



## **Application by Equinor New Energy Limited for an Order Granting Development Consent for the Sheringham Shoal Offshore Wind Farm Extension Project and Dudgeon Offshore Wind Farm Extension Project**

### **The Examining Authority's second written questions and requests for information (WQ2)**

**Issued on Wednesday 12 April 2023**

This document sets out the Examining Authority's (ExA) Second Written Questions and requests for information (WQ2), in order to facilitate the conduct of the Examination. Responses are due by **Deadline 3, Tuesday 2 May 2023**.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues in the Rule 6 letter, Annex C [PD-006]. The questions relate to issues as they have arisen during the Examination through the review of application material, written submissions, site inspections and Hearings.

Column 1 sets out the unique reference number to each question which starts with 'Q2' (indicating that it is from WQ2), followed by an issue number, a sub-heading number and a question number. When you are answering a question, please start your answer by quoting the unique reference number.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. Please provide a substantive response to the questions directed at you, or indicate why the question is not relevant to you. You may also respond to questions that are not directed at you, should the question be relevant to your interests.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact [sadep@planninginspectorate.gov.uk](mailto:sadep@planninginspectorate.gov.uk) and include 'Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Project' in the subject line of your email.

**Responses are due by Deadline 3, Tuesday 2 May 2023.**



## List of abbreviations

<b>AADT</b>	Annual Average Daily Traffic	<b>CA</b>	The Infrastructure Planning (Compulsory Acquisition) Regulations 2010
<b>AEoI</b>	Adverse Effect in Integrity	<b>Regulations</b>	
<b>AEZ</b>	Archaeological Exclusion Zone	<b>CCA</b>	Climate Change Allowance
<b>ALARP</b>	As Low As Reasonably Possible	<b>CCR2C</b>	Noise Receptor CCR2
<b>ALC</b>	Agricultural Land Classification	<b>CfD</b>	Contract for Difference
<b>AONB</b>	Area of Outstanding Natural Beauty	<b>CIA</b>	Cumulative Impact Assessment
<b>AP</b>	Affected Persons	<b>CIL</b>	Community Infrastructure Levy
<b>ASI</b>	Accompanied Site Inspection	<b>CION</b>	Connections and Infrastructure Options Note
<b>AQMA</b>	Air Quality Management Area	<b>CoCP</b>	Code of Construction Practice
<b>BEIS</b>	Department for Business, Energy & Industrial Strategy	<b>CPRE</b>	The Countryside Charity
<b>BMV</b>	Best and Most Versatile	<b>CNMP</b>	Construction Noise Management Plan
<b>BNG</b>	Biodiversity Net Gain	<b>DAS</b>	Design and Access Statement
<b>BoR</b>	Book of Reference	<b>dB</b>	Decibel
<b>BDC</b>	Broadland District Council	<b>dDML</b>	Draft Deemed Marine License
<b>BYR</b>	Blue, Yellow and Red	<b>dDCO</b>	Draft Development Consent Order
<b>CA</b>	Compulsory Acquisition	<b>DEFRA</b>	Department for Environment, Food & Rural Affairs
<b>CA Guidance</b>	Planning Act 2008: guidance related to procedures for the compulsory acquisition of land	<b>DEP</b>	Dudgeon Offshore Wind Farm Extension Project
		<b>DEL</b>	Dudgeon Extension Limited



<b>DEP-N</b>	Dudgeon Offshore Wind Farm Extension Project North	<b>FLOWW</b>	Fishing Liaison with Offshore Wind and Wet Renewables Group
<b>DEP-S</b>	Dudgeon Offshore Wind Farm Extension Project South	<b>GCN</b>	Great Crested Newts
<b>DIO</b>	Defence Infrastructure Organisation	<b>GLVIA3</b>	Guidelines for Landscape and Visual Impact Assessment 3
<b>DMRB</b>	Design Manual for Roads and Bridges	<b>GVA</b>	Gross Value Added
<b>DOW</b>	Dudgeon Offshore Wind Farm	<b>GWTMZ</b>	Greater Wash Transponder Mandatory Zone
<b>DWPA</b>	Drinking Water Protected Area	<b>HDD</b>	Horizontal Directional Drilling
<b>EA</b>	Environment Agency	<b>HE</b>	Historic England
<b>EAG</b>	East Anglia Green	<b>HGV</b>	Heavy Goods Vehicle
<b>eDNA</b>	Environment Deoxyribonucleic acid	<b>HP3</b>	Hornsea Project 3
<b>EEAST</b>	East of England Ambulance Service NHS Trust	<b>IAQM</b>	Institute of Air Quality Management
<b>EIA</b>	Environmental Impact Assessment	<b>IDB</b>	Internal Drainage Board
<b>EM</b>	Explanatory Memorandum	<b>IFCA</b>	Inshore Fisheries and Conservation Authorities
<b>EMF</b>	Electric Magnetic Field	<b>IP</b>	Interested Parties
<b>EMP</b>	Environment Management Plan	<b>ISH</b>	Issue Specific Hearing
<b>EPUK</b>	Environmental Protection UK	<b>ISH</b>	Issue Specific Hearing
<b>ES</b>	Environmental Statement	<b>km</b>	Kilometre
<b>ExA</b>	Examining Authority	<b>LA</b>	Local Authority
<b>FTE</b>	Full Time Equivalent	<b>LHA</b>	Local Highway Authority
<b>FRA</b>	Flood Risk Assessment	<b>LIR</b>	Local Impact Report



<b>LLFA</b>	Lead Local Flood Authority	<b>NO<sub>2</sub></b>	Nitrogen Dioxide
<b>LoNI</b>	Letters of No Impediment	<b>NO<sub>x</sub></b>	Nitrogen Oxides
<b>LV</b>	Light Vehicle	<b>NPPF</b>	National Planning Policy Framework
<b>LVIA</b>	Landscape and Visual Impact Assessment	<b>NPS</b>	National Policy Statement
<b>m</b>	Metre	<b>NPS EN</b>	National Policy Statement Energy Suite
<b>MCA</b>	Maritime Coastguard Agency	<b>NR</b>	Network Rail
<b>MCZ</b>	Marine Conservation Zone	<b>NRMM</b>	Non-Road Mobile Machinery
<b>MEEB</b>	Measures of Equivalent Environmental Benefit	<b>NRIDB</b>	Norfolk Rivers Internal Drainage Board
<b>MHWS</b>	Mean High Water Springs	<b>NSER</b>	No Significant Effects Report
<b>MMMP</b>	Marine Mammal Mitigation Protocol	<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>MMO</b>	Marine Management Organisation	<b>NT</b>	National Trust
<b>MoD</b>	Ministry of Defence	<b>NV</b>	Norfolk Vanguard
<b>NB</b>	Norfolk Boreas	<b>OFH</b>	Open Floor Hearing
<b>NCAONB</b>	Norfolk Coast Area of Outstanding Natural Beauty	<b>OCoCP</b>	Outline Code of Construction Practice
<b>NCC</b>	Norfolk County Council	<b>OCTMP</b>	Outline Construction Traffic Management Plan
<b>NE</b>	Natural England	<b>OFH</b>	Open Floor Hearing
<b>NFU</b>	National Farmers Union	<b>OLMP</b>	Outline Landscape Management Plan
<b>NG ESO</b>	National Grid Electricity System Operator Limited	<b>OODS</b>	Outline Onshore Drainage Strategy
<b>NH</b>	National Highways	<b>OS</b>	Ordnance Survey
<b>NNDC</b>	North Norfolk District Council	<b>OSP</b>	Offshore Platform



<b>OSEP</b>	Outline Skills and Employment Plan	<b>SLVIA</b>	Seascape and Landscape Visual Impact Assessment
<b>OTN</b>	Offshore Transmission Network	<b>SOCG</b>	Statement of Common Ground
<b>OWF</b>	Offshore Windfarm	<b>SoS</b>	Secretary of State
<b>PA2008</b>	The Planning Act 2008	<b>SOW</b>	Sheringham Offshore Windfarm
<b>PEMP</b>	Project Environment Management Plan	<b>SNCB</b>	Statutory Nature Conservation Bodies
<b>PPV</b>	Peak Particle Velocity	<b>SNDC</b>	South Norfolk District Council
<b>PRoW</b>	Public Rights of Way	<b>SPA</b>	Special Protection Area
<b>PVA</b>	Population Viability Analysis	<b>SPZ</b>	Source Protection Zone
<b>R</b>	Requirement in the dDCO	<b>SSSI</b>	Site of Special Scientific Interest
<b>RAF</b>	Royal Air Force	<b>SWMP</b>	Site Waste Management Plan
<b>RIAA</b>	Report to Inform Appropriate Assessment	<b>TA</b>	Transport Assessment
<b>RR</b>	Relevant Representation	<b>TCPA1990</b>	Town and Country Planning Act 1990 (as amended)
<b>RRH</b>	Remote Radar Head	<b>TP</b>	Temporary Possession
<b>RSPB</b>	Royal Society for the Protection of Birds	<b>TPO</b>	Tree Preservation Order
<b>RVAA</b>	Residential Visual Amenity Assessment	<b>TTSA</b>	Traffic and Transport Study Area
<b>RYB</b>	Red, Yellow and Blue	<b>USI</b>	Unaccompanied Site Inspection
<b>s</b>	Section of Parliamentary Legislation	<b>UXO</b>	Unexploded Ordnance
<b>SAC</b>	Special Area of Conservation	<b>WFD</b>	Water Framework Directive
<b>SEP</b>	Sheringham Shoal Offshore Wind Farm Extension Project	<b>WMS</b>	Written Ministerial Statement
<b>SEL</b>	Scira Extension Limited		



**WWI** World War One

**ZTV** Zones of Theoretical Visibility

**WWII** World War Two

## **Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the [Examination Library](#). The Examination Library will be updated regularly as the Examination progresses.



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<b>Q2.1. General and Cross-topic Questions</b>		
<b>Q2.1.1 Planning Policy</b>		
		No further questions in this section at this stage.
<b>Q2.1.2 Planning Permissions</b>		
		No further questions in this section at this stage.
<b>Q2.1.3 Legislative Framework</b>		
		No further questions in this section at this stage.
<b>Q2.1.4 Miscellaneous</b>		
Q2.1.4.1	Applicant <b>Local Planning Authorities</b>  <b>South Norfolk Council Response (SNC)</b>	<b>Availability of Resources for NSIP casework</b> In relation to responses from LPAs, would the Applicant be willing to commit to entering into Planning Performance Agreements in order to provide the relevant LPAs with the resource needed to ensure smooth and timely handling of requirement discharge processes should consent be granted? Explain with reasons.  <i>SNC - Leave for the applicant to respond.</i>
Q2.1.4.2	Applicant	<b>National Security</b> Considering all aspects of the Proposed Development and development scenarios, would there be any issue which may affect national security?
Q2.1.4.3	Applicant	<b>Transboundary</b> Considering all aspects of the Proposed Development and development scenarios, would there be any issue which may affect transboundary matters or foreign countries, and if so, what would be the magnitude of these impacts, and would these be adverse in nature?

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Q2.1.4.4	All parties	<b>Responses</b> a) Clearly reference any supporting evidence that you may have provided in an appendix. b) Applicant and other parties, ensure the question numbering and sub-numbering is consistent with WQ2 as published.
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<b>Q2.2. Alternatives and need</b>		
<b>Q2.2.1 Selection of Landfall Site</b>		
		No further questions under this topic at this stage.
<b>Q2.2.2 Selection of Substation Site</b>		
Q2.2.2.1	<p>Applicant National Grid Electricity System Operator Limited All Parties</p>	<p><b>Grid Connection</b></p> <p>a) Interested Parties and other persons, provide any additional comments relating to Applicant’s approach to grid connection at Norwich Main in light of the letter written by Minister of State for Energy and Climate, dated 16 January 2023 [REP1-038, Pages 471-473].</p> <p>Applicant and NG ESO, the ExA considers that adequate response have not been provided by either party to parts of WQ1.2.2.1 [REP1-036] [REP1-188], and at ISH4 [EV-057] [EV-061]. For that reason, some questions here have been repeated. The ExA requests both parties to submit a jointly prepared, comprehensive and complete responses to the following questions as a separate submission, making reference to the CION guidance as relevant. You may use the following sub-headings to structure your joint response.</p> <p><i>Decision making framework</i></p> <p>b) Notwithstanding your response [REP1-036, Q1.9.1.5], confirm and support with evidence if possible, that you already have or not a ‘connection contract in place’ with for the Proposed Development at Norwich Main. Respond with reference to the letter written by Minister of State for Energy and Climate, dated 16 January 2023 [REP1-038, Pages 471-473, Paragraph 3].</p> <p>c) Provide the CION guidance referenced at ISH4, and what do you consider to be the status of this guidance in the ExA’s considerations, and its recommendation to the SoS.</p> <p><i>Alternatives considered</i></p> <p>d) Signpost in the Application material or submit information to highlight what alternative grid connections, other than Norwich Main, were offered to the Applicant?</p>

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		<p>e) NG ESO, the ExA notes your brief response regarding Walpole Substation [REP1-188, Q1.2.2.3]. Further information in the context of the above question is requested.</p> <p><i>Selection process and roles</i></p> <p>f) At ISH4, the Applicant explained that while the CION was driven by NG ESO, it was a collaborative process to which the Applicant did contribute. In order to demonstrate compliance with NPS-EN1 (Paragraphs 4.4.1 and 4.4.2), set out the role of the Applicant in particular, and also of NG ESO and any other parties in the consideration of alternatives in the CION.</p> <p><i>Selection criteria and weighting</i></p> <p>g) What criteria did you consider in making the connection offer to the Applicant? Provide a full flow chart with the sequence of steps taken, and the criteria and weighting that underpinned key decisions.</p> <p>h) What weight or extent of consideration is given to nature, biodiversity and sites designated for nature conservation when preparing the CION and offer options?</p> <p>i) Given its distance in-land, what factors made Norwich substation the best option for the grid connection?</p>
<p><b>Q2.2.3 Viability of the grid connection and progress with other licences</b></p>		
		<p>No further questions under this topic at this stage.</p>
<p><b>Q2.2.4 The Need for this type of Energy Infrastructure, and specifically for the Proposed Development</b></p>		
		<p>No further questions under this topic at this stage.</p>

