the detail provided within Column 2 of Schedule 7 to the recently made East Anglia ONE North Offshore Wind Farm Order 2022 which provides greater detail on the extent of rights sought.	Schedule 7 of the draft DCO (Revision C) [document reference 3.1] describes the plots which will be subject to the acquisition of rights in Column 1 by referring to the plot numbers as shown on land plans. The plot numbers are listed in the Book of Reference (Revision B, Section 4) . Table 1-1 describes the new rights being sought by the Applicant. Table 1-2 describes which rights are sought in relation to the relevant plots. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft DCO (Revision C) document reference 3.1.
22.2.1.2	Our Clients' request that further detail is provided on the extent of rights sought to be permanently acquired.	The Applicant has responded within response 22.2.1.1.
22.2.1.3	However, what is clear at present is that the acquisition of rights over Our Clients' land and construction of the Projects (or one of them) on the area identified on the Land Plans would sever Our Clients' Land in a number of cases and in any event disturb the ability for Our Clients to farm Our Clients' Land.	The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5]

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	The impact of this is detailed further below	<p>The Applicant refers to the Book of Reference (Revision B, Section 4), document reference 4.1. Table 1-1 describes the new rights being sought by the Applicant which are assigned to the relevant plots in Table 1-2. The Applicant does not consider that acquisition of new rights over the Respondent's land would result in permanent severance. Any severance on the Respondent's land would be temporary during the construction period.</p> <p>The Applicant has sought to minimise the extent of land affected by SEP and DEP. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft DCO (Revision C) [document reference 3.1].</p>
22.2.1.4	This is notwithstanding the potential impact of the construction of the Projects (or one of them) on the irrigation systems and soil quality on Our Clients' Land.	<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 (Code of construction practice) of the draft DCO (Revision C) [document reference 3.1].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 2.3] refers to identifying private water supplies so that they can be maintained (which extends to irrigation).</p>
22.2.2	Temporary possession of land:	No response required by the Applicant.
22.2.2.1	The power under Article 26 of the draft DCO [AS-009] to enter on and take temporary possession of land enduring until one year after the date of completion of the part of the authorised project specified in the respective part of column (4) of Schedule 9 of the draft DCO is broad.	<p>The Applicant has sought to reduce the amount of land subject to permanent acquisition through the use of temporary possession powers.</p> <p>The Applicant refers to the Explanatory Memorandum, [AS-013, Section 1.8.6.9] which explains the requirement for this Article 26.</p>
22.2.2.2	This is particularly so when this relates to key existing accesses on to Our Clients Land in the case of plots 03-002 and 02-014. The temporary possession of these plots would prevent access to this part of the farm and the buildings located to the south of this area of land to the north of the railway line. The impact of this is detailed further below.	In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006]. Plot 03-002 is identified as an early works access and the Respondent would not be prevented from using this access during any works. Plot 02-014 is identified as a construction access and the Applicant will work with the Respondent as confirmed in ES Chapter 19 Land Use, Agriculture and Recreation [APP-

I.D.	Relevant Representation	Applicant Comment
		130, Section 19.7.1.2.5], which refers to maintaining access to the Respondent's retained land.
22.2.2.3	Our Clients request clarity and justification as to why two separate accesses onto the land east of Station Road and the south of the A149 Sheringham Road are required.	The Applicant refers to Access to Works Plan [AS-006]. ACEW06 is an early works access off Station Road whilst ACC05 is a construction access.
22.2.2.4	We can see no reference in the Outline Code of Construction Practice [APP-302], Outline Construction Traffic Management Plan [APP-301] or Chapter 19 (Land Use and Recreation) of the Environmental Statement [APP105] which considers even the possibility of sharing such accesses with farmers to ensure their operations are not adversely impacted during the construction phase and in the years following this.	In respect of the locations for construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006]. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5] which refers to mitigation measures and maintaining access to landowners' retained land. The Applicant refers to the response provide in 22.2.2.2.
22.2.2.5	Article 26(1)(c) would allow the construction of security fencing and whilst it is understood that details of the fencing would need to be submitted and approved under Requirement 14 there is no guarantee that such fencing would not be erected so as to physically prevent Our Clients' access to Our Clients' Land.	The Respondent notes that security fencing can be erected under the temporary construction powers in Article 26(1)(c) of the draft DCO (Revision C) [document reference 3.1] and the undertaker will have this power in relation to the Respondent's land. The exercise of this power is not subject to Requirement 14 which is in relation to the approval of details for permanent fencing. However, details of temporary fencing will be included in a Construction Fencing Plan which must be submitted to the relevant planning authorities for approval before the relevant stage of construction works can commence pursuant to the Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 3.3]. Approval of the Code of Construction Practice is secured under Requirement 19 of the draft DCO (Revision C) [document reference 3.1]. ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130 Section 19.7.1.2.5] refers to maintaining access to the Respondent's retained land.
22.2.2.6	Further, Article 26(1)(b) would allow the removal of any buildings, agricultural plant and apparatus, drainage, fences, debris and vegetation from land subject to temporary possession. However, under	No response required by the Applicant.

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	Article 26(4) there would be no requirement to replace any building, structure, drain or electric line removed under Article 26.	
22.2.3	Access to Works:	No response required by the Applicant.
22.2.3.1	Our Clients have reviewed the Access to Works Plan (Revision B) [AS-006]. It appears the following accesses are proposed to Our Clients' Land:	No response required by the Applicant.
22.2.3.1.1	22.2.3.1.1. Mr Hay-Smith: 22.2.3.1.1.1. Construction Access: ACC03, ACC04, ACC05, ACC07 and ACC09 22.2.3.1.1.2. Early Works Access: ACEW04, ACE05, ACEW06, ACEW09 and ACEW100.	ACC09 and ACEW09 provide access to the Applicant onto land outside of the Respondent's ownership and occupancy. The other access reference numbers listed are acknowledged by the Applicant.
22.2.3.1.2	22.2.3.1.2. Mr Middleton: 22.2.3.1.2.1. Construction Access: [ACC02, ACC03] 22.2.3.1.2.2. Early Works Access: [ACEW02, ACEW03]	No response required by the Applicant.
22.2.3.2	However, at present it is not clear what the distinction between an "Early Works Access" and a "Construction Access" is. Our Clients request clarity on this point.	An early works access will typically be utilised by smaller vehicles such as 4x4's for pre-construction works including hedge removal, surveys and setting out construction corridor. A construction access will be utilised for the main construction works including import of equipment and materials.
22.2.3.3	The accesses identified by ACC05 and ACEW06 are existing farm accesses and are the only ways to access the land owned by Mr Hay-Smith and farmed by Priory Holdings Limited to the east of Station Road and the south of the A149 Sheringham Road. The use of these accesses and associated temporary possession of plots 03-002 and 02-014 would prevent access to this part of the farm and the buildings located to the south of this area of land to the north of the railway line.	The Applicant refers to the response provided to 22.2.2.2.
22.2.3.4	As set out above, Mr Middleton and Priory Holdings Limited's farming operations rely on fully integral use of common machinery (e.g. tractors,	No response required by the Applicant.

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	drills and combine harvester), infrastructure (e.g. grain drying and storage) and labour.	
22.2.3.5	Access to Our Clients' modern 2,000 tonne on-floor drying and grain storage building and adjacent secure farm equipment machinery storage and workshop building which serve Our Clients' combined farm operations are currently accessed by separate private farm entrances off the main Station Road and A149.	The Respondent's comment is noted
22.2.3.6	Both of these entrances and related service roads are proposed for accesses to the Projects and for temporary possession under the draft DCO. This would render safe and ready access to these essential facilities and equipment impossible.	The Applicant refers to the response provided to 22.2.2.2.
22.2.3.7	The proposed routing of the onshore cable runs associated with the Projects effectively bisects Our Clients' total farmed area of 471 hectares preventing free and contiguous access to land and essential infrastructure over an indeterminate timeframe.	<p>The Applicant has sought to avoid where possible the likelihood of sterile land parcels and has pursued mitigation measures to support this. The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130, Section 19.7.1.2.5].</p> <p>In respect of the timeframe, ES Chapter 4 Project Description [APP-090, Section 4.7.2] refers to the onshore construction programme for the different scenarios.</p>
22.2.3.8	This not only creates operational uncertainty for Our Clients' farming operations but also would have a direct and negative impact on the financial viability of the individual and combined farming operations.	The Applicant refers to the response provided in item K.
22.2.3.9	Indeed, Mr Middleton is 59 years old and Mr Hay-Smith is 65 years old and the blight of uncertainty around the timing and long-term impact of the Projects directly impacts on Our Clients' joint and several ability to undertake succession planning and diversification including the sale or tenancy of their respective farming enterprises.	The Applicant refers to the response provided in item K.
22.2.3.10	In addition, given the impacts of the Projects identified in these representations, it is Our Clients' position that the Projects may also jeopardise the fulfilment of Our Clients' contractual arrangements with third parties for sugar beet and malting barley tonnage.	The Applicant refers to ES Chapter 19 Land Use, Agriculture and Recreation [APP- 130 Section 19.7.1.2.5] which details mitigation measures and compensation in line with the compulsory purchase Compensation Code.

