



Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

The Applicant's Response to Natural England's Risk and Issues Log – Terrestrial Ecology

Revision A
Deadline 5
June 2023
Document Reference: 19.23

1 Applicant's Comments on Natural England's Deadline 2 Appendix K1 Risk and Issues Log [REP2-064]

1.1 Applicant's comments on Tab I Terrestrial Ecology of Natural England's Deadline 2 Risks and Issues Log

Point	Point Number(s) from Appendix I [RR-063]	Taken from Natural England's Relevant and Written Representations SEP AND DEP Appendix I - Terrestrial Ecology [RR-063]	RAG Status Rel and WR Rep D1	Consultation, actions, progression	RAG Status D2	Consultation, actions, progression	RAG Status D3	Applicant's comment D3	RAG Status D5	Applicant's comment D5
Document Used: Document Used: [APP-090] 6.1.4 Chapter 4 Project Description										
11	3	The method for some crossings has yet to be confirmed within the Crossing Schedule. Natural England seeks to be consulted on, and be provided with all relevant evidence, for all undecided crossing locations prior to construction commencing otherwise there is a concern that protected species may be negatively impacted by the project. Natural England requests that this is secured in the equivalent of an Outline Landscape and Ecological Management Strategy (OLEMS) document.		As per our Appendix I2 advice at Deadline 2, we welcome the Applicant's suggestion for a Committed Scheme and programme for each watercourse. We would welcome clarification of review of outline schemes during the consenting phase.		No change at Deadline 3		No Comment at D3		<p>The Outline Code of Construction Practice (Revision E) [document reference 9.17], Outline Ecological Management Plan (Revision C) [REP3-068] and the Outline Landscape Management Plan (Revision D) [document reference 9.18] submitted are outline documents at this stage of the application and detail the broad principles which would be followed.</p> <p>The Outline Code of Construction Practice (Revision E) [document reference 9.17] contains mitigation measures for watercourse crossings (Section 7.1.3). The Applicant has commitment to producing a Water Crossing Scheme for each watercourse crossing, diversion and reinstatement. This will include site specific details regarding sediment management and pollution prevention measures. The Outline Code of Construction Practice is secured by Requirement 19 of the draft DCO (Revision H) [document reference 3.1] and as set out within the Requirement: <i>'No phase of the onshore works may commence until a code of construction practice (which must accord with the outline code of construction practice) for that phase has been submitted to and approved by the relevant planning authority following consultation as appropriate with... Natural England...'</i></p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: [APP-106] 6.1.20 Chapter 20 Onshore Ecology and Ornithology										
12	4, 10, 11, 38	Natural England advises that in order to have confidence in mitigation measures further consideration is required within an OLEMS of: <ul style="list-style-type: none"> Monitoring and implementation of emergency management measures in the event of a bentonite breakout, Natural England advises based on an assessment of potential impacts to white-clawed crayfish and invertebrate species. Reporting mechanisms for all bentonite breakouts within designated sites should be reported to Natural England within 24 hours and before clean-up operations begin. must be assessed and a suitable emergency plan put 		No change at Deadline 2. As per our Appendix I2 advice at Deadline 2 we advise further information is needed within the OLEMS to address our concerns. Item remains under discussion.		No change at Deadline 3. Please see our further advice regarding bentonite breakout in Appendix I4.		No Comment at D3		<p>The Outline Code of Construction Practice (Revision E) [document reference 9.17], Outline Ecological Management Plan (Revision C) [REP3-068] and the Outline Landscape Management Plan (Revision D) [document reference 9.18] submitted are outline documents at this stage of the application and detail the broad principles which would be followed.</p> <p>The Outline Code of Construction Practice (Revision E) [document reference 9.17] contains mitigation measures for sediment management (Section 7.1.1), pollution prevention (Section 7.1.2) and bentonite breakout (7.1.4). All of which are</p>

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		<p>in place.</p> <ul style="list-style-type: none"> Restoration of the River Wensum Natural England advises the HDD compound on the flood plain of the River Wensum is aligned restored in accordance with the River Wensum Restoration Strategy and the River Wensum SAC Conservation Objectives Supplementary Advice. Restoration of appropriate soil/ground moisture conditions so that water levels are continuously at or just above the ground surface throughout the year. Monitoring for bentonite breakouts throughout HDD beneath the relevant watercourses, with a commitment to cease drilling and enact remedial measures immediately upon discovery of a breakout. Natural England advises that a commitment to Use of best available techniques and a precautionary methodology is included in the OLEMS. See Item I21 below. 								<p>secured by Requirement 19 of the draft DCO (Revision H) [document reference 3.1].</p> <p>A Bentonite Breakout Plan, as required by the CoCP, would be developed prior to construction and would be informed by further detailed design and surveys including hydrofracture survey at all drill sites. A site-specific risk assessment would then be undertaken as part of the post consent detailed design process (see paragraph 131 of the Outline Code of Construction Practice (Revision E) [document reference 9.17]. This will include measures to ensure drilling stops once a breakout is reported (there will be a drop in pressure at the drill head).</p> <p>The Applicant confirms the inclusion of the following requirement in the Outline Code of Construction Practice (Revision D) [REP4-016], para. 133: "<i>All bentonite breakouts within designated sites are to be reported to Natural England as soon as possible and within 24 hours.</i>"</p> <p>The Applicant confirms that the HDD compound located on the floodplain of the river Wensum (but outside the SSSI and SAC) will be restored in accordance with the River Wensum Restoration Strategy and the River Wensum SAC conservation objectives. This is stated within the Outline Ecological Management Plan (Revision C) [REP3-068, Section 4.1]. The Ecological Management Plan is secured by Requirement 13 (Ecological management plan) of the draft DCO (Revision H) [document reference 3.1].</p> <p>The Outline Ecological Management Plan (Revision C) [REP3-068] and the Outline Landscape Management Plan (Revision D) [document reference 9.18] include a range of best available techniques and precautionary methodology.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>

