



# Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects

Final Statement of Common Ground with National  
Trust (Revision C)

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## Glossary of Acronyms

BEIS	Department for Business, Energy and Industrial Strategy
CIA	Cumulative Impact Assessment
CIMP	Compensation Implementation and Monitoring Plan
DCO	Development Consent Order
DEP	Dudgeon Offshore Wind Farm Extension Project
EIA	Environmental Impact Assessment
EPP	Evidence Plan Process
ES	Environmental Statement
ETG	Expert Topic Group
ExA	Examining Authority
GW	Greater Wash
HRA	Habitats Regulations Assessment
km	Kilometre
MEEB	Measures of Equivalent Environmental Benefit
MW	Megawatts
NNC	North Norfolk Coast
NSIP	Nationally Significant Infrastructure Project
PEIR	Preliminary Environmental Information Report
RIAA	Report to Inform Appropriate Assessment
SEP	Sheringham Offshore Wind Farm Extension Project
SoCG	Statement of Common Ground
SPA	Special Protection Area
UK	United Kingdom

## Glossary of Terms

Order Limits	The area subject to the application for development consent, including all permanent and temporary works for SEP and DEP.
Dudgeon Offshore Wind Farm Extension Project (DEP)	The Dudgeon Offshore Wind Farm Extension onshore and offshore sites including all onshore and offshore infrastructure.
DEP onshore site	The Dudgeon Offshore Wind Farm Extension onshore area consisting of the DEP onshore substation site, onshore cable corridor, construction compounds, temporary working areas and onshore landfall area.
European site	Sites designated for nature conservation under the Habitats Directive and Birds Directive. This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2017.
Evidence Plan Process (EPP)	A voluntary consultation process with specialist stakeholders to agree the approach, and information to support, the EIA and HRA for certain topics.
Expert Topic Group (ETG)	A forum for targeted engagement with regulators and interested stakeholders through the EPP.
Horizontal directional drilling (HDD) zones	The areas within the onshore cable route which would house HDD entry or exit points.
Landfall	The point at the coastline at which the offshore export cables are brought onshore, connecting to the onshore cables at the transition joint bay above mean high water
Onshore cable corridor	The area between the landfall and the onshore substation sites, within which the onshore cable circuits will be installed along with other temporary works for construction.
Onshore export cables	The cables which would bring electricity from the landfall to the onshore substation. 220 – 230kV.

Onshore Substation	Compound containing electrical equipment to enable connection to the National Grid.
PEIR boundary	The area subject to survey and preliminary impact assessment to inform the PEIR.
Sheringham Shoal Offshore Wind Farm Extension Project (SEP)	The Sheringham Shoal Offshore Wind Farm Extension onshore and offshore sites including all onshore and offshore infrastructure.
SEP onshore site	The Sheringham Shoal Wind Farm Extension onshore area consisting of the SEP onshore substation site, onshore cable corridor, construction compounds, temporary working areas and onshore landfall area.
Study area	Area where potential impacts from the project could occur, as defined for each individual Environmental Impact Assessment (EIA) topic.
The Applicant	Equinor New Energy Limited. As the owners of SEP and DEP, Scira Extension Limited and Dudgeon Extension Limited are the named undertakers that have the benefit of the DCO. References in this document to obligations on, or commitments by, 'the Applicant' are given on behalf of SEL and DEL as the undertakers of SEP and DEP.

## 1 Introduction

### 1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared by Equinor New Energy Limited (the Applicant) and National Trust. It identifies areas of the Sheringham Shoal Offshore Wind Farm Extension Project (SEP) and Dudgeon Offshore Wind Farm Extension Project (DEP) Development Consent Order (DCO) application (the Application) where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Act 2008: Guidance for the examination of applications for development consent (Department for Communities and Local Government, 2015) when compiling this SoCG.
3. This SoCG has been structured to reflect topics of the Application which are of interest to National Trust. The applicable matters considered within this SoCG apply to the National Trust's statutory remit.
4. **Table 1** presents the topics included in the SoCG with the Applicant and National Trust. This includes the list of documents relevant to Sandwich tern compensation that were submitted for the DCO application and that have informed the development of this SoCG (**Section 2.6**).

*Table 1: Topics included in the SoCG*

Topic / Chapter / Document Title	Reference	Part of the Evidence Plan Process (EPP) (Yes/No)
Onshore Ecology and Ornithology	APP-106, REP2-053, REP3-026	Yes
Onshore Archaeology and Cultural Heritage	APP-107	Yes
Landscape and Visual Impact Assessment	APP-112	Yes
Offshore Ornithology	APP-097	Yes
Report to Inform Appropriate Assessment (RIAA)	APP-059	Yes
Appendix 1 Compensatory Measures Overview	APP-064	Yes
Annex 1A Initial Review of Compensatory Measures for Sandwich Tern and Kittiwake	APP-065	Yes
Annex 1B Sandwich Tern and Kittiwake Ecological Evidence	APP-066	Yes
Annex 1D Record of HRA Derogation Consultation	APP-068	Yes
Appendix 2 Sandwich Tern Compensation Document (Revision B)	Note that this document was updated at Deadline 7 (at time of signature, the latest document reference number was not available)	Yes

Topic / Chapter / Document Title	Reference	Part of the Evidence Plan Process (EPP) (Yes/No)
Annex 2A Outline Sandwich Tern Compensation Implementation and Monitoring Plan (CIMP)	APP-070	Yes
Annex 2B Sandwich Tern Nesting Habitat Improvements Site Selection	APP-071	Yes
Strategic and Collaborative Approaches to Compensation and Measures of Equivalent Environmental Benefit (MEEB)	APP-084	Yes
Sandwich Tern – Quantification of Productivity Benefits (Revision C)	REP1-058, REP3-091. Note that this document was updated at Deadline 7 (at time of signature, the latest document reference number was not available)	No

5. Further detail of those topics included in the EPP can be found in the **Consultation Report Appendix 1 (Evidence Plan)** [APP-030]. Details of the consultation undertaken on those topics not included in the EPP are set out in the corresponding chapters of the Environmental Statement (ES).
6. Topic specific matters agreed, not agreed and matters that remain under discussion between the Applicant and National Trust are included within this SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and National Trust to reach agreement wherever possible or refine the extent of disagreement between parties.
7. Throughout the SoCG the phrase “Agreed” identifies any point of agreement between the Applicant and National Trust. The phrase “Not Agreed” identifies any point that is not agreed between the Applicant and the National Trust.

## 1.2 Consultation with National Trust

8. The Applicant has engaged with National Trust on the Projects during the pre-Application process, both in terms of informal non-statutory engagement and statutory consultation carried out pursuant to Section 42 of the Planning Act 2008.
9. During the formal (Section 42) consultation, National Trust provided comments on the Preliminary Environmental Information Report (PEIR) by way of a letter dated 10<sup>th</sup> June 2021.
10. A summary of topic-specific engagement both pre- and post-application is provided in **Section 2** under the relevant sub-sections.

## 1.3 Summary of ‘Agreed’, ‘Not Agreed’ and ‘In Discussion’ Matters

11. In order to easily identify whether a matter is ‘agreed’, ‘not agreed’ or ‘in discussion’, the colour coding system set out in **Table 2** has been used.