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant refers to the draft DCO (Revision C) [document reference 3.1], Article 26 which confirms compensation is payable to the owners and occupiers of land with reference to the Land Compensation Act 1961 which confirms the basis of compensation.</p> <p>The Applicant will continue to engage and consult with the Respondent on their farming arrangements in order to mitigate potential losses.</p>
22.2.3.11	It also appears there is an error in Schedule 6 of the draft DCO as reference ACEW100 is used twice.	The Application acknowledges the Respondents comment. Revisions to Schedule will be submitted at Deadline 2.
22.3	Other comments on the provisions on the draft DCO [AS-009]	No response required by the Applicant.
22.3.1	We note that pursuant to Requirement 9(1) in Schedule 2 Part 1 of the draft DCO [AS-009] the authorised project must not commence until a notification has been submitted as to whether scenario 1, 2, 3 or 4 shall be commenced.	No response required by the Applicant.
22.3.2	Requirement 9(4) then requires each scheme to be implemented as notified under “sub-paragraphs (2), (3) and (4)”. However, there is no reference to sub-paragraph (1) and therefore at present no requirement to implement the scheme in accordance with the notification which is required under Requirement 9(1). We request the Examining Authority consider this point.	The draft DCO (Revision C) [document reference 3.1] [has been updated to correct this error. Sub-paragraph (4) of Requirement 9 should read ‘as notified under sub-paragraphs (1), (2) and (3)’.
22.3.3	Our Clients also have a concern with the broad power under Article 34 of the draft DCO to fell or lop trees and remove hedgerows (including cutting back the roots of trees or shrubs). This power would extend not only to trees or shrubs within or overhanging land within the Order limits but also simply “near to any part of the authorised project” if the undertaker “reasonably believes” it necessary to do so to prevent the tree or shrub from obstructing or interfering with the construction, maintenance or operation of the Projects or an apparatus used in connection with them.	Please see response at 22.3.4.
22.3.4	The term “near to any part of the authorised project” is vague and does not give any certainty as to the scope of this broad power. Our Clients question why such a power should be required and whether this can be	The drafting of Article 34 reflects the drafting in the model provisions and is therefore based on standard wording and wording which has been included in recently granted offshore wind development consent orders,

I.D.	Relevant Representation	Applicant Comment
	<p>justified by Equinor in this case. Indeed, if Equinor require certain trees or shrubs “near” to the Projects to be affected in this way we question why these are not included within the Order limits. This is particularly so given the location of this part of the Projects in the Norfolk Coast AONB.</p>	<p>for example East Anglia One North Offshore Wind Farm Order 2022. See the Explanatory Memorandum [AS-012, Section 1.8.8.3].</p> <p>The Applicant has sought to avoid removal of trees and shrubs within the Order Limits, as detailed in the Outline Landscape Management Plan (Revision B) [document reference 9.18]. The drafting of this Article provides a fall-back position in the event a tree or shrub requires removal. This is within the spirit of the DCO as it allows for the undertaker to avoid delays in project delivery due to uncertainties like this and therefore is reasonable to include.</p> <p>The Outline Landscape Management Plan also sets out the requirement for ‘[trees] and woodland that are removed to construct the onshore cable corridor [to] be replanted within the Order Limits’ [APP-303, Section 1.2.3] so affected trees and shrubs will be reinstated. The approval of the final Landscape Management Plan by the relevant local planning authority is secured by Requirement 11 (Provision of landscaping) of the draft DCO (Revision C) [document reference 3.1].</p>
23	Impact during operational phase of the Projects	No response required by the Applicant.
23.1	Our Clients’ note the post construction assessment and proposed mitigation measures set out in Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105].	No response required by the Applicant.
23.2	However, it is noted that much of the detail as to the drainage for the operational phase is left to Requirement 17 in the draft DCO [AS-009].	No response required by the Applicant
23.3	In this regard, whilst we note Requirement 17(4) includes a requirement to implement as approved each operational drainage plan we note that there is no requirement for the details (presumably including the apparatus and measures) set out in the approved operational drainage plan(s) to be maintained and managed.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.
23.4	There is no express requirement in Requirements 17(1), (2) or (3) for the operational drainage plan to include measures for maintenance and management.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.

I.D.	Relevant Representation	Applicant Comment
23.5	<p>In addition, it appears from Requirement 17(3) that the operational drainage plan may only related to the onshore substation and not matters relating to the onshore cables and associated apparatus. Indeed, the Outline Operational Drainage Plan submitted [APP-307] only deals with the onshore substation.</p>	<p>The Applicant confirms that the Outline Operational Drainage Plan [APP-307] only deals with the proposed onshore substation as this is the only permanent above ground infrastructure associated with the project.</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] requires that a construction surface water drainage plan is produced for SEP and DEP. This is secured by Requirement 19 (Code of Construction Practice) of the draft DCO (Revision C) [document reference 3.1].</p>
23.6	<p>It appears to us that whilst the Outline Code of Construction Practice [APP302] which would inform the codes submitted under Requirement 19 of the draft DCO discusses drainage matters (including surface water drainage) this appears to be solely in the context of the construction phase of the Projects (or any one of them). In addition and in any event, Requirement 19(3) would only require the “construction works” for each phase to be in accordance with the relevant approved code of construction practice.</p>	<p>The Applicant confirms that the Outline Code of Construction Practice (Revision B) [document reference 9.17], as secured via Requirement 19 of the draft DCO (Revision C) [document reference 3.1] outlines drainage matters (including surface water drainage) in the context of the construction phase of the Project(s).</p>
23.7	<p>It is therefore not clear to Our Clients how the drainage associated with the operational phase of the Projects (or any one of them) – even if this includes the reinstatement of alteration of existing drainage systems – is to be controlled.</p>	<p>The Applicant confirms that the Outline Operational Drainage Plan submitted [APP-307] only deals with the proposed onshore substation as this is the only permanent above ground infrastructure associated with the project.</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5, para. 119], states that:</p> <p>“Existing land drains along the onshore cable route and at the onshore project substation will be reinstated following construction. A local specialist drainage contractor will undertake surveys to locate drains and create drawings both pre- and post-construction and ensure appropriate reinstatement. The Construction Surface Water Drainage Plan will include provisions to minimise water within the working area and ensure ongoing drainage of surrounding land.”</p> <p>The Code of Construction Practice, which include the above, is secured via Requirement 19 of the draft DCO (Revision C) [document reference</p>

I.D.	Relevant Representation	Applicant Comment
		3.1]. In addition and Agricultural Liaison Officer (ALO) would be appointed to work with landowners.
23.8	Further and importantly, it does not appear that there is any enforceable requirement that requires the undertaker of the Projects (or any one of them) to monitor, manage and maintain the drainage systems which have through the construction and subsequent operation of the Projects (or any one of them) been installed or altered. Given the unresolved legacy land drainage issues experienced by Our Clients since the initial construction of the original (and now to-be-extended) offshore wind farm in 2009/10, Our Clients request that clarity is sought on how post-construction drainage matters are to be approved and, if required, enforced.	The Applicant has amended Requirement 17 to include reference to management and maintenance of drainage systems. Please see the draft DCO (Revision C) [Document Reference 3.1] to be submitted at Deadline 1.
24	Impact during the decommissioning of the Projects	No response required by the Applicant.
24.1	Paragraph 222 of Chapter 19 (Land Use Agriculture and Recreation) of the Environmental Statement [APP-105] states that no decision has yet been made regarding the final decommissioning policy for the onshore export cables. However, this paragraph sets out that it is likely that the cables would be pulled through the ducts and removed, with the ducts themselves left in situ.	No response required by the Applicant.
24.2	It is also noted that whilst Requirement 8 in the draft DCO [AS-009] requires a decommissioning programme to be submitted to the Secretary of State for approval before offshore works on either of the Projects begins.	No response required by the Applicant.
24.3	However, this should be contrasted with Requirement 29 which deals with onshore decommissioning. Requirement 29 would only require an onshore decommissioning programme to be submitted to the planning authority for approval within six months of the permanent cessation of the commercial operation of either of the Projects.	No response required by the Applicant.
24.4	This approach and proposed trigger means that the uncertainty as to the approach to decommissioning shall endure throughout the proposed 40 year operational life of the Projects. We question whether	The approach taken is in line with recently granted offshore wind development consent orders and is reasonable in the circumstances. It is anticipated that there will be changes to industry best practice, policy and legislation during the considerable length of time between now and

I.D.	Relevant Representation	Applicant Comment
	<p>Equinor could provide any further certainty or parameters for the decommissioning of the Projects at this stage.</p>	<p>decommissioning (see example ES Chapter 19 Land Use, Agriculture and Recreation, [APP- 130, Section 19.7.3]). The Applicant seeks to ensure that decommissioning is suited to those altered conditions and therefore does not seek to provide any further details at this stage. The periods for approval set out in Requirements 8 and 29 of the draft DCO (Revision C) [document reference 3.1] are suitable in the circumstances.</p>
24.5	<p>We also note that unlike, for example, Requirement 20 in the East Anglia ONE North Offshore Wind Farm Order 2022, Requirement 29(1) in the draft DCO [AS-009] would allow the planning authority to alter the obligations of this Requirement given the addition of the wording “unless otherwise agreed in writing by the relevant planning authority”. This has the potential to create further uncertainty as to the decommissioning of the Projects. We question whether this approach is appropriate in this case.</p>	<p>It is within the spirit of the DCO process to allow flexibility to change schemes, like a decommissioning scheme, with the appropriate approval of the relevant local planning authority in order to account for changes in circumstances. As such the Applicant does not intend to amend the wording of Requirement 29(1) as this contains the flexibility it considers necessary in order to deliver decommissioning.</p>
24.6	<p>In any event, at this stage Our Clients’ simply cannot form a robust view on the impact that the decommissioning may have on Our Clients’ Land and their business operations.</p>	<p>The Respondent’s comment is noted.</p>
24.7	<p>At the very least it appears that the removal of the cables as part of decommissioning work may involve the reinstatement of a haul road and access to the link boxes in a similar way to the cable pulls associated with the construction phase of the Projects (or any one of them).</p>	<p>As described in ES Chapter 4 Project Description [APP-090, para. 350-351] a full EIA will be carried out ahead of any decommissioning works being undertaken. The programme for decommissioning is expected to be similar in duration to the construction phase of 48 months (based on both Projects being decommissioned at the same time). The detailed activities and methodology for decommissioning will be determined later within the project lifetime, in line with relevant policies at that time. The decommissioning methodology cannot be finalised until immediately prior to decommissioning but would be in line with relevant policy at that time.</p> <p>It is anticipated that for the purposes of a worst-case scenario, the impacts would be no greater than those identified for the construction phase (which includes the haul road).</p>