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13	5, 33	<p>In order to future proof the project and enable long term environmental gains, Natural England highlights the importance of the Applicant committing to undertaking the following in combination with the EPS mitigation licences for bats, and badger and DCN DLL:</p> <ul style="list-style-type: none"> • Pre-construction habitat surveys to identify if any changes to the draft mitigation licence is required. • Reasonable Avoidance Measures (RAMS) – GCN, also of benefit to other amphibians and also reptiles. • Post-monitoring surveys followed up by changes to mitigation where mitigation is proven to be ineffective. 		No change at Deadline 2.		No change at Deadline 3		No Comment at D3		<p>The Applicant has committed to a range of pre-construction ecological surveys, the results of which will be used to inform the mitigation required for habitats and/or species. The Applicant's proposed approach to pre-construction onshore ecological and ornithological surveys is detailed in the Outline Ecological Management Plan (Revision C) [REP3-068, Appendix A].</p> <p>As detailed in the Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.3.7] the Applicant is committed to going beyond the requirements of the District level License (DLL) during preconstruction activities and will be applying a number of techniques to reduce the probability of impacting great crested newt, collectively termed 'Reasonable Avoidance Measures' (RAMs).</p> <p>The Applicant's commitments to post construction monitoring and replanting is presented in the Outline Ecological Management Plan (Revision C) [REP3-068, Section 5.3].</p> <p>The Ecological Management Plan is secured by Requirement 13 (Ecological management plan) of the draft DCO (Revision H) [document reference 3.1].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
14	6	<p>Natural England advises pre-construction surveys should ensure that a full assessment of the impacts can be made and the loss of breeding habitat for arable nesting species such as skylark are quantified. Further details for pre-consent are required on how impacts on the loss of nesting habitat can be mitigated for. Natural England advises details of mitigation should be provided in the OLEMS and secured in the DCO.</p>		No change at Deadline 2.		No change at Deadline 3		No Comment at D3		<p>The pre-construction survey effort will include an Extended UK Habitat classification survey of the entire Order Limits. This survey will identify and map habitats such as uncultivated fields and field margins, which can be used to inform the mitigation requirements for species affected by works to these habitats. Mitigation measures are outlined in the Outline Ecological Management Plan (Revision C) [REP3-068, 2.3.2], and include measures such as an ECoW to monitor for nesting birds with a commitment not to commence works in areas where to do so would pose a realistic risk of displacing nesting birds.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
15	7	<p>The order limits are within 100 metres of two ancient woodlands (Smeeth Wood and Colton Wood). To ensure all impacts have been fully assessed the Zones of Influence (Zol) for Ancient Woodland should be clearly stated within the OLEMS with consideration given to any potential edge effects.</p>		No Change at Deadline 2.		No change at Deadline 3. Natural England welcomes the Applicant's submission of the Addendum to the Environmental Statement Chapter 20, Onshore Ecology and		No Comment at D3		<p>The Applicant refers Natural England to the Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.2], which provides details on Tree Root Protection Plans and buffer zones for woodland and trees. These requirements are mirrored in the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 3.3.1] which states that a 30m buffer from the ancient woodland, Colton</p>

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						Ornithology, Revision A [REP2-053] setting out a more detailed presentation of the existing assessment of the potential effects of air quality on ecological receptors. Please see our further advice in Appendix I4 regarding the Zones of influence for Ancient Woodland and consideration of their potential edge effects and inclusion within the Ecological Management Plan (EMP).				<p>Wood, will be maintained at all times in which no construction vehicles and machinery will enter and no materials or activities will take place. The Applicant confirms both Smeeth Wood and Colton Wood would be avoided. Smeeth Wood is located approximately 170 metres from the edge of the Order Limit which is a suitable buffer between the woodland and construction works.</p> <p>In addition, buffer zones surrounding retained areas of woodland and trees will have a radius of at least 12 times the stem diameter of the tree (or 15 times the stem diameter for veteran/ancient trees) as advised by the Arboriculturist and informed by Tree Protection Plans. RPAs around hedgerows will be assessed by the ECoW [REP4-016, para.61].</p> <p>The Outline Code of Construction Practice is secured by Requirement 19 of the draft DCO (Revision H) [document reference 3.1]. The Ecological Management Plan is secured by Requirement 13 (Ecological management plan) of the draft DCO (Revision H) [document reference 3.1].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
16	8, 27-29, 59-61	Suitable mitigation measures should be put in place to minimise the impact to protected bird species during the breeding season. We advise the Applicant to commit to pre-construction surveys to inform adoption of appropriate mitigation measures. The OLEMS should be updated to include more detailed mitigation measures including (but not exclusively): works must avoid the main bird breeding season (March to August inclusive) and include vegetation clearance for skylark deterrent for sensitive habitats; pre-construction checks by an ECOW to confirm the absence of nesting birds; suitable buffer of 5m for any active nests encountered; breeding bird habitat creation and enhancement. We advise the area outlined for tree clearance in Weybourne Wood to be undertaken in the autumn (September to November inclusive) to avoid impacts during the main breeding season to the Schedule 1 species crossbill. If pre-construction bird surveys reconfirm the presence of breeding sand martins within the bank which would be impacted by		No Change at Deadline 2.		No change at Deadline 3		No Comment at D3		<p>The Applicant refers Natural England to the Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.3.2] which outlines the key mitigation measures proposed by the Applicant in relation to breeding birds, including Skylark and Crossbill.</p> <p>The Applicant confirms that mitigation measures advised by Natural England are included within the Outline Ecological Management Plan (Revision C) [REP3-068].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>

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		construction, we advise suitable mitigation measures must be followed.								
17	9	Alderford Common SSSI and the River Wensum are important foraging areas for several species of bats including barbastelle. Please also see points I28 to I32 for risks and issues raised by Natural England on this matter. Natural England advises that commitments should be made and secured by the Applicant to undertake updated pre-construction surveys where trees have been assessed as having potential to support roosting bats and are likely to be impacted by the development works.		No Change at Deadline 2. We defer our response regarding issues relating to bats to Deadline 3.		No change at Deadline 3. Natural England welcomes the submission of the Bats technical Note. Please see Natural England's advice in Appendix I3 to the 13.10 Bats - Alderford Common SSSI and Swannington Uppgate Common SSSI Technical Note [REP1-063] and related comments to the Outline Code of Construction Practice [REP1-24] and Ecological management Plan [REP1-028].		No Comment at D3		<p>The Applicant refers Natural England to The Applicant's Response to Natural England's Deadline 3 Submission [REP4-031] for its full response.</p> <p>The pre-construction walkover survey of the whole route (consisting of an Extended UK Habitat classification survey) will appraise the potential for protected species including a ground level appraisal of the Bat Roost Potential (BRP) of all trees. Any trees which are found to have Moderate or High BRP in accordance with Bat Conservation Trust criteria, will be subject to further surveys and, if necessary, mitigation under the terms of a Natural England approved EPS Mitigation Licence.</p> <p>There is also a commitment to brief all tree surgeons (as site personnel) working on tree removal for SEP and DEP to the requirements set out in the EMP and the site-wide ecological requirements, which would include the potential presence of bat roosts [REP3 060, Section 1.2.4].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
18	11	Himalayan balsam was recorded within the DCO order limits and noted as predominately along watercourses such as tributaries of the Wensum at Swannington and on the Rivers Tud and Bure. We advise mitigation to avoid the spread of Himalayan balsam and other Invasive Non-Native Species (INNS) must be detailed in the OLEMS. Natural England advises further precautionary and preventative measures should be put in place during construction to minimise the risk of spreading		No Change at Deadline 2.		No change at Deadline 3. However, we would anticipate methods for controlling the spread of Himalayan balsam being included in the named mitigation plans to ensure that the conservation objectives for the designated sites are not hindered		No Comment at D3		<p>Details of mitigation and best practice measures to prevent the spread of non-native invasive species are detailed within the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 9] and Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.3.9].</p> <p>The Applicant has committed via the Outline Code of Construction Practice to producing an Invasive Non-Native Species Management Plan, to be agreed with the Environment Agency and Natural England in advance of construction, which will set out measures</p>