12. Details on specific matters that are ‘agreed’, ‘not agreed’ or ‘in discussion’ between the Applicant and National Trust are presented in **Table 5, Table 7, Table 9, Table 11, Table 14, and Table 16.**

*Table 2 Position key status*

Position Status	Position Colour Coding
<b>Agreed</b> The matter is considered to be agreed between the parties.	Agreed
<b>Not Agreed – no material impact</b> The matter is not agreed between the parties; however, the outcome of the approach taken by either the Applicant or National Trust is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG.	Not Agreed – no material impact
<b>Not Agreed – material impact</b> The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant or National Trust is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded.	Not Agreed – material impact
<b>In discussion</b> The matter is neither ‘agreed’ nor ‘not agreed’ and is a matter where further discussion is required between the parties (e.g. where documents are yet to be shared with National Trust).	In discussion

## 2 Statement of Common Ground

13. A summary of the consultation undertaken to date with National Trust and the matters agreed, in discussion or not agreed (based on discussions and information exchanged between the Applicant and National Trust during the pre-application and examination phases of the Application) are set out below for each of the SoCG topic areas.

### 2.1 Project-wide considerations

14. **Table 3** provides areas of agreement and disagreement for Project-wide considerations.

*Table 3: Project-wide considerations*

ID	The Applicant’s position	National Trust’s position	Position Summary
<b>Electricity Supply</b>			
1	There is a need to provide new forms of renewable energy generation and this is emphasised in UK Government policy including the National Policy Statement for Renewable Energy Infrastructure (EN-3) The principle of the development of SEP and DEP is therefore supported, as it accords with national renewable energy policy, targets and objectives.	-	Agreed
<b>Site Selection</b>			

ID	The Applicant's position	National Trust's position	Position Summary
5	As described in ES Chapter 3 Site Selection and Assessment of Alternatives [APP-116], the methodology adopted for selecting and assessing the cable corridor, including the final option, is considered robust and appropriate.	-	Agreed

## 2.2 Onshore ecology and ornithology

*Table 4: Summary of consultation with National Trust regarding onshore ecology and ornithology*

Date	Contact Type	Topic
<b>Pre-Application</b>		
10/06/2021	Section 42 Consultation	National Trust's response to Section 42 consultation on the PEIR. Appendix 4 of the Consultation Report [APP-033]
<b>Post-Application</b>		
22/11/2022	Relevant Representation	National Trust's Relevant Representation submitted to PINS [RR-016].
02/02/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG;</li> <li>• Discuss topics raised in the Relevant Representation.</li> </ul>
01/03/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG.</li> </ul>

Table 5: Topics agreed, in discussion or not agreed in relation to onshore ecology and ornithology

ID	The Applicant Position	National Trust Position	Position Summary
<b>EIA – Project-Along Assessment Conclusions</b>			
1	In respect of impacts on National Trust owned land, the conclusions of the impact assessment as details in Section 20.6 of ES <b>Chapter 20 Onshore Ecology and Ornithology (Revision C)</b> [REP3-026] are appropriate and are considered not significant in EIA terms.	The National Trust does not have any concerns regarding the conclusions identified in ES <b>Chapter 20 Onshore Ecology and Ornithology</b> [APP-106]; or how they have been considered in the assessment, in respect of impacts on National Trust owned land.	Agreed
<b>EIA – Cumulative Impact Assessment (CIA) Conclusions</b>			
2	In respect of impacts on National Trust owned land, the conclusions of the CIA as detailed in Section 20.7 of ES <b>Chapter 20 Onshore Ecology and Ornithology (Revision C)</b> [REP3-026] are appropriate and are considered not significant in EIA terms.	The National Trust does not have any concerns regarding the conclusions of the CIA as detailed in Section 20.7 of ES <b>Chapter 20 Onshore Ecology and Ornithology</b> [APP-106]; or how they have been considered in the assessment, in respect of impacts on National Trust owned land.	Agreed
<b>Draft DCO / Outline Management Plans / Mitigation and Monitoring</b>			
3	Schedule 2, Part 1, Requirement 13 (Ecological Management Plan) of the <b>draft DCO (Revision K)</b> [document reference 3.1] is sufficient to secure that an Ecological Management Plan is submitted and approved by the relevant planning authority in consultation with Natural England prior to the commencement of onshore works including pre-commencement site clearance.	The National Trust does not have any concerns regarding the <b>draft DCO</b> [AS-009] and requirement for an Ecological Management Plan to be submitted and approved by the planning authority in consultation with Natural England prior to the commencement of onshore works including pre-commencement site clearance.	Agreed
4	The <b>Outline Ecological Management Plan (Revision C)</b> [REP3-068] includes all relevant mitigation measures specified in ES <b>Chapter 20 Onshore Ecology and Ornithology (Revision C)</b> [REP3-026] and is appropriate for managing post construction impacts from Projects on ecological receptors.  The <b>Outline Ecological Management Plan (Revision C)</b> [REP3-068] has been updated to include the National Trust as a named consultee for works effecting Trust owned land.	The National Trust has reviewed the <b>Outline Ecological Management Plan</b> [APP-304] and acknowledges that it provides a framework from which to agree the detailed plans post consent through the discharge of the relevant DCO requirement. The Trust notes that it has been updated to include the National Trust as a named consultee for works effecting Trust owned land.	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
5	The Applicant is committed to replacement planting of hedgerow and hedgerow trees and has committed to 10-year monitoring and maintenance period as per the <b>Outline Landscape Management Plan (Revision C)</b> [REP3-066] and <b>Outline Ecological Management Plan (Revision C)</b> [REP3-068].	The National Trust does not have any concerns regarding the commitment to the 10-year monitoring and maintenance period identified in the <b>Outline Ecological Management Plan</b> [APP-304]; or how they have been considered in the assessment.	Agreed

## 2.3 Onshore archaeology and cultural heritage

*Table 6: Summary of consultation with National Trust regarding onshore archaeology and cultural heritage*

Date	Contact Type	Topic
<b>Pre-Application</b>		
10/06/2021	Section 42 Consultation	National Trust's response to Section 42 consultation on the PEIR. Appendix 4 of the <b>Consultation Report</b> [APP-033].
<b>Post-Application</b>		
22/11/2022	Relevant Representation	National Trust's Relevant Representation submitted to PINS [RR-016].
02/02/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG;</li> <li>• Discuss topics raised in the Relevant Representation.</li> </ul>
01/03/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG.</li> </ul>

Table 7: Topics agreed, in discussion or not agreed in relation to onshore archaeology and cultural heritage