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<b>Q2.3. Benthic ecology, Intertidal, Subtidal and Coastal effects</b>		
<b>Q2.3.1 Effects on Marine Life and Benthic Habitats</b>		
Q2.3.1.1	Applicant	<p><b>Benthic Mitigation Plan</b></p> <p>a) Applicant, comment on NE’s [REP2-065] suggestion for an outline benthic mitigation plan to demonstrate the potential mitigation that could be implemented for all important receptors, including benthic reef features.</p> <p>b) Provide reasons if you do not consider that an outline benthic mitigation plan is required.</p> <p>c) Provide the outline for such a plan, without prejudice.</p>
Q2.3.1.2	Applicant	<p><b>Adaptive Management</b></p> <p>NE [REP2-064] has highlighted the need for adapted management measures if necessary following monitoring. Does the Applicant agree with the need for this approach; explain with reasons. If so, how would this be secured?</p>
Q2.3.1.3	Applicant	<p><b>Use of fall pipes</b></p> <p>The MMO has recommended [REP2-059] that the Applicant uses a fall pipe in all disposal activities wherever practicable, to ensure that sediments are broadly returned to the same areas they were removed from. Is this a method that the Applicant could commit to for disposal activities, and if so, how would this be secured?</p>
Q2.3.1.4	Marine Management Organisation Natural England	<p><b>Electromagnetic Field impacts</b></p> <p>Even if cables were buried or covered with cable protection, would this be sufficient mitigation to prevent adverse impacts to benthic ecology by reason of electromagnetic fields or through sediment heating?</p>
Q2.3.1.5	Applicant	<p><b>Scour Assessments</b></p> <p>NE [REP2-064] have requested both a Scour Assessment and a Secondary Scour Assessment to be submitted, including consideration on the scoured material on suspended sediment.</p> <p>a) Can this information be submitted or explained why this is not necessary.</p> <p>b) What is the total maximum volume of scour protection per turbine?</p>

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Q2.3.1.6	Marine Management Organisation Natural England	<p><b>UXO in Benthic Communities</b></p> <p>The Applicants' document 'Assessment of Sea Bed Disturbance Impacts from Unexploded Ordnance Clearance' [APP-080] states, regarding the recovery of benthic communities following a detonation, that "<i>Recovery of these communities will take place rapidly with full recovery expected within two years in many areas based on the resilience of most biotopes. Recovery may take longer in some coarse and mixed sediment areas but based on DOW post-construction monitoring of cable installation activities, full recovery is expected in less than four years</i>".</p> <p>a) Do you agree with the conclusions on this matter? Explain with reasons. b) Provide details if you consider further evidence or mitigation is necessary?</p> <p>See related questions in the sections on Habitats and Ecology Offshore and the section on Historic Environment and Cultural Heritage.</p>
Q2.3.1.7	Applicant	<p><b>Response to Natural England Issue and Risk Log</b></p> <p>The NE issue and risk log [REP2-064] indicates that there are many points relating to the MCZ and Benthic Ecology that NE still has concerns about, identified as red and amber in the log. Applicant, respond specifically of each of the issues where disagreement remains in Tab E – Marine and Coastal Processes, Tab F – All Other Marine Matters (where it relates to Benthic Ecology) and Tab G – Cromer MCZ. The ExA is seeking a clear response to all points.</p>
<p><b>Q2.3.2 Impact on subtidal chalk features</b></p>		
Q2.3.2.1	Applicant	<p><b>HDD exit pits - impact to chalk features</b></p> <p>a) Provide a succinct written explanation of potential impact of HDD exit pits on the MCZ, including from the use of a Jack-Up vessel? b) How can the exposure of sub-cropping chalk in the areas of the exit pits be avoided? c) Finally, how would sediment be removed, stored and redistributed from the exit pits?</p>
Q2.3.2.2	Natural England	<p><b>Sub-cropping chalk</b></p> <p>a) Explain in detail the concerns regarding potential impact to sub-cropping chalk and what value it contributes towards the MCZ conservation objectives?</p>

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		<p>b) Explain why you consider this to be a feature of the MCZ, and how it would be affected where it is below the surface?</p> <p>c) Is there any way impacts to sub-cropping chalk can be mitigated or avoided, especially if it is covered with a layer of sediment?</p>
Q2.3.2.3	Applicant	<p><b>Avoidance of sub-cropping chalk</b></p> <p>a) What would the contractor do if sub-cropping chalk is uncovered when ploughing/digging the trench for cable burial?</p> <p>b) What would be the consequence for the cable route?</p> <p>c) Could the impact to this uncovered sub-cropping chalk be avoided?</p> <p>d) Where in the application material is this set out?</p>
Q2.3.2.4	Natural England	<p><b>Cable protection or impacts to sub-cropping chalk</b></p> <p>Would it be preferable for the cable route to impact sub-cropping chalk with burial or alternatively to avoid such impact by use of cable protection in the MCZ?</p>
<b>Q2.3.3 Coastal erosion effects and coastal processes</b>		
		No further questions under this topic at this stage.
<b>Q2.3.4 Effects on the Marine Conservation Zone</b>		
Q2.3.4.1	Natural England	<p><b>Cable Protection Assessment</b></p> <p>The Applicant in ISH6 [EV-084] [EV-088] explained the analysis that underpinned the calculation of the amount of cable protection they could be required within the MCZ. To retain the necessary flexibility, the Applicant does not consider it necessary to provide more accurate cable protection details until pre-construction.</p> <p>a) Provide your comments to the Applicant's position and explain why you consider further detail is required at this stage.</p> <p>b) What would be the implications of not having further detail of cable protection requirements until post-consent/ pre-construction stage?</p>
Q2.3.4.2	Applicant Natural England	<p><b>Impacts of Cable Protection</b></p> <p>NE's position [REP2-064] is that, even with cable protection removal at decommissioning stage, scientific doubt remains regarding the impact of the proposals (alone or in</p>



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		<p>combination with other projects) on the conservation objectives of the MCZ and that site recovery would not be assured.</p> <p>a) NE, regarding the long-term habitat loss, does this point relate to the MCZ generally or can NE provide detail as to which specific features and/or conservation objectives of the MCZ would be most impacted by any cable protection?</p> <p>b) NE, given the cable corridor route is through the MCZ, is there any way to overcome your concerns or does this indicate the inevitable need for MEEB to offset potential adverse effects?</p> <p>c) If the MEEB was deemed to be required, what specific features and/ or conservation objectives would it specifically be compensating for?</p> <p>d) The Applicant can also respond to these questions.</p>
Q2.3.4.3	Natural England	<p><b>Cromer Shoals MCZ Conservation Advice update</b></p> <p>Update the ExA on the Conservation Advice package for the Cromer Shoal Chalk Beds MCZ, and the current timescales for issue.</p>
Q2.3.4.4	Applicant	<p><b>Decommissioning of Cable Protection</b></p> <p>NE states [AS-041] that real time assessment at the decommissioning phase should be undertaken of cable protection to assess the best course of action; for example, whether to remove the cable protection from the seabed. Is this something that the Applicant can commit to and secure in the dDCO?</p>
Q2.3.4.5	Applicant Marine Management Organisation Natural England Inshore Fishing Conservation Authority	<p><b>Historic oyster bed evidence</b></p> <p>The Applicant has stated [REP2-020] that there were oyster beds historically in this area, when providing support for their MEEB preference. Can you provide any evidence of historic oyster beds in this part of the southern North Sea?</p>
Q2.3.4.6	Natural England	<p><b>Need for the MEEB</b></p> <p>Considering the extent and size of the oyster bed proposed by the Applicant, would this be deemed necessary as compensation for impacts to the MCZ?</p>

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Q2.3.4.7	Applicant Natural England	<p><b>Necessary level of success for the MEEB</b></p> <p>a) Provide a view on what level of oyster bed success or partial success would be considered a suitable level of compensation?</p> <p>b) Also, would any such success need to be achieved within a particular timeframe?</p>
Q2.3.4.8	Natural England Applicant	<p><b>Securing the MEEB if necessary</b></p> <p>a) If you consider the MEEB as necessary to offset adverse impacts to the MCZ how would this best be secured?</p> <p>b) Provide suitable wording for the dDCO.</p> <p>c) Applicant may comment.</p>
Q2.3.4.9	Natural England	<p><b>Priority of MCZ qualifying features</b></p> <p>Can you provide, a list of the qualifying features of the MCZ and how they may rank in terms of priority, and particularly where sub-cropping/ subtidal chalk features may fit within this.</p>
Q2.3.4.10	Natural England	<p><b>Mixed sediment areas</b></p> <p>The Applicant at ISH6 [EV-084] [EV-088] stated that it is unlikely that the cable route would avoid areas of mixed sediment. Is there any mitigation that could be suggested that would minimise any impact to these mixed sediment areas, both if there is to be any cable protection and also if the cable can be buried?</p>
Q2.3.4.11	Applicant	<p><b>UXO in the MCZ</b></p> <p>a) Provide more details of the potential impact of craters following detonation of UXO on MCZ features such as mixed sediment, chalk or peat features.</p> <p>b) What would be the in-combination effect of such potential craters and detonations on the MCZ with other projects such as HP3?</p> <p>See related questions in the sections on Habitats and Ecology Offshore and the section on Historic Environment and Cultural Heritage.</p>

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<b>Q2.4. Civil and Military Aviation</b>		
<b>Q2.4.1 Effects on Radar and Defence Interests and Proposed Mitigation</b>		
Q2.4.1.1	Applicant Norwich Airport	<b>Norwich Airport</b> Applicant, submit a SoCG with Norwich Airport.
Q2.4.1.2	Applicant National Air Traffic Services	<b>Mitigation with National Air Traffic Services</b> Provide an update on the necessary mitigation required relating to effects of the Proposed Development on radar.
Q2.4.1.3	Applicant Ministry of Defence/ Defence Infrastructure Organisation	<b>Defence radar mitigation progress</b> The Applicant continue to work with the DIO and submit a mitigation plan, with an update on progress provided to ExA.

<b>Q2.5. Construction Effects Offshore</b>		
<b>Q2.5.1 Development Scenarios and Rochdale Envelope</b>		
Q2.5.1.1	Applicant	<p><b>Offshore Construction Programme</b></p> <p>OPEMP [REP1-017, Paragraphs 46 and 47], in respect of red-throated divers, refers to vessel movements associated with operation and maintenance works.</p> <p>Should the mitigation in the OPEMP also be applied to construction vessels in transit as well and, if so, what effect would that have on the predicted 2-4 year construction programme?</p>
Q2.5.1.2	Natural England Marine Management Organisation Wildlife Trust	<p><b>Concurrent versus sequential scenarios</b></p> <p>Depending on the construction scenario, the offshore construction period may either be 2 years in the concurrent scenario or 4 years in the sequential scenario, with a potential maximum 2 years break in between [APP-314]. The concurrent scenario would result in a greater intensity of activity, but over a shorter time frame whereas the sequential scenario would seek a lesser intensity of activity but over a longer period of time. Whilst much of the focus for offshore ornithology, marine mammals and benthic ecology has been on the operational effects, comment on:</p> <ol style="list-style-type: none"> <li>From EIA and HRA perspectives, which construction scenario is considered better and would be preferred by the Applicant and why?</li> <li>Would the concurrent scenario, by limiting the amount of construction time within the Greater Wash SPA, be more beneficial for red-throated divers than the sequential scenario?</li> <li>Is there any evidence to suggest that the on and off effect of construction in the sequential scenario would have a dissuading effect that birds may not return to the location?</li> </ol>
Q2.5.1.3	Applicant	<p><b>Horizontal Directional Drilling</b></p> <p>If both projects were to proceed, regardless of whether sequential or concurrent construction, would there only be a single HDD operation to lay the ducts and bring offshore export cables ashore? What scenarios would result in two separate HDD operations being undertaken concurrently or sequentially and why?</p>

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Q2.5.1.4	Applicant Natural England	<p><b>Statistical Differences between DEP-N and DEP as a whole</b></p> <p>The intention of the Applicant to retain optionality for DEP-N to be developed fully as opposed to being in conjunction with DEP-S, and the statistical basis underpinning this is stated [REP2-040].</p> <p>a) Is NE satisfied and in agreement with the justification?</p> <p>b) If not, in light of the statistical position put forward by the Applicant, explain why a minimal number of turbines should be built in DEP-N.</p> <p>c) Applicant and NE, if a commitment to reducing turbine numbers in DEP-N was required, where would this best be secured?</p>
Q2.5.1.5	Applicant	<p><b>Spacing of turbines</b></p> <p>Whilst there are a number of factors reported that will influence the layout of the arrays during construction [APP-090], would the spacing parameters remain the same if lesser turbines were to be built in an array or would the Applicant seek to maximise the land within the offshore Order limits?</p> <p>a) If larger turbines are used, would they be spaced further apart across the whole of the Order limits or would they be contained to a more regular 1km apart spacing?</p> <p>b) Should this explanation be included in the Offshore Design Statement [APP-312] or elsewhere in the ES [APP-090] (see question below regarding offshore design at 2.10.1.4).</p>
Q2.5.1.6	Applicant Statutory Undertakers	<p><b>Layout of arrays and protective provisions</b></p> <p>a) Applicant and Statutory Undertakers set out whether, the protective provisions would constrain the layout of the turbines.</p> <p>b) Explain the implication of these constraints, if any, for example in terms of wake losses, reduction in wind farm capacity, increased complexity of construction?</p>
Q2.5.1.7	Applicant	<p><b>Foundation Design Choice</b></p> <p>The ExA remains unconvinced with the justification provided to date, regarding not providing nor committing to the choice of foundation design for the offshore wind turbines. If the Applicant were able to give an indication of the likelihood of certain foundation types being chosen, this would benefit the Examination in assessing the extent and effectiveness of mitigation. The ExA requests the Applicant to provide greater clarity, utilising experience gained from constructing the original parent wind farms of SOW and DOW.</p>

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		<ul style="list-style-type: none"> <li>a) How many turbines at SOW and DOW were installed using piled foundations and what other types pf foundation were used?</li> <li>b) Is the geology underlying SOW and DOW likely to be consistent with the geology under the SEP and DEP arrays?</li> <li>d) Can the Applicant therefore predict the numbers of turbines within the Proposed Development likely to require piling?</li> <li>c) Without prejudice, set out for Examination, the most suitable way in which the Applicant could present a preferred foundation design choice taking account of your responses to a-c.</li> </ul>
Q2.5.1.8	Applicant	<p><b>Installation of Turbine Foundations</b></p> <p>It is stated [REP2-051] that simultaneous piling within one windfarm array remains an option.</p> <ul style="list-style-type: none"> <li>a) Would there be potential, under any scenario, for a piling action to take place simultaneously with another form of foundation type (i.e. Gravity Based foundations)?</li> <li>b) If two different foundation types could be installed simultaneously, what cumulative effects would arise and have these been assessed in the ES?</li> <li>c) Could piling or other form of foundation works take place simultaneously with the horizontal directional drilling activities to bring export cables to shore?</li> </ul>