5.42 Phil Daniel [RR-079]

Table 5.42.1 Applicant's comments on Phil Daniel relevant representation

I.D.	Relevant Representation	Applicant Comment
1	<p>I believe that the use of Cawston High Street for this application (and the previous one that Vattenfall had approved and others will also be making) is dangerous and will damage my property and endanger life. My house was built in 1780, designed for horses and carts. Cars hadn't even been considered, let alone massive heavy good lorries laden with soil and rubble. My house front wall stands within 2 mtrs of the road. The footings and foundations will not cope, my walls shake now when a lorry passes, the floors move. Masonry has already fallen from the roof because the Highways Dept hasn't fixed the road in over 20 years. I have asked many times, even now I have applications online that they ignore. The road is all broken up and causes lorries to shake additionally. Two people cannot pass on the path outside my house, they need to step into the road. Pushchairs have to use the road, dog walkers cannot keep their dogs safe. I honestly believe, and this is NOT frivolous, if permission is given to send hundreds of lorries along this road every day that my house will crumble and hurt someone. (redacted). Who will insure it? Who will be liable for this? Me? When it will be there actions? And then of course there is the corner that leads to the village hall near my house, a blind bend. Two lorries cannot pass on that road, the path is so narrow you can't walk along it. Lorries will climb the path to pass, they won't wait or slow down. This application is ridiculous, as it was with Vattenfall, but no one listens.</p>	<p>The Applicant can confirm that no HGV construction traffic will route through Cawston Village. This is captured within the Outline Construction Traffic Management Plan (Revision B) [document reference 9.16]. This will mitigate the impacts on Cawston High Street that are mentioned in this Relevant Representation.</p>

5.43 Robert Graver [RR-082]

Table 5.43.1 Applicant's comments on Robert Graver relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I am concerned as to exactly where the proposed new sub-station (to be sited near the existing National Grid sub-station) at Dunston will be and whether it will impact visually or generate noise near my property.	<p>The new substation will be located just south of the National Grid Norwich Main substation, see ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089].</p> <p>As set out in ES Chapter 23 Noise and Vibration [APP-109] following mitigation measures the residual impact to receptors regarding noise from the substation will be negligible. This is below the lowest observable adverse effect level of noise. For detailed information regarding the methodology and results of the substation noise assessment see the Onshore Substation Operational Noise Assessment [APP-267].</p> <p>Visual effects due to the onshore substation are likely to be contained to receptors within or on the edge of the ZVI (Zone of Visual Influence) illustrated on Figure 26.15 within ES Chapter 26 Landscape and visual assessment [APP-112].</p>

5.44 Sandra Betts [RR-085]

Table 5.44.1 Applicant's comments on Sandra Betts relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I object in the strongest way possible to this DCO application as follows: 1. Lack of proper consideration by the Applicant of an alternative, more appropriate, grid connection point The Applicant claimed, falsely and continuously, through the consultation process that it was unable to change the grid connection point set by National Grid (approx. 40 miles of onshore cable needed, affecting numerous communities). The most appropriate grid connection for this project is at the Walpole substation (7 miles of onshore cable needed, affecting very few people). The applicant has failed to fully consider this option despite being repeatedly requested to do so.	The Connection and Infrastructure Options Note (CION) Process is the mechanism used by National Grid to evaluate potential transmission options to identify the connection point in line with their obligation to develop and maintain an efficient, coordinated and economical system of the electricity transmission network. The grid connection point SEP and DEP was determined by National Grid following the completion of the CION process. The CION process stipulates that it is the decision of National Grid rather than the Applicant to decide where the grid connection point will be.

I.D.	Relevant Representation	Applicant Comment
		For more information regarding the grid connection point see Sections 3.6 and 3.10 of ES Chapter 3 Site Selection and Assessment of Alternatives [APP-089].
2	2. Need for the ExA to require the attendance of National Grid at the Hearings, to be interrogated on their actions by the ExA, in public, during the examination process National Grid should be asked to explain which alternative connection points were considered in reaching a decision about the grid connection for this project and the extent to which the impact on the environment and communities was taken into account.	Noted. The decision of which bodies attend the examination hearings is at the discretion of the Examining Authority.
3	3. Recognition, in relation to the work of the OTNR, that SEP/DEP is not an “in-flight” project	<p>Whilst SEP and DEP have not yet received consent, a project timeline has been created based on the UK Government’s offshore wind and carbon reduction plans. The Applicant is supportive of the idea of an Offshore Transmission Network (OTN) however neither the regulatory nor technical framework exists at this current time to incorporate this into the Projects.</p> <p>SEP and DEP are designated OTNR pathfinder projects, and as such the Applicant is committed to initiatives to encourage coordination in the sector. The Applicant is working with governmental and industry bodies to identify barriers and solutions to offshore wind coordination.</p>
4	4. The onshore in-combination, cumulative impacts of SEP/DEP’s landfall, substation and cable corridor construction are unacceptable when considered alongside the already consented Hornsea Three, Vanguard and Boreas projects We are seriously concerned about disruption to our lives caused by this project which may last for many years. The road leading to our house will be closed and the noise and pollution from the project will directly impact us. We are also concerned about the long-term impacts on the wildlife and countryside. Connection of SEP and DEP to the grid at Walpole would avoid this	<p>The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from</p>

I.D.	Relevant Representation	Applicant Comment
		<p>SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
5	<p>5. That the SEP/DEP application should include – as a necessary cumulative impact – the proposed East Anglia Green project, upon the consenting of which it depends</p>	<p>East Anglia Green is not linked to SEP and DEP nor are the two projects dependent on the others consent. East Anglia Green is not required in order for National Grid to provide the necessary grid capacity to connect SEP and DEP.</p> <p>Version 3 of Planning Inspectorate Advice Note Nine: Rochdale Envelope (PINS, 2018) and version 2 of Planning Inspectorate Advice Note Seventeen: Cumulative Effects Assessment (PINS, 2019a) provide guidance on plans and projects that should be considered in the CIA including:</p> <ul style="list-style-type: none"> • Projects that are under construction; • Permitted application(s) not yet implemented; • Submitted application(s) not yet determined; • All refusals subject to appeal procedures not yet determined; • Projects on the National Infrastructure Planning programme of projects; and • Projects identified in the relevant development plan (and emerging development plans – with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited and the resulting degree of uncertainty in the assessment that is possible. <p>As the 'East Anglia Green' project was only launched in January 2022 and its Scoping Opinion was published on the Planning Inspectorate website</p>

I.D.	Relevant Representation	Applicant Comment
		<p>14/12/22 (after the SEP and DEP application was submitted) it was not included as part of the cumulative impact assessment. The project did not meet any of the above criteria at the time of assessment. As with all projects in proximity to SEP and DEP, the Applicant will communicate and coordinate where possible to mitigate potential impacts.</p> <p>Whilst the East Anglia Green project was not included within the cumulative impact assessment as it was launched after the assessment was complete the Applicant will communicate with the project to ensure coordination as far as possible.</p>
6	6. The cumulative impact of the possible future construction of large battery storage facilities to improve the economic viability of the project, as has happened with the Hornsea Three project	As per Section 4.6 of the ES Chapter 4 Project Description [APP-090] battery storage is not included in the DCO application for this project.
7	7. Unacceptable development scenarios are presented for single project and sequential development. Scenarios 1a, 1b, 1c, 3 and 4 should not be permitted Orsted's Hornsea 3 project and Vattenfall's Vanguard and Boreas projects can bring into Norfolk 2.4 GW and 3.6 GW respectively. Therefore, we cannot see the justification for the Applicant wanting to dig approximately the same width cable path through Norfolk for a mere 0.338 from SEP or 0.448 GW from DEP (scenarios 1a and 1b). Scenarios 1c, 3 and 4 involve digging up the cable path twice! The huge cost to the environment and disruption to people's lives and livelihoods of these scenarios is simply not justified.	<p>As set out in Section 7 of the Scenarios Statement [APP-314] the preferred option is a development scenario with an integrated transmission system, providing transmission infrastructure which serves both of the wind farms, where both Projects are built concurrently, and the onshore infrastructure is integrated (i.e. scenario 4). The Applicant recognises that a concurrent development is beneficial for communities, the environment, and for the ultimate economics of the Project, in addition to the benefits this has for consumers.</p> <p>Given the different commercial ownerships of each Project, alternative development scenarios such as a separated grid option (i.e. transmission infrastructure which allows each Project to transmit electricity entirely separately) will allow SEP and DEP to be constructed in a phased approach, if necessary. Therefore, the DCO application seeks to consent a range of development scenarios in the same cable corridors to allow for separate development if required, and to accommodate either sequential or concurrent build of the two Projects.</p> <p>Potential solutions to avoid staged development include either Anticipatory Investment (AI) or combined Contract for Difference (CfD) bids. The principle of AI has been decided, with details still being discussed. Regarding opportunities for combined CfD bids, the Applicant is still</p>

I.D.	Relevant Representation	Applicant Comment
		<p>awaiting an outcome from BEIS on whether the regulatory regime will be changed to make this possible.</p> <p>The Applicant is continuing to work with the relevant authorities, including OFGEM and BEIS, to overcome barriers and enable a concurrent construction scenario.</p>
8	8. The Applicant has sought to prevent objections to the project via restrictive clauses in heads of terms contract documents with landowners.	The Applicant has included standard wording within the draft Heads of Terms that have been issued to affected landowners which requires the relevant party not to object to the DCO application. The Applicant notes that several parties to whom Heads of Terms have been issued have submitted relevant representations to the Examining Authority.