ID	The Applicant Position	National Trust Position	Position Summary
<b>EIA – Baseline Environment</b>			
1	The ES adequately characterises the baseline environment in terms of onshore archaeology and cultural heritage as detailed in Section 21.5 of ES <b>Chapter 21 Onshore Archaeology and Cultural Heritage</b> [APP-107].	<p>The National Trust raised in their Relevant Representation [RR-016] that:</p> <p>“Whilst the exact area of the proposed groundworks has not had a formal archaeological survey, the adjacent woodlands [contain] networks of medieval and post-medieval wood banks, quarry pits of medieval to modern date and a number of WWI and WWII defensive features. Furthermore, there exists an extant scheduled prehistoric barrow to the southeast of the proposed groundworks indicating that the wider area is likely home additional prehistoric settlement and/or funerary activity.”</p> <p>The Trust confirms that a plan of known archaeological finding has been provided to the Examining Authority (ExA) at Deadline 1.</p>	Agreed
2	Sufficient survey data has been collected to inform the assessment as presented within ES <b>Chapter 21 Onshore Archaeology and Cultural Heritage</b> [APP-107].	See above comment.	Agreed
3	The approach to the selection of priority geophysical survey areas was appropriate and sufficient to inform the assessment of impacts. The <b>Outline Written Scheme of Investigation (Onshore) (Revision C)</b> [REP2-031] has been updated to include the National Trust as a named consultee for works effecting Trust owned land.	<p>The National Trust does not have any concerns regarding the approach of priority geophysical survey areas ES Chapter 21 Onshore Archaeology and Cultural Heritage [APP-107]; or how they have been considered in the assessment.</p> <p>The National Trust notes that the Outline Written Scheme of Investigation (Onshore) (Revision B) [REP1-029] has been updated to include the National Trust as a named consultee for works affecting Trust owned land and that a suitable and appropriate methodology for the archaeological work on the</p>	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
		Sheringham Estate will be secured through the discharge of the relevant DCO requirement.	
4	<p>Archaeological trial trenching is not required to inform the assessment of impacts pre-application. Further evaluation will be completed post consent. This was agreed with Norfolk County Council at Expert Topic Group (ETG) meeting 4, 16/08/2022.</p> <p>The Applicant will consult with the Archaeological Advisor to Norfolk County Council and the National Trust's Archaeologist at the post-consent stage to agree the details of the archaeological strategy across land under the ownership of the National Trust.</p>	The National Trust does not have any concerns regarding the pre-consent trial trenching identified in ES <b>Chapter 21 Onshore Archaeology and Cultural Heritage</b> [APP-107].	Agreed
5	The approach to obtaining desk-based data, as detailed in ES <b>Chapter 21 Onshore Archaeology and Cultural Heritage</b> [APP-107] and associated appendices is appropriate.	The National Trust does not have any concerns regarding the approach to obtaining desk-based data as identified in ES <b>Chapter 21 Onshore Archaeology and Cultural Heritage</b> [APP-107]; or how the data has been considered in the assessment.	Agreed
<b>Draft DCO / Outline Management Plans / Mitigation and Monitoring</b>			
6	<p>The measures identified in the Outline Written Scheme of Investigation [APP-308] are appropriate and adequate.</p> <p>The <b>Outline Written Scheme of Investigation (Onshore) (Revision C)</b> [REP2-031] has been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p> <p>The requirement for a Code of Construction Practice is secured via Requirement 19 of the <b>draft DCO (Revision K)</b> [document reference 3.1].</p>	<p>The applicant has advised that it will consult with the Archaeological Advisor to Norfolk County Council and the National Trust's Archaeologist at the post-consent stage to agree the details of the archaeological strategy across land under the ownership of the National Trust.</p> <p>The National Trust notes that the Outline Written Scheme of Investigation (Onshore) (Revision B) [REP1-029] has been updated to include the National Trust as a named consultee for works affecting Trust owned land and that a suitable and appropriate methodology for the archaeological work on the Sheringham Estate will be secured through the discharge of the relevant DCO requirement.</p>	Agreed



ID	The Applicant Position	National Trust Position	Position Summary
7	Schedule 2, Part 1, Requirement 18 (Onshore Archaeology) of the <b>draft DCO (Revision K)</b> [document reference 3.1] is sufficient to secure the measures identified in the <b>Outline Written Scheme of Investigation (Onshore) (Revision C)</b> [REP2-031].	The National Trust does not have any concerns regarding Schedule 2, Part 1, Requirement 18 of the <b>draft DCO</b> [AS-009]; or how they have been considered in the assessment.	Agreed

## 2.4 Landscape and visual impact

*Table 8: Summary of consultation with the National Trust regarding seascape and visual impact*

Date	Contact Type	Topic
<b>Pre-Application</b>		
10/06/2021	Section 42 Consultation	National Trust's response to Section 42 consultation on the PEIR. Appendix 4 of the <a href="#">Consultation Report</a> [APP-033].
<b>Post-Application</b>		
22/11/2022	Relevant Representation	National Trust's Relevant Representation submitted to PINS [RR-016].
02/02/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG;</li> <li>• Discuss topics raised in the Relevant Representation.</li> </ul>
01/03/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG.</li> </ul>

*Table 9: Topics agreed or not agreed in relation to Landscape and visual impact*