<b>Q2.6. Construction Effects Onshore</b>		
<b>Q2.6.1 Development Scenarios</b>		
Q2.6.1.1	Applicant	<p><b>Possible Conclusion in line with s104(7) of the PA2008</b></p> <p>a) In light of several representations [too numerous to list] regarding the adverse effects on onshore communities, and the assessed adverse onshore and offshore construction stage effects and cumulative effects in the ES [too numerous to list], Applicant comment on the possibility that post Examination, the ExA finds that the balance of the evidence in Examination does not demonstrate that that the adverse impact of some or all of the options under Scenario 1 of the Proposed Development would outweigh its benefits, in line with s104(7) of the PA2008.</p> <p>The ExA is interested to explore options that may be available to the SoS, including a decision which supports granting consent for all development scenarios except some or all of the options under Scenario 1. In order to examine this option, the Applicant is requested to provide the following information:</p> <p>b) a summary of the implications in terms of the assessment of need, viability and deliverability, of an Order being made that grants development consent for all scenarios, except some or all of the options under Scenario 1;</p> <p>c) whether information provided thus far, particularly in the ES is sufficient for the assessment of significant adverse effects, especially highlighting any areas where the worst case scenario might be worse with the removal of Scenario 1;</p> <p>d) what information, particularly in the certified documents, would need to be updated to support this approach;</p> <p>e) what modifications would be required to the dDCO, if the Applicant can provide without prejudice a version of the dDCO to support this approach, and by when; and</p> <p>f) what modifications would be required to the Land Plans, Crown Land Plans and Special Category Land Plans, if the Applicant can provide without prejudice a version of the plans to support this approach, and by when.</p>
Q2.6.1.2	Applicant	<p><b>Potential for Greater Impacts</b></p> <p>a) Are there any controls in the Works Plans and provisions in the dDCO that would not allow for SEP and DEP to be constructed wholly separately but concurrently.</p>

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		b) Provide evidence to demonstrate whether SEP and DEP, if developed wholly separately but concurrently, would not result in greater effects than those assessed in the ES.
Q2.6.1.3	Applicant	<p><b>Traffic and Transport Assumptions for Development Scenarios</b></p> <p>The Applicant at ISH4 [EV-057] [EV-061] set out that the concurrent scenario allows for SEP &amp; DEP to be developed wholly separately but concurrently.</p> <p>a) Set out in full detail what assumptions have been modelled for Traffic and Transport in the concurrent scenario.</p> <p>b) The ExA is of the view that it is logical to consider that the potential traffic generated from SEP &amp; DEP when developed wholly separately but concurrently would be two lots of the in-isolation scenario added together. Explain fully why this is not the case in the ES and why the forecast traffic generated in the concurrent scenario is significantly below this.</p>
Q2.6.1.4	Applicant	<p><b>ES Assumptions on Working Crews</b></p> <p>The Applicant at ISH4 [EV-057] [EV-061] set out that the impacts assessed in the ES assume that there would be a maximum of 10 construction crews working along the onshore cable corridor at any one time.</p> <p>a) Where in the ES is this described and controlled?</p> <p>b) To avoid any potential effects that have not been assessed does or should the dDCO secure this maximum?</p>
<b>Q2.6.2 Approach to Construction, Compounds, Programme, Timing and Methods</b>		
Q2.6.2.1	Applicant	<p><b>Construction Programme</b></p> <p>At ISH4 [EV-057] [EV-061] the Applicant, with reference to the ES [APP-090, Plate 4-25], explained the worst-case scenario for the likely maximum construction period for sequential construction. The Applicant confirmed that the maximum period for onshore construction works effecting landowners would be six years for sequential construction.</p> <p>a) Signpost where in the ES this explanation relation to the maximum construction programme is set out.</p> <p>b) If it is not in the ES, submit a revision to the relevant chapter(s) to include this explanation.</p>



Q2.6.2.2	Applicant	<p><b>Potential for Greater Impacts with an Extended Construction Period</b></p> <p>At ISH4 [EV-057, 00:38:13 to – 01:05:27] [EV-061, page 13 to 22], following the discussion regarding ‘maximum construction period’ in the case of the sequential construction programme, the Applicant explained that while the planning system places a limit on commencement of a project, it does not limit how long it takes to complete a development. The Applicant went on to describe a scenario where the Proposed Development would start and then could be met with a long delay, indicating that the delay could be very long or potentially indefinite.</p> <p>The ExA agrees with the Applicant that some delays in any project delivery can happen, and that the PA2008 legislative regime does not require an end date for project delivery. Nonetheless, the ExA is concerned with the Applicant’s description of the possibility of indefinite delays to project delivery. Moreover, the assessment of different types of adverse effects in the ES and corresponding mitigations secured in the dDCO, are underpinned by a reasonable estimate of the maximum construction period; and as such, the ExA is further concerned by the Applicant’s oral representation that altogether dismissed its own reasonable estimate of the maximum construction period.</p> <p>In this context, the ExA is seeking some clarifications from the Applicant:</p> <ol style="list-style-type: none"><li>a) Describe the possibility and likelihood of long delays to the construction programme that could affect landowners and local communities, and the offshore environment.</li><li>b) What extent of delay (in weeks, months or years) to the maximum construction period have you accounted for in the ES and where is this set out? What extent of delay (in weeks, months or years), in the worst case do you expect?</li><li>c) If a long delay to construction programme were to take place, what adverse effects in the ES (onshore and offshore) would be worse than they are currently assessed? Could this mean that the mitigation that would be secured for those adverse effects could potentially be inadequate?</li><li>d) Could such long delays lead to blight for affected landowners? Explain with reasons.</li><li>e) Explain why the ExA should not recommend to the SoS to place an end date on the delivery of the Proposed Development when you have stated that the maximum</li></ol>
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		<p>construction period could be delayed to such an extent that the adverse effects could worse than assessed in the ES, and therefore the proposed mitigation not adequately effective. Provide this justification especially in the context of your response to c) and d).</p>
Q2.6.2.3	Applicant	<p><b>HDD and Other Trenchless Techniques</b></p> <p>a) The Applicant in response to written questions [Q1.6.2.5, REP1-036] provided details of different trenchless crossing techniques that could be used in the Proposed Development, although insisted at ISH3 [EV-035] [EV-040] that HDD would be the only method.</p> <p>b) Provide clarity on this matter and whether other techniques would be deployed, and where is this controlled.</p> <p>c) What would be the adverse affects of each crossing technique and how have these effects been assessed in the ES?</p>
Q2.6.2.4	Applicant	<p><b>Cable Separation within HDD Processes</b></p> <p>Set out the rationale at HDD sites for separating out the cables into a potential 8 ducts and provide examples of other projects that have adopted a similar approach to using multi-separate ducts.</p>
Q2.6.2.5	Applicant	<p><b>Link Boxes</b></p> <p>The NFU is of the view [REP1-122] that link boxes stand proud above ground level and so greatly interfere with agricultural operations and are a hazard to farm machinery. The NFU therefore consider it important to have further design information on link boxes and the siting of them, with a preference that all link boxes are located within field boundaries.</p> <p>a) Applicant, provide further information on the design of the link boxes, especially above ground if it is proposed that they would stand proud above ground level.</p> <p>b) While the ES states that link boxes would be located close to field boundaries and in accessible locations [APP-090, Paragraph 301 to 302], should the OCoCP also make a commitment to locating these close to field boundaries?</p>
Q2.6.2.6	Applicant	<p><b>Weybourne Woods</b></p> <p>A written representation [REP1-166] notes plans for a new retirement home and an extension to the Weybourne Forest Lodge holiday park where the onshore cables would</p>

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		pass beneath. Would the presence of the cables stop these developments from coming forward?
<b>Q2.6.3 Baseline survey and effects of Unexploded Ordnance</b>		
		No further questions in this section at this stage. See related questions in the sections on Habitats and Ecology Offshore, the section on Benthic ecology, Intertidal, Subtidal and Coastal effects, and the section on Historic Environment and Cultural Heritage.
<b>Q2.6.4 Effects of construction works on human health</b>		
Q2.6.4.1	Applicant	<b>Potential for Insect Infestation and Odour</b> Further to the Applicant's response [REP1-036, Q1.6.4.1], should measures to control any potential odour and insect infestation be set out in the OCoCP?
Q2.6.4.2	Corpusty and Saxthorpe Parish Council	<b>Methodology for Assessing Health Effects</b> The Applicant in its reply to Corpusty and Saxthorpe PC submissions [REP2-043] point out that the methodology for assessing health effects was agreed with NCC. At OFH2 [EV-074] [EV-075], Corpusty and Saxthorpe PC set out that it was seeking to obtain the minutes from the meeting where such matters were discussed and agreed. a) Provide those minutes if they have now been obtained. b) Does Corpusty and Saxthorpe PC have any concerns about the expertise of NCC in this regard and if so, why?
Q2.6.4.3	Applicant	<b>Consultation Methods</b> Corpusty and Saxthorpe PC is of the view [REP1-073] that the consultation methods deployed by the Applicant have been passive rather than actively investigative and exploratory in its quest for information, failing to engage properly with important aspects necessary for understanding the project impact. Applicant, address these comments and provide further justification for the approach adopted.
Q2.6.4.4	Applicant Corpusty and Saxthorpe Parish Council	<b>Impact of Offshore Wind Farms by Glasson et al (2022)</b> Corpusty and Saxthorpe PC has referred [REP1-073] to a study concerning assessment of impact of offshore wind farms by Glasson et al (2022). The Applicant [REP2-043] notes points made in Glasson et al (2022) and confirm that the Applicant's own approach to

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		mitigation, including, employing a Local Community Liaison Officer, commitments to monitor actual impacts and the provision of a community benefit fund that could lead to environmental and socio-economic initiatives, aligns with the study. a) Applicant, please can a copy of the study be provided. b) Are the above points from the Applicant accepted by the Parish Council?
Q2.6.4.5	Applicant	<b>Questions Raised by Corpusty and Saxthorpe Parish Council</b> Applicant, provide a response to the questions raised by Corpusty and Saxthorpe PC in the post hearing submission [REP1-073, a. to n.].
Q2.6.4.6	Norfolk County Council	<b>Mental Health Mitigation</b> NCC [RR-064] has set out that it would like the Applicant to include further mitigation measures to address any adverse effects on mental health, especially given the potential length of construction works, and adverse effects with regard to EMF. The Applicant has responded [REP1-036, Q1.6.4.8] that there are provisions to ensure community liaison that will contribute to reducing stress and anxiety associated with the construction programme, these include: <ul style="list-style-type: none"> <li>• Liaison with NCC about proposed construction works on Public Rights of Way; and</li> <li>• Community liaison, including the appointment of a liaison officer and setting out procedures for addressing community complaints through the OCoCP and the PEMP.</li> </ul> Does NCC agree with this and if not, what specific extra mitigation is being sought?
Q2.6.4.7	Norfolk County Council	<b>Assessment Scope</b> Does NCC agree with the Applicant's response [REP1-036, Q1.6.4.5 and Q1.6.4.6] that the inclusion of the additional vulnerable population groups and health outcomes sought by NCC would not change the overall findings of the ES [APP-114] with regards to air quality?
Q2.6.4.8	Applicant	<b>EMF</b> Explain what other factors at detailed design stage would determine the final cable configuration [REP1-036, Q1.6.4.11].
<b>Q2.6.5 Effects from emissions on air quality</b>		

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Q2.6.5.1	Applicant	<b>Air Quality</b> Following discussions at ISH3 [EV-037] [EV-042], provide justification to support your view that if adverse effects on air quality are found to be negligible, whether it should be considered for cumulative assessment. In its response, the Applicant should make reference to the EIA Regulations and PINS advice notes.
<b>Q2.6.6 Adequacy of the Outline Code of Construction Practice</b>		
Q2.6.6.1	Applicant	<b>Trenchless Crossings</b> Amend the OCoCP [APP-302, Section 2.5.9] to refer to the Crossing Schedule [AS-022] to make clear where trenchless crossings are proposed.
Q2.6.6.2	Applicant	<b>Waste Management</b> Further to discussions at ISH3 [EV-036] [EV-041] provide an amended OCoCP to include reference to the Waste Assessment [APP-207] supporting the application.
<b>Q2.6.7 Waste Management</b>		
		No further questions in this section as this stage.