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		American signal crayfish or associated crayfish plague and with the correct control measures put in place and fully detailed in the OLEMS. Weybourne Stream, River Glaven, River Bure, unnamed tributary of the rivers are of particular concern.								to prevent transfer of invasive plant or animal species between watercourses. The Outline Code of Construction Practice is secured by Requirement 19 of the draft DCO (Revision H) [document reference 3.1]. The Ecological Management Plan is secured by Requirement 13 (Ecological management plan) of the draft DCO (Revision H) [document reference 3.1]. The Applicant considers that the concerns of Natural England have been addressed.
19	5, 12	Natural England is aware that a draft LONI has been obtained for badger. We advise the OLEM should secure preconstruction badger survey covering areas with previously confirmed setts, plus the whole of the DCO area (including previously inaccessible areas) and the 30m buffer and include those sets previously recorded as disused. We advise the findings from the pre-construction surveys, to be completed within two months of submitting the licence application should be used to identify if any changes to the draft mitigation licence requirement is required.		As per our Appendix I2 advice at Deadline 2, we advise clarification is provided that pre-construction badger surveys will extend into inaccessible areas of the DCO boundary. Item remains under discussion.		No change at Deadline 3		No Comment at D3		The Applicant has committed to completing a pre-construction badger survey covering the Order Limits and a surrounding 30m buffer as detailed in the Outline Ecological Management Plan (Revision C) [REP3-068, Appendix A]. This will include the sections of the Order Limits which were previously inaccessible. The Applicant considers that the concerns of Natural England have been addressed.
110	14, 58	At Deadline 1 Natural England has submitted best practice advice for mitigation measures to be adopted to mitigate disturbance impacts to the North Norfolk Coast (NNC) SPA pink footed goose feature. During examination we will work with the Applicant to secure this in the DCO.		No change at Deadline 2.		No change at Deadline 3. Natural England is currently working with the Applicant to agree appropriate mitigation for pink-footed geese. However, for Natural England to agree with any proposed mitigation we will also need to have certainty that this mitigation will be put into effect. This will require a requirement within the DCO or a condition within the deemed marine licence schedules to ensure enforcement of the required mitigation. Natural England notes that under the Planning Act process it is for the Applicant to draft the DCO and the conditions within. However, we are		No Comment at D3		The Applicant is in dialogue with Natural England regarding Pink-footed geese and is seeking clarity on a number of points on the guidance produced by Natural England. Of note, further clarity is sought regarding how mitigation (if required) could be managed from a practical perspective.

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						willing to engage with the Applicant on a condition, which could be submitted on a without prejudice basis should we fail to reach agreement on the need for such mitigation.				
111	15, 32	Natural England advises all effort to deter reptiles from site and to encourage reptiles to move to adjacent sites should be implemented within the mitigation measures to reduce potential injury and/or harm to reptiles. We suggest manipulation of habitats to discourage reptiles from using the site should be employed in the first instance. We advise the creation of habitat to replace those habitats destroyed is included in the OLEMS. Pre-construction walkover surveys to identify any new areas of suitable reptile habitat which become established in the period between surveys and construction is to be carried out and detailed in the OLEMS.		Natural England has provided further advice in Appendix I2 advice at Deadline 2. Item remains under discussion.		No change at Deadline 3		No Comment at D3		The Applicant refers Natural England to The Applicant's comments on Natural England's Deadline 2 Submissions [REP3-108]. The Outline Ecological Management Plan (Revision C) [REP3-068, Appendix A] details that pre-construction reptile surveys would only be completed if new areas of suitable reptile habitat are found during the pre-construction Extended UK Habitat classification surveys, or if new information on reptile distribution comes to light (such as NBIS records). In the event that new sites are surveyed for reptiles and these surveys confirm the presence of reptiles, this information will be submitted to the relevant planning authority, along with a proposed mitigation approach for the site/s, as part of the submission of results of preconstruction surveys. Requirement 13 (Ecological management plan) of the draft DCO (Revision H) [document reference 3.1] states that: No phase of the onshore works may commence until a written ecological management plan (which accords with the outline ecological management plan and the relevant recommendations of appropriate British Standards or Industry Guidance) for that phase reflecting the survey results and ecological mitigation, enhancement and biodiversity net gain measures included in the environmental statement has been submitted to and approved by the relevant planning authority in consultation with the relevant statutory nature conservation bodies and (where works have potential to affect wetland habitat) the Environment Agency. The Applicant considers that the concerns of Natural England have been addressed.
112	16, 50	We encourage the Applicant to work alongside Norwich Western Link [RR-065] to ensure mitigation covers all areas of concern and to achieve potential enhancement proposals for species and habitats. We emphasise the importance of minimising habitat loss, fragmentation and disturbance to a range of species and habitats including breeding birds, and bats. Please see new R&I item I37 in		No change at Deadline 2.		No change at Deadline 3. Please see our advice to R&I Point I7 above and I37 below.		No Comment at D3		Noted,. The Applicant will continue to work with Norwich Western Link.

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		relation to Natural England's intention to gather evidence from next year to build an appreciation of whether notification of the Wensum Woodlands SSSI is appropriate.								
113	17, 23, 24, 34, 45	<p>Due to current issues with partial and full discharges of DCO requirements relating to separate Ecological Management Plan (EMP) and Landscape Management Plan (LMP) for other offshore windfarm NSIPs, Natural England advises that the separate EMP and LMP documents are combined to form the Outline Landscape Ecological Management Strategy (OLEMS) in order to lessen the burden on all parties and avoid multiple consultations.</p> <p>Our Relevant/Written Representation highlights a number of points we would like to see included in the OLEMS and we will review upon submission.</p> <p>Natural England advises pre-construction walk over surveys are carried out to validate whether habitats have changed significantly since the 2020 and 2021 surveys and whether protected species surveys are required with details included in the OLEMS. Natural England also recommends that the OLEMS (to be submitted with the final DCO application) contains a commitment to post-construction surveying/monitoring for designated habitats and species that will be affected, such as hedgerows used by bats, grasslands, ponds, GCN, cereal field margins, etc. to ensure that mitigation/restoration measures have been successful. If not we would advise that the onus remains on the Applicant until this is remediated</p>		No change at Deadline 2.		No change at Deadline 3. We await further revision of the EMP and LMP with respect to our advice.	No Comment at D3		<p>The Applicant has discussed combining the OLMP and OEMP with other stakeholders. Whilst the Applicant acknowledges Natural England's position and acknowledges that there may be occasions where these documents overlap, it is of the view that the OEMP and OLMP should remain separate, to help expedite the discharge of Requirements.</p> <p>The Applicant has updated the OEMP and OLMP and refers Natural England to the latest version of these documents:</p> <p>Outline Ecological Management Plan (Revision C) [REP3-068].</p> <p>Outline Landscape Management Plan (Revision D) [document reference 9.18].</p> <p>Pre-construction ecological surveys planned by the Applicant are detailed in Appendix A of the Outline Ecological Management Plan (Revision C) [REP3-068].</p>	
Document Used: [APP-108] 6.1.22 Chapter 22 Air Quality										
114	18, 25	River Wensum SSSI and Colton Wood ancient woodland are sensitive to dust impacts. Colton Wood and the unnamed ancient woodland (near Ketteringham) are stated as having 'high' sensitivity. Natural England advises clarification is needed as to whether these sites will be further impacted. The Zones of Influence (Zoi) for Ancient Woodland should		No change at Deadline 2.		No Change at Deadline 3. Natural England welcomes the Applicant's submission of the Addendum to the Environmental Statement Chapter 20, Onshore Ecology and Ornithology, Revision A [REP2-053]. Please see	No Comment at D3		<p>The Applicant refers Natural England to the Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.2], which provides details on Tree Root Protection Plans and buffer zones for woodland and trees. These requirements are mirrored in the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 2.5.11].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>	