5.45 Savills on behalf of Arthur Wilson (Ltd) [RR-087]

Table 5.45.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
<p>RR – 087</p> <p>Savills on behalf of Arthur Wilson (Ltd)</p> <p>(Arthur Wilson (Estates Limited))</p>	N/A	N/A	N/A

Table 5.45.2 Applicant's comments on Savills on behalf of Arthur Wilson (Ltd) relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	<p>Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.</p>	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	<p>Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.</p>	<p>The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the area – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information</p>

I.D.	Relevant Representation	Applicant Comment
		<p>regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over land. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 , Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1]</p>

I.D.	Relevant Representation	Applicant Comment
	Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> the monitoring of construction activities by an Agricultural Liaison Officer (ALO) agricultural land drainage pre and post construction identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> the undertaking of a pre-construction land survey by the ALO treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>

I.D.	Relevant Representation	Applicant Comment
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.46 Savills on behalf of Betts Family [RR-088]

Table 5.46.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR – 088 Savills on behalf of Betts (Harry John Betts, Margaret Elizabeth Betts and Elinor Betts)	10-001;10-007;10-013	Permanent Rights	Owner
	10-004;10-008;10-012	Permanent Rights	Owner in respect of sub soil beneath public highway
	10-005;10-002	Permanent Rights	As reputed owner
	10-010	Permanent Rights	Lessee or Tenant
	10-003;10-006	Temporary Possession	Owner
	10-009	Temporary Possession	Lessee or Tenant

Table 5.46.2 Applicant's comments on Savills on behalf of Betts relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
1	<p>Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.</p>	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	<p>Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.</p>	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	<p>Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.</p>	<p>The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information</p>

I.D.	Relevant Representation	Applicant Comment
		<p>regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 10-001, 10-007, 10-013, 10-004, 10-008, 10-012, 10-005, 10-002, 10-010, 10-003, 10-006 and 10-009. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] .</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice, document reference 9.1.7 [APP-302] Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (AS-009).</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
11	<p>Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	<p>Access routes – need to be agreed with landowner and defined.</p>	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions</p>

I.D.	Relevant Representation	Applicant Comment
		with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.47 Savills on behalf of D Wegg Esq [RR-089]

Table 5.47.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR – 089 Savills on behalf of D Wegg Esq (David George Wegg)	05-010	Temporary Possession	As reputed owner.
	05-001;05-005;05-011	Temporary Possession	Owner in respect of sub soil beneath half width of public highway.
	05-006;05-009	Permanent Rights	As reputed owner.
	05-004;05-012	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.

Table 5.47.2 Applicant's comments on Savills on behalf of D Wegg Esq relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>

I.D.	Relevant Representation	Applicant Comment
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 05-</p>

I.D.	Relevant Representation	Applicant Comment
		<p>010, 05-001, 05-005, 05-011, 05-006, 05-009, 05-004 and 05-012. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1] .</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil</p>

I.D.	Relevant Representation	Applicant Comment
		Management Plan will form part of the Code of Construction Practice , the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].
11	Outline Code of Construction – the wording needs to be agreed to include; <ul style="list-style-type: none"> a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies. 	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]). All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	<p>OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.</p>	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>

5.48 Savills on behalf of Foster Harrison Farm [RR-090]

Table 5.48.1 Savills on behalf of Foster Harrison Farm Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
<p>RR - 090</p> <p>Savills on behalf of Foster Harrison Farm</p> <p>(Foster Harrison Farm)</p>	35-001	Permanent Rights	Owner

Table 5.48.2 Applicant's comments on Savills on behalf of Foster Harrison Farm relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land. Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 Project Description [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the area – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements	The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the

I.D.	Relevant Representation	Applicant Comment
		<p>Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115] having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Chapter 4 Project Description [APP-09].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 35-001. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the</p>

I.D.	Relevant Representation	Applicant Comment
		<p>landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
9	Dust control – as above.	<p>The Applicant refers to Chapter 22 Air Quality, [APP-108].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan	<p>The Applicant refers to Chapter 19 Land Use, Agriculture and Recreation, [APP- 105].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] .</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each

I.D.	Relevant Representation	Applicant Comment
		<p>phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 Project Description [APP-090, Section 4.6.1.7] which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>

5.49 Savills on behalf of H Steel [RR-091]

Table 5.49.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 091	07-005;07-015;10-010	Permanent Rights	Owner
Savills on behalf of H Steel	07-004;07-009;10-008	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
(Henry Charles Steel)	07-007;07-008;07-011;07-014;10-009	Temporary Possession	Owner
	07-012;07-013	Temporary Possession	As Reputed Owner

Table 5.49.2 Applicant's comments on Savills on behalf of H Steel relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they	Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.

I.D.	Relevant Representation	Applicant Comment
	<p>be any upward movement in the future the Landowner needs to be advised accordingly.</p>	<p>installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	<p>Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.</p>	<p>The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and</p>

I.D.	Relevant Representation	Applicant Comment
		<p>the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 07-005, 07-015, 10-010, 07-004, 07-009, 10-008, 07-007, 07-008, 07-011, 07-014, 10-009, 07-012 and 07-013. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>

I.D.	Relevant Representation	Applicant Comment
8	Flood Issues – how is water from the construction corridor going to be controlled.	The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice , the approval of which is secured by Requirement 19 of the draft Order (Revision C) [document reference 3.1].
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] .</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each

I.D.	Relevant Representation	Applicant Comment
		<p>phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant</p>

I.D.	Relevant Representation	Applicant Comment
		to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.50 Savills on behalf Heydon Nominee Company No1 [RR-092]

Table 5.50.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 092 Savills on behalf of Heydon Nominee Company No1 (Alexander Gavin Angell Lane, Rhona Jane Kirwan Bulwer-Long and Jennifer Ponsonby)	15-001;15-003	Temporary Possession	Owner
	15-002;16-005	Temporary Possession	Owner in respect of sub soil beneath half width of public highway
	16-004;16-007;16-008;16-010	Temporary Possession	Owner in respect of right of access and right of passage of services through conducting media.
	15-004	Permanent Rights	Owner
	16-002	Permanent Rights	As reputed owner
	16-001	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
	16-003;16-009	Permanent Rights	Owner in respect of right of access and right of passage of services through conducting media.

Table 5.50.2 Applicant's comments on Savills on behalf of Heydon Nominee Company No1 relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the

I.D.	Relevant Representation	Applicant Comment
		<p>Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 15-001, 15-003, 15-002, 16-005, 16-004, 16-007, 16-008, 16-010, 15-004, 16-002, 16-001, 16-003 and 16-009. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the</p>

I.D.	Relevant Representation	Applicant Comment
		<p>draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the</p>

I.D.	Relevant Representation	Applicant Comment
		approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project</p>

I.D.	Relevant Representation	Applicant Comment
		Description , document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.51 Savills on behalf J Riley [RR-093]

Table 5.51.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 093 Savills on behalf of J Riley (Jeremy Harold Riley)	23-010	Temporary Possession	Owner
	23-009;23-011	Temporary Possession	Owner in respect of sub soil beneath public highway.
	23-013	Permanent Rights	Owner
	23-012	Permanent Rights	Owner in respect of sub soil beneath public highway.

Table 5.51.2 Applicant's comments on Savills on behalf of J Riley relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant..
1	The location of the main compound at Attlebridge.	The Applicant has undertaken a thorough site selection process. Details of how this process evolved is set out in the Environmental Statement Volume 3 Appendix 3.3 Onshore Main Construction Compound Site Selection Report [APP-177].
2	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
3	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
4	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
5	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the	Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.

I.D.	Relevant Representation	Applicant Comment
	ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	As per item 3, the Applicant refers to the Scenarios Statement , document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
6	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
7	Link boxes – the location of these needs to be agreed with landowner.	Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090].

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
8	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 23-010, 23-009, 23-011, 23-013 and 23-012. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
9	<p>Flood Issues – how is water from the construction corridor going to be controlled.</p>	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	<p>Dust control – as above.</p>	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
11	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
12	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control

I.D.	Relevant Representation	Applicant Comment
		Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).
13	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
14	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.52 Savills on behalf of John Crane [RR-094]

Table 5.52.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 094 Savills on behalf of John Crane	36-011;37-005	Permanent Rights	Owner
	37-002	Permanent Rights	Owner in respect of sub soil beneath public highway.
	37-001;37-003	Temporary Possession	Owner

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
(John Edward Crane)	37-004	Temporary Possession	As Reputed Owner

Table 5.52.2 Applicant's comments on Savills on behalf of John Crane relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to be laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the area – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>

I.D.	Relevant Representation	Applicant Comment
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 36-011, 37-005, 37-002, 37-001, 37-003 and 37-004. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	<p>Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.</p>	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	<p>Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p>

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>
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5.53 Savills on behalf of Julie Dacre [RR-095]

Table 5.53.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 095	22-009;22-011;23-002;23-003;23-007;23-017	Permanent Rights	Owner
Savills on behalf of Julie Dacre	23-018	Permanent Rights	As reputed owner
(Julia May Dacre)	22-010;23-004;23-012	Permanent Rights	Owner in respect of sub soil beneath public highway.
	23-005;23-008;23-016	Temporary Possession	Owner
	23-006;23-009	Temporary Possession	Owner in respect of sub soil beneath public highway.

Table 5.53.2 Applicant's comments on Savills on behalf of Julie Dacre relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	The location of the main compound at Attlebridge.	The Applicant has undertaken a thorough site selection process. Details of how this process evolved is set out in the Environmental Statement Volume 3 Appendix 3.3 Onshore Main Construction Compound Site Selection Report [APP-177].
2	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>

I.D.	Relevant Representation	Applicant Comment
3	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
4	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
5	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
6	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
7	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
8	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 22-009, 22-011, 23-002, 23-003, 23-007, 23-017, 23-018, 22-010, 23-004, 23-012, 23-005, 23-008, 23-016, 23-006 and 23-009. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p>

I.D.	Relevant Representation	Applicant Comment
		It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.
9	Flood Issues – how is water from the construction corridor going to be controlled.	The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] .
10	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document reference 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
12	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the

I.D.	Relevant Representation	Applicant Comment
		<p>planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
13	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
14	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land</p>

I.D.	Relevant Representation	Applicant Comment
		agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.54 Savills on behalf of Kidd Family [RR-096]

Table 5.54.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR-096 Savills on behalf of Kidd Family (Sally Bain, Alexa Mary Josephine Kidd, Paul Anthony Hugh Kidd, Rupert Gervase William Kidd and Elizabeth Jane Morgan)	01-038	Permanent Rights	Owner in respect of sub soil beneath half width public highway.
	01-042	Permanent Rights	Owner

Table 5.54.2 Applicant's comments on Savills on behalf of Kidd Family relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p>

I.D.	Relevant Representation	Applicant Comment
		It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having</p>

I.D.	Relevant Representation	Applicant Comment
		<p>been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 01-038 and 01-042. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p>

I.D.	Relevant Representation	Applicant Comment
		It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible
8	Flood Issues – how is water from the construction corridor going to be controlled.	The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 (APP- 259).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be

I.D.	Relevant Representation	Applicant Comment
		<p>undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>

I.D.	Relevant Representation	Applicant Comment
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.55 Savills on behalf of Mere Farm (Mannington) Ltd .[RR-097]

Table 5.55.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 097 Savills on behalf of Mere Farm (Mannington) Ltd (Mere Farm (Mannington) Limited)	11-006;11-007;12-006	Permanent Rights	Owner
	11-004	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
	10-014	Permanent Rights	Owner in respect of right of access to maintain water pipe and right of passage of water through water pipe.
	11-001;11-002	Temporary Possession	Owner in respect of right of access to maintain water pipe and right of passage of water through water pipe.