<b>Q2.7. Commercial Fisheries and Fishing</b>		
<b>Q2.7.1 Effects on Fishing Stocks</b>		
Q2.7.1.1	Eastern Inshore Fisheries Conservation Authority	<p><b>Benefits to fish stock</b></p> <p>Provide further information on whether the potential for fishing restrictions, due to construction of the Proposed Development, may result in any benefits to fish stock.</p>
<b>Q2.7.2 Effects on fishing enterprises as a result of navigational or special restrictions</b>		
Q2.7.2.1	Jonas Seafoods Applicant	<p><b>Jonas Seafood compensation and impacts</b></p> <p>a) Provide further evidence to demonstrate the effects on the business during previous windfarm construction and associated fishing restrictions?</p> <p>b) Furthermore, provide further justification to demonstrate why Jonas Seafood is a special case in relation to compensation from the Applicant.</p> <p>c) Evidence from Jonas Seafood and the Applicant’s response to the evidence and the cases made to be provided jointly.</p>

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<b>Q2.8. Compulsory Acquisition and Temporary Possession</b>		
<b>Q2.8.1 Updates on Negotiations and Funding Statement</b>		
Q2.8.1.1	Applicant	<p><b>Funding Statement</b></p> <p>Please provide an update of accounts for Equinor New Energy Limited.</p>
Q2.8.1.2	Applicant	<p><b>Updates to CA and TP related material in Examination</b></p> <p>Further to the update provided at CAH1 [EV-067] [EV-071], provide:</p> <ul style="list-style-type: none"> <li>a) Titles and summaries of categories of new rights in Table 1 of the BoR to improve legibility, including cross-referencing with Table 11-1 of the SoR;</li> <li>b) Relevant amendments to the BoR to address the errors, duplication and omissions with plot numbers;</li> <li>c) Updated statutory undertakers table with colour coding to demonstrate progress with negotiations;</li> <li>d) Highlight points of disagreements with SUs at D5, and the implications arising if agreement is not reached; and</li> <li>e) Provide an update for the Heads of Terms and subsequent Option Agreements process in the CA schedule.</li> </ul>
<b>Q2.8.2 Affected Persons' Site-specific Issues</b>		
Q2.8.2.1	Applicant National Farmers Union	<p><b>Term</b></p> <ul style="list-style-type: none"> <li>a) NFU, provide evidence that 99 years term for the dDCO and aspects of CA has been secured in Triton Knoll (although the ExA understands that the 99-year term was not secured through the dDCO and through other means), the reasons why this was agreed, and the mechanism used to secure the agreement.</li> <li>b) Applicant, provide justification why you may need any of the provisions in the dDCO, especially land acquired through CA, for any more than 99 years, with reference to s122 of the PA2008.</li> </ul>
Q2.8.2.2	Applicant	<p><b>Approach to Tenants</b></p> <p>Applicant, you stated at CAH1 [EV-068] [EV-072] that it was your expectation that landlords would deal with the tenants who would be affected by CA and TP provisions in</p>

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		the dDCO. In light of the representations made on behalf of landowners, consider an approach where you might lead or support engagement and negotiation with tenants.
Q2.8.2.3	Applicant Mr Clive Hay-Smith	<p><b>Land outside the order limits, belonging to Mr Clive Hay-Smith</b></p> <p>a) Applicant, explain the reason for seeking additional 20 acres of land outside the Order limits, belonging to Clive Hay-Smith and the interaction of this land with the scope and powers of the dDCO when such land falls outside the Order limits.</p> <p>b) Applicant and Mr Clive Hay-Smith prove a joint position statement akin to a SoCG.</p>
<b>Q2.8.3 Special Land</b>		
Q2.8.3.1	Applicant	<p><b>Public Open Space</b></p> <p>Update the progress of negotiations with parties affected by the inclusion of public open space within the Order limits, and a timetable identifying key milestones towards reaching agreement in relation to the Examination timetable.</p> <p>In the Open Space Update [REP1-054, Unique Reference 120720] the Applicant has stated that with respect to plots 01-009 and 01-010, the land is unregistered.</p> <p>a) How will this affect the acquisition of these plots?</p> <p>b) Would these plots then effectively be bona vacantia?</p>
Q2.8.3.2	Applicant National Trust	<p><b>National Trust Land</b></p> <p>Provide an update on progress with negotiations and highlight any particular issues which may be an impediment to reaching a voluntary agreement before the close of the Examination.</p>
Q2.8.3.3	Applicant	<p><b>Crown Land</b></p> <p>Update progress with negotiations, supported with evidence where possible.</p>
Q2.8.3.4	Applicant	<p><b>Statutory Undertaker Land</b></p> <p>The ExA has seen the Current Status of Statutory Undertaker Negotiations [REP1-053], and requests an update at Deadline 3, to include future timescales where necessary and any particular issues that may impede progress with a Statutory Undertaker. Please set out the updated document for the status of Statutory Undertaker negotiations to follow the lead colour coding approach seen in the CA Schedule as well as any other legibility improvements possible.</p>



<b>Q2.8.4 Applicant's Strategic Case for CA and TP</b>		
Q2.8.4.1	Applicant	<p><b>Purpose for which the land is required</b></p> <p>The SoR [REP2-018] and elsewhere in the ES, it is stated that if only one project, either SEP or DEP were built, the cable corridor, working easement and permanent easements would be substantially less than the scenarios where both projects were built. Further to the discussion at CAH1 [EV-066] [EV-070] on this matter, the ExA ask the Applicant to clarify with reasons:</p> <ul style="list-style-type: none"> <li>a) If the case for CA is made for Scenario 1 options i, and ii, where either SEP or DEP do not proceed to construction;</li> <li>b) If it would be appropriate and possible to demarcate on land plans the order limits for a Scenario 1 options i, and ii, where either SEP or DEP do not proceed to construction;</li> <li>c) If landowners who would be affected by the uncertainty of the amount of land that might be acquired, might suffer blight, and if this would be taken into account when calculating compensation; and</li> <li>d) How soon the Applicant could give certainty to landowners of the preferred scenario and how this could be committed.</li> </ul>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.9. Cumulative Effects</b>		
<b>Q2.9.1 Scope and Extent</b>		
	Applicant	<b>Potential Delays to Hornsea Project 3</b> Provide the press statement relating to potential delays to the delivery of HP3 [EV-037] [EV-042].

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.10. Design</b>		
<b>Q2.10.1 Design Principles</b>		
Q2.10.1.1	Applicant	<p><b>Onshore substation platform level</b></p> <p>Confirm the lowest ground level (AoD) of the proposed onshore substation site compared to the height of the proposed platform on which the proposed substation would sit.</p>
Q2.10.1.2	Applicant	<p><b>Siting and Topography</b></p> <p>Notwithstanding the responses provided during ISH4 [EV-063], [EV-059], set out the limitations which prevent more effective mitigation of the magnitude of visual effect resulting from the proposed onshore substation. Why, for instance, would it not be possible for the layout of buildings and equipment to follow the natural topography of the site more closely?</p>
Q2.10.1.3	Applicant Relevant Local Authorities Relevant Statutory Bodies	<p><b>Consideration of the design of buildings and materials in the Design and Access Statement (onshore)</b></p> <p>With reference to the DAS (onshore) [APP-287], provide evidence to the Examination, or provide signposting to evidence already in Examination, to demonstrate that the Applicant has completed an initial phase of design that includes careful consideration of building design, massing and materials which might be appropriate for the context within which the substation buildings are proposed. Evidence should include, but may not be limited to:</p> <ol style="list-style-type: none"> <li>a) Preliminary designs for the form of buildings within the onshore substation complex which would be enclosed by a building envelope;</li> <li>b) Preliminary proposals for the material types and colour range which the Applicant believes would be appropriate for any building envelopes;</li> <li>c) Preliminary proposals which demonstrate the Applicant’s design approach and commitment to the design quality of security fencing and other site screening proposals.</li> <li>d) Relevant LAs and Statutory Bodies may respond to the adequacy of the DAS (onshore) in relation to a-c.</li> </ol>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

	<p><b>South Norfolk Council Response (SNC)</b></p>	<p><i>SNC - The Council has reviewed the DAS, which sets out preliminary design thinking for the OnSS, and provides Principles which would use as a basis for considering the more detailed designs which will come forward for approval. In line with the requirements, The proposals reflect the discussions The Council had at ETG, which take account of the views of the officers, including the landscape treatment and mitigation approach.</i></p> <p><i>The DAS sets out the thinking regarding building form (simple and cuboid), the height of which would be limited by the 15m parameter and the Council would encourage the use of low pitched roof. Materials are indicated to be insulated steel panels, painted and The Council understand the use of muted colours, matt finish would likely be put forward for approval. From previous projects, it is acknowledged that there are limitations due to operational matters which includes fencing types which have to be 3m high, with additional security, but mitigation planting will help softer this in views</i></p> <p><i>As confirmed previously at the hearings, The Council have no specific comment on the DAS, but can confirm it does set out what would be expect for a scheme of this nature and provides a good basis for reviewing designs submitted for approval under the requirements</i></p>
Q2.10.1.4	Applicant	<p><b>Offshore Design Statement</b></p> <p>Should the Offshore Design Statement [APP-312] be included within the list of certified documents. If not, set out how the offshore design-related matters described within the Offshore Design Statement would be secured in the event that consent is granted. This question should be read and responded to in conjunction with Q2.5.1.5</p>
<p><b>Q2.10.2 Design Development Process</b></p>		
Q2.10.2.1	Applicant	<p><b>Design Review</b></p> <p>a) Provide reasoning to support a design approach which does not align with the intent of NPS EN-1, paragraph 4.5.5 wherein applicants are encouraged to engage in an independent design review process</p> <p>b) Provide wording for a requirement within the dDCO to secure an independent design review process for the Proposed Development in the event that the ExA concludes that</p>



**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.11. Draft Development Consent Order</b>		
<b>Q2.11.1 General</b>		
The questions here relate to the dDCO Revision D [REP2-008] and EM Revision D [REP2-013]. All other documents referenced in the following questions have been identified with EL references.		
Q2.11.1.1	Applicant	<b>Format of providing the draft Development Consent Order with track changes</b> Provide the track change version of the dDCO that shows all the changes made since the submissions of the application.
Q2.11.1.2	Applicant	<b>Completion Date</b> Does the CfD process impose a completion date upon developers in order to attract investment into the project?
<b>Q2.11.2 Definitions</b>		
Q2.11.2.1	Applicant	<b>Definition of 'Buoy'</b> Should the SoS incorporate the Applicant's without prejudice wording [REP2-013] in the dDCO, would the definition of 'buoy' need to be adjusted to incorporate looming eye buoys?
Q2.11.2.2	Applicant <b>Local Planning Authorities</b>  National Highways	<b>Pre-commencement works</b> Following the discussion at ISH3 [EV-035, EV-040], Applicant to provide a joint position statement with LPAs to cover the following: a) how each of the activities that are excluded from the definition of commencement in dDCO are controlled, and parties' position whether or not control is required through the dDCO; b) whether there is the need for a definition for pre-commencement in the dDCO and provide wording for such a definition; c) including NCC as a consultee in R19; and d) other related changes to the wording of R19. e) NH and Applicant, confirm if the draft PPs for NH leaves a shortfall in terms of the protection required by NH, which would be covered by the outline CoCP. f) Does NH need to be listed in R19(1) as a consultee?

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

	<b>South Norfolk Council Response (SNC)</b>	<i>SNC – The Council is in discussions with the applicant and is hopeful to be able to submit a joint position statement at Deadline 4.</i>
<b>Q2.11.3 Articles</b>		
Q2.11.3.1	Applicant Marine Management Organisation	<p><b>Article 5 – Benefit of Order</b></p> <p>a) The Applicant and MMO are to continue discussions on changes to Article 5 of the dDCO. This should include the consideration of the role of MMO in sub-paragraph 5, particularly whether requirement to consult the MMO before giving consent to the transfer or grant to another person of the benefit of the provisions of the dDMLs is sufficient involvement for the MMO.</p> <p>b) MMO to also research other DCOs and whether there have been similar issues of transfer of benefits of orders and marine licences using DCO provisions, and possible duplication of processes that may have occurred.</p>
Q2.11.3.2	Applicant Marine Management Organisation	<p><b>Collaboration conditions</b></p> <p>For both parties to continue discussions as to the wording for a collaboration condition for the dDCO.</p>
Q2.11.3.3	Applicant Affected Persons	<p><b>Article 16 – Authority to survey and investigate land</b></p> <p>Applicant, consider if a definition of "<i>land adjacent to Order limits</i>" should be included in the dDCO, provide wording for such a definition, and related revision to the wording of Article 16.</p>
Q2.11.3.4	Applicant	<p><b>Article 38 – Certification of plans and documents, etc.</b></p> <p>a) Include a schedule in the dDCO that lists all certified documents with greater detail relating to the suite of documents that comprise the ES, in particular to include the updates, technical notes and other supplementary information submitted during the course of the Examination.</p> <p>b) Consider if both, a schedule of certified documents and Article 38, should be included in the dDCO.</p> <p>c) At Deadline 5, submit updated relevant ES chapter in take account of all supplementary information that has been submitted during the Examination.</p>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.11.4 Schedules</b>		
Q2.11.4.1	Applicant	<p><b>Schedule 17 – Compensation Measures</b></p> <p>a) In the definition “Sandwich Tern CIMP”, should the word ‘Compensation’ be added before the word ‘implementation’ (as is done for the kittiwake CIMP)?</p> <p>b) Are you content with the wording of Schedule 17 [REP2-008], and the potential additional wording [REP2-011], or do you consider amendments are required?</p> <p>c) Confirm when final versions of the compensation documents, relied upon within Schedule 17, will be provided to the Examination.</p>
<b>Q2.11.5 Requirements</b>		
Q2.11.5.1	Applicant	<p><b>Requirement 2</b></p> <p>Can the Applicant explain the ‘exclusions’ of towers, masts and cranes, and why these apparatuses are exempt from any dimension restrictions?</p>
Q2.11.5.2	Applicant	<p><b>Requirement 19</b></p> <p>See related question in this section under definitions.</p>
Q2.11.5.3	Applicant MMO Natural England	<p><b>Requirement 20</b></p> <p>In the interests of protecting sensitive seabird or marine mammal species and any activities they may do in the hours of darkness, should construction hours be imposed in respect of offshore works?</p>
Q2.11.5.4	Applicant	<p><b>Requirement 21</b></p> <p>Changes in Rev C of the dDCO [REP1-003] state: <i>“an assessment of noise from the substation, demonstrating that the rating level of the substation sound does not exceed the background sound level by more than 5 dB at nearby receptors, subject to context. The rating level, background sound level and context should be determined in accordance with British Standard 4142:2014+A1:2019 ‘Methods for rating and assessing industrial and commercial noise’ or an equivalent successor standard”</i>. Applicant, explain why the words ‘subject to context’ are needed?</p>
<b>Q2.11.6 Draft Deemed Marine Licences</b>		



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Q2.11.6.1	Applicant Marine Management Organisation	<b>Timeframes for determinations</b> The MMO and Applicant, provide a joint statement setting out your positions and corresponding rationales for the appropriate lead-in period (4 months or 6 months) for review and decisions from the MMO on detailed submissions from the Applicant.
Q2.11.6.2	Applicant Marine Management Organisation	<b>Outline Offshore Operation and Maintenance Plan</b> The ExA is concerned regarding the 'amber' items highlighted within the Relevant Representation [RR-053], particularly that additional licences may be required " <i>if proposed works exceed those assessed within the ES or described within the DCO.</i> " What is the likelihood of the works falling outside of the scope of the dDCO or causing greater effects than assessed as the worst-case scenario in the ES?
<b>Q2.11.7 Interaction of the dDCO with Other Legislated DCOs, Other Existing Infrastructure and Planned Projects</b>		
		No further questions in this section at this stage.