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		be clearly stated with consideration given to any potential edge effects.				our further advice in Appendix I4 regarding the ZOI for Ancient Woodland at Colton Wood for consideration of their potential edge effects. For the River Wensum SSSI, we advise the Applicant assesses features/vegetation present that may be affected, within 200m of the construction traffic so that suitable mitigation can be put in place. These details should be included within the Outline Ecological Management Plan (EMP) and Code of Construction Plan (CoCP).				
Document Used: [APP-282] 6.5 Schedule of Mitigation and Mitigation Routemap										
115	19	It is noted that reptile translocation may be required for three sites. If translocation is required, Natural England advises the receptor site would require reptile surveys to be carried out to establish the current reptile population at the relocation site and determine whether the site has capacity for an additional population. This survey will need to be secured in the OLEMs		No change at Deadline 2.		No change at Deadline 3		No Comment at D3		<p>The Applicant refers Natural England to The Applicant's comments on Natural England's Deadline 2 Submissions [REP3107, Appendix A].</p> <p>This illustrates the very small scale of habitat which could be impacted and from which slow worms could need to be moved (as a last resort in the event that habitat manipulation and management is not successful at discouraging slow worms from this area).</p> <p>Note that the maximum count of slow worms recorded during the surveys at Hickling Lane was one adult, so the maximum count is one not two. The area of suitable reptile habitat along Hickling Lane extends over an extensive linear corridor alongside this ancient green lane, which extends beyond the Order Limits, where there is an established mosaic of habitat features (grassy margins, scrub, ponds, hedgerows, trees, fallen wood etc.), so the very minor incursion/loss of habitat which may impact a small part of one component of this habitat (estimate c.35 square metres of tussocky grassland around base of an electricity pylon) would be expected to have a negligible and temporary impact on the viability of this much wider area of reptile habitat.</p>

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										The Applicant considers that the concerns of Natural England have been addressed.
116	20, 30, 57	Natural England advises soft-felling should be carried out as a precautionary measure on those trees with potential (moderate and high) for roosting bats, even where bats have not been identified as roosting during surveys. Pre-construction surveys comprising a ground-level appraisal of bat roost suitability/potential, followed by bat roost emergence/re-entry surveys of any trees with High or Moderate bat roost potential which are to be removed or impacted upon should be included in the Schedule of Mitigation and Mitigation Route Map and detailed in the OLEMS. An EPS mitigation licence will still be required if future surveys record no evidence of bats roosting in trees in which roosting was previously recorded.		No change at Deadline 2.		Natural England welcomes the Applicant submission of the Bats technical Note. Please see Natural England's advice in Appendix I3 to the 13.10 Bats - Alderford Common SSSI and Swannington Uppgate Common SSSI Technical Note [REP1-063]. Natural England welcomes that all trees with High, Moderate or Low bat roost potential will be soft-felled and that where roosting bats have been recorded within trees the EPS mitigation licence will likely include the use of soft-felling.				
117	21, 35-37	Pre-works and post-construction mitigation measures including construction exclusion zones are proposed in the Invertebrate Survey Report [APP-224] and includes " <i>Manipulation of dune communities to create mobile dune systems, with associated bare ground and habitat niches, are encouraged in other areas in the UK through the Dynamic Dunescapes initiative</i> ". Natural England advises these are detailed in the Schedule of Mitigation and Mitigation Route Map and incorporated into the OLEMS.		No change at Deadline 2.		No change at Deadline 3.		No Comment at D3		The Applicant refers Natural England to The Applicant's comments on Natural England's Deadline 2 Submissions [REP3-037] in which it confirms that dune communities are entirely avoided via the use of HDD. Therefore, this measure is no longer necessary. The Applicant considers that the concerns of Natural England have been addressed.
Document Used: [APP-302] 9.17 Outline Code of Construction Practice										
118	22	Woodland/Hedgerow Protection has not included protection for individual trees, including veteran and TPO trees. Natural England advises this should be identified through the Tree Protection Plan. We advise The Code of Construction Practice should be informed by the Tree Protection Plan and Hedgerow Mitigation Plans and Method		Natural England has provided further advice in Appendix I2 advice at Deadline 2 to the OCoCP. Item remains under discussion.		No change at Deadline 3.		No Comment at D3		The Applicant refers Natural England to the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 2.5.11], which commits the Applicant to the following:

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		Statements (as specified in the Outline Ecological Management Plan and to be included in the OLEMS).								<ul style="list-style-type: none"> A suitably qualified Arboriculturist will be appointed by the Principal Contractor. The Arboriculturist will oversee the installation of construction exclusion zones to encompass Root Protection Areas (RPAs) around existing woodland and trees. These buffer zones will be maintained throughout the works period. <p>Buffer zones surrounding retained areas of woodland and trees will have a radius of at least 12 times the stem diameter of the tree (or 15 times the stem diameter for veteran/ancient trees) as advised by the Arboriculturist and informed by Tree Protection Plans. RPAs around hedgerows will be assessed by the ECoW. The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: [APP-228] 6.3.20.15 Arboricultural Report and [APP-304] 9.19 Outline Ecological Management Plan										
119	25, 18	Buffer zones for ancient woodlands have not been specified in the EMP [APP-304]. Natural England advises that buffer zones should be included to reflect the habitat and potential impact pathways from development. Where assessment shows impacts are likely to extend beyond this distance, such as the effect of air pollution from development then there may need a larger buffer zone. We advise that the management of buffers should be incorporated into the OLEMS.		No change at Deadline 2.		No change at Deadline 3.		No Comment at D3		<p>The Applicant refers Natural England to the Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.2], which provides details on Tree Root Protection Plans and buffer zones for woodland and trees. These requirements are mirrored in the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 2.5.11].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
120	26, 69	The Arboricultural Report [APP-228] is not an Arboricultural Impact Assessment. Natural England advises a full tree survey within the entire DCO boundary is required prior to work on the onshore cables commencing. This should highlight any ancient/veteran trees to avoid and then using micro-siting and HDD to avoid these trees and should inform an arboricultural impact assessment. We advise tree root protection zones are included in the OLEMS and should be secured. Where management of trees is required, we advise this must be completed by a qualified arborist to ensure tree health is not impacted. We would welcome a secured commitment by the Applicant to avoid construction activities within veteran tree buffer zones.		No change at Deadline 2.		No change at Deadline 3.		No Comment at D3		<p>The Applicant has committed to providing The Arboricultural Method Statement and Tree Protection Plans of the Order Limits, through the Arboricultural Survey Report [APP-228, Section 6.5]. This will provide further detail as to when and where an Arboriculturist will be required on site for briefings. The Arboricultural Method Statement and Tree Protection Plans will be submitted to the local planning authority for approval prior to construction commencement. This is secured under Requirement 11 of the draft DCO (Revision H) [document reference 3.1], which also requires (within sub-paragraph(e)) 'details of existing trees and hedges to be removed and details of existing trees and hedges to be retained with measures for their protection during the construction period where applicable...'</p> <p>The Applicant also refers Natural England to the Outline Ecological Management Plan (Revision C) [REP3-068, Section 2.2], which provides details on Tree Root Protection Plans and buffer zones for</p>