Table 5.55.2 Applicant's comments on Savills on behalf of Mere Farm (Mannington) Ltd relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	<p>The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is</p>

I.D.	Relevant Representation	Applicant Comment
		<p>included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 11-006, 11-007, 12-006, 11-004, 10-014, 11-001 and 11-002. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
11	<p>Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	<p>Access routes – need to be agreed with landowner and defined.</p>	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document reference 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions</p>

I.D.	Relevant Representation	Applicant Comment
		with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.56 Savills on behalf of Mrs E Thurtle [RR-098]

Table 5.56.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 098 Savills on behalf of Mrs E Thurtle (Elizabeth Jean Thurtle)	04-016;04-017;05-007	Permanent Rights	Owner
	05-004	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
	05-002;05-003;05-008	Temporary Possession	Owner
	05-001;05-005	Temporary Possession	Owner in respect of sub soil beneath half width of public highway.

Table 5.56.2 Applicant's comments on Savills on behalf of Mrs E Thurtle relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.

I.D.	Relevant Representation	Applicant Comment
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	<p>The Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 04-016, 04-017, 05-007, 05-004, 05-002, 05-003, 05-008, 05-001 and 05-005. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the</p>

I.D.	Relevant Representation	Applicant Comment
		<p>landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice</p>

I.D.	Relevant Representation	Applicant Comment
		<p>(Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO</p>

I.D.	Relevant Representation	Applicant Comment
		will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.57 Savills on behalf of Ms A Borrett [RR-099]

Table 5.57.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR – 099 Savills on behalf of Ms A Borrett (Anthea Bridget Borrett)	19-010; 20-003	Permanent Rights	Owner
	20-001	Permanent Rights	In respect of sub soil beneath half width of public highway.
	20-002	Temporary Possession	Owner

Table 5.57.2 Applicant's comments on Savills on behalf of Ms A Borrett relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	The working methodology in laying cables over a WWII runway. The proposal is to open cut. The runaway is a substantial structure in terms of depth of concrete and associated the drainage system. Disturbing a structure of this size would have consequential affects to the land and a more appropriate technology should be adopted such as horizontal direct drilling.	The Applicant has commissioned a Geophysical Survey of the redline boundary due to be undertaken in February 2023. The survey includes the associated fields and will identify any existing underground structures. If such existing structures are discovered the Applicant will consider what engineering options would be available toto cross the runway.
2	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>

I.D.	Relevant Representation	Applicant Comment
3	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
4	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement, document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
5	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.</p>
6	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of</p>

I.D.	Relevant Representation	Applicant Comment
		<p>confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
7	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090).</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
8	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons (APP-028) sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 19-010, 20-003, 20-001 and 20-002. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1] .</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
9	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17 , Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the</p>

I.D.	Relevant Representation	Applicant Comment
		approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
10	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 (APP- 259).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
12	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation)

I.D.	Relevant Representation	Applicant Comment
		<p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> the undertaking of a pre-construction land survey by the ALO treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
13	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
14	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>

5.58 Savills on behalf of Norwich City College of Further and Higher Education [RR-100]

Table 5.58.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 100	28-016;28-019;28-022;29-003	Permanent Rights	Owner

Savills on behalf of Norwich City College of Further and Higher Education	28-015;28-021;29-005	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
	28-017;28-018;28-020;29-001	Temporary Possession	Owner
(Norwich City College of Further and Higher Education)	29-002	Temporary Possession	Owner in respect of sub soil beneath half width of public highway.

Table 5.58.2 Applicant's comments on Savills on behalf of Norwich City College of Further and Higher Education relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent. It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 28-016, 28-019, 28-022;29-003, 28-015, 28-021, 29-005, 28-017, 28-018, 28-020, 29-001 and 29-002. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant’s preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	<p>Flood Issues – how is water from the construction corridor going to be controlled.</p>	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	<p>Dust control – as above.</p>	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>13.Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

I.D.	Relevant Representation	Applicant Comment
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.59 Savills on behalf of Norwich Diocesan Board of Finance Limited [RR-101]

Table 5.59.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 101 Savills on behalf of Norwich Diocesan Board of Finance Limited (Norwich Diocesan Board of Finance Limited)	11-008;12-003;12-004;29-006	Permanent Rights	Owner
	12-002;29-005	Permanent Rights	Owner in respect of sub soil beneath public highway.
	12-001;12-005	Temporary Possession	Owner.

Table 5.59.2 Applicant's comments on Savills on behalf of Norwich Diocesan Board of Finance Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>

I.D.	Relevant Representation	Applicant Comment
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the area – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 11-008, 12-003, 12-004 and 29-006. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7 addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft</p>

I.D.	Relevant Representation	Applicant Comment
	e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> the monitoring of construction activities by an Agricultural Liaison Officer (ALO) agricultural land drainage pre and post construction identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> the undertaking of a pre-construction land survey by the ALO treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>

I.D.	Relevant Representation	Applicant Comment
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.60 Savills on behalf of Pagepost Limited [RR-102]

Table 5.60.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR – 102 Savills on behalf of Pagepost Limited (Pagepost Limited)	18-010;18-017;19-001;19-006	Permanent Rights	Owner
	19-005	Permanent Rights	As reputed owner.
	18-016;19-004	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.
	19-003	Permanent Rights	Owner in respect of rights of access.
	19-002	Temporary Possession	Owner

Table 5.60.2 Applicant's comments on Savills on behalf of Pagepost Limited relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	<p>Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.</p>	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	<p>Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.</p>	<p>The Applicant refers to the Scenarios Statement, document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.</p>
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been</p>

I.D.	Relevant Representation	Applicant Comment
		<p>developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 18-010, 18-017, 19-001, 19-006, 19-005, 18-016, 19-004, 19-003 and 19-002. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p>

I.D.	Relevant Representation	Applicant Comment
		It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.
8	Flood Issues – how is water from the construction corridor going to be controlled.	The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.

I.D.	Relevant Representation	Applicant Comment
		<p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> the monitoring of construction activities by an Agricultural Liaison Officer (ALO) agricultural land drainage pre and post construction identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> the undertaking of a pre-construction land survey by the ALO treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006). In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>

5.61 Savills on behalf of Peddars Pigs Ltd [RR-103]

Table 5.61.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 103 Savills on behalf of Peddars Pigs Ltd (Peddars Pigs Limited)	38-006	Permanent Rights	Owner
	38-014	Permanent Rights	Owner in respect of sub soil beneath half width of public highway.

Table 5.61.2 Applicant's comments on Savills on behalf of Peddars Pigs Ltd relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.

I.D.	Relevant Representation	Applicant Comment
		<p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p>

I.D.	Relevant Representation	Applicant Comment
		<p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 38-006 and 38-014. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	<p>Flood Issues – how is water from the construction corridor going to be controlled.</p>	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	<p>Dust control – as above.</p>	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1]</p>
10	<p>Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.</p>	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	<p>Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO

I.D.	Relevant Representation	Applicant Comment
		<ul style="list-style-type: none"> • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>

5.62 Savills on behalf of S Moores Esq [RR-104]

Table 5.62.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 104	35-011;36-006	Permanent Rights	Owner

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
Savills on behalf of S Moores Esq (Simon Peter Moores)	36-004	Permanent Rights	Owner in respect of sub soil beneath public highway.
	36-001;36-005	Temporary Possession	Owner
	36-002;36-003	Temporary Possession	Owner in respect of sub soil beneath public highway.

Table 5.62.2 Applicant's comments on Savills on behalf of S Moores Esq relevant representation

I.D.	Relevant Representation	Applicant Comment
	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	1. Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	2. Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer	The Applicant refers to the Scenarios Statement , document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
	ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	Link boxes – the location of these needs to be agreed with landowner.	Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description , document reference 6.1.4 [APP-090].

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 35-011, 36-006, 36-004, 36-001, 36-005, 36-002 and 36-003. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	<p>Flood Issues – how is water from the construction corridor going to be controlled.</p>	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	<p>Dust control – as above.</p>	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

I.D.	Relevant Representation	Applicant Comment
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.63 Savills on behalf of The Mutimer Partnership Ltd [RR-105]

Table 5.63.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 105	21-011;21-012;21-014;21-015;21-016;21-017;21-018;21-019	Temporary Possession	Owner
Savills on behalf of The Mutimer Partnership Ltd	21-013	Permanent Rights	Owner

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
(The Mutimer Partnership Limited)	22-001	Permanent Rights	As reputed owner.

Table 5.63.2 Applicant's comments on Savills on behalf of The Mutimer Partnership Ltd relevant representation

I.D.	Relevant Representation	Applicant Comment
	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 21-011, 21-012, 21-014, 21-015, 21-016, 21-017, 21-018, 21-019, 21-013 and 22-001. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	<p>Flood Issues – how is water from the construction corridor going to be controlled.</p>	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	<p>Dust control – as above.</p>	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 (APP- 259).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

I.D.	Relevant Representation	Applicant Comment
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.64 Savills on behalf of Tim Horner [RR-106]

Table 5.64.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 106 Savills on behalf of Tim Horner	35-004;35-005;35-009	Temporary Possession	Owner
	35-008	Temporary Possession	Owner in respect of sub soil beneath public highway.

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
(Timothy Mark Hornor)	35-006;35-010	Permanent Rights	Owner
	35-007	Permanent Rights	Owner in respect of sub soil beneath public highway.