**Provisional deadline for responses is Deadline 1: Monday 20 February 2023**

<b>Q2.12. Habitats and Ecology Offshore</b>		
<b>Q2.12.1 Effects on Ornithology</b>		
Q2.12.1.1	Natural England	<p><b>Rates and Assumptions Within the Models</b></p> <p>Following the Applicant’s submission [REP2-036] can NE confirm that there is no disagreement with the Applicant regarding:</p> <ul style="list-style-type: none"> <li>• Application of the Population Viability Analysis</li> <li>• Use of the Biologically Defined Minimum Population Scale</li> <li>• Avoidance rates (including use of macro avoidance)</li> <li>• Mortality rates</li> <li>• Counterfactuals</li> <li>• Determination of the 95% CI</li> <li>• The use, or not, of ranges</li> </ul> <p>If there is disagreement, NE identify and expand on the precise issues and specify what re-modelling or reassurances are required.</p>
Q2.12.1.2	Natural England Applicant	<p><b>Highly Pathogenic Avian Influenza (HPAI)</b></p> <p>a) Applicant and NE, discuss and agree how the HPAI should be accounted for in the assessments including the relevant species, colonies, methodologies and data required.</p> <p>b) Provide details of the agreed approach and what further information is required in relation to assessing HPAI effects on the ES data set.</p> <p>c) Provide timetable for any additional evidence gathering and the timetable for submission of material in relation to the Examination Timetable.</p>
Q2.12.1.3	Applicant	<p><b>Disposal Site Characterisation Report</b></p> <p>The MMO has highlighted [REP2-059] that fish receptors, such as herring and sandeel, are not considered within the Disposal Site Characterisation Report [APP-300]. Applicant, respond to these specific comments and set out how disposal of ‘won’ material may impact on the habitats for these fish species, and the potential associated effects for relevant bird species.</p>
Q2.12.1.4	Natural England	<p><b>Outline Project Environmental Management Plan</b></p>

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	Royal Society for the Protection of Birds	The Applicant submits that mitigation for red-throated divers is contained in the OPEMP [REP1-017]. For this species, and in general, do you consider the OPEMP to be sufficiently detailed to give you assurances that appropriate mitigation will be implemented? Explain with reasons.
Q2.12.1.5	Natural England	<b>Great Black-backed Gull</b> The Applicant states that embedded mitigation to minimise collision is a 30m air gap between the sea level and the blade sweep of each turbine. This is the only mitigation measure being proposed. NE, do you consider this mitigation would adequately minimise the adverse impacts on this species and any others where you perceive the air gap to be of a benefit
Q2.12.1.6	Applicant	<b>Red-throated Diver Mortality Rate</b> a) Provide full and complete justification for a 1% mortality rate to be applied as opposed to the range of rates suggested by NE [REP2-064]. b) Why would the use of a mortality rate greater than 1% give rise to an 'unrealistic' mortality effect?
Q2.12.1.7	Applicant	<b>Clarification on ISH5, Agenda Item 4(vi)</b> Please review the recording of ISH5 of [EV-077, minutes 50-57]. Confirm your position regarding the need for compensatory measures for the Proposed Development <i>if</i> Hornsea 4 were refused.
Q2.12.1.8	Natural England Royal Society for the Protection of Birds	<b>Responses to matters raised at Issue Specific Hearing 5</b> Please review the recording for ISH5 [EV-076 to EV-083] and provide any written responses.
<b>Q2.12.2 Effects on Aquatic Wildlife including Mammals, Fish and Shellfish</b>		
Q2.12.2.1	Marine Management Organisation Natural England Norfolk Wildlife Trust	<b>Confidence in the Southern North Sea Special Area of Conservation Site Integrity Plan [APP-290]</b> Do you have confidence that site integrity plans for relevant projects in the Southern North Sea SAC would provide sufficient control over the timing and nature of noisy activities to ensure that the relevant in-combination disturbance impact thresholds for marine mammals would not be breached? Explain with reasons.

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Q2.12.2.2	Applicant	<p><b>Marine Mammal Mitigation Protocol [REP1-014], the SIP [APP-290] and HDD</b></p> <p>The focus of mitigation on mammals is around the prevention of auditory injury through percussive noise. However, there would be HDD operations within the MCZ.</p> <p>a) What level of noise, underwater or otherwise, is anticipated from the drilling and cable pulling operation to bring the offshore export cables ashore?</p> <p>b) Would that level of noise be significantly disturbing for marine mammals and require mitigation?</p> <p>c) Does the MMMP or SIP provide mitigation in respect of the HDD operation?</p> <p>d) Does the MMMP or SIP need to provide mitigation in respect of the HDD operation?</p> <p>e) If not in either of the two documents above, is the mitigation in the OPEMP.</p>
Q2.12.2.3	Applicant	<p><b>Grey Seal feature of the Humber Estuary SAC</b></p> <p>NE states [REP2-064, Point 23]: “<i>Further information is needed to demonstrate that an AEOI will not occur on the grey seal feature of the Humber Estuary SAC.</i>” The ExA note the promise of a Marine Mammals Technical Note at Deadline 3. Whilst it may be appropriate to refer to that document, when submitted, can the Applicant set out what it is doing in order to justify its position regarding AEOI on grey seal.</p>
Q2.12.2.4	Natural England Marine Management Organisation	<p><b>Underwater Noise Modelling</b></p> <p>Are you content, at this stage, that sufficient underwater noise modelling has been satisfactorily undertaken? Explain with reasons.</p>
Q2.12.2.5	Marine Management Organisation	<p><b>PTS and TTS reasoning</b></p> <p>Review document APP-193 wherein the Applicant states to have provided justification for screening out PTS and TTS from the cumulative impact assessment. Provide comments if you believe the justification and reasoning to be robust or if there remains a disagreement and why.</p>
Q2.12.2.6	Natural England Marine Management Organisation	<p><b>Barrier, Disturbance and Displacement Effects</b></p> <p>Has the Applicant adequately mitigated for potential barrier, disturbance and displacement effects to marine mammals [APP-096, REP1-014]? If not, what would you expect or require from the Applicant to give reassurances on this matter?</p>
Q2.12.2.7	Applicant	<p><b>Commitments</b></p>

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		Can the Applicant confirm (or signpost as necessary) where there are any commitments to control and restrict concurrent/simultaneous pile driving and UXO clearance activities, to avoid exceedance of thresholds for disturbance to harbour porpoise as a feature of the Southern North Sea Special Area of Conservation.
Q2.12.2.8	Marine Management Organisation	<p><b>UXO clearance</b></p> <p>Are the UXO clearance mitigations listed in the MMMP [REP1-014, paragraphs 34, 35 and 38] scientifically verified and approved by the MMO and CEFAS, ensuring that a Permanent Threshold Shift impact would be avoided?</p> <p>See related questions in the sections on Benthic ecology, Intertidal, Subtidal and Coastal effects and the section on Historic Environment and Cultural Heritage.</p>

<b>Q2.13. Habitats and Ecology Onshore</b>		
<b>Q2.13.1 Effects on Protected and Priority Species</b>		
Q2.13.1.1	Natural England	<p><b>Construction Sites and Compounds</b></p> <p>a) Does the Applicant’s comment on responses to the ExA’s first written questions [REP2-040, Q1.13.2.2] adequately identify the need for mitigation of effects from lighting and noise on bat species and their prey resulting from construction works in the vicinity of watercourses?</p> <p>b) Would the mitigation proposed reduce the potential effects on bat species and their prey to an acceptable level?</p>
Q2.13.1.2	Royal Society for the Protection of Birds	<p><b>Weybourne Cliffs</b></p> <p>Question repeated for RSPB</p> <p>It is identified that populations of sand martins nest within the cliffs [APP-106]. Would noise and vibration from the landfall construction operations, with particular regard to vibrations from the HDD, have any effect upon the integrity of the cliffs or the living conditions of the sand martins such that nesting could be abandoned?</p>
Q2.13.1.3	Natural England	<p><b>Weybourne Cliffs</b></p> <p>Does the Applicant’s response [REP1-036, Q1.13.2.4] provide sufficient information to demonstrate that there are no effects predicted on the living conditions for sand martins in this location as a result of vibration related HDD activity? If not, please expand with further reasoning.</p>
Q2.13.1.4	<p><b>South Norfolk District Council</b></p> <p>North Norfolk District Council</p> <p><b>South Norfolk Council Response (SNC)</b></p>	<p><b>Reptiles</b></p> <p>Provide your response, or provide signposting which directs to your response during the Examination, indicating whether the Applicant’s response [REP1-036, Q1.13.2.5] sets out the level of detail requested by SNDC [AS-034].</p> <p><i>SNC -</i></p> <p><i>At AS-034 SNDC requested details for the receptor site with how such site would be secured for the future [AS-034].</i></p>

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		<p><i>a. The applicant response notes that any slow worms found will be caught by hand and translocated to other suitable habitat bordering Hickling Lane (but outside the construction footprint) within the same landholding.</i></p> <p><i>This gives some comfort, but a plan showing the location of the receptor site would be helpful so that the LPA can ensure suitable protection in the future. There are several planning applications proposed in the area now and in the future and it would be desirable to avoid (where possible) and minimise future impacts. Please note that a new application 2023/0617 has been submitted to South Norfolk Council on Land North of Hickling Lane, Swainsthorpe, Norfolk. This application may affect the location of the proposed translocation exercise.</i></p> <p><i>b. the applicant should demonstrate how the proposal adheres to <a href="#">standing advice</a> for reptile translocations.</i></p> <p><a href="https://www.gov.uk/guidance/reptiles-advice-for-making-planning-decisions#:~:text=Translocation,be%20capable%20of%20supporting%20reptiles.">https://www.gov.uk/guidance/reptiles-advice-for-making-planning-decisions#:~:text=Translocation,be%20capable%20of%20supporting%20reptiles.</a></p> <p><i>c. Given only 2 slow worms were found along Hickling Lane maybe introducing them to an existing population should be considered for viability reasons. E.g. to the population at the A140 Railway Line survey site (albeit this will be affected by 2023/0617).</i></p>
<p><b>Q2.13.2 Effects on Ancient Woodland, Trees and Hedgerows</b></p>		
Q2.13.2.1	Applicant	<p><b>Wensum Woods</b></p> <p>Provide a response to NE’s suggestion [REP1-138] that Wensum Woodlands may become a SSSI due its Barbastelle bat colony and whether this impacts upon the Proposed Development in any way?</p>
Q2.13.2.2	Interested Parties <b>Local Authorities</b>	<p><b>Ancient Woodland</b></p> <p>a) Does the Applicant’s response [REP1-036, Q1.13.3.1] provide sufficient clarity on their proposed approach to mitigation of possible impacts to Ancient Woodlands?</p>

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	<p>Applicant</p> <p><b>South Norfolk Council Response (SNC)</b></p>	<p>b) Is the Applicant’s proposed approach to mitigation of possible impacts on Ancient Woodlands satisfactory at this stage?</p> <p>c) If not, set out which adverse effects would require further mitigation.</p> <p><i>BDC - The proposed approach to mitigation is satisfactory. The Council’s concern is that information on Ancient Woodland within/adjacent to the Order limits is based on the Ancient Woodland Inventory. Ancient woodland smaller than 2 hectares may not be recorded on the inventory. Given this it maybe not be the case that there are no ancient woodlands within the Order Limits. In order to give a definitive response regarding impact on ancient woodland, further onsite investigation would be required to include all woodlands within the order limits. The Council is continuing discussions with the applicant.</i></p>
<p>Q2.13.2.3</p>	<p>Applicant</p>	<p><b>Moveable Hedgerows</b></p> <p>Provide further comment on the Applicant’s position relating to the use of ‘bat fencing’ as set out in SNDC’s response to WQ1 [REP1-102, Q1.13.3.3]</p>
<p><b>Q2.13.3 Effects on Rivers and River-Based Wildlife</b></p>		
<p>Q2.13.3.1</p>	<p>Mr Hay-Smith</p>	<p><b>Chalk-based Streams</b></p> <p>In your OFH oral representation [EV-074], [EV-075] you made reference to a self-funded community program, in collaboration with EA and Norfolk Rivers Trust, carried out at Spring Beck. Please provide further details of the works carried out to date and any further intended program of works for Spring Beck. In addition, please outline the risks to the chalk-based stream that you believe could result from the Proposed Development.</p>
<p>Q2.13.3.2</p>	<p>Applicant Environment Agency</p>	<p><b>Signal Crayfish</b></p> <p>Clarify whether the Applicant’s proposed procedures for minimising risk of transmission of both crayfish plague and transmission of signal crayfish between watercourses [REP1-036, Q1.13.4.4] is agreed. Submit an updated SoCG which includes the current agreed position on this topic.</p>



<b>Q2.14. Habitats Regulation Assessment</b>		
<b>Q2.14.1 Effect of the Proposed Development on its own and In-combination with Other Plans and Projects</b>		
Q2.14.1.1	Applicant Natural England	<p><b>AEoI Conclusions</b></p> <p>The Applicant assessed a number of designated sites and features within their HRA screening and assessment processes [APP-059] on a project alone and in-combination basis. The Applicant concluded that the project, alone, would not have an AEoI on any feature of any designated site. The Applicant concluded that for the project, in-combination with other plans and projects, an AEoI could be ruled out on all features of all designated sites except for sandwich tern and kittiwake.</p> <p>The ExA require confirmation that this is a common and shared position with NE. Applicant and NE submit a jointly produced table (see Annex A), listing all relevant sites and all features from the HRA process [APP-059] and submit it to the Examination either as a standalone document or as an appendix to the SoCG. Refer to the extract from the East Anglia One North Recommendation Report and provide similar colour coding.</p>
Q2.14.1.2	Natural England	<p><b>Updated CRM Assessments</b></p> <p>Whilst a full review of the Applicant’s CRM Updates [REP1-056] is to be provided at D3, for the purpose of this question, please provide a short response confirming whether or not NE still consider compensatory measures are required for guillemot and razorbill species.</p>
Q2.14.1.3	Applicant	<p><b>Maximum Design Scenarios</b></p> <p>Are any further design, alternatives or mitigation options under consideration or not yet fully explored to reduce potential Adverse Effects on Integrity of European sites? Are there any instances where uncertainties (for example, the absence of completed ground conditions or other engineering assessment work) mean that the Maximum Design Scenario may change going forward, with subsequent implications for the information supporting the HRA?</p>
Q2.14.1.4	Natural England	<p><b>Project-led compensation</b></p> <p>The Applicant described at ISH1 [EV-011, EV-015] a process of retaining optionality with regards as to whether project-led compensation would be pursued in the future, or a contribution being made to the Marine Recovery Fund.</p>