Point	Point Number(s) from Appendix I [RR-063]	Taken from Natural England's Relevant and Written Representations SEP AND DEP Appendix I - Terrestrial Ecology [RR-063]	RAG Status Rel and WR Rep D1	Consultation, actions, progression	RAG Status D2	Consultation, actions, progression	RAG Status D3	Applicant's comment D3	RAG Status D5	Applicant's comment D5
										<p>woodland and trees. These requirements are mirrored in the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 2.5.11].</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: [APP-129] 6.2.18 Chapter 18 Water Resources and Flood Risk										
121	38	<p>Natural England advises that further clarity is provided in the documents provided on HDD tolerance monitoring, how quickly bentonite release can be stopped, or an assessment of a worst-case scenario bentonite breakout considering extent, timings, and environmental impacts. Sediment increases as a result of bentonite breakout should be considered with regards to lamprey species which are present in several watercourses including Swannington Beck where its 'high sensitivity would combine with a low magnitude of effect to create an impact of moderate adverse significance' as a result of increased sediment supply. We advise the potential impact of an HDD breakout on features of interest and their supporting habitats should be assessed. See item 12 above.</p>		<p>Natural England has provided further advice in Appendix I2 advice at Deadline 2. Item remains under discussion.</p>		<p>No change at Deadline 3.</p>		<p>No Comment at D3</p>		<p>The Outline Code of Construction Practice (Revision E) [document reference 9.17] contains mitigation measures for sediment management (Section 7.1.1), pollution prevention (Section 7.1.2) and bentonite breakout (7.1.4). All of which are secured by Requirement 19 of the draft DCO (Revision H) [document reference 3.1].</p> <p>A Bentonite Breakout Plan would be developed prior to construction and would be informed by further detailed design and surveys including hydrofraction survey at all drill sites. A site-specific risk assessment would then be undertaken as part of the post consent detailed design process (see paragraph 131 of the Outline Code of Construction Practice (Revision E) [document reference 9.17]. This will include measures to ensure drilling stops once a breakout is reported (there will be a drop in pressure at the drill head).</p> <p>The Applicant confirms the inclusion of the following requirement to the Outline Code of Construction Practice (Revision E) [document reference 9.17], para. 133]: All bentonite breakouts within designated sites are to be reported to Natural England as soon as possible and within 24 hours.</p> <p>The Applicant also refers Natural England to the Report to Inform the Appropriate Assessment (RIAA) (onshore) Technical Note [REP2-050] which assesses the potential impact of a bentonite breakout on features of interest (including lamprey species) and supporting habitats. Following the mitigation identified in the document (Sections 2.3.2.1 to 2.3.2.3), there would be no adverse effect on the integrity of the River Wensum SAC in relation to the conservation objectives for brook lamprey.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: 6.2.19 Chapter 19 Land Use, Agriculture and Recreation										

Point	Point Number(s) from Appendix I [RR-063]	Taken from Natural England's Relevant and Written Representations SEP AND DEP Appendix I - Terrestrial Ecology [RR-063]	RAG Status Rel and WR Rep D1	Consultation, actions, progression	RAG Status D2	Consultation, actions, progression	RAG Status D3	Applicant's comment D3	RAG Status D5	Applicant's comment D5
I22	39	The study area also crosses two Higher countryside stewardship scheme (CSS) agreements, and ten Middle CSS agreements. We advise the Applicant must consult the landowner and, where required, the Rural Payments Agency at the earliest opportunity to discuss the impacts to schemes. Mitigation should also be provided to ensure that species of conservation note are not unduly impacted by the projects.		No change at Deadline 2.		No change at Deadline 3.		No Comment at D3		The Applicant continues to work with Landowners/Occupiers and their respective agents. It would be the responsibility of the named individual on the CSS scheme to contact the Rural Payments Agency and to discuss the potential impacts to their scheme. Mitigation requirements would be determined based on the findings of pre-construction ecological surveys, which are detailed in the Outline Ecological Management Plan (Revision C) [REP3-068, Appendix A]. The Applicant considers that the concerns of Natural England have been addressed.
I23	40	Open cut techniques will cross several Public Rights of Way (PRoW). Though trenchless crossing methods will be used to cross the Norfolk Coastal Path it is noted that access restrictions may occur during the short term. Natural England queries how assurances can be made to ensure that any diversions of recreational routes do not impact upon protected species or habitats.		As per our Appendix I2 advice at Deadline 2 we advise further information is needed within the OLEMS. Item remains under discussion.		No change at Deadline 3.		No Comment at D3		The Applicant refers Natural England to The Applicant's Comments on Natural England's Deadline 2 Submission [REP3-107]. The routing of temporary diversions to Public Rights of Way (PRoW) would be determined prior to commencement of works. Where diversions are required outside the Order Limits, the Applicant would seek to use the existing PRoW network, where possible. Where diversions are within the Order Limits, these would be informed, in part, by the results of further surveys, e.g. Extended UK Habitat classification surveys, where required. Routing would seek to avoid protected species or sensitive habitats, where possible. The Applicant considers that the concerns of Natural England have been addressed.
I24	41, 44	Mitigation measures include private agreements with landowners regarding any permanent losses of agricultural land. However, it is not clear how these private agreements will mitigate for the permanent loss of the agricultural land. Natural England seeks clarification as to what the opportunities are for additional soil mitigation. Will additional pre-construction surveys be undertaken If additional mitigation measures and agricultural surveys, to determine whether the land associated with the onshore substations is Grade 3a or 3b and if mitigation measures are sufficient to reduce impacts to acceptable levels.		No change at Deadline 2.		No change at Deadline 3.		No Comment at D3		A Construction Practice Addendum has been produced and is included in the Heads of Terms with Landowners/Occupiers. This includes details of the Pre-Construction Soil Survey which would be undertaken. Mitigation in relation to Soil Management is identified in the Outline Code of Construction Practice (Revision E) [document reference 9.17], including pre-construction soil surveys and the production of a Soils Management Plan. This is secured by Requirement 19 (Code of construction practice) of the draft DCO (Revision H) [document reference 3.1]. The Applicant considers that the concerns of Natural England have been addressed.

Point	Point Number(s) from Appendix I [RR-063]	Taken from Natural England's Relevant and Written Representations SEP AND DEP Appendix I - Terrestrial Ecology [RR-063]	RAG Status Rel and WR Rep D1	Consultation, actions, progression	RAG Status D2	Consultation, actions, progression	RAG Status D3	Applicant's comment D3	RAG Status D5	Applicant's comment D5
125	43	The cumulative impacts during construction on soil degradation and potential loss of soil due to erosion are given as minor adverse as each project has committed to best practice mitigation. However, we encourage some communication between plans/projects to ensure mitigation covers all potential areas of concern from cumulative impacts.		No change at Deadline 2.						
Document Used: [APP-216] 6.3.20.3 Static Bat Detector and Transect Survey Report and [APP-223] 6.3.20.10 Bat (Roosting) Survey Report										
126	9, 47	The crossing techniques for the areas closest to Alderford Common (Reephams Road and School Road) have not been confirmed. We advise a commitment to the collection of further preconstruction survey data is required to better understand potential impacts to commuting and foraging routes functionally linked to the Alderford Common SSSI (noted for roosting bats) which may be impacted through open cut trenching. And to ensure that mitigation measures remain fit for purpose.		No change at Deadline 2. We defer our response regarding issues relating to bats to Deadline 3.		No change at Deadline 3. Please see Natural England's advice and comments in Appendix I3 to the 13.10 Bats - Alderford Common SSSI and Swannington Uppgate Common SSSI Technical Note [REP1-063] and related comments to the Outline Code of Construction Practice [REP1-24] and Ecological management Plan [REP1-028]. We note the crossing techniques have been indicated in the Applicant's technical note and advise these are included within the EMP. Please also see advice at Point 7 Appendix I3 in relation to areas closest to Alderford Common.		No Comment at D3		The Applicant confirms that this information is presented in ES Appendix 4.1 - Crossing Schedule (Revision D) [document reference 6.3.4.1]. Trenchless crossing areas are also shown in ES Chapter 4 Project Description (Revision B) Figures [REP3-028, Figure 4.10] . The Applicant refers to the response in ID5 of Table 1-1 above. The Applicant considers that the concerns of Natural England have been addressed.
127	48, 53	It is unclear why only a 50m buffer has been applied for the Norfolk Biodiversity Information Service (NBIS) data search for bats. Natural England advises given the mobile nature of bats the proposed 50m buffer requires further justification. We query whether Core Sustenance Zones (CSZ) have been considered for other potentially important areas and other bat species (other than barbastelle). Alderford Common SSSI lies within 180m west of the DCO boundary, with good connectivity between the site and the DCO boundary. We advise that connecting and supporting habitats should be considered		No change at Deadline 2. We defer our response regarding issues relating to bats to Deadline 3.		No change at Deadline 3. Please see Natural England's comment 7 in Appendix I3 to the Ecological management Plan [REP1-028].		No Comment at D3		The Applicant refers Natural England to The Applicant's Response to Natural England's Deadline 3 Submission [REP4-031] , detailed below: There will be a high number of sites outside the Order Limits that provide suitable foraging and roosting habitats, functionally linked land and CSZs for bat populations. For example, there are likely thousands of trees and buildings within a few kilometres of the Order Limits which support or are suitable for roosting bats. In some instances, there may be ecological connections between offsite bat habitats and areas which would be impacted by the SEP a DEP onshore

