FIVE ESTUARIES OFFSHORE WIND FARM

5.1.1. CONSULTATION REPORT – APPENDIX 8 TO 11

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Project	Five Estuaries Offshore Wind Farm
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CONTENTS

LIST OF ACRONYMNS

Term	Definition
AEZ	Archaeological Exclusion Zones
AoNB	Area of Outstanding Natural Beauty
ASNW	Ancient and semi-natural woodlands
BEIS	Department for Business, Energy and Industrial Strategy
BNG	Biodiversity Net Gain
CBRA	Cable Burial Risk Assessment
CEA	Cumulative Effects Assessment
Cefas	Centre for Environment, Fisheries and Aquaculture Science
CIEEM	Chartered Institute of Ecology and Environmental Management
CoCP	Code of Construction Practice
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
dDCO	draft Development Consent Order
DESNZ	Department for Energy Security and Net Zero
EA	Environment Agency
EACN	East Anglia Connection Node substation
ECC	Export Cable Corridor
ECC	Essex County Council
EEA	European Economic Area
EIA	Environmental Impact Assessment
EMF	Electromagnetic Field
ES	Environmental Statement
ESC	East Suffolk Council
ETG	Expert Topic Group
FRA	Flood Risk Assessment
HDD	Horizontal Directional Drilling
HHA	Harwich Have Authority
HRA	Habitats Regulation Assessment
HSC	Historic Seascape Character
HSE	Health and Safety Executive
IEEM	Institute of Ecology and Environmental Management
IEMA	Institute of Environmental Management and Assessment
LAT	Lowest Astronomical Tide
LLFA	Lead Local Flood Authority
LSE	Likely Significant Effect
LVIA	Landscape and Visual Impact Assessment
MCA	Maritime and Coastguard Agency
MDS	Maximum Design Scenario
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
NE	Natural England
NF	North Falls Offshore Wind Farm
NFFO	National Federation of Fishermen’s Organisations
NG	National Grid

Term	Definition
NGET	National Grid Electricity Transmission
NH	National Highways
NR	Network Rail
NRA	Navigation Risk Assessment
NSIP	Nationally Significant Infrastructure Project
O&M	Operations and Maintenance
OCSS	Offshore Coordination Support Scheme
OLEMP	Outline Landscape and Ecological Management Plan
OnSS	Onshore Substation Statement
OSP	Offshore Substation Platform
OTNR	Offshore Transmission Network Review
OWF	Offshore Wind Farm
PAMP	Public Access Management Plan
PD	Project Description
PEIR	Preliminary Environmental Information Report
PIL	Persons with an interest in the land
PINS	The Planning Inspectorate
PLA	Port of Lond Authority
PRoW	Public Rights of Way
RIAA	Report to Inform Appropriate Assessment
RLB	Red Line Boundary
SAC	Special Areas of Conservation
SCC	Suffolk County Council
SCHAONB	Suffolk Coast & Heaths Area of Outstanding Natural Beauty
SLVIA	Seascape, Landscape and Visual Impact Assessment
SoCC	Statement of Community Consultation
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SuDS	Sustainable drainage system
TDC	Tendring District Council
UXO	Unexploded Ordnance
VE	Five Estuaries (Offshore Wind Farm)
VTS	Vessel Traffic Services
WSI	Written Scheme of Investigation
WTG	Wind Turbine Generator
WTP	Workforce Travel Plan
ZOI	Zone of Influence
ZTV	Zone of Theoretical Visibility

8. STAGE 2 CONSULTATION – RESPONSES AND CONSIDERATION

8.1 Section 42 issues and consideration (non-PILs)

This appendix sets out the responses to the consultation from (non-PIL) section 42 consultees, how the Applicant has considered them and whether they have led to a change in the proposals. Most of the issues text is taken verbatim from the consultees' responses. Where the responses are extensive, some of the issues have been summarised. Care has been taken to retain the meaning and context of responses summarised.

Many of the issues raised in feedback, particularly from technical and statutory stakeholders, are technical issues regarding the Environmental Impact Assessment (EIA) and are addressed as part of the application documentation – particularly the Environmental Statement (ES) in Volume 6. Where the issue is addressed fully within the ES, the consideration indicates where.

- The left hand 'Topic' column indicates the topic or application document that the issue most closely relates to (where applicable).
- Any Project document references in the 'Issue from feedback' column will relate to the PEIR as the comment was made on the PEIR as part of Stage 2 consultation..
- References to sections within the 'Project response and consideration' column relate to the respective topic/document in the 'Topic' column unless otherwise noted.
- Application document reference numbers are included in parenthesis after the name of the document.
- 'VE' is a common acronym used to refer to the Five Estuaries project. A list of common acronyms is included at the front of this document.

Project change has only been recorded if the comment has led to a specific change in the proposals themselves. A significant number of comments have led to changes to the wording in the ES, updates to methodology and additional survey work being carried out. This is made clear in the 'Project response and consideration' column but is not otherwise marked as a Project change.

8.1.1 Local authorities

BABERGH AND MID SUFFOLK DISTRICT COUNCILS

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	BMSDC has a preference for offshore connection and is concerned about onshore impacts to the environment and community in general and impact to the AoNB.	Noted. The Project is not expected to have any significant effect on the AoNB. The assessment of general environmental and community receptors is shown in the Environmental Statement (Volume 6). The reason for the choice of connection location is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4) and the potential offshore option is explained in full in the Offshore Connection Scenario (document reference 9.29).	N

COLCHESTER CITY COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Based on the information available, it would appear that the impact on the City of Colchester is limited and we therefore have no comments to make at this stage. We will reserve the right to comment further once the project has moved forward and/or the impact on the City of Colchester changes.	Noted.	N

EAST SUFFOLK COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Seascape, Landscape	Suffolk County Council has commissioned an update to their Seascape Sensitivity Study based on VE turbine tip height, details to be provided once ready: Suffolk County Council	The findings of the updated addendum to the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2023)	N

and Visual (document reference 6.2.10)	(SCC) and Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) Partnership (in consultation with ESC and