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		<p>a) Do you think this appropriate?</p> <p>c) What in your view are the implications for the HRA conclusions and derogations tests if the means of compensation remains undetermined at the close of the Examination?</p>
Q2.14.1.5	<p>Applicant Natural England Royal Society for the Protection of Birds Norfolk Wildlife Trust Marine Management Organisation</p>	<p><b>Timetable for Delivery</b></p> <p>The Applicant's compensatory measures documents [APP-069, APP-072] set out the time periods (breeding seasons etc) for implementation of the compensatory measures before the Proposed Development becomes operational. Are these time periods sufficient in length and sufficiently secured in the dDCO?</p>
Q2.14.1.6	<p>Applicant</p>	<p><b>Timetable for Delivery</b></p> <p>Taking the sequential scenario [APP-314]:</p> <p>a) If SEP is constructed first, knowing that DEP would follow thereafter, would SEP come into operation in advance of DEP or would both SEP and DEP become operational together once all construction is complete?</p> <p>b) Do the compensatory measures documents make it clear that the compensatory measures are to be implemented before operation of any part of the Proposed Development to take account of these sequential possibilities?</p> <p>c) Typically, how long after construction does an OWF become operational (i.e. within a day, a week, a month etc).</p> <p>d) Is there a clear notification trigger in the dDCO, the DMLs or the compensatory measures documents whereby the Applicant would need to give notice of its intention to begin operation and the date when operation is intended (i.e. advance notification so it can be assured compensation starts implementation at the relevant period)?</p>
Q2.14.1.7	<p>Applicant</p>	<p><b>Derogation Funding</b></p> <p>Given the changes, updates and disagreements with regard to the overall package compensatory measures (including the without prejudice compensation), make any consequential changes to the derogation funding statement [APP-076].</p>
Q2.14.1.8	<p>Applicant</p>	<p><b>Marine and Coastal Processes</b></p>

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		NE states [REP2-064, Point 25]: " <i>For the reasons stated in our detailed comments, at present we are unable to agree with the likely significant effect (LSE) conclusions for Inner Dowsing, Race Bank and North Ridge SAC and The Wash and North Norfolk SAC. We advise that further evidence be provided to support the LSE conclusions.</i> " Can the Applicant provide the necessary evidence or provide reasoned argument as to why further evidence is unnecessary.
Q2.14.1.9	Applicant	<p><b>Quantum for Delivery</b></p> <p>If only one project were to proceed (SEP or DEP), would the compensation secured in the compensation documents still be provided in full as per the agreed documents or would the Applicant be seeking to proportionately reduce the amount of compensation to be delivered to reflect the statistical position? If the latter, where and how is this secured in the dDCO or certified documents?</p>
Q2.14.1.10	Applicant	<p><b>Compensatory Measures</b></p> <p>The Applicant, at ISH1 [EV-011, EV-015] confirmed that artificial nesting sites for kittiwakes would be provided in one of three options:</p> <ul style="list-style-type: none"> <li>• At Gateshead;</li> <li>• At Lowestoft; or</li> <li>• By 'buying in' to another DCOs compensatory measures</li> </ul> <p>The ExA request that in each case mentioned above, the Applicant to set out:</p> <ol style="list-style-type: none"> <li>a) what other consents and licences are required to ensure effective and timely delivery of the compensation and whether or not these would be seen as impediments;</li> <li>b) evidence that the proposed site can be acquired or leased;</li> <li>c) details of the ANS design and any adaptations to support kittiwakes and auks, if appropriate;</li> <li>d) an implementation timetable and when the measures would achieve their objectives in relation to the commencement of operation of the wind farm;</li> <li>e) would, or could, the Applicant exercise its CA powers if the necessary site is not secured prior to the close of the Examination;</li> </ol>

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		<p>f) would, or could, the Applicant exercise its CA powers if necessary in respect of sandwich tern compensation at Loch Ryan; and</p> <p>g) If 'buying in' was the final option on the table, how can the ExA have confidence that there would be a tangible and measurable compensation benefit arising?</p>
Q2.14.1.11	Applicant Natural England	<p><b>Seabird Assemblage and Highly Pathogenic Avian Influenza</b></p> <p>With regards to HPAI, does this effect the robustness of the Applicant's assessment and conclusions, particularly with regard to whether the bird species can continue to be considered in favourable conservation status [REP2-036]?</p>
Q2.14.1.12	Natural England Royal Society for the Protection of Birds	<p><b>Seabird Assemblage, HPAI and Applicant Assertions</b></p> <p>During ISH5 [EV-076] [EV-080], the Applicant stated that if HPAI had reduced the numbers of birds within the assemblage, there would logically be less birds to collide with the turbines and, as such, the collision risk would be lower, and the effects of any collision would be lesser upon the population. It was asserted NE agreed with that position. Do NE and the RSPB concur with the Applicant's view?</p>
Q2.14.1.13	Natural England Royal Society for the Protection of Birds	<p><b>Seabird Assemblage Methodology</b></p> <p>Has the Applicant demonstrated, to your satisfaction, that the diversity and abundance elements of the FFC SPA seabird assemblage would remain intact? Explain with reasons.</p>
Q2.14.1.14	Applicant Natural England RSPB	<p><b>Loch Ryan and the Scottish Authorities</b></p> <p>Has any meaningful consultation with the Scottish Authorities and Nature Scot taken place with regards the compensation proposals for Loch Ryan [REP1-036]? Explain with reasons.</p>
Q2.14.1.15	Natural England	<p><b>Need for compensation on Guillemot</b></p> <p>The Applicant states [REP1-057, Page 13,]: "<i>Natural England agrees with the conclusion that there is no connectivity between breeding adult guillemot population of the FFC SPA and the Projects. Therefore, no update to the assessment for the qualifying feature is required. Natural England apologies for this error.</i>" Does this change NE's position on whether compensation is required for the guillemot species?</p>
Q2.14.1.16	Applicant	<p><b>Looming eye buoys</b></p> <p>If the ExA understand correctly, the idea behind the looming eye buoys is to scare and discourage auk species from certain areas, thus reducing the conflict these species would have with fishermen/ netting etc. If proved to be an effective measure, why would the</p>

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		placing of these buoys around the wind farm arrays not be a means of reducing collision impacts?
Q2.14.1.17	Applicant	<b>Bycatch reduction</b> Confirm that the proposed bycatch reduction measure is in addition to any bycatch reduction measure required by UK policy or legislation [APP-067]?
Q2.14.1.18	Applicant	<b>Kittiwake Tower details</b> Provide the information requested by NE to substantiate the efficacy of the kittiwake tower [REP2-061].
Q2.14.1.19	Applicant Natural England National Trust	<b>Additionality and Differentially</b> It is reported that, despite current management and intervention measures, the sandwich tern population at the Farne Islands is in steep decline. The Applicant's compensation proposals include the provision of nest boxes and shelters. Are these measures already being used on the Farne Islands and, if so, would the Applicant's proposal just be perpetuating an already failing measure?
Q2.14.1.20	Natural England	<b>Marine Mammals</b> Confirm whether, in light of the MMMP and the SIP, an AEOI can be ruled out for all marine mammal species assessed in the HRA [APP-059].
Q2.14.1.21	Natural England	<b>Onshore Habitats Regulations Assessment</b> With regards to the onshore elements of the Applicant's HRA: a) Are you content with the assessment, methodology and conclusions? b) Are you content that all relevant European sites and all relevant features of those sites have been screened and considered by the Applicant? c) Are you content with the conclusions that an AEOI can be ruled out in respect of all affected onshore environmental assets? d) Are there any unresolved matters that require urgent attention during the Examination in order to secure or otherwise reassure that AEOI would not occur?
Q2.14.1.22	Applicant Natural England	<b>Pink-footed Geese</b>

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		The ExA note the best practice note on PFG [REP1-137] and the Applicant's commitment to develop an approach to PFG with NE [REP2-017]. For the HRA, can an AEOI be ruled out at this stage?
Q2.14.1.23	Natural England	<b>Pink-footed Geese mitigation</b> You highlight [REP2-064, point A25] the need for a condition for strategic mitigation to be secured. Provide further details.

<b>Q2.15. Historic Environment and Cultural Heritage</b>		
<b>Offshore Matters</b>		
<b>Q2.15.1 Adequacy of Baseline Surveys and Environmental Information</b>		
Q2.15.1.1	Applicant	<p><b>AEZs within the Offshore Temporary Works Area</b></p> <p>In responding to HE comments on this topic [REP1-113], provide signposting to relevant sections of the dDCO and dDML which secure the mitigation of potential risks to archaeological remains sought by HE.</p>
Q2.15.1.2	Applicant Historic England	<p><b>Geotechnical Work</b></p> <p>a) Applicant, Provide further comment on the suitability for purpose of the geotechnical survey work carried out to date within both the array areas and cable corridor.</p> <p>b) HE, explain, with further reasoning, whether it is deemed that the works carried out to date by the Applicant are not sufficient.</p>
Q2.15.1.3	Historic England	<p><b>Outline Written Scheme of Investigation – Offshore</b></p> <p>Clarify whether the Applicant’s outline WSI - Offshore [APP-298] provides a sufficient level of detail at this stage to address your concerns related to the extent of geophysical data presented by the Applicant to date [RR-041].</p>
Q2.15.1.4	Applicant	<p><b>Statement of Common Ground</b></p> <p>Applicant, ensure that your SoCG with HE covers both offshore and onshore matters and is submitted at D3, or provide detailed reasoning why a SoCG cannot be submitted.</p>
Q2.15.1.5	Historic England MMO	<p><b>Unexploded Ordnance</b></p> <p>Do you accept that it is unnecessary for the Applicant to adopt the revised/ additional wording proposed by HE in its WR [REP1-112, Paragraphs 17.4, 17.5 and 17.8].</p> <p>See related questions in the sections on Habitats and Ecology Offshore and the section on Benthic ecology, Intertidal, Subtidal and Coastal effects.</p>

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<b>Onshore Matters</b>		
<b>Q2.15.2 Adequacy of baseline surveys and information</b>		
Q2.15.2.1	Historic England	<b>Outline WSI – Onshore</b> In responding to the Applicant’s responses to your RR [RR-041] and WR [REP1-112], please clarify whether the Applicant’s outline WSI - Onshore [APP-308] provides a sufficient level of detail at this stage to address your concerns related to the extent and overall suitability of geophysical survey data presented by the Applicant to date [RR-041].
<b>Q2.15.3 Effects on Designated and Non-designated Heritage Assets</b>		
Q2.15.3.1	National Trust	<b>Archaeological Features at Sheringham Park and Weybourne Woods</b> It is unclear to the ExA whether NT believes further investigative work could be required in this location during the Examination or whether additional mitigation might be necessary after the close of the Examination. Please clarify, giving details of additional information required if relevant.



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<b>Q2.16. Land Use</b>		
<b>Q2.16.1 Effect on Agricultural Land and Businesses and Recreational Assets</b>		
Q2.16.1.1	Applicant National Farmers Union	<b>Outline Management Plan for Agricultural Matters</b> Further to discussions at ISH3 [EV-036] [EV-041], both parties provide a joint update on discussions about whether there is a need for an outline management plan for agricultural matters to be linked to the OCoCP. Include details of any remaining disagreements.
Q2.16.1.2	Applicant	<b>Agri-environmental Schemes</b> The Applicant set out at ISH4 [EV-058] [EV-062] that it was willing to alter the wording of the dDCO to give 28 days notice where surveys or the construction works will impact on Agri-environment schemes. Provide a revised dDCO that includes this change.
Q2.16.1.3	Applicant	<b>Outline Landscape Management Plan</b> The Applicant's response [REP1-036, Q1.16.1.6] appears to accept that monitoring requirements for land use, agriculture and recreation are not set out explicitly in the OLMP. On this basis, provide a revised OLMP to include such requirements.
Q2.16.1.4	National Farmers Union	<b>Effect on Individual Businesses</b> The Applicant is of the view [REP1-036 Q1.16.1.8,] that it is not possible to meaningfully estimate of the amount of land in each holding or therefore the amount of land affected. What is the view of the NFU on this matter?
Q2.16.1.5	Applicant	<b>Abbey Farm and Home Farm, Weybourne</b> The operators of Abbey Farm and Home Farm, Weybourne [REP1-172] have raised concern that the Proposed Development would prevent access to the farm buildings and have a business critical impact on farming operations and both farm businesses. Applicant, explain how access would be maintained and how is this secured in the dDCO.
Q2.16.1.6	Applicant	<b>Reinstatement Best Practice</b> Mr Clive Hay-Smith, Mr Paul Middleton and Priory Holdings Limited [REP1-158, REP1-171, REP1-183] are concerned that NSIP EIA's routinely assume reinstatement best practice is followed but in practice they frequently are not and that due to compaction, disturbance of the soil structure, scarcity of top-soil at re-instatement and the proximity of buried infrastructure there is routinely a permanent reduction in soil fertility and productivity.

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		Whilst noting the Applicant's reply to their WR's [REP2-017] please provide more detail on how such impacts will be mitigated.
<b>Q2.16.2 Soils and Soil handling, Ground Conditions, Contamination and Minerals</b>		
Q2.16.2.1	Applicant <b>Local Authorities</b>          <b>South Norfolk Council Response (SNC)</b>	<b>Soil Degradation Mitigation</b> Further to discussions at ISH4 [EV-058] [EV-062] in relation to a mechanism for securing thermal resistance mitigation measures to prevent soil overheating where needed: a) Applicant to consider where the best place is to secure such measures (such as dDCO, OPEMP and/or OCoCP). b) Applicant and LAs is there a need for such matters to be considered and signed off by the relevant LA?  <i>SNC – The Council considers that such matters should be included within OCoCP as far as compliance with Industry Standards.</i>
Q2.16.2.2	Applicant	<b>Contamination</b> The Applicant's response [REP1-036, Q1.16.2.5] sets out that "Geophysical surveys at the airfield are ongoing and the initial results indicate that there are areas of rubble present which are likely to be associated with the construction of the airfield. Further surveys will help identify whether any contamination does exist onsite and if so next steps including micro-siting the cable and any remedial works". Will the full results of such surveys be available during the Examination?
Q2.16.2.3	Applicant	<b>Pre-construction Investigations and Control Measures for Contaminated Land</b> The Applicant's response [REP1-036, Q1.16.2.8] notes that pre-construction investigations and control measures for contaminated land are detailed in Section 4.1 of the OCoCP [REP1-023]. However, this does not explicitly refer to the mitigation relied on in the ES for impacts on the built environment. To appropriately secure such mitigation should specific wording be added to the OCoCP?