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		and advise using CSZ when assessing impacts to bats and their habitats, consulting MAGIC maps to identify the presence of any protected species licence in the boundary, or within the zone of influence of the proposed development. Natural England advises that until this is considered further by the Applicant we are unable to agree with the conclusions they have drawn.								<p>construction works, such as for a bat population which roosts outside the Order Limits and flies to a foraging site along a commuting route which would be bisected by the construction works. However, the impact risk to these bats would be captured by bat surveys inside the Order Limits because this is the source of the impact (i.e. in the example given, the impact would be to commuting bats, not to roosting or foraging bats). The impact risk to bat activity outside the Order Limits is tenuous and extremely difficult to quantify without identifying the full extent of all populations' roosting, commuting and foraging ranges; without this information the relative value of the Order Limits and the construction works within it would not be assessable. Such an assessment is also thought to be unprecedented for impact assessments, and its scope would be extremely difficult to define. It should be noted that the tree bat roost survey scope (agreed to by Natural England during the ETG meetings (refer to APP-030, Annex 5.2.1.1 for ETG meeting minutes and Annex 5.2.1.2 for ETG Agreement Logs)) comprises surveys only of trees within the Order Limits which are at risk of being impacted (i.e. felled). This means there may be multiple trees with High or Moderate BRP (and indeed with roosting bats) inside the Order Limits that do not need to be surveyed because they are not being impacted. The same principle should apply to offsite habitats which would similarly not be at risk of being impacted. It would be disproportionate to be able to screen out on-site roosting features on the basis that they are not to be impacted, but screen-in off-site potential roost features due to concerns that bats using these roosts could be impacted by off-site works possibly up to a number of kilometres distant. The Applicant is proposing to complete bat surveys focused on the Order Limits where direct impacts would occur and can be assessed and mitigated. Surveys of potential roost sites, CSZs and functional linked land outside the route would not materially change the assessment or mitigation approach because bats would only be at risk of impact if using the Order Limits for some purpose (e.g. foraging). The same approach applies to other mobile species such as wintering birds, where surveys only cover the Order Limits rather than surrounding areas despite the fact birds (possibly including some of the same populations) will also forage there.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>

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128	49	Natural England advises loss of habitat (maternity and hibernation roosts) for barbastelle bats should be minimised, particularly in the area around the River Wensum, Lenwade, Weston Longeville, Swannington, Ringland that have been identified for its significance for important colonies of bats plus important foraging and commuting routes. Please also see new R&I item 138 below in relation to the potential notification of Wensum Woods SSSI. Impacts must be minimised within this area to avoid irreversible damage to habitats and therefore species. Sufficient mitigation should be included in the OLEMS and secured with post-monitoring surveys completed.		No change at Deadline 2. We defer our response regarding issues relating to bats to Deadline 3.		"Please see Natural England's advice in Appendix I3 to the 13.10 Bats - Alderford Common SSSI and Swannington Ugate Common SSSI Technical Note [REP1-063] and related comments to the Outline Code of Construction Practice [REP1-24] and Ecological Management Plan [REP1-028]. Natural England continues to advise the Applicant to minimise impacts within the sensitive areas in and around Alderford Common SSSI, Swannington Ugate Common SSSI, Weston, Morton on the Hill and Scotchwood Hills areas by using trenchless crossing methods. In addition the project should ensure sufficient mitigation measures are included such as a lighting strategy (see new R&I item 38) and sufficient habitat and hedgerow planting for areas where hedgerows are removed."		No Comment at D3		The Applicant refers Natural England to The Applicant's Response to Natural England's Deadline 3 Submission [REP4-031] . The Applicant considers that the concerns of Natural England have been addressed.
129	51	Scotchwood Hills, is an important area for foraging, commuting and roosting bats, in particular barbastelle in combination with the proposed Western Link. We recommend trenchless technique should be considered here to minimise impacts to important colonies of bats.		No change at Deadline 2. We defer our response regarding issues relating to bats to Deadline 3.		No change at Deadline 3. Please see Natural England's advice in Appendix I3 to the 13.10 Bats - Alderford Common SSSI and Swannington Ugate Common SSSI Technical Note [REP1-063] and related comments to the Outline		No Comment at D3		The Applicant refers Natural England to The Applicant's Response to Natural England's Deadline 3 Submission [REP4-031] , detailed below: The Applicant reaffirms that Natural England's concerns regarding bats Alderford Common/Swannington Ugate Common SSSIs would be addressed by pre-construction surveys of that area, as confirmed in the earlier technical note [REP1-064]. This would also apply to the Scotchwood Hills area. The barbastelle maternity roost CSZ is thought to relate to 'Wensum Woods' which may be designated