ID	The Applicant Position	National Trust Position	Position Summary
<b>EIA – Baseline Environment</b>			
1	<p>The following list of visual receptors is appropriate for assessing visual effects:</p> <ul style="list-style-type: none"> <li>• Settlements,</li> <li>• Public Rights of Way,</li> <li>• Beach / coastal margin and other accessible landscapes,</li> <li>• Key routes road and rail,</li> <li>• Key routes recreational [long distance walking routes, cycle routes],</li> <li>• Specific viewpoints.</li> </ul>	<p>The National Trust does not have any concerns regarding the list of visual receptors identified in ES <b>Chapter 26 LVIA</b> [APP-112]; or how they have been considered in the assessment.</p>	Agreed
2	<p>The following list of landscape designations and areas or features protected by policy for consideration with regard to onshore landscape and visual impact assessment is appropriate:</p> <ul style="list-style-type: none"> <li>• Norfolk Coast AONB.</li> <li>• Rural River Valleys and Valley Urban Fringe landscape character types [South Norfolk Local Plan DMPD Policy DM 4.5].</li> <li>• Norwich Southern Bypass Landscape Protection Zone [NSBLPZ],</li> <li>• Key Viewing Cones and Undeveloped Approaches to Norwich [South Norfolk Local Plan DMPD Policy DM 4.6].</li> </ul>	<p>The National Trust does not have any concerns regarding the list of landscape designations and areas or features protected by policy identified in ES <b>Chapter 26 LVIA</b> [APP-112]; or how they have been considered in the assessment.</p>	Agreed
3	<p>Sufficient survey data has been collected to inform the assessment as presented within ES <b>Chapter 26 LVIA</b> [APP-112].</p>	<p>The National Trust does not have any concerns regarding the survey data collected to inform the assessment in ES <b>Chapter 26 LVIA</b> [APP-112]; or how they have been considered in the assessment, in respect of National Trust owned land.</p>	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
<b>EIA – Assessment Methodology</b>			
4	<p>ETG meeting 3 [part 1 of 2] [02/02/2022] agreed with the decision to use ground level viewpoint and historic photography from the Sheringham Shoal offshore wind farm SLVIA within the ES SVIA Chapter be referred to in reaching judgements on effects on visitors to the viewing gazebo at Oak Wood.</p> <p>It was explained that the viewing gazebo at the National Trust Oak Wood is presently inaccessible, and the National Trust agrees to the SVIA’s proposed approach.</p>	<p>As set out in Table 26-1: Consultation Responses of ES <b>Chapter 25 SVIA</b> [APP-111], the National Trust confirmed in September 2021 that the viewing tower in Oak Wood, Sheringham Park, had been closed in 2020 due to the Covid-19 pandemic and remained close because the tower requires repair work before it can be reopened. This repair work was planned for 2022, and access was therefore not possible for the ES. It was agreed with the National Trust that the alternative ground-level viewpoint 17 would be used, in combination with a review of photography used previously for the Sheringham Shoal Wind Farm project.</p>	Agreed
5	<p>Visuals have been produced from agreed representative viewpoints, in accordance with Landscape Institute Technical Guidance Note 06/19 Visual Representation of Development Proposals, September 2019, Visual Representation of Wind Farms Version 2.2, Scottish Natural Heritage, February 2017.</p>	<p>The National Trust does not have any concerns regarding methodology used to produce the visualisations that support the assessment in ES <b>Chapter 26 LVIA</b> [APP-112]; or how they have been considered in the assessment.</p>	Agreed
6	<p>The impact assessment methodologies used for the EIA, as presented in Section 26.4 of ES <b>Chapter 26 LVIA</b> [APP-112], provide an appropriate approach to assessing potential impacts of the Projects.</p>	<p>The National Trust does not have any concerns regarding the impact assessment methodologies identified in Section 26.4 of ES <b>Chapter 26 LVIA</b> [APP-112]; or how they have been considered in the assessment.</p>	Agreed
7	<p>The following approach to the assessment of effects on the documented ‘Special Qualities’ of the Norfolk Coast AONB within the LVIA is appropriate:</p> <p>The LVIA assess effects on the Special Qualities of Natural Beauty that underpin the designation of the Norfolk Coast AONB that are relevant to seascape, landscape and visual.</p>	<p>The National Trust does not have any concerns regarding the approach to the assessment of effects on the documented ‘Special Qualities’ of the Norfolk Coast AONB in ES <b>Chapter 26 LVIA</b> [APP-112]; or how they have been considered in the assessment.</p>	Agreed
<b>EIA – Project-Along Assessment Conclusions</b>			
8	<p>The conclusions of the impact assessment, which are presented in Section 26.6 of the ES <b>Chapter 26 LVIA</b> Impact Assessment</p>	<p>The National Trust notes in their Relevant Representation [RR-016] regarding the conclusions of the impact</p>	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
	<p>[APP-112], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of SEP and/or DEP on landscape and visual receptors.</p> <p>In accordance with the impact assessment’s methodology (see Section 26.4 of ES <b>Chapter 26 LVIA</b> [APP-112]), effects which have been assessed to be ‘major-moderate’ or ‘major’ are considered significant in EIA terms.</p> <p>Whilst the ES assesses a Moderate Adverse impact at Weybourne Woods. However, given that the National Trust have inalienable rights in relation to Weybourne Woods) it will be consulted on the <b>Outline Landscape Management Plan (Revision C)</b> [REP3-066].</p> <p>The conclusions of the impact assessment on the remaining landscape and visual receptors identified within the study areas of the onshore cable corridor and substation are appropriate, and assuming the inclusion of embedded mitigation measures, would not be considered significant in EIA terms.</p>	<p>assessment presented in ES <b>Chapter 26 LVIA</b> [APP-112], stating:</p> <p>“Weybourne Woods was declared inalienable in order to protect views from Sheringham Park and prevent inappropriate development. Construction impacts on Weybourne Woods and the AONB have been identified as major-moderate significance and adverse. Furthermore, it is proposed to remove an area of forestry.”</p> <p>The Applicant has advised the Trust that pre-construction surveys would be carried out and these would inform the proposed landscape, arboricultural and ecological mitigation and enhancements.</p> <p>The National Trust has reviewed the Outline Landscape Management Plan (APP-303), the Outline Ecological Management Plan (APP-304) and the ‘The Applicant’s Comments to Relevant Representations’ (REP1-033). The Trust acknowledges that the outline management plans provide a framework from which to agree the detailed plans post consent through the discharge of the relevant DCO requirement. The Trust acknowledges that the Outline Landscape Management Plan (Revision B) and the Outline Ecological Management Plan (Revision B) have been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	
<b>Draft DCO / Outline Management Plans / Mitigation and Monitoring</b>			
9	<p>Requirement 11 (Implementation and maintenance of landscaping) of the <b>draft DCO (Revision K)</b> [document reference 3.1] commits the Applicant to the implementation and maintenance of landscaping. Paragraph 11(2)(e) requires any</p>	<p>The National Trust notes in their Relevant Representation [RR-016] that:</p>	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
	<p>landscaping scheme to include 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. This would take the form of a full arb survey pre-construction. The Applicant's position is that this requirement is sufficient to secure the submission of a landscape management plan and secure the mitigation measures proposed.</p> <p>The <b>Outline Landscape Management Plan (Revision C)</b> [REP3-066] has been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	<p>The Applicant has advised the Trust that pre-construction surveys would be carried out and these would inform the proposed landscape, arboricultural and ecological mitigation and enhancements.</p> <p>The National Trust has reviewed the Outline Landscape Management Plan (APP-303), the Outline Ecological Management Plan (APP-304) and the 'The Applicant's Comments to Relevant Representations' (REP1-033). The Trust acknowledges that the outline management plans provide a framework from which to agree the detailed plans post consent through the discharge of the relevant DCO requirement. The Trust acknowledges that the Outline Landscape Management Plan (Revision B) and the Outline Ecological Management Plan (Revision B) have been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	
10	<p>The <b>Outline Landscape Management Plan (Revision C)</b> [REP3-066] includes all relevant mitigation measures specified in ES <b>Chapter 26 LVIA</b> [APP-112] and is appropriate for managing post construction impacts from Projects on landscape and visual receptors.</p> <p>In terms of landscape mitigation at Weybourne Wood, paragraph 26 of the <b>Outline Landscape Management Plan (Revision B)</b> [REP3-066] ('OLMP') (see Section 1.2.3) states:</p> <p>"Where the cable corridor passes through the Norfolk Coast AONB (the AONB), trenchless crossing techniques (such as HDD) are proposed to minimise the loss of tress and vegetation. However, due to the length of trenchless crossing, it is necessary to install a launch and reception pit within Weybourne Wood (approximately 50m x 100m area) which would result in the clearance of existing vegetation. Where coniferous</p>	<p>The National Trust notes in their Relevant Representation [RR-016] that "...It is not clear to the Trust what landscape, arboricultural and ecological mitigation and enhancements are proposed."</p> <p>The Applicant has advised the Trust that pre-construction surveys would be carried out and these would inform the proposed landscape, arboricultural and ecological mitigation and enhancements.</p> <p>The National Trust has reviewed the Outline Landscape Management Plan (APP-303), the Outline Ecological Management Plan (APP-304) and the 'The Applicant's Comments to Relevant Representations' (REP1-033). The Trust acknowledges that the outline management plans</p>	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
	<p>plantation trees would be permanently removed, the land will be reinstated to a suitable habitat agreed with the land owner and that accord with the objectives of the wider AONB.”</p> <p>The <b>Outline Landscape Management Plan (Revision C)</b> [REP3-066] has been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	<p>provide a framework from which to agree the detailed plans post consent through the discharge of the relevant DCO requirement. The Trust acknowledges that the Outline Landscape Management Plan (Revision B) and the Outline Ecological Management Plan (Revision B) have been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	
11	<p>A 10-year replacement period for trees, hedgerows, and other vegetation was discussed and agreed during ETG meeting 2 (part 1 of 2), 21/07/2021.</p>	<p>The National Trust does not have any concerns regarding the proposed 10 years replacement period for tree, hedgerows and other vegetation identified in ES Chapter 26 LVIA [APP-112]; or how they have been considered in the assessment.</p>	Agreed
12	<p>The small-scale permanent removal of coniferous trees and replacement with an appropriate alternative land use would have limited effects on the existing landscape character.</p> <p>The <b>Outline Landscape Management Plan (Revision C)</b> [REP3-066] has been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	<p>The National Trust notes in their Relevant Representation [RR-016] that:</p> <p>“Weybourne Woods was declared inalienable in order to protect views from Sheringham Park and prevent inappropriate development. Construction impacts on Weybourne Woods and the AONB have been identified as major-moderate significance and adverse. Furthermore, it is proposed to remove an area of forestry.”</p> <p>The Applicant has advised the Trust that pre-construction surveys would be carried out and these would inform the proposed landscape, arboricultural and ecological mitigation and enhancements.</p> <p>The National Trust has reviewed the Outline Landscape Management Plan (APP-303), the Outline Ecological Management Plan (APP-304) and the ‘The Applicant’s Comments to Relevant Representations’ (REP1-033). The Trust acknowledges that the outline management plans provide a framework from which to agree the detailed plans</p>	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
		<p>post consent through the discharge of the relevant DCO requirement. The Trust acknowledges that the Outline Landscape Management Plan (Revision B) and the Outline Ecological Management Plan (Revision B) have been updated to include the National Trust as a named consultee for works effecting Trust owned land.</p>	



## 2.5 Land access / ownership

Table 10: Summary of consultation with National Trust regarding land access / ownership