Table 5.64.2 Applicant's comments on Savills on behalf of Tim Hornor relevant representation

I.D.	Relevant Representation	Applicant Comment
	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>

I.D.	Relevant Representation	Applicant Comment
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>

I.D.	Relevant Representation	Applicant Comment
6	Link boxes – the location of these needs to be agreed with landowner.	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 35-004, 35-005, 35-009, 35-008, 35-006, 35-010 and 35-007. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 (APP- 259).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 (APP- 130).</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the</p>

I.D.	Relevant Representation	Applicant Comment
		<p>approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	<p>Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	<p>Access routes – need to be agreed with landowner and defined.</p>	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which</p>

I.D.	Relevant Representation	Applicant Comment
		states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.65 Savills on behalf of Trustees of Sir Charles Mott Radclyffe Will Trust [RR-107]

Table 5.65.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 107 Savills on behalf of Trustees of Sir Charles Mott Radclyffe Will Trust (William Robert Bartle Edwards and Emma Louise Suffield)	10-009	Temporary Possession	Owner in respect of legal easements reserved.
	06-006;07-010;07-017;07-020;08-002;09-002;09-005;09-007;09-008	Temporary Possession	Owner
	07-011;07-014	Temporary Possession	Owner in respect of drainage rights reserved by transfer dated 25 th March 2008.
	06-007;07-004;07-009;07-019;09-001;09-006	Permanent Rights	Owner in respect of sub soil beneath public highway.
	06-008;07-002;07-003;07-006;07-016;07-018;07-021;08-001;09-003;09-004;09-009	Permanent Rights	Owner

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
	07-015	Permanent Rights	Owner in respect of drainage rights reserved by transfer dated 25 th March 2008.
	10-010	Permanent Rights	Owner in respect of legal easements reserved.

Table 5.65.2 Applicant's comments on Savills on behalf of Trustees of Sir Charles Mott Radclyffe Will Trust relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Section 4.6.1.2 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.</p> <p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement , document reference 9.28 (APP-314) which describes the project development scenarios within the Development Consent Order application.

I.D.	Relevant Representation	Applicant Comment
4	<p>Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement, document reference 9.28 [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology.</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090].</p>

I.D.	Relevant Representation	Applicant Comment
		<p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons [APP-028] sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 10-009, 06-006, 07-010, 07-017, 07-020, 08-002, 09-002, 09-005, 09-007, 09-008, 07-011, 07-014, 06-007, 07-004, 07-009, 07-019, 09-001, 09-006, 06-008, 07-002, 07-003, 07-006, 07-016, 07-018, 07-021, 08-001, 09-003, 09-004, 09-009, 07-015 and 10-010. The Statement of Reasons [APP-028] describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	<p>Flood Issues – how is water from the construction corridor going to be controlled.</p>	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [document reference 9.17 , Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	<p>Dust control – as above.</p>	<p>The Applicant refers to Environmental Statement Chapter 22 – Air Quality, document reference 6.2.22 [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17 . Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>

I.D.	Relevant Representation	Applicant Comment
10	Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.	<p>The Applicant refers to Chapter 19 – Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] .</p>
11	Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction • identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>

I.D.	Relevant Representation	Applicant Comment
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 (AS-006).</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document reference 6.1.4 [APP-090] Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.66 Savills on behalf of Trustees of the William Gurney Charity Trust [RR-108]

Table 5.66.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR-108 Savills on behalf of Trustees of the William Gurney Charity Trust (Guy Marcus Adams, Josephine Greta Adams, Graeme Clive Stuart Gates, Malcolm Alexander, Peter	19-007	Permanent Rights	Owner
	19-008	Temporary Possession	Owner
	19-009	Temporary Possession	Owner in respect of sub soil beneath public highway.

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
Thomas Day, Ruth Mary Fry and Roger Martin Fry)			

Table 5.66.2 Applicant's comments on Savills on behalf of Trustees of the William Gurney Charity Trust relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent. The Applicant has had and continues to have productive discussions with the respondent. It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should they be any upward movement in the future the Landowner needs to be advised accordingly.	Section 4.6.1.2 of Environmental Statement Chapter 4 Project Description [APP-090] confirms that the minimum depth of cable after burial will be 1.2m. Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land. Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.]
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land.	Please see Section 4.3.1 of Environmental Statement Chapter 4 – Project Description [APP-090] for confirmation that cables will be installed in ducts.

I.D.	Relevant Representation	Applicant Comment
	<p>If the project is phased it will also allow the ducting to be laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.</p>	<p>As per item 3, the Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	<p>Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the area – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.</p>	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the ES. Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>
6	<p>Link boxes – the location of these needs to be agreed with landowner.</p>	<p>Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 Project Description, [APP-090].</p> <p>The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.</p>
7	<p>Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.</p>	<p>The Statement of Reasons (APP-028) sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 19-007, 19-008 and 19-009. The Statement of Reasons (APP-028) describes and justifies the extent and</p>

I.D.	Relevant Representation	Applicant Comment
		<p>impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1].</p> <p>With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
8	Flood Issues – how is water from the construction corridor going to be controlled.	<p>The Applicant refers to Outline Code of Construction Practice (Revision B) [Section 6.1.5] which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
9	Dust control – as above.	<p>The Applicant refers to Environmental Statement Chapter 22 Air Quality [APP- 259].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17, Section 7] addresses Air Quality Management and confirms a Dust Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	<p>Outline Soil Management Plan – the wording needs to be agreed to include;</p> <p>a. Soil reinstatement</p> <p>b. Measures to bring back soil condition and quality c. An agreed after-care plan.</p>	<p>The Applicant refers to Chapter 19 Land Use, Agriculture and Recreation [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document number 9.17, Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	<p>Outline Code of Construction – the wording needs to be agreed to include;</p> <p>a. Agricultural Liaison Officer</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement</p>

I.D.	Relevant Representation	Applicant Comment
	b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.	<p>of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> the monitoring of construction activities by an Agricultural Liaison Officer (ALO) agricultural land drainage pre and post construction identifying private water supplies so that they can be maintained (which extends to irrigation) <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> the undertaking of a pre-construction land survey by the ALO treatment of soils for weed control <p>Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).</p>
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 Project Description [APP-090 Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	<p>Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.</p>

5.67 Savills on behalf of W M Youngs and Sons (Farms) Ltd [RR-109]

Table 5.67.1 Relevant plots, Nature of the IP's Interest and Rights Sought over Land

Relevant Representation Number	Plot number (s)	Rights sought	Nature of land interest
RR - 109	17-002	Permanent Rights	Occupier
Savills on behalf of W M Youngs and Sons (Farms) Ltd	11-008;12-003;12-004;17-003	Permanent Rights	Lessee or Tenant
(W M Youngs and Sons (Farms) Ltd)	17-006	Temporary Possession	Occupier
	12-001;12-005	Temporary Possession	Lessee or Tenant

Table 5.67.2 Applicant's comments on Savills on behalf of W M Youngs and Sons (Farms) Ltd relevant representation

I.D.	Relevant Representation	Applicant Comment
0	Our client has an interest as their land is affected by the Project and would like to reserve the right to be able to make representations should it be necessary on the following issues;	No response required by the Applicant.
1	Consultation and engagement – at this current stage there is still further discussions required before a voluntary agreement can be entered into.	<p>The Applicant has provided requested information when and where possible and will continue to work constructively with the respondent.</p> <p>The Applicant has had and continues to have productive discussions with the respondent.</p> <p>It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.</p>
2	Cables depth – need to be at a minimum depth of 1.2m to ensure they avoid agricultural operations. These need to be monitored any should	Section 4.6.1.2 of Environmental Statement Chapter 4 Project Description , [APP-090] confirms that the minimum depth of cable after burial will be 1.2m.

I.D.	Relevant Representation	Applicant Comment
	they be any upward movement in the future the Landowner needs to be advised accordingly.	<p>Duct installation will be in accordance with NG TS 3.05.07 The depth from finished ground level to top of marker tile will be a minimum of 1.2m within agricultural land.</p> <p>Once the ducts are installed their depth and location will be recorded at each collar and compression fitting for inclusion in the as-built records.</p>
3	Construction and funding – the Project may be built in two phases. If, due to funding, the construction must be in two phases the landowner would prefer ducting for the cables is installed for the second phase when constructing the first phase – see point 4.	The Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.
4	Ducting for cables – ducting is preferable as should there be an issue in the future the cable can be pulled and reinstated between jointing bays instead of having to dig up the land. If the project is phased it will also allow the ducting to laid for the second phase when the first phase is constructed avoiding the land having to be dug up a second time within 5 years of having been reinstated.	<p>Please see Section 4.3.1 of Environmental Statement Chapter 4 Project Description [APP-090] for confirmation that cables will be installed in ducts.</p> <p>As per item 3, the Applicant refers to the Scenarios Statement [APP-314] which describes the project development scenarios within the Development Consent Order application.</p>
5	Cumulative impact – there is very limited detailed information on the cumulative impact with other schemes in the are – Orsted HOW3, Vattenfall, Norwich Western Link and the A47 improvements.	<p>The scope of the cumulative impacts assessment (CIA) (in terms of relevant issues and projects) has been established with consultees (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in APP-091 Section 5.8, ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard</p>

I.D.	Relevant Representation	Applicant Comment
		industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.
6	Link boxes – the location of these needs to be agreed with landowner.	Information regarding the link box locations can be found within Sections 4.3.1 and 4.6.1.3.7 of Environmental Statement Chapter 4 Project Description [APP-090]. The Applicant has had and continues to have productive discussions with the respondent with regards to link box locations and has provided information to the respondent when requested.
7	Term – a term in perpetuity is being sought although other similar schemes have only required 99 years.	The Statement of Reasons (APP-028) sets out the compelling case in the public interests for securing compulsory acquisition powers over plots 17-002, 11-008, 12-003, 12-004, 17-003, 17-006, 12-001 and 12-005. The Statement of Reasons (APP-028) describes and justifies the extent and impact of the powers sought in the draft Development Consent Order (Revision C) [document reference 3.1]. With regards to negotiation of voluntary agreements, the Applicant has had and continues to have productive discussions with the respondent. The basis of the rights being sought in perpetuity is to align with the Compulsory Acquisition rights under the DCO. The voluntary agreement ensures that the landowners are compensated for rights at the same level or above the assessment of losses should Compulsory Acquisition powers be exercised. It remains the Applicant's preference to reach a voluntary agreement for the acquisition of land and rights if possible.
8	Flood Issues – how is water from the construction corridor going to be controlled.	The Applicant refers to Outline Code of Construction Practice, document number 9.1.7 [APP-302], Section 6.1.5 which addresses surface water drainage. The Section confirms that a Construction Surface Water Drainage Plan will be developed as part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].
9	Dust control – as above.	The Applicant refers to Environmental Statement Chapter 22 Air Quality [APP-259]. The Outline Code of Construction Practice (Revision B) [document number 9.17, Section 7] addresses Air Quality Management and confirms a Dust