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						Code of Construction Practice [REP1-24] and Ecological Management Plan [REP1-028]. We advise that where trenchless crossings are proposed at Scotchwood Hills, Weston, and Morton on the Hill areas, HDD should be considered where there is the potential for significant effects for the foraging and/or commuting bats. Please see RI& item I37 below.				as a SSSI in the future but currently CSZs or other aspects of this potential SSSI (such as which woodlands might be included within it) are not defined. Therefore, these two issues are separate as one relates to two existing SSSIs and the other relates to a potential, undefined SSSI. There may be ecological overlaps between the existing and potential SSSIs, but this is not known at this stage because the barbastelle study has not been published and Wensum Woods has not been designated as a SSSI. The Applicant has committed to completing pre-construction bat surveys of all habitats and features which are considered to be potentially important to bats (in terms of foraging, commuting and roosting) and which are at realistic risk of being impacted by SEP and DEP, such as hedgerows or treelines which would be breached by sections of the cable corridor to be installed using open-cut methods. Consideration of which habitats and features may be important will be scoped into the pre-construction bat surveys and will take account of surrounding habitat contexts, such as nearby woodlands. Areas of woodland and connected habitats within the Wensum corridor will be given particular consideration in this process, given their potential to be included in the future Wensum Woods SSSI. Where pre-construction surveys confirm that features such as hedgerows, treelines or watercourses are important for bats, mitigation will then be designed and provided. This process of using pre-construction surveys to inform mitigation is considered more appropriate than detailing mitigation before pre-construction surveys have taken place, particularly so for mitigation relating to the potential Wensum Woods SSSI on which no bat survey data has yet been made publicly available. The Applicant considers that the concerns of Natural England have been addressed.
I30	47, 52, 54, 55	It is unclear why the results of the bat static surveys were not used to inform assessments of trees where static detector survey data suggest roosts within close proximity to the DCO boundary. We advise that further clarification whether (and if not why) areas where potential maternity roosts /trees with potential to support roosting bats within close proximity to the DCO boundary and those that may be functional linked e.g. Alderford Common SSSI were surveyed. Also of note are the registration times at Weybourne Woods suggesting there may be roosts		No change at D2. We defer our response regarding issues relating to bats to Deadline 3.		No change at Deadline 3.		No Comment at D3		The static bat detector surveys, along with transect surveys, informed the impact assessment for foraging and commuting bats. Bat roost surveys comprised an appraisal of the roost potential of all possible roost features within the onshore cable corridor, with further targeted surveys (emergence and/or re-entry surveys) completed on any features with High or Moderate bat roost potential (per Bat Conservation Trust guidelines) which were at risk of being adversely impacted (i.e. trees which were at risk of being felled). This approach to bat roost surveys was agreed with Natural England and other stakeholders during ETG meetings.

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		located in the vicinity. There will be removal of trees within this area which could impact upon commuting and/or foraging and roosting bats and advised that this further considered by the Applicant to ensure that the necessary mitigations measures can be adopted.								<p>The two different survey methodologies focused on different aspects of bat behaviour/ecology: tree roost surveys for roosting bats, and static detector and transect surveys for bat activity (foraging and commuting bats). The results of the bat roost surveys were not used to inform the scope or location of bat activity surveys, and the results of bat activity surveys were not used to inform the scope of roost surveys because the presence of one type of behaviour does not necessarily mean the other will be impacted. For example, an area of importance for foraging or commuting bats may have no bat roosts. It is because of this distinction between bat behaviours and how they can be impacted that roost surveys were only completed where there was considered to be a risk of an impact to roosting bats (i.e. where a tree with roost potential was at risk of being felled).</p> <p>It is considered unnecessary to characterise bat roosting in the surrounding area where bat roosts would not be affected. The risks posed by the onshore cable corridor works to bats which may be roosting in the surrounding area would be to foraging or commuting bats emanating from these roosts; surveys for foraging and commuting bats have been completed and the data from these surveys have informed the impact assessment on this aspect of bat behaviour/ecology.</p> <p>The Applicant also refers to Natural England's agreement (in ETG meetings) [APP-030] for there to be no survey requirement for trees with High or Moderate bat roost potential which are inside the onshore cable corridor if such trees are being retained. It is considered that this survey approach was based on the understanding that such trees required no surveys because there was no risk of impacts to bats which may be roosting in them. By the same principle, there should be no survey requirement for trees outside the onshore cable corridor which are also not being impacted.</p> <p>The Applicant would welcome clarification from Natural England as to the impact pathway/mechanism by which bats roosting in the surrounding area (perhaps many kilometres from the onshore cable corridor) could be directly impacted in a way that would not be captured by the impact assessment on foraging and commuting bats.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>

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I31	56	Natural England advises pre-construction bat roosting surveys should consider potential impacts to existing roosts within habitats as well as trees and structures and should include hibernation roosts. This should be secured in the OLEMS.		No change at Deadline 2. We defer our response regarding issues relating to bats to Deadline 3.		Please see Natural England's advice in Appendix I3 to the 13.10 Bats - Alderford Common SSSI and Swannington Upgate Common SSSI Technical Note [REP1-063] and related comments to the Outline Code of Construction Practice [REP1-24] and Ecological Management Plan [REP1-028]. We welcome the detail within the EMP for the bat roost appraisal surveys. We advise that pre-construction surveys should include any potential new constraints for bats, for example strong winds over winter may create more potential roost features within trees. We advise that if additional roost features are identified further survey should be considered.		No Comment at D3		<p>The Applicant refers Natural England to The Applicant's Response to Natural England's Deadline 3 Submission [REP4-031], detailed below:</p> <p>The pre-construction walkover survey of the whole route (consisting of an Extended UK Habitat classification survey) will appraise the potential for protected species including a ground level appraisal of the Bat Roost Potential (BRP) of all trees. Any trees which are found to have Moderate or High BRP in accordance with Bat Conservation Trust criteria, will be subject to further surveys and, if necessary, mitigation under the terms of a Natural England approved EPS Mitigation Licence.</p> <p>There is also a commitment to brief all tree surgeons (as site personnel) working on tree removal for SEP and DEP to the requirements set out in the EMP and the site-wide ecological requirements, which would include the potential presence of bat roosts [REP3 060, Section 1.2.4].</p> <p>Therefore, in the event that trees previously identified as having no/negligible BRP subsequently develop BRP (in the period between when surveys are completed and when trees are to be removed, which will be targeted to take place within a few months only), the tree surgeons would be able to respond accordingly (i.e. inform the ecologist who will then determine if tree felling needs to be delayed to allow for surveys and, if necessary, licensed mitigation to be completed).</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: [APP-220] 6.3.20.7 Onshore Ecology Desk Study										
I32	64	It is unclear whether the online resources used to inform the desk study search area includes the use of the Impact Risk Zone layer to inform the decision. Natural England seeks further clarification. Without this information, we are unable to have confidence in the conclusions drawn by the Application		No change at D2		No change at Deadline 3.		No Comment at D3		<p>The approach to the designated sites and biological records search elements of the onshore ecology desk study involved obtaining records of sites and records within 2km of the PEIR boundary. This approach was agreed with Natural England and other stakeholders in the ETG meetings. Impact Risk Zones around individual sites were not specifically reviewed as it was anticipated that Natural England would have raised any particular concerns they had about potential impacts to any designated sites beyond 2km from the PEIR boundary.</p> <p>The information layer associated with IRZs on the MAGIC website specify that the appropriate action/response (if a relevant development proposal overlaps an IRZ) is to consult with Natural England. It</p>