Date	Contact Type	Topic
<b>Pre-Application</b>		
10/01/2020	Letter	Introduction letter.
18/05/2020	Letter	Update letter regarding landfall locations.
03/07/2020	Letter	Update regarding Phase one consultation and landowner meetings and inviting opportunity to meet and discuss route selection.
04/08/2020	Meeting	Consultation meeting to discuss General project matters and site specific matters.
02/06/2021	Meeting	Meeting which discussed updates on Heads of Terms, routing options, construction methodology and survey access licences.
16/07/2021	Email	Agreed non-intrusive survey access licence, returning counter signed licence.
03/04/2021	Email	Returned and signed intrusive survey licence.
13/08/2021	Letter	Letter issued to confirm advance payments due under intrusive survey licence.
05/10/2021	Letter	Letter and plan which outlined proposed DCO route through Weybourne Woods and inviting discussion.
12/11/2021	Meeting	Landowner engagement meeting to discuss general project updates and site specific matters.
22/02/2022	Letter	Invitation sent for NT to attend upcoming public information days.
31/05/2022	Letter	Issued populated Heads of Terms for voluntary acquisition of land rights.
27/06/ 2022	Email	Response to Heads of Terms received from agent following National Trusts' review.
05/07/2022	Email	Applicant responded to Heads of Terms queries, particularly in relation to above ground apparatus and tree planting.
12/07/2022	Letter	Update to confirm extension to Heads of Terms incentive deadline.
<b>Post-Application</b>		
21/11/2022	Email	Update regarding Applicant's position with Forestry Commission.
20/12/2022	Email	Emails to address outstanding queries regarding Heads of Terms.
23/01/2023	Email	Update received from National Trust following Heads of Terms review meeting. Proposed meeting with the Applicant to progress discussions.

Date	Contact Type	Topic
22/11/2022	Relevant Representation	National Trust's Relevant Representation submitted to PINS [RR-016].
02/02/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG;</li> <li>• Discuss topics raised in the Relevant Representation.</li> </ul>
01/03/2023	Meeting	The focus of the meeting was to: <ul style="list-style-type: none"> <li>• Seek agreement through the SoCG.</li> </ul>

*Table 11: Topics agreed, in discussion or not agreed in relation to land negotiations*

ID	The Applicant Position	National Trust Position	Position Summary
<b>Other Matters as Required</b>			
1	<p>The Applicant is in negotiations with National Trust’s agent to agree Heads of Terms in respect of an Option Agreement. The timescales which the Applicant and National Trust are working towards in terms of are set out below:</p> <ul style="list-style-type: none"> <li>• Draft Heads of Terms Agreed: Spring 2023</li> <li>• Draft Option Agreement: June 2023</li> <li>• Signed Option Agreement: Summer 2023</li> </ul>	<p>The National Trust notes in their Written Representation that it is working with the Applicant to progress a signed Option Agreement and Deed of Easement, The timescales for this are detailed below:</p> <ul style="list-style-type: none"> <li>• Draft Heads of Terms Agreed: Spring 2023</li> <li>• Draft Option Agreement: June 2023</li> <li>• Signed Option Agreement: Summer 2023</li> </ul>	Agreed
2	<p>Discussions regarding the Heads of Terms are ongoing. Discussions on the Option Agreement will continue beyond close of the Examination.</p>	<p>The Applicant and National Trust have reached an agreement in principle over the term of the easement. However, an Option Agreement and Deed of Easement for the requisite cables and access over and under Trust land has not been signed. Accordingly, the National Trust is unable to remove its objection until a signed agreement is in place. Discussions on the Option Agreement will continue beyond close of the Examination.</p>	Not Agreed – material impact
3	<p>The Applicant has sought to agree a licence agreement in respect of intrusive survey access.</p>	<p>Licence has been agreed.</p>	Agreed

## 2.6 Offshore Ornithology / Sandwich Tern Compensation

15. This section of the SoCG has been structured to reflect matters relating to Habitats Regulations Assessment (HRA) Derogation with a specific focus on Sandwich tern compensation which is of interest to National Trust. National Trust have been involved in discussions relating to Sandwich tern compensation through the Offshore Ornithology Compensation ETG meetings and reserve an interest in the proposals because National Trust manage the land at Blakeney Point where there is a Sandwich tern colony (which forms part of the North Norfolk Coast Special Protection Area (SPA)).
16. The Applicant has provided a **RIAA** [APP-059] which provides the competent authority with information on the potential for adverse effect on the integrity of European Designated Sites with subsequent updates to assessments provided in the **Apportioning and HRA Updates Technical Noted (Revision D)** [document reference 13.3].
17. **Table 12** lists the Special Protection Areas (SPA) and offshore ornithology features relevant to this SoCG. The **RIAA** [APP-059] concludes that an in-combination adverse effect on integrity cannot be ruled out for the breeding Sandwich tern feature of the North Norfolk Coast (NNC) SPA and the Greater Wash (GW) SPA.

Table 12: Relevant effects and RIAA conclusions

Site	Feature	Effect	RIAA Assessment Conclusion
NNC SPA	Sandwich tern	In-combination collision risk In-combination combined displacement and collision risk	Adverse effect on site integrity <b>cannot be ruled out</b> .
GW SPA	Sandwich tern	In-combination collision risk In-combination combined displacement and collision risk	Adverse effect on site integrity <b>cannot be ruled out</b> .

### 2.6.1 Overview of SEP and DEP Sandwich Tern Compensation Measures

18. Since submission of the DCO application, the Applicant has been working to mature the Sandwich tern compensation proposals with updates during Examination provided through the **HRA Derogation and Compensatory Measures Update (Revision D)** [document reference 13.7].
19. Compensatory measures were considered in the context of different delivery models including strategic, collaborative and project-led measures. The delivery models reflect how the Applicant considers each measure could be most feasibly, effectively and proportionately delivered, relative to the Projects' predicted impacts.
20. Prey enhancement through sandeel stock (and sprat stocks in relation to Sandwich tern) recovery and ecosystem-based management is considered by the Applicant to be the most effective means of increasing breeding success and therefore populations of Sandwich tern (as well as kittiwake, guillemot and razorbill). This is

evidenced by information presented in **Annex 1B Sandwich Tern and Kittiwake Ecological Evidence** [APP-066]. However, as outlined in the respective species compensation documents, this would necessitate, for example, a decision by Department for the Environment, Food and Rural Affairs (Defra) to legislate to reduce fishing pressure on sandeels in UK waters as strategic compensation for offshore wind, for which there is currently no agreed mechanism for delivery and which may not be achievable within the necessary timeframes for SEP and DEP. Given the huge potential of such an action to provide far greater compensation than even the most precautionary estimates of losses incurred due to SEP and DEP and offshore wind in total, prey enhancement is included as a key part of the Applicant's proposals for Sandwich tern (as well as kittiwake, guillemot and razorbill) compensation, but as a measure that could only be delivered strategically. Nonetheless, an option for the Applicant to pay a financial contribution to a Strategic Compensation Fund (such as the Marine Recovery Fund) as an alternative to project-led measures or as an adaptive management measure has been included within the **Draft DCO (Revision K)** [document reference 3.1]. Further details are set out in the **Strategic and Collaborative Approaches to Compensation and Measures of Equivalent Environmental Benefit** [APP-084] and **Habitats Regulations Assessment Derogation and Compensatory Measures Update (Revision D)** [document reference 13.7].