I.D.	Relevant Representation	Applicant Comment
		<p>Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
10	<p>Outline Soil Management Plan - the wording needs to be agreed to include; a. Soil reinstatement b. Measures to bring back soil condition and quality c. An agreed after-care plan.</p>	<p>The Applicant refers to Chapter 19 Land Use, Agriculture and Recreation, document 6.2.19 [APP- 130].</p> <p>The Outline Code of Construction Practice (Revision B) [document reference 9.17], Section 5] addresses soil management and confirms a Soil Management Plan will form part of the Code of Construction Practice, the approval of which is secured by Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1].</p>
11	<p>Outline Code of Construction – the wording needs to be agreed to include; a. Agricultural Liaison Officer b. Records of Condition c. Biosecurity d. Irrigation e. Agricultural Land Drainage f. Treatment of Soils g. Agricultural Water Supplies.</p>	<p>The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17]. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] secures that a code of construction practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works. Any code of practice submitted to the planning authority must accord with the Outline Code of Construction Practice (Revision B) [document reference 9.17]. All construction works for each phase must be undertaken in accordance with the relevant approved code of construction practice.</p> <p>Section 2.3 Construction Principles refers to:</p> <ul style="list-style-type: none"> • the monitoring of construction activities by an Agricultural Liaison Officer (ALO) • agricultural land drainage pre and post construction <p>identifying private water supplies so that they can be maintained (which extends to irrigation)</p> <p>Section 5.1 refers to:</p> <ul style="list-style-type: none"> • the undertaking of a pre-construction land survey by the ALO • treatment of soils for weed control

I.D.	Relevant Representation	Applicant Comment
		Section 8 confirms that all construction vehicles and machinery entering and leaving the working area(s) will follow the biosecurity measures of the Great Britain Invasive Non-native Species Strategy (Defra, 2015).
12	Access routes – need to be agreed with landowner and defined.	<p>In respect of the locations of construction accesses and accesses for early works, the Applicant refers to Access to Works Plan, document 2.9 [AS-006].</p> <p>In respect of post construction access for operations and maintenance, the Applicant refers to Environmental Statement Chapter 4 – Project Description, document number 6.1.4 (APP-090) Section 4.6.1.7 which states that when required access will be taken from existing field entry points. The Applicant has and continues to have productive discussions with the respondent in respect of suitable post construction access for operations and maintenance as part of a voluntary agreement.</p>
13	OFTO – there has been no detail, following the transfer of the onshore assets to the OFTO, on their responsibilities to the landowner and the communication mechanism.	Once SEP and DEP are operational, the OFTO will have responsibility for the transmission infrastructure and cables. The relevant powers and obligations under the DCO will be transferred to the OFTO, together with the relevant interests in land, which will include all relevant land agreements entered into by SEL and/or DEL. The responsibilities pursuant to the DCO will be apparent on its face. The responsibilities under the land agreements will be already known to the respondent.

5.68 Sharon Brooks [RR-110]

Table 5.68.1 Applicant's comments on Sharon Brooks relevant representation

I.D.	Relevant Representation	Applicant Comment
1	This comment is not in support of or objection to the proposal.	The Respondent's comment is noted.
2	It concerns the domestic fresh water supply to my property which runs through the fields concerned with this project.	The Applicant has documented the Interest's private water supply within the Book of Reference (Revision B) [document reference 4.1].
3	I am concerned that the domestic fresh water supply to my property may be damaged by work on these fields. Over the years when the occupying farmer deep ploughs I have lost all access to water supply. And I am	The Applicant refers to the Outline Code of Construction Practice (Revision B) [document reference 9.17] which states within section 2.3 that private water supplies will be recorded. This is with the intention of ensuring that

I.D.	Relevant Representation	Applicant Comment
	therefore very concerned that I will lose my water supply when the work for the Sheringham Shoal Extension Project and Dudgeon Extension Project takes place.	they can be maintained. Requirement 19 of the draft Development Consent Order (Revision C) [document reference 3.1] states that a Code of Construction Practice will be submitted to and approved by the relevant planning authority prior to commencement of any phase of the onshore works.
4	Once the pipe has been cut through it is very difficult to get this repaired in a timely manner. I would like the Inspector to take this under advisement	The Respondent's comment is noted.
5	I also request that my person details are redacted to respect and preserve my privacy.	No response required by the Applicant.

5.69 Councillor Steffan Aquarone [RR-111]

Table 5.69.1 Applicant's comments on Councillor Steffan Aquarone relevant representation

I.D.	Relevant Representation	Applicant Comment
1	I am a Member of Norfolk County Council, and prospective parliamentary candidate for North Norfolk. I am a deeply concerned that the highly technical nature of the application, and the formalities of the application process, mean that my constituents are not as engaged with the process as is optimal. I am therefore seeking to fulfil my role as their elected representative	<p>Noted. Please see the Consultation Report [APP-029] for information regarding how the Applicant has engaged and consulted the local community during the pre-application process.</p> <p>The approach to consultation on SEP and DEP has been developed to be accessible to all groups in the community and to enable participation. This includes the publication of a non-technical summary of the PEIR.</p> <p>Information lines have been available since the first round of consultation in 2020 and remain open to address any questions from the community.</p>
2	In particular: - Raising the lack of consideration by the Applicant of an alternative grid connection point	The Connection and Infrastructure Options Note (CION) Process is the mechanism used by National Grid to evaluate potential transmission options to identify the connection point in line with their obligation to develop and maintain an efficient, coordinated and economical system of the electricity transmission network. The grid connection point SEP and DEP was determined by National Grid following the completion of the CION process. The CION process stipulates that it is the decision of National Grid rather than the Applicant to decide where the grid connection point will be.

I.D.	Relevant Representation	Applicant Comment
		<p>For more information regarding the grid connection point see Sections 3.6 and 3.10 of ES Chapter 3 Site Selection and Assessment of the Alternatives [APP-089].</p>
3	<p>Highlighting the cumulative impacts of landfall, substations and cable corridors carving up the countryside every time a new DCO for offshore energy generation is granted. Bringing into consideration the wider discussion of offshore transmission networks.</p>	<p>The scope of the cumulative impact assessment (CIA) (in terms of relevant issues and projects) has been established with stakeholders (including other developers) during the EIA process. The cumulative impacts of SEP and DEP in conjunction with other projects, including the Hornsea Three, Vanguard and Boreas, and A47 improvement projects, is included in the Environmental Statement (ES). Further information regarding this can be found in Section 5.8 of ES Chapter 5 EIA Methodology [APP-091].</p> <p>The list of plans and projects included in the CIA is specific to each EIA topic and is detailed in each technical chapter (Chapters 6 – 29) [APP-092 – APP-115], having been developed through ongoing consultation with stakeholders. ES Chapters contain a Project Screening Table which describes the rationale for considering plans or projects further in the CIA or not. This rationale depends on factors including whether the plans or projects have been consented, the construction period, the distance from SEP and DEP and the level of confidence in the environmental information available for the plans or projects.</p> <p>Having also identified which residual impacts assessed for SEP and DEP alone have the potential for a cumulative impact with the other plans and projects, the ES chapters go on to assess the potential for cumulative impacts using the standard industry approach of using residual effects as identified in the assessments of the other plans or projects. Please refer to the ES Chapters for details of each topic specific CIA.</p>

5.70 Susie Tansley [RR-112]

Table 5.70.1 Applicant's comments on Susie Tansley relevant representation

I.D.	Relevant Representation	Applicant Comment
1	The proposed cables will travel beneath our land and whilst I understand and broadly support this application, I would like to make representations as to route details through our property.	The Respondent's comment is noted.
2	We have positive suggestions for the protection of wildlife and ways to mitigate the effects that the construction process will have on the 26 properties built on this site.	The Respondent's comment is noted.

5.71 Timewell Properties Ltd t/a Kelling Heath Holiday Park [RR-116]

Table 5.71.1 Applicant's comments on Timewell Properties Ltd t/a Kelling Heath Holiday Park relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Kelling Heath is an internationally renowned holiday park set in 300 acres of natural woodland and rare open heathland close to the north Norfolk coastline at Weybourne. It is in an area of outstanding and natural beauty and borders the SSSI location of Kelling Heath.	The respondent's comments are noted.
2	Concerns Maintaining Access • Access to Kelling Heath is from the A148 at Bodham via Gypsies' Lane which continues as Sandy Hill Lane to the park entrance, or from A149 at Weybourne via Station Road which continues as Sandy Hill Lane to the park entrance.	The respondent's comments are noted.
3	The Park has 464 plots for caravan holiday homes and lodges and 300 touring & camping pitches and operates for 11 months each year.	The respondent's comments are noted.
4	Of the 464 holiday homes the company lets 46 units with a significant majority of the remaining privately owned units subletting.	The respondent's comments are noted.
5	The Park has annual visitor numbers of 125,000 employing 125 people. Touring guests will be towing a touring caravan on first arrival and departure. Guests hiring the park's accommodation and those using privately owned accommodation arrive and depart by car. All guests will	The respondent's comments are noted.