Q2.17. Landscape and Visual Effects		
Q2.17.1 Effect on Landscape Character and Views		
Q2.17.1.1	<p><b>Local Authorities</b> Interested Parties</p> <p><b>South Norfolk Council Response (SNC)</b></p>	<p><b>Scope of the ES and LVIA</b></p> <p>Is the Applicant’s approach to the assessment of sequential views within its LVIA [APP-112], as described in its response to ExQ1 [REP1-036, Q1.17.1.6] reasonable and sufficient to demonstrate that effects on receptors in this context have properly assessed?</p> <p><i>SNC - The Applicant’s approach is considered reasonable as it would usually only be representative or specific views that would be used to illustrate effects.</i></p> <p><i>There is only viewpoint photography for the substation; this might not be an issue, but if – for example – there is significant vegetation removal along the cable route, it might be important to show the effects via the use of viewpoints too, especially if near to the recreational routes identified.</i></p>
Q2.17.1.2	Applicant	<p><b>Viewpoints along PRowS</b></p> <p>During ASI2 [EV-028] the ExA noted that there was the possibility to view both the Norwich Main substation and the proposed onshore substation from the PRow network. Provide a further illustrative viewpoint which depicts the effects on receptors on the PRow in this location. Provide a similar level of information as that provided for viewpoint 2 [APP-159].</p>
Q2.17.1.3	<p><b>Local Authorities</b></p>	<p><b>Residential Receptors</b></p> <p>Question repeated for response from LAs</p> <p>The Applicant notes that a RVAA has not been undertaken because the nearest receptors would fall below the relevant threshold [APP-112, Paragraphs 117-120].</p> <p>a) LAs, is this a reasonable approach?</p> <p>b) LAs, in your view what weight should be given to private views from residential properties? Make reference to relevant national and local policies in your response.</p>

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	<b>South Norfolk Council Response (SNC)</b>	<i>SNC - The Council considers that this is a reasonable response and would refer back to its previous comments.</i>
<b>Q2.17.2 Effects on designated and historic landscapes, including Areas of Outstanding Natural Beauty and Ancient Woodlands</b>		
Q2.17.2.1	The Countryside Charity Norfolk North Norfolk District Council Norfolk Wildlife Trust Norfolk Coast Partnership	<b>Areas of Outstanding Natural Beauty</b> Do you consider that the Proposed Development prejudices the special qualities of the affected AONB and, if so, state which ones and why conflict is considered to arise?
<b>Q2.17.3 Effectiveness of mitigation proposals</b>		
Q2.17.3.1	<b>Local Authorities</b> Natural England National Trust Woodland Trust  <b>South Norfolk Council Response (SNC)</b>	<b>Removal of Existing Trees and Hedgerows, Replanting and Management</b> a) Are you satisfied that the Applicant's proposals for the removal, replanting and management of existing trees and hedgerows have been set out to a sufficient level of detail at this stage [REP1-036, Q1.17.1.11]? b) In particular, is the Applicant's approach to managing the likelihood of damage occurring to existing trees and hedgerows during the construction period sufficiently clear [REP1-036, Q1.17.1.11]?  SNC - a) <i>The Applicant has set out that that all proposed removals will be set out for the LAs to approve, as Requirement 11 requires. R11 also mentions surveys, which are obviously key to this whole process as the Applicant notes in answer b) within Q1.17.1.11. It would be preferable for a much stronger emphasis to be placed on establishing existing trees' constraints and for the onus to be on tree retention and that removal should be a last resort. We would usually refer to BS5837, and this has been explicitly cited in a DCO previously (The Hornsea Three Offshore Wind Farm Order 2020).</i>

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		<p><i>The proposed management periods are sufficient.</i></p> <p><i>Replacing on a one for one basis is not considered sufficient. The loss of a mature tree cannot be mitigated by the planting of a single tree, both in terms of carbon sequestration and ecological value.</i></p> <p><i>b) To date The Council still do not have a full tree survey of the route. A full survey in accordance with BS5837 will be required in order to establish the tree constraints, and adequate protection for retained trees. An impact assessment will be required to understand the extent of tree removal required and without this it is difficult to take a view of what would be adequate in terms of planting proposals. A full survey would also identify any ancient or veteran trees that maybe on site but not recorded on the inventory.</i></p> <p><i>The Council is continuing to discuss with the applicant</i></p>
Q2.17.3.2	Applicant	<p><b>Removal of Existing Trees and Hedgerows, Replanting and Management</b></p> <p>Provide details of, or provide signposting to documents within the Examination which provide details of, the tree protection measures likely to be required during the detailed design and construction stages. Information should include, but may not be limited to:</p> <ul style="list-style-type: none"> <li>a) Requirements and information for pre-commencement operations and briefings;</li> <li>b) The roles and responsibilities associated with the delivery of the protection measures, control and communication associated with works affecting existing trees and hedgerows;</li> <li>c) Mitigation measures to be recorded, monitored and implemented; and</li> <li>d) Review and monitoring mechanisms that would be adopted.</li> <li>e) If not contained within a single document for reference, consider whether the Examination would be assisted by the collation of this information into one document.</li> <li>f) If this information is not currently within the Examination, provide reasoning which explains why it would not be possible for it be included this information in outline form before the close of the Examination.</li> </ul>

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Q2.17.3.3	Applicant	<b>Removal of Existing Trees and Hedgerows, Replanting and Management</b> Set out how the information provided in response to Q2.17.3.2 above is secured within the dDCO
Q2.17.3.4	<b>Local Authorities</b> Natural England National Trust Woodland Trust Interested Parties  <b>South Norfolk Council Response (SNC)</b>	<b>Tree and Hedgerow Replacement</b> Set out whether the Applicant's approach [APP-303] and as further clarified in its response to WQ1 [REP1-036, Q1.17.1.12] is a reasonable one at this stage of the Examination.  <i>SNC – This is considered reasonable at this stage</i>

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<b>Q2.18. Seascape and Visual Effects</b>		
<b>Q2.18.1 Effects on Designated and Historic Landscapes</b>		
Questions repeated here to seek response from Norfolk Coast Partnership		
Q2.18.1.1	Norfolk Coast Partnership	<b>The Existing Baseline and its Effect on the Statutory Purpose of the NCAONB</b> NE states that the existing OWF installations have a compromising effect on the statutory purpose of the NCAONB [RR-063]. Respond, with reasoning.
Q2.18.1.2	Norfolk Coast Partnership	<b>The Extent of Additional Harm to the NCAONB</b> What is your assessment of the effects of the Proposed Development on the NCAONB in EIA terms?
Q2.18.1.3	Norfolk Coast Partnership	<b>Cumulative Impact Assessment</b> Should a CIA be undertaken in order to inform the EIA to ensure that the impact of SEP and DEP on the statutory purpose of the NCAONB, in the context of the existing OWF, can be made?
Q2.18.1.4	Norfolk Coast Partnership	<b>North Norfolk Heritage Coast</b> Clarify your position on the qualities and significance of the Heritage Coast, particularly the stretch within which the Proposed Development would be theoretically and actually visible. Set out where you consider harms would occur and what, if anything, could be done to minimise the harm or improve the visitor experience.
<b>Q2.18.2 Cumulative Effects</b>		
Q2.18.2.1	Norfolk Coast Partnership	<b>Cumulative Effects</b> Are you satisfied with the list of projects included in the assessment of potential cumulative landscape and visual effects? If not, identify those projects that you believe should be included and indicate why you believe that they should be included.

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<b>Q2.19. Navigation and Shipping</b>		
<b>Q2.19.1 Navigational Risk and Effect on Navigational Safety</b>		
	Marine and Coastguard Agency	<b>MCA navigational safety concerns</b> Identify and explain what information within the Applicants' submission at Deadline 1 raised concern regarding shipping safety, which may not have been apparent during earlier engagement?
Q2.19.1.2	Applicant Marine and Coastguard Agency	<b>Background Data</b> MCA and Applicant, provide the background evidence to support your position relating to the matters discussed at ISH6 [EV-085] & [EV-089], particularly matters where there are issues of disagreement, such as navigational buffers and the potential collision risk, statistical calculations of vessels traversing through this sea area if the proposed wind farm sites are where currently proposed? Provide supporting illustrations, diagrams and plans.
Q2.19.1.3	Applicant Marine and Coastguard Agency	<b>Further discussions and mitigation</b> Can both parties continue discussion on the key points of disagreement and propose a way of reaching agreement. What would be the implication if agreement is not reached between the parties?
Q2.19.1.4	Applicant Marine and Coastguard Agency	<b>Sea Lane Essential to International Navigation</b> In line with the policy requirement in NPS EN3 (Paragraph 2.6.161), does the shipping route through the SEP and DEP sites constitute a sea lane essential to international navigation? If so, can you explain how the proposals would or would not interfere with this sea lane essential to international navigation?
<b>Q2.19.2 Impact on Radar, Search and Rescue</b>		
		No further questions in this section at this time.





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Q2.20.2.2	Applicant	<p><b>Construction Noise Management Plan</b></p> <p>Following discussions at ISH3 [EV-036] [EV-041], provide examples of other OWF developments where significant noise effects had been identified and were dealt with in a CNMP that was provided post consent.</p>
Q2.20.2.3	Applicant	<p><b>HDD at Oulton</b></p> <p>Further to discussions at ISH3 [EV-036] [EV-041], Applicant confirm, as a worst case scenario, whether the use of HDD under the solar farm at Oulton would result in the need for night time works/ drilling.</p>
<b>Q2.20.3 Cumulative Effects Assessment</b>		
		No further questions in this section as this stage.
<b>Q2.20.4 Adequacy and Design of Proposed Mitigation</b>		
Q2.20.4.1	Applicant	<p><b>Adequacy of Proposed Noise Mitigation</b></p> <p>Further to discussions that took place at ISH3 [EV-036] [EV-041], whilst acknowledging the Applicant's view that no further work is required, without further evidence the ExA remain concerned and unconvinced that the identified significant adverse effects in the ES [APP-109] can be adequately mitigated. The Applicant has provided more detail in relation to the mitigation of impacts for sensitive receptor CCR2C in response to the ExA's first written questions [REP1-036, Q1.20.4.1]. Provide a similar level of detail for all other instances where significant adverse impacts have been identified in the ES [APP-109].</p>
Q2.20.4.2	Applicant	<p><b>HDD Restrictions and Emergency Works</b></p> <p>Following discussions at ISH3 [EV-036] [EV-041], in relation to HDD drilling at night:</p> <ol style="list-style-type: none"> <li>a) Set out clearly whether HDD drilling at night is required.</li> <li>b) Explain how the dDCO could include night time HDD and whether this is consistent with the working hours set out.</li> <li>c) Clarify what constitutes 'emergency' in the context of any potential night time HDD works.</li> </ol>
Q2.20.4.3	Applicant	<p><b>Construction Noise Management Plan Study Area</b></p>

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		Revision B of the OCoCP [REP1-023] notes that a CNMP will be included in the CoCP and a study area for the CNMP has been identified, which is 300m from the construction works. Applicant, consider whether maps should be included in the OCoCP to clearly show this area?
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<b>Q2.21. Oil, Gas and Other offshore infrastructure and activities</b>		
<b>Q2.21.1 Helicopter Access</b>		
Q2.21.1.1	Applicant Perenco	<p><b>Possible cooperation agreement</b></p> <p>For matters pending resolution, parties to consider if a cooperation agreement based on Perenco’s involvement at detailed design stage could be a way of working. Provide an update and an outline of the matters that such a cooperation agreement may include.</p>
Q2.21.1.2	Perenco Applicant	<p><b>Comparative calculations</b></p> <p>The Applicant’s submitted Helicopter Access Study [APP-205, Paragraph 54] states that - <i>“If an obstacle free circle of circa 1nm could be provided, then approaches and take-off under Day VMC conditions could be conducted safely. That would increase the daylight access from approximately 14.6% to 92.3% (2020) of day conditions”</i>.</p> <p>Given the disagreement between parties at ISH6 [EV-086] [EV-090], over the accuracy of these figures, provide a set of jointly produced comparative calculations based on current guidance and restrictions.</p>
Q2.21.1.3	Perenco	<p><b>Economic effects to Perenco</b></p> <p>Provide information on the potential effects of the Proposed Development on your business and operations. Draw a distinction between the effects of the Proposed Development on the safety of your operations and the economic effects.</p>
Q2.21.1.4	Perenco Applicant	<p><b>Guidance for helicopter access</b></p> <p>Provide detail on any emerging guidance relating to helicopter access to installations such as that at Waveney from the CAA or that involved with Hornsea Project 4, as referred to in ISH6 [EV-086] [EV-090].</p>
<b>Q2.21.2 Effectiveness of Proposed Mitigation</b>		
		No further questions in this section as this stage.

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.22. Socio-economics effects</b>		
<b>Q2.22.1 Effects on recreation, tourism and business</b>		
Q2.22.1.1	Applicant North Norfolk District Council	<p><b>Tourism Reports</b></p> <p>Following discussions at ISH4 [EV-058] [EV-062], in relation to effects of the Proposed Development on tourism:</p> <ul style="list-style-type: none"> <li>a) NNDC submit the evidence supplied to Norfolk Boreas Examination with regards to effects on tourism and disputing the findings of the BIGGAR report.</li> <li>b) The Applicant to consider whether a contribution could be made towards tourism studies to assess the impacts of Offshore Wind developments on tourism and businesses in Norfolk.</li> </ul>
Q2.22.1.2	Applicant <b>Local Authorities</b>  <b>South Norfolk Council Response (SNC)</b>	<p><b>Correlation with Local Planning Policies</b></p> <p>NPS EN1 at Paragraph 5.12.4 sets out that applicants should refer to how the development's socio-economic impacts correlate with local planning policies.</p> <ul style="list-style-type: none"> <li>a) Applicant, confirm where this has been undertaken.</li> <li>b) LAs, please set out whether you consider the Proposed Development correlate with your local planning policies that relate to socio-economic matters.</li> </ul> <p><i>SNC – It doesn't impact specifically on the Council's Local Plan Policies in respect of employment, economic uses and recreation which promote and retain those such uses. The Council is supportive of tourism and employment in the countryside, where it requires a rural location, however the Development is not known to affect any specific proposals. The applicant has seeking to address the potential impacts on the FEP phase 2, with the landowners.</i></p>
<b>Q2.22.2 Effects on jobs and skills</b>		
Q2.22.2.1	Applicant Local Authorities	<p><b>Outline Skills and Employment Plan</b></p> <p>Following discussions at ISH4 [EV-058] [EV-062], provide an amended OSEP to include the additional measures proposed by the Applicant [REP1-036, Q1.22.2.8].</p>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

Q2.22.2.2	Applicant	<b>Outline Skills and Employment Plan</b> Do the figures in the OSEP [APP-310, Paragraph 24] need to be updated, taking into account your response [REP1-036 Q1.22.1.7]?
<b>Q2.22.3 Effects on Individuals and Communities</b>		
Q2.22.3.1	Applicant	<b>Impact on Bed Spaces</b> As discussed at ISH4 [EV-058] [EV-062], provide further qualitative evidence regarding bed spaces in terms of price points. Further, revisit the cumulative bed space availability assessment given that this did not include the delayed A47 Tuddenham to Easton highway improvement scheme.
<b>Q2.22.4 Inter-related Effects on Human Health and Community Well-being</b>		
		No further questions in this section as this stage.