21. Given that the strategic prey enhancement measure is reliant on the development of an appropriate industry wide delivery mechanism, a table detailing specific technical matters for agreement is currently not included within this SoCG.
22. The tables within **Sections 2.6.2** and **2.6.4** represent the SoCG between the Applicant and National Trust in relation to the Sandwich tern compensatory measures considered for delivery on a project-led basis. These include the following:
  - Nesting habitat improvements and restoration of lost breeding range through installation of an inland pool at Scar Point, Loch Ryan (**Table 14**).
  - NNC SPA (Blakeney Point) Predator Management
  - Improved breeding success at SPA sites other than North Norfolk Coast – Farne Islands SPA (**Table 16**).
23. It should be noted that the creation of an inland pool (**Table 14**) remains the preferred option for delivering nesting habitat improvements and restoration of lost breeding range at Scar Point, Loch Ryan. Based on realistic, but precautionary assumptions on breeding numbers and success, this option is considered to be capable of compensating for predicted Sandwich tern mortalities from SEP and DEP and, as such, represents the core component of the Applicant's proposed package of compensatory measures for Sandwich tern, which includes other project-led and strategic measures.
24. The Applicant recognises that there is little support from the RSPB or Natural England for the installation of a pontoon at Loch Ryan as an alternative to the inland pool. Whilst it remains the Applicant's view that the pontoon option has ecological merit and is technically feasible, in light of stakeholder views and recognising the positive progress being made with respect to securing the inland pool option at Loch Ryan, the decision has been taken not to actively progress the pontoon option

further at this stage. The Applicant is therefore focussing efforts on the inland pool option, which has good stakeholder support, strong ecological merit and a high chance of successfully delivering the required level of compensation.

25. Should there be a need to revisit the pontoon option at a later stage (for example, in the unlikely event that the inland pool at Loch Ryan cannot be secured or is not entirely successful), the Applicant is confident that this could be progressed on a more accelerated programme to that outlined in the **Sandwich Tern Compensation Document (Revision B)** and that stakeholders' concerns related to design, location and efficacy could be adequately addressed within this timeframe.
26. The Applicant has undertaken extensive pre-application consultation with respect to HRA derogation. A detailed description of this pre-application consultation with National Trust and other stakeholders is provided in **Annex 1D Record of HRA Derogation Consultation [APP-068]** and is not repeated here. The **HRA Compensation Agreement Log** is provided in **Annex 1**.
27. In addition, the Applicant has undertaken post-submission consultation with National Trust regarding Sandwich tern compensation as described in **Table 13**. This consultation has been ongoing throughout the Examination period.

*Table 13: Summary of post-application consultation with National Trust regarding HRA derogation*

Date	Contact Type	Topic
22/11/2022	Meeting	HRA Derogation ETG 4: The Applicant provided an update on progress relating to the species- specific compensation proposals.
14/12/2022	Meeting	Meeting held between the Applicant and National Trust to further discuss the potential for specific measures to be taken forward or for financial contributions to support Sandwich tern restoration efforts that might not otherwise have been available to National Trust due to e.g. resource constraints at the Farne Islands SPA.
01/03/2023	Meeting	Meeting held to discuss National Trust's feedback on an early version of this SoCG.
08/06/2023	Meeting	Initial meeting with Natural England and National Trust to discuss the proposed NNC SPA (Blakeney Point) Predator Management ( <b>Section 2.6.3</b> ) compensatory measure proposal.
16/06/2023	Meeting	Meeting with National Trust to further discuss the NNC SPA (Blakeney Point) Predator Management proposals and agree on what needed to be included in the initial draft coupled with a plan for ongoing engagement.
30/06/2023	Meeting	Further meeting with Natural England, National Trust and RSPB to discuss their comments on a draft of the proposals for NNC SPA (Blakeney Point) Predator Management (which was provided to all parties on 23 June 2023) and a forward plan for addressing comments and further review and finalisation of the proposals for the Examination.

28. A summary of the consultation undertaken to date with National Trust and the matters agreed or not agreed (based on discussions and information exchanged between the Applicant and National Trust during the pre-application and examination phases of the Application) are set out below for each of the SoCG topic areas.

## 2.6.2 Sandwich Tern Compensation: Nesting Habitat Improvements and Restoration of Lost Breeding Range through Creation of an Inland Pool at Scar Point, Loch Ryan

Table 14: Topics agreed, in discussion or not agreed in relation to Sandwich tern compensation – nesting habitat improvements and restoration of lost breeding range through creation of an inland pool at Scar Point, Loch Ryan

ID	The Applicant Position	National Trust Position	Position Summary
6	<p>The compensatory measure has merit.</p> <p>The Applicant has demonstrated that the compensatory measure has merit through the <a href="#">Sandwich Tern Compensation Document (Revision B)</a>.</p>	<p>National Trust remains concerned about the lack of certainty in the ability of the inland pool at Loch Ryan to deliver the required level of compensation. National Trust needs to seek assurance that the proposed compensation measure at Loch Ryan will be effective to offset losses from our NNC Sandwich tern populations. The ornithological expertise lies with Natural England and the RSPB and where appropriate National Trust will liaise with them accordingly to determine this.</p>	N/A
7	<p>The measure is technically feasible.</p> <p>The Applicant has demonstrated the measure is technically feasible through the ecological evidence, compensation plan, site selection and design and roadmap submitted within <a href="#">Annex 1B Sandwich Tern and Kittiwake Ecological Evidence [APP-066]</a> and the <a href="#">Sandwich Tern Compensation Document (Revision B)</a>.</p>	<p>National Trust are likely to defer to Natural England given their ornithological expertise, but do want to remain abreast of discussion given potential impact on Sandwich tern populations using Blakeney point and our ongoing management of the site specifically for them.</p>	
8	<p>The evidence provided demonstrates the ecological efficacy of the measure. The measure has strong ecological merit through its ability to fully compensate for the number of Sandwich terns predicted to be subject to mortality from collision risk and through its ability to restore the lost breeding range of the species, building resilience in the UK Sandwich tern population.</p> <p>The strong qualitative merit of restoring lost breeding range is recognised, which can be balanced against any mortality deficit accrued whilst development and colonisation of the inland pool is occurring.</p> <p>The Applicant has presented the evidence of ecological efficacy within <a href="#">Annex 1B Sandwich Tern and Kittiwake Ecological Evidence [APP-066]</a>, the <a href="#">Sandwich Tern Compensation Document (Revision B)</a> and the <a href="#">Sandwich Tern – Quantification of Productivity Benefits (Revision C)</a>.</p>	<p>National Trust notes submission by the Applicant of the <a href="#">Sandwich Tern – Quantification of Productivity Benefits [REP1-058]</a> note and will liaise accordingly with Natural England regarding this; however, as noted above are likely to defer to Natural England for a position.</p>	

ID	The Applicant Position	National Trust Position	Position Summary
9	<p><u>Site selection, design and construction</u></p> <p>The selected location at Loch Ryan is suitable. The Applicant has followed a thorough site selection process to maximise the likelihood of colonisation / restoration of lost breeding range potential as described in <b>Annex 2B Sandwich Tern Nesting Habitat Improvements Site Selection</b> [APP-071]. No other more suitable sites have been identified through the pre-application consultation process.</p>		
10	<p><u>Timescale for Delivery</u></p> <p>No operation of any turbine forming part of the authorised development may begin until the measures set out in the Sandwich Tern CIMP have been implemented.</p>	National Trust agrees with this position.	Agreed
11	National Trust will be consulted on the Loch Ryan proposals through membership of the Sandwich Tern Compensation Steering Group (STCSG).	National Trust want to remain abreast of discussions given potential impact on our Sandwich tern populations using Blakeney point and our ongoing management of the site specifically for them and consider the STCSG an appropriate forum to facilitate this.	Agreed
<b>Monitoring, maintenance and adaptive management</b>			
12	<p><u>Adaptive Management</u></p> <p>The Applicant's proposed approach to adaptive management as set out in the <b>Sandwich Tern Compensation Document (Revision B)</b> is appropriate. Monitoring will inform any adaptive management of the compensation measure, if required. Any requirement for adaptive management measures will be agreed with the STCSG.</p>	Defer to Natural England.	N/A
13	<p><u>Monitoring</u></p> <p>The Applicant's proposed approach to monitoring as set out in the <b>Sandwich Tern Compensation Document (Revision B)</b> is appropriate. Monitoring results will be shared with the STCSG on an annual basis.</p>	Defer to Natural England.	N/A