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										<p>is therefore anticipated that Natural England would have provided comments on any site-specific issues or concerns, given there has been ongoing consultation/open dialogue with Natural England since 2019 and throughout the pre-application stage. The IRZ information is a screening tool to help determine when Natural England should be consulted over the potential impacts of certain types of development on designated sites. However, Natural England has been consulted (and in extensive detail regarding designated sites such as Alderford Common SSSI, Swannington Uppgate Common SSSI and the potential Wensum Woods SSSI), so the screening tool is not considered a necessary stage of the desk study.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: [APP-221] 6.3.20.8 Reptile Survey Report										
133	65	<p>Several reptile surveys were subject to suboptimal weather with temperatures outside of the optimal conditions and many surveys carried out in overcast conditions. Several refugia were destroyed and two of the 15 sites surveyed sites were located outside of the DCO boundary. Natural England advises clarity is required regarding the completeness and validity, and therefore the robustness, of the survey data used to inform the Application. We also advise sufficient mitigation must be employed and detailed in the OLEMS.</p>		<p>As per our Appendix I2 advice at Deadline 2 we advise further information is needed within the OLEMS. Item remains under discussion.</p>		<p>No change at Deadline 3.</p>		<p>No Comment at D3</p>		<p>The vast majority of individual reptile surveys were completed in acceptable/optimal conditions, in accordance with survey guidelines. Only a small number of visits at individual sites were completed when air temperatures were marginally outside the optimal range (19 or 20 degrees Celsius rather than between 9 and 18 degrees Celsius). This is considered a very minor constraint and has no implications on the impact assessment; the results tables in the Reptile Survey Technical Appendix [APP-221] show consistent numbers and species of reptiles recorded even during the visits completed when air temperatures were marginally above the optimal level.</p> <p>Reptile surveys can be completed in overcast conditions. This can improve detectability in some circumstances (such as if cloudy weather follows a period of sunny weather) as reptiles are attracted to the survey refuges which retain heat during cloudy periods.</p> <p>Sites at which refugia were destroyed included the River Tud and Valley Farm, Swardeston. At both these sites, habitat conditions on these un-grazed pastures were initially considered to be potentially suitable for reptiles and a survey was therefore commenced. However, livestock were then moved into the habitat and partially damaged and destroyed some of the refuges. The livestock simultaneously reduced the suitability of the habitat to a degree which meant reptile surveys were no longer warranted; consequently the sites were screened out of requiring</p>

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										<p>reptile surveys and the surveys were discontinued. This is not considered a constraint because the sites did not warrant surveys once livestock had been moved in.</p> <p>At the Muckleburgh Collection survey site, occasional vegetation cutting is part of the baseline management of the site, to maintain the areas of coastal grassland, scattered scrub and other habitats, and in doing so, maintain the area's suitability for reptiles. This is therefore an unavoidable baseline feature of the site. To have prohibited vegetation management for the duration of the survey may have had a detrimental impact on reptiles given the habitats would have begun to succeed to less optimal and diverse compositions.</p> <p>Two of the 15 sites surveyed for reptiles are now outside the Order Limits, but they were inside the PEIR boundary. The refinement of the route from PEIR boundary to Order Limits was undertaken after the reptile surveys had been completed. The fact that two sites were surveyed for reptiles but are no longer relevant to the impact assessment (given they are outside the Order Limits) is not considered a constraint to the impact assessment; the survey data from these sites has simply been excluded from the impact assessment because it is irrelevant.</p> <p>As outlined in the Reptile Survey Technical Appendix [APP-221], the above constraints are not considered to have had a substantial impact on the reliability of the survey results.</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>
Document Used: 6.3.20.13 Appendix 20.13 - Riparian Mammals (Water Vole and Otter) Survey Report										
134	68	Water vole presence (water vole feeding sign) is noted near Little Barningham along a stream. The method of crossing at this section is not detailed as open cut or HDD. Natural England seeks clarification of the type of habitat at this area and the crossing method for this location.		No change at D2.		No change at Deadline 3.		No Comment at D3		<p>The habitat at this ditch near Little Barningham is a seasonal ditch bordered by scattered trees and arable field margins.</p> <p>The Applicant advises that the crossing method at this location is listed as open cut. The crossing would be surveyed for signs of riparian mammal presence, during spring and summer in the period up to two years prior to construction works commencing (i.e. surveys would be completed whenever any such watercourses were identified).</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>

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I35	31	Natural England advises a 10m Construction Exclusion Zone is established/secured within 10m of the watercourses providing suitable habitat for riparian mammals and detailed in the OLEMS [APP-226].		No change at D2.		No change at Deadline 3.		No Comment at D3		Comment noted. The Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 2.5.4] details that: <i>The cable entry and exit pits will be at least 9m from the banks of the watercourse (in line with the permitting requirement for EA/IDB)...Protective Provisions for drainage authorities are included within Schedule 14 Part 4 (Environment Agency) and Part 5 (Water Management Alliance) of the draft DCO.</i>
Document Used: [APP-219] 6.3.20.6 Initial Biodiversity Net Gain Assessment.pdf										
I36	62-63	Natural England welcomes SEP and DEP's voluntary commitment to achieve Biodiversity Net Gain and reminds the Applicant that the mitigation hierarchy should be adhered to in the first instance with BNG additional to this. Natural England considers it is important that a landscape scale approach is applied with a clear strategy of how measures can be delivered across a wider area beyond the compulsory purchase corridor of the route. Measures to create new, restore existing and link severed or isolated habitats across the wider area should be incorporated, with the focus on wetland and woodland habitats. We welcome that BNG details are being considered for hedgerows. Natural England advises there may be opportunities to enhance habitats for reptiles. We recommend restoration of important habitats, such as hedgerows and SSSIs (including the River Wensum and Alderford Common SSSIs) should be focused on for BNG. We emphasise the importance of enhancing and creating new connectivity between habitats.		No change at D2.		No change at Deadline 3.		No Comment at D3		Comment noted.
Additional issues following relevant and Written Reps Submission of 14 November 2022										
I37	New Issue at D1	Natural England (NE) has included an area known as Wensum Woodlands on a list for potential notification as a Site of Special Scientific Interest (SSSI) consideration due to the Barbastelle bat colony it contains. There is evidence in the wider area to show that this is a nationally important area for barbastelles (roosts, foraging and commuting) extending east to Drayton Drewary, north to Reepham, west to Swanton Morley, down to North Tuddenham and south to East Tuddenham. The inclusion of the Wensum Woodlands SSSI		No change at D2.		No change at Deadline 3. Please see Natural England's advice at Deadline 3 in Appendix I3.		No Comment at D3		The Applicant refers Natural England to The Applicant's Response to Natural England's Deadline 3 Submission [REP4-031].

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		<p>on the shortlist is not a commitment by NE to notify a SSSI, only to investigate the site further. The spatial extent of the SSSI will be dependent on survey data collected by Natural England. The process in notification decision will take several years to complete.</p> <p>Therefore Natural England advises that in order to future proof the project, there must be no damage due to construction or operation and maintenance activities that may hinder notification of the site. Mitigation as highlighted above should be of gold standard given the importance of the site and the presence of Barbastelles. Also as above we encourage coordination with the Norwich Western Link application by Norfolk County Council, noting their survey information acquired is in the public domain: https://www.norfolk.gov.uk/roads-and-transport/major-projects-and-improvement-plans/norwich/norwich-western-link/timeline.</p>								
138	New Issue at D3					<p>"Please refer to our advice in Appendix I3. Natural England welcomes that emissions from artificial light during construction will be in accordance with Bats and Lighting in the UK guidance (Bat Conservation Trust and Institute of Lighting Engineers, 2018), and will include the use of directional beams, non-reflective surfaces and barriers and screens, to avoid light nuisance whilst maintaining safety and security obligations. Please also refer to our comment for the OEMP at NE Point 24) [REP2-063].</p> <p>We advise that a detailed lighting plan is included in the EMP</p>		No Comment at D3		<p>The Applicant refers Natural England to the Outline Code of Construction Practice (Revision E) [document reference 9.17, Section 3.7] which contains mitigation measures to manage emissions from artificial light during construction will be in accordance with Bats and Lighting in the UK guidance (Bat Conservation Trust and Institute of Lighting Engineers, 2018).</p> <p>The Applicant considers that the concerns of Natural England have been addressed.</p>

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						during the consenting phase to ensure impacts upon sensitive habitats and species, particularly in the area around Alderford Common SSSI/Swannington/Weston/Morton on the Hill, Scotchwood Hills and the wider Wensum Woods areas can be suitably mitigated for. "				