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.23. Traffic and Transport</b>		
<b>Q2.23.1 Effects from Construction Vehicles on the Highway Network and Living Conditions</b>		
Q2.23.1.1	Applicant	<p><b>Outline Construction Traffic Management Plan</b></p> <p>The Applicant's reply [REP1-036, Q1.23.1.5] states that a revision to Figure 1 of the OCTMP [REP1-021] has been made to explicitly prevent HGVs travelling north of ACC07 on link 12 (towards links 9, 10 and 11) and that the revision would be included within the OCTMP to be submitted at Deadline 1. However, having regard to the revised OCTMP [REP1-021] Figure 1 (Sheet 2 of 4) of the OCTMP this does not appear to be the case, as link 12 is still identified to receive HGV traffic. Is this an error?</p>
Q2.23.1.2	Applicant  Norfolk County Council	<p><b>Matters of Dispute</b></p> <p>At ISH3 [EV-037] [EV-042], it was evident that there were still some matters being discussed between the Applicant and NCC. Provide an update on such discussions and if there remain any outstanding matters of dispute.</p>
<b>Q2.23.2 Traffic Management Proposals and Impacts on the Highway Network</b>		
Q2.23.2.1	Applicant Norfolk County Council	<p><b>Ability to Review CTMP</b></p> <p>At ISH3 [EV-037] [EV-042] NCC set out that there is a need for it to be able to require a review of the CTMP once construction starts. Applicant and NCC, consider an appropriate mechanism within the dDCO and/or CTMP for this to be achieved.</p>
Q2.23.2.2	Applicant	<p><b>Construction Traffic Roads</b></p> <p>Following discussions at ISH3 [EV-037] [EV-042], Applicant please provide a revised CTMP [REP1-021] that includes the names of all roads/links being utilised by the Proposed Development.</p>
Q2.23.2.3	Applicant	<p><b>Temporary Closures</b></p> <p>Oulton PC [REP1-085] has raised concern that even though some crossing routes are by HDD that the road still needs to be stopped up for a temporary period of time. Please explain if this is correct and if so, where and why would this be necessary?</p>
Q2.23.2.4	Applicant	<p><b>East of England Ambulance Service NHS Trust</b></p>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

	East of England Ambulance Service NHS Trust	Further to the Applicant's reply [REP1-036, Q1.23.5.6] provide an update on discussions between the parties.
<b>Q2.23.3 Cumulative Traffic Effects with Other Local Projects</b>		
Q2.23.3.1	Applicant	<p><b>Traffic in Corpusty and Saxthorpe</b></p> <p>The Parish Council has raised concern [REP1-073] about the impact of additional traffic generated by:</p> <ul style="list-style-type: none"> <li>• The housing developments planned over the next several years at Corpusty and Saxthorpe;</li> <li>• Additional homes recently constructed in Holt;</li> <li>• The proposed broiler farm at Edgefield (NNDC planning application PF/22/1753); and</li> <li>• The proposed layer farm at Lime Kiln Farm, Oulton (NNDC planning application PF/21/0317).</li> </ul> <p>The representation from the PC also includes a diagram of 'choke points' which it is of the view will be affected. Applicant, please set out how the above developments have been considered in the cumulative assessment and what effect the Proposed Development will have on the 'choke points' identified on the diagram provided by the Parish Council.</p>
<b>Q2.23.4 Effects on Recreational Routes, such as Public Rights of Way</b>		
Q2.23.4.1	Applicant	<p><b>Pedestrian Delay Assessment</b></p> <p>The Applicant's reply [REP1-036, Q1.23.4.1] sets out that it would provide a new copy of Appendix 24.3 - Pedestrian Delay Assessment [APP-271] with all figures showing at Deadline 1. This does not appear to be the case. Please provide.</p>
<b>Q2.23.5 Suitability of Access Strategy</b>		
Q2.23.5.1	Applicant National Highways	<p><b>Abnormal Indivisible Loads</b></p> <p>NH has not been able to confirm the route for abnormal indivisible loads [APP-270] as there are two structures of concern (Scarning Bridge and a culvert located between Kings</p>



**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

		Lynn and Swaffham). Further, to NH reply [REP1-131, Q1.23.5.1] please provide an update on discussions on this matter.
Q2.23.5.2	Applicant Network Rail	<p><b>Onshore Substation - Access Strategy</b></p> <p>The access arrangements for the onshore substation are somewhat uncertain.</p> <p>a) Applicant, is there any update on this matter?</p> <p>b) One of the potential options is to build a permanent access road at the Norwich Main National Grid substation to maintain operational works and to support the construction of the new substation. NR has set out it is reviewing the proposals for the Access Road to determine whether the offset distance is acceptable and if any other mitigation is required to protect its operational railway. Network Rail, please provide an update on this work?</p>
Q2.23.5.3	Applicant	<p><b>Construction Access ACC60/ Early Works Access ACEW99</b></p> <p>The landowner has raised concern [REP1-168] about the arrangements for this access. It was discussed at CAH1 [EV-068] [EV-072] that this was due to the characteristics of the area, including the presence of a cycle path. Applicant, provide full justification, including a diagram/map for the access arrangements as proposed.</p>
Q2.23.5.4	Applicant	<p><b>Access ACC88</b></p> <p>The Applicant's reply to RR's [REP1-033] notes that there is an overlap at Access ACC88 on The Street, Oulton, with Norfolk Vanguard order limits. Provide further detail about how this conflict will be addressed.</p>
Q2.23.5.5	Applicant	<p><b>Access to Bluestone Cottage, Oulton</b></p> <p>Oulton PC [REP1-085] state that there appears to be no information on how the resident of Bluestone Cottage will be able to exit from their property or consideration of loss of access during works to construct the cable route. Applicant, set out how access will be retained?</p>
Q2.23.5.6	Applicant	<p><b>Access to Weybourne Forest Lodges</b></p> <p>The owners of Weybourne Forest Lodges [REP1-166] are concerned about traffic on Sandy Hill Lane and access arrangements to Weybourne Forest Lodges. Applicant, provide an explanation for the access arrangements here and how access will be retained.</p>
<p><b>Q2.23.6 Effectiveness of Proposed Mitigation Measures</b></p>		

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

Q2.23.6.1	Applicant National Highways	<p><b>Mitigation – A47</b></p> <p>At ISH3 [EV-037] [EV-042], it was noted that NH are seeking some clarifications in terms of how the OCTMP [REP1-021] and that the impacts of the potential overlap of construction with the A47 Tuddenham to Easton improvement scheme would be managed. Parties provide an update on such discussion and whether NH is content that such matters can be suitably addressed in the OCTMP.</p>
Q2.23.6.2	Applicant Norfolk County Council	<p><b>Mitigation – Controls on HGV Routes</b></p> <p>The OCTMP [REP1-021] sets out that there will be no HGV traffic through: Attlebridge, Barford, Blind Lane, Cantley Road, Cawston, Horsford, Oulton, Plumstead and Weston Longville. Should restrictions on LVs also be required through these routes?</p>
Q2.23.6.3	Applicant	<p><b>Mitigation – Link 61</b></p> <p>Is the assertion [REP1-036, Q1.23.6.5] that the main cause of impacts on this link would be LV's and not HGVs justified, having regard to [APP-110, Table 24-30].</p>
Q2.23.6.4	Applicant	<p><b>Royal Mail</b></p> <p>Royal Mail [REP1-160] has set out that the OCTMP [REP1-021] should include additional provisions including a months notification of highway works that might affect it being able to deliver mail. Is the Applicant in agreement that such provisions are required? If so, provide suitable wording.</p>
Q2.23.6.5	Applicant	<p><b>Network Rail</b></p> <p>Network Rail [REP1-140] raise concern that the Promoter intends to route construction traffic over the Hickling Lane Overline Bridge (Bridge), which is positioned above the Anglian Railway line and that the use of the Bridge does not appear in the OCTMP [REP1-021]. Applicant, is such a provision necessary?</p>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

<b>Q2.24. Water quality and resources</b>		
<b>Q2.24.1 Effects on Flood Risk and Drainage, including Adequacy of Sequential and Exception Tests</b>		
Q2.24.1.1	Applicant	<p><b>Sequential Test and Little Barningham</b></p> <p>Further to discussions at ISH3 [EV-038] [EV-042], provide full details to demonstrate that the course of the cable corridor route through the area of flood risk west of Little Barningham could not be avoided.</p>
Q2.24.1.2	Applicant	<p><b>Hornsea Project 3 – Onshore Substation Drainage</b></p> <p>Following the Applicant’s change request documentation to determine that an infiltration method would be used to manage surface water arising from the onshore substation site, provide details of cumulative drainage effects (infiltration) with HP3 at the onshore substation, whether the infiltration solution is viable if HP3 are seeking to do the same and whether this has been factored into the hydraulic modelling?</p>
Q2.24.1.3	Applicant	<p><b>Detailed Maintenance Plan</b></p> <p>The OODS [REP2-029, Paragraph 35] refers to a detailed maintenance plan being developed during detailed design once the drainage design is finalised. Is this appropriately secured in the dDCO?</p>
Q2.24.1.4	Environment Agency	<p><b>Flood Risk Effects from Trenched Crossings of Ordinary Watercourses that are in Fluvial Flood Zones 2 and 3a.</b></p> <p>Further to the issues raised by the EA [RR-032] and the Applicant’s reply [REP1-036, Q1.24.1.12], is the EA now content that such matters have been suitably assessed?</p>
<b>Q2.24.2 Effects on Water Resources and Water Quality, including Measures to Prevent Pollution of Aquifers</b>		
Q2.24.2.1	Applicant	<p><b>Drinking Water Protected Areas</b></p> <p>The Applicant’s response [REP1-036, Q1.24.2.1] appears to be missing the first map for Drinking Water Protected Areas. Please provide this.</p>
<b>Q2.24.3 Effects on Rivers, Streams, Canals and Ditches from Proposed Construction Methods and Crossing</b>		
Q2.24.3.1	Applicant Environment Agency	<p><b>Drainage Strategies</b></p>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

	Lead Local Flood Authority	The Applicant's response [REP1-036, Q1.24.1.9] sets out that drainage strategies for the construction phase, including temporary compounds, will be agreed with the EA and NCC, in their role as the LLFA, as appropriate. Are the EA and LLFA content that this is appropriate post consent?
Q2.24.3.2	Applicant	<b>Spring Beck</b> Mr Hay-Smith raised concerns at OFH2 [EV-074] [EV-075] about the potential impacts of the Proposed Development on Spring Beck, which it is asserted is one of only 200 chalk streams globally. Applicant, will the use of HDD avoid any potential impacts on the Spring Beck and is there any precedence for undertaking such works underneath chalk streams?
Q2.24.3.3	Lead Local Flood Authority	<b>Ordinary Watercourses</b> The Applicant has replied [REP2-040] to a number of concerns raised by the LLFA in their response to first written questions [REP1-079, Q1.24.3.1. Does the reply overcome the concerns of the LLFA?
Q2.24.3.4	Applicant	<b>Temporary Works</b> The LLFA's reply [REP1-079, Q1.24.3.4] states: " <i>The applicant must always consider the weather and the appropriate methods for ensuring the continuity of flow along the ordinary watercourses. A schedule would be required by the LLFA for the temporary works. In addition, the applicant would be requested to provide an out of hours management approach and ensure there was adequate facility to over pump high flows around the temporary works</i> ". Applicant, is this suitably controlled in the OCoCP?
<b>Q2.24.4 Effectiveness of Mitigation Measures</b>		
Q2.24.4.1	Applicant	<b>Transfer of Mitigation</b> Further to discussions at ISH3 [EV-038] [EV-043], set out the full mitigation measures listed in the FRA in relation to landfall and the onshore substation within the OCoCP.
Q2.24.4.2	Applicant	<b>Protective Provisions</b> Having regard to discussions at ISH3 [EV-038] [EV-043], set out a draft of protective provisions agreed with the EA, LLFA and Water Management Alliance on behalf of the relevant IDB and incorporate into a revised version of the dDCO as appropriate.
Q2.24.4.3	Applicant	<b>Outstanding Concerns</b>

**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

	Environment Agency Lead Local Flood Authority	It was evident from discussions at ISH3 [EV-038] [EV-043] that there are still some outstanding matters being discussed between the Applicant, the EA and the LLFA. Provide an update on these discussions, setting out any areas that remain in dispute.
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**Deadline for responses is Deadline 3, Tuesday 2 May 2023**

**ANNEX A: NE’s and Applicant’s Jointly Held Position Regarding AEoI Conclusions**

(See related question in the section on Habitats Regulation Assessment)

European Sites and Qualifying Feature(s)	LSE identified from:	AEoI alone excluded	AEoI in combination excluded	HRA derogations engaged	Compensation required?
<b>Name of Site</b>					
Name of feature					
<b>Name of Site</b>					
Name of feature					

Extract from the East Anglia One North Recommendation Report for colour coding example

Table 24.4 ExA’s Conclusions in relation to AEoI at the end of Examination

European Sites and Qualifying feature(s)	LSE identified from:	AEoI alone excluded	AEoI in-combination excluded	HRA derogations engaged	Compensation required?
<b>Aide-Ore Estuary SPA and Ramsar</b>					
Breeding lesser black-backed gull	Collision mortality (operation)	Yes	No	Yes	Yes
<b>Flamborough and Filey Coast SPA</b>					
Breeding kittiwake	Collision mortality (operation)	Yes	No	Yes	Yes
Breeding gannet	Collision mortality (operation)	Yes	No	Yes	Yes
	Displacement/ disturbance (operation)	Yes	No	Yes	Yes
	Collision + displacement	Yes	No	Yes	Yes
Breeding common guillemot	Displacement/ disturbance (operation)	Yes	No	Yes	Yes