ID	The Applicant Position	National Trust Position	Position Summary
14	<p><u>Maintenance</u></p> <p>The Applicant will be responsible for management / maintenance of the inland pool for the operational lifetime of the authorised development.</p> <p>Regarding the ongoing legal protection of the site beyond the operational period of SEP and DEP see ID 16 of this table.</p>	Defer to Natural England.	N/A
15	<p>The Applicant will engage with all relevant parties in the finalisation of the Sandwich Tern CIMP to agree the details of the monitoring and maintenance programme.</p>	Defer to Natural England.	N/A
<b>Implementation period</b>			
16	<p>The measure will remain in place and be maintained for the operational lifetime of the authorised development if colonised. Consultation will be undertaken with the STCSG in the final few years of wind farm operation, to help determine the most appropriate course of action for onward management and maintenance of the site. As outlined in the <b>draft DCO (Revision K) [document reference 3.1]</b>, the compensation measures will not be decommissioned without written approval from the SoS in consultation with the relevant SNCB.</p>	Defer to Natural England.	N/A
<b>DCO wording</b>			
17	<p>Draft DCO wording is provided in Schedule 17 of the <b>draft DCO (Revision K) [document reference 3.1]</b> and is appropriate.</p>	Defer to Natural England.	N/A
<b>Other matters as required</b>			
18	<p><u>Discounted Measures</u></p> <p>The discounted measures, particularly those relating to the NNC SPA, and rationale outlined in Table 6-3 of the <b>Sandwich Tern Compensation Document (Revision B)</b> is appropriate.</p>	National Trust acknowledges and accepts that several measures initially proposed to be implemented at NNC SPA were discounted during the pre-application stage for a variety of reasons, and led the Applicant to consider compensation sites further afield.	Agreed

### 2.6.3 Sandwich Tern Compensation: North Norfolk Coast SPA (Blakeney Point) Predator Management

Table 15: Topics agreed, in discussion or not agreed in relation to Sandwich tern compensation - North Norfolk Coast SPA (Blakeney Point) Predator Management

ID	The Applicant Position	National Trust Position	Position Summary
<b>Efficacy of compensatory measure</b>			
1	The compensatory measure has merit. The Applicant has demonstrated that the compensatory measure has merit through <b>Appendix 2 – Sandwich Tern Compensation Document (Revision B)</b> .	The proposed compensatory measures at Blakeney have both merit and the support of the National Trust, but only as a supplement to other compensation measures. In this context it is being referred to as a 'secondary' compensation measure, however, this is not a term used in any guidance and the status of this accordingly needs confirmation by statutory advisers.	Agreed
2	The measure is technically feasible. The Applicant has demonstrated the measure is technically feasible through the <b>Appendix 2 – Sandwich Tern Compensation Document (Revision B)</b> .		
3	The evidence provided demonstrates the ecological efficacy of the measure. The Applicant has presented the evidence of ecological efficacy within <b>Annex 1B Sandwich Tern and Kittiwake Ecological Evidence [APP-066]</b> and <b>Appendix 2 – Sandwich Tern Compensation Document (Revision B)</b> .		
<b>Scope of compensation proposals</b>			
4	The broad scope of the proposals as set out in Section 7.6 of <b>Appendix 2 – Sandwich Tern Compensation Document (Revision B)</b> , provides an appropriate framework for further development of the measure in the post consent period.	The National Trust acknowledges that the Sandwich Tern Compensation Document provides a high-level overview and outline details of the secondary compensation proposals for Blakeney and that the detailed plan will follow post consent, in consultation with the Sandwich Tern Compensation Steering Group.	Agreed
<b>DCO wording</b>			
5	Draft DCO wording is provided in Schedule 17 of the <b>draft DCO (Revision K)</b> [document reference 3.1] and is appropriate.	It is noted that the detailed plan will be included within the Sandwich Tern CIMP, secured within the provisions in Schedule 17, Part 1 of	Agreed

ID	The Applicant Position	National Trust Position	Position Summary
		<p>the Draft DCO (Revision J) and will need to be approved by the Secretary of State.</p> <p>Due to the late receipt of the final version of the final Sandwich Tern Compensation Document and publication of the Draft DCO (Revision J), the National Trust has not been able to seek a legal review of the amended wording in the Draft DCO.</p>	

#### 2.6.4 Sandwich Tern Compensation: Improved Breeding Success at SPA Sites other than North Norfolk Coast – Farne Islands SPA

29. **Table 16** provides the SoCG between the Applicant and National Trust in relation to Sandwich tern compensation: improved breeding success at SPA sites other than North Norfolk Coast – Farne Islands SPA. It should be noted that early informal discussions with National Trust during pre-application indicated that the compensatory measures proposed at the Farne Islands SPA are likely to be additional to those set out in the forthcoming management plan (see **Annex 1D – Record of HRA Derogation Consultation** [APP-068]). The Applicant has not been able to obtain a copy of the latest Management Plan (April 2021 onwards) for Farne Islands SPA and has therefore been unable to formally validate the additionality of the proposed measures.
30. The Energy Security Bill Policy Statement (Department for Business Energy and Industrial Strategy) (BEIS), 2023) on the Offshore Wind Environmental Improvement Package Measures states that *“Government is also considering enabling developers to undertake work already identified by Government to improve the condition of protected species and habitats. This would substantially increase the number of measures available to developers and also accelerate marine recovery for some sites”* (pg. 10 & 11). Final guidance on compensatory measures is due to be published by the Department for Environment, Food & Rural Affairs (Defra) in late 2023 and this is expected to provide further information on how additionality should be considered going forwards.

*Table 16: Topics agreed, in discussion or not agreed in relation to Sandwich tern compensation: improved breeding success at SPA sites other than North Norfolk Coast – Farne Islands SPA*

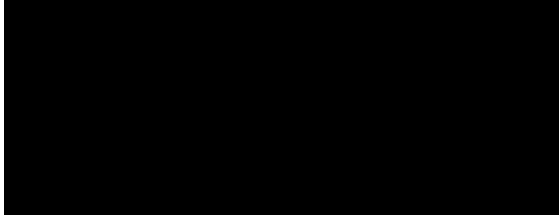
ID	The Applicant Position	National Trust Position	Position Summary
1	<p>The compensatory measure has merit.</p> <p>The Applicant has demonstrated that the compensatory measure has merit through the <b>Sandwich Tern Compensation Document (Revision B)</b>.</p>	<p>Whilst the Trust has been keen to explore options for helping to enhance the population of Sandwich Terns on the Farne Islands, we are not confident that proposals by the Applicant to date will be effective in achieving their objectives on the Farne Islands, and in particular do not feel that they demonstrate additionality to our existing management proposals, which by their very nature are comprehensive. We also understand that Natural England have concerns about the proposals [primarily with respect to the issue of additionality].</p>	<p>Not agreed – material impact</p>
2	<p>The measure is technically feasible.</p> <p>The Applicant has demonstrated the measure is technically feasible through the ecological evidence, compensation plan, site selection and design and roadmap submitted within <b>Annex 1B Sandwich Tern and Kittiwake Ecological Evidence [APP-066]</b> and the <b>Sandwich Tern Compensation Document (Revision B)</b>.</p>	<p>Available and suitable space for interventions on the Farne Islands is limited, as most of the area is keenly contested by breeding seabirds. The Sandwich tern nesting area is also very fragile due to puffin burrows. Therefore, the significant number of nest boxes and shelters proposed may not be physically possible in the space available. The Trust recommends that resources are diverted elsewhere.</p>	
3	<p><u>Scale of Compensation Required</u></p> <p>Compensation required would be to increase Sandwich tern numbers by more than the equivalent of the upper 95% CI of ca. 12-17 adults (mean ca. 6-7 adults) estimated to be subject to annual mortality during operation (see the <b>Apportioning and HRA Updates Technical Note (Revision B) [REP2-036]</b>).</p> <p>It is proposed to deploy 400 nest boxes and 400 shelters. Deployment of six cameras will allow a representative sample of nests to be monitored to record predation attempts by large gulls. This approach will allow Sandwich tern breeding numbers on the Farne Islands to increase by a considerably larger amount each year than the precautionary estimate of 17 adults needed per year (<b>Sandwich Tern Compensation Document (Revision B)</b>).</p>	<p>The National Trust remains of the view that without a satisfactory derogation case and alternative compensation measures which are also considered acceptable by Natural England, the proposal would give rise to an adverse effect on the integrity of the Sandwich tern feature of the North Norfolk Coast SPA.</p>	

ID	The Applicant Position	National Trust Position	Position Summary
4	The evidence provided demonstrates the ecological efficacy of the measure. The Applicant has presented the evidence of ecological efficacy within <b>Annex 1B Sandwich Tern and Kittiwake Ecological Evidence</b> [APP-066] and the <b>Sandwich Tern Compensation Document (Revision B)</b> .		

### 3 Signatures

31. The above Statement of Common Ground is agreed between Equinor New Energy Limited and National Trust on the day specified below.

Signed:



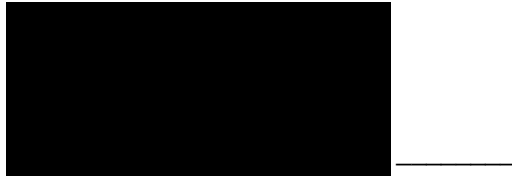
Print Name: S A SIMPSON

Job Title: ASSISTANT DIRECTOR - OPERATIONS

Date: 14/07/2023

Duly authorised for and on behalf of the **National Trust**

Signed:



Print Name: Sheery Atkins

Job Title: Onshore Consents Manager

Date: 14<sup>th</sup> July 2023

Duly authorised for and on behalf of **Equinor New Energy Limited**

## References

Department for Communities and Local Government [2015] Planning Act 2008: Guidance for the examination of applications for development consent. [Online]

BEIS (2023). Energy Security Bill Policy Statement. Offshore Wind Environmental Improvement Package Measures. Policy Statement Offshore Wind Environmental Improvement Package Measures



## Annex 1

### HRA Compensation Agreement Log

1. It should be noted that no agreement logs are available for ETG meetings 1 and 3.

ID	Agreement	Natural England	MMO	RSPB	National Trust	Notes
2	ETG2 25 April 2022					
Sandwich tern						
2.1	It is agreed that the creation of an inland pool at Loch Ryan is stakeholders' most preferred measure for Sandwich tern compensation.	See notes	Defer to Natural England	No response	No response	We advise that this option has ecological merit for sandwich tern, and could function as a primary compensation measure as part of a wider package of works benefitting sandwich tern. However, in the absence of information regarding the location, size and design of inland pool this support is provided in principle only.
2.2	It is agreed that the installation of a pontoon structure at Loch Ryan may benefit breeding Sandwich terns but given the lack of evidence indicating that breeding Sandwich terns would use a pontoon structure, this measure should be considered as part of a 'package' owing to the risk that it -may not sufficiently deliver compensation for Sandwich tern in isolation.	Natural England doesn't support the creation of a pontoon for breeding sandwich tern as a compensation option.	Defer to Natural England	No response	No response	

ID	Agreement	Natural England	MMO	RSPB	National Trust	Notes
2.3	It is agreed that a pontoon structure in the region 20x30m (i.e. bigger than those used for common tern) is an appropriate size of structure on which to form the basis of proposals.	See above.	Defer to Natural England	No response	No response	
2.4	It is agreed that a pontoon would be subject to less human disturbance and would allow predator pressure to be more easily mitigated when compared to an inland pool.	See above.	Defer to Natural England	No response	No response	
2.5	It is agreed that putting forward a package of measures (e.g. nest boxes / terraces, additional resource for wardening) which are not currently proposed within Management Plans at Sandwich tern SPA sites provides additionality and ensures resilience in the proposals.	Natural England doesn't agree because demonstrating the additionality of such measures beyond required site management would be difficult. Such measures may provide resilience for the overall sandwich tern compensation package, however we do not consider these would in any way represent a primary measure.	Defer to Natural England	No response	No response	
Guillemot and razorbill						
2.6	It is agreed that if it could be demonstrated that there is gill net fishery in the area in reach of the FFC SPA then it's likely there's bycatch happening and	Natural England considers that there is major uncertainty regarding whether 1) there is a local gill net fishery that is impacting FFC SPA and 2) that there are effective bycatch reduction	Defer to Natural England	No response	N/A	

ID	Agreement	Natural England	MMO	RSPB	National Trust	Notes
	therefore there could be some potential for compensation	mechanisms available for gill-netting that could provide compensation opportunities.				
2.7	It is agreed that predator eradication and bycatch is best suited to a collaborative approach with other developers.	There may be ecological benefits from taking a collaborative approach. However, this does preclude the ability to bring forward project-specific compensation if needed.	Defer to Natural England	No response	N/A	
2.8	It is agreed that bycatch reduction compensation measures would be on a 1 to 1 ratio.	Not agreed.	Defer to Natural England	No response	N/A	
<b>Gannet</b>						
2.9	It is agreed that whilst a like for like measure is preferred for gannet, bycatch reduction measures are likely to be very challenging to implement and there are no other measures to those already discussed that the Applicant should be pursuing.	Natural England agrees that it is challenging to provide meaningful compensation for gannet and consider that, of the limited suite of options available, by-catch is probably the best option to pursue.	Defer to Natural England	No response	N/A	
2.10	It is agreed that where impacts are modest there may be some more flexibility in the type of measures that can be considered such as bycatch reduction trials.	Natural England will be in a better position to comment on the potential acceptability of less traditional measures to offset potential impacts once full review of the ES has taken place and the level of impacts understood.	Defer to Natural England	No response	N/A	

ID	Agreement	Natural England	MMO	RSPB	National Trust	Notes
2.11	Based on the Defra (2021) draft guidance and following the compensation hierarchy, it is agreed that the Loch Ryan measure could represent a potential non like-for-like approach for gannet however, where available a like-for-like measure is preferred.	Natural England observes that 'non- like-for-like' is at the bottom of the compensation hierarchy and therefore all other options should be exhausted first.	Defer to Natural England	No response	N/A	
2.12	It is agreed that bycatch reduction compensation measures would be on a 1 to 1 ratio.	Not agreed.	Defer to Natural England	No response	N/A	
Kittiwake						
2.13	It is agreed that modification of the existing Gateshead kittiwake tower represents the most suitable option for modification of existing artificial structures	Natural England's overarching advice to OWF developers is that further artificial structures should be considered offshore rather an onshore due to the level and timing of consented kittiwake compensation measures onshore. With specific reference to extending the existing Gateshead tower, Natural England would require more information on what is proposed before we can comment on its merits. However, those comments would be in the context of the overarching advice above.	Defer to Natural England			