I.D.	Relevant Representation	Applicant Comment
	leave the park during their stay to enjoy the coast and countryside and attractions of the north Norfolk area, contributing to vehicle movements.	
6	Kelling Heath has substantial facilities for guests requiring servicing by regular deliveries from vans and large lorries. In addition, new caravan holiday homes and lodges are delivered regularly throughout the year on articulated lorries. These caravans are large with the majority measuring 40ft in length by 13ft in width, with the largest 44ft by 14ft. Lodges are longer at 45ft to 47ft.	The respondent's comments are noted.
7	The Park closes for the month of January and week one of February when essential maintenance is undertaken often involving large contractors' vehicles accessing the Park. In addition, this down time is used to change letting fleet bringing in new caravan holiday homes or lodges as may be scheduled for replacement with older units removed from park. For example, in 2022, twenty-two new fleet units and two lodges were delivered in the months of February and March.	The respondent's comments are noted.
8	Touring caravans and deliveries will access Kelling Heath from the A148, access via Weybourne for these large units is not advisable due to the tight corners in Weybourne and the narrow railway bridge over the North Norfolk Railway.	The respondent's comments are noted.
9	The Health & Fitness Club at Kelling Heath has a local membership and remains open for 12 months of the year.	The respondent's comments are noted.
10	Of particular concern is the corner on Sandy Hill Lane at grid reference 52°55'39.9"N 1°09'06.0"E (as shown on the 'Land Plan – Onshore, sheet 4 of 40, application Doc no: 2.3) which will provide temporary access to the construction corridor.	<p>Access concept designs have been developed for the SEP and DEP and are detailed within the Transport Assessment, Annex 30 [APP-269].</p> <p>These outline designs will be refined post consent as part of the final Construction Traffic Management Plan to be submitted pre-construction. This is secured by Requirements 15 and 16 of the draft DCO (Revision C) [document reference 3.1].</p> <p>This refinement would include technical approvals for the access to be submitted to and agreed with Norfolk County Council. The access design would also be subject to an independent road safety audit.</p>

I.D.	Relevant Representation	Applicant Comment
11	Continued unobstructed access to Kelling Heath is always required, any closure or obstruction of Sandy Hill Lane would be harmful for the business and its users.	Appendix 4.1 of the ES - Crossing Schedule [APP-178] provides a schedule of those roads that will be crossed using 'Trenchless' techniques such as horizontal directional drilling (HDD) and those that would be proposed to be 'Open Cut'. The Applicant can confirm that Sandy Hill Lane will be crossed using trenchless techniques and therefore the road will not be closed to install the cables for SEP and/or DEP.
12	The optimum window for construction in the Weybourne and Bodham area would be the months of November to February avoiding the busiest trading times of the year when vehicle movements are at their maximum. Construction during the busiest months would result in conflict between users of Kelling Heath, other local traffic and the construction traffic.	The Applicant refers to Section 3 of the Outline Code of Construction Practice (revision B) [document reference 9.17] which sets out the Applicants commitment to proposed working hours and timing of works. Paragraph 60 notes that: "The Applicant will use best endeavours to minimise the duration of, and sensitively time, construction activities. The relevant local planning authorities will be advised of the likely timetable of works. This timetable will also be shared with affected communities through the Local Community Liaison Officer"
13	Construction Noise • The opening paragraph describes Kelling Heath Holiday Park, enjoyed by 125,000 guests per-annum who visit for the peace and tranquillity of Kelling Heath in particular, and the Weybourne and neighbouring coastline.	The Applicant refers to Environmental Statement Chapter 23 – Noise and Vibration [APP-109] in respect of anticipated noise from the cable installation and how it is proposed to be mitigated. The closest noise receptor site to Kelling Heath Holiday Park, as identified within Environmental Statement Chapter 23 – Noise and Vibration Volume 2, [APP-133] is CCR4 (residential property The Old Stables, Sandy Hill Lane). Impacts at CCR4 are reported in Environmental Statement Volume 3 Appendix 23.3 – Construction Noise Assessment[APP-266], which finds the magnitude of effect of predicted construction noise levels to be negligible at all times and for all construction activities. Kelling Heath Holiday Park is located further away from the cable corridor than CCR4; hence, noise effects at the Holiday Park will be of lower magnitude than those at CCR4.
14	To ensure that our guests can enjoy the peace and tranquillity they have come to expect, the optimum window for construction in the Weybourne and Bodham area would be the months of November to February avoiding the busiest trading times of the year The North Norfolk Tourism Industry.	The Applicant refers to Section 3 of the Outline Code of Construction Practice (Revision B) [document reference 9.17] which sets out the proposed working hours and timing of works.

I.D.	Relevant Representation	Applicant Comment
15	<p>Annually tourism accounts for some 10 million staying and day trips worth £550.000,000 to the local economy, it is the largest employer providing 30% all employment. Visitors come to enjoy the coast and countryside, but it is the coastal strip, which is most sought after, enjoyed and accessed from the A149 coast road. The A149 passes through the coastal village of Weybourne where the cables make landfall.</p>	<p>The Applicant refers to Environmental Statement Chapter 27 - Socio-Economics and Tourism [APP-113] which identifies a minor adverse impact on tourism assets during the construction phase. Proposed mitigation to reduce the impact includes:</p> <ul style="list-style-type: none"> • Reducing HGV flows along the A149 through Weybourne, set out within the Outline Construction Traffic Management Plan, (Revision B) [document reference 9.16], secured by Requirement 15 of the draft DCO (Revision C) [document reference 3.1] • Appointment of a Community Liaison Officer and a Stakeholder Engagement Plan (set out within the Outline Code of Construction Practice (Revision B) [document 9.17], secured by Requirement 19 of the draft DCO (Revision C) [document reference 3.1] • Erection of signs at all traffic management locations with the relevant contact number displayed for public enquiries. <p>As set out in the Crossing Schedule [AS-022], the onshore cable corridor would be installed across the A149 using trenchless crossing techniques such as Horizontal Directional Drilling. This involves drilling underneath the feature to avoid it. The applicant refers to Section 4.6.1.5.1 of ES Chapter 4 Project Description [APP-090] for more information on trenchless crossings techniques.</p> <p>The Outline Construction Traffic Management Plan (Revision B) [document reference 9.16] contains details of several measures that will mitigate against potential negative impacts on tourism volume and value. This includes but is not limited to reducing HGV flows along the A149 through Weybourne to reduce peak daily HGV demand to average levels.</p>
16	<p>It is desirable that construction work in the Weybourne and Bodham area is limited to the off-season period to mitigate any impact to this key industry.</p>	<p>The Applicant refers to Section 3 of the Outline Code of Construction Practice (Revision B) [document reference 9.17] which sets out the proposed working hours and timing of works.</p>

5.72 Yvonne Odrowaz-Pieniazek [RR-124]

Table 5.72.1 Applicant's comments on Yvonne Odrowaz-Pieniazek relevant representation

I.D.	Relevant Representation	Applicant Comment
1	Equinor and their representatives have stated that HDD trefoil formation would be used some 32m from my house boundary.	No response required by the Applicant.
2	I have been very clear about my concerns regarding EMF radiation and health concerns for my family. Equinor presented calculations promising readings of 0.04 to 0.86 microtesla in typical operating conditions.	The Applicant refers to Environmental Statement Appendix 28.1 - Sheringham and Dudgeon Extension Projects EMF Assessment document 6.3.28.1 [APP-279] for information on EMFs.
3	It is imperative that these exposure limits are controlled, minimised and verified. In Sweden law dictates that schools etc cannot be exposed to magnetic fields greater than 0.3 microtesla for prolonged periods everyday.	As set out in point 2, The Applicant refers to Environmental Statement Appendix 28.1 - Sheringham and Dudgeon Extension Projects EMF Assessment document 6.3.28.1 [APP-279] for information on EMFs.
4	The Institute of Building Biology recommends a maximum exposure of 0.1 microtesla for bedrooms. My mother's bedroom is very close to our boundary so her health, as well as ours, could be jeopardised as we would be exposed to this radiation for prolonged periods each day.	As set out in point 2, The Applicant refers to Environmental Statement Appendix 28.1 - Sheringham and Dudgeon Extension Projects EMF Assessment document 6.3.28.1 [APP-279] for information on EMFs.
5	Ideally, Equinor should develop this project away from permanent homes to ensure zero risk to life. As a bare minimum, the project should consider moving away from homes ahead of concerns of disruption of road closures.	The Applicant refers to Environmental Statement Chapter 3 – Site Selection & Assessment of Alternatives, document 6.1.3 [APP-089] Section 3.9 which sets out the approach taken to selection of the onshore cable corridor.

6 Statements of Representation

6.1 Jonas Seafood [AS-037]

Table 6.1.1 Applicant's comments on Jonas Seafood's statement of representation

I.D.	Relevant Representation	Applicant Comment
1	<p>The compensatory payment made to fishermen for moving their gear away from these affected areas directly affects the amount of raw material our company has to process. I have made our concerns clear to Equinor (Kari Hege) directly. Due to the fact that windfarm companies are not bound to negotiate with any other parties other than those directly affected, our representations have been ignored. We are very much a special case as we only process crab and lobster from this coast. I have documented evidence of how the company was starved of raw material during the last construction phase of these two windfarms. A similar scenario during this proposed construction phase will result in the closure of Jonas Seafood Ltd and the loss of 65 jobs in Cromer.</p>	<p>Mitigation payments to seafood processors, such as Jonas Seafood Ltd, are not proposed for SEP and DEP.</p> <p>The Applicant believes that the fishing industry and offshore wind farm developments can co-exist and, as such, sets out with the objective to co-exist with the fishing industry in and around SEP and DEP, with key principles and measures for co-existence defined within the Fisheries Liaison and Co-existence Plan [APP-295]. On the basis that fishing will resume within and around SEP and DEP during the operational phase, medium to long-term effects on the UK potting fleet are not assessed to be significant.</p>

6.2 Perenco [AS-038]

Table 6.2.1 Applicant's comments on Perenco statement of representation

I.D.	Relevant Representation	Applicant Comment
1	<p>Perenco UK Limited would like to register as an Interested Party with respect to the Sheringham and Dudgeon (Windfarm) Extension Projects (Registration Identification Number: 20033222).</p> <p>We have already been in dialogue with Equinor concerning our Waveney platform which will be significantly impacted by the proximity of the Sheringham and Dudgeon (Windfarm) Extension Projects.</p>	<p>The Applicant is looking to continue dialogue with Perenco UK Limited.</p> <p>A meeting was held on the 13th of February 2023 where Perenco advised the Applicant of their intention to submit a detailed written representation at Deadline 1.</p> <p>Another meeting has been scheduled following Deadline 1 for the discussion of their representation and the two parties hope thereafter to enter in to the drafting of a statement of common ground.</p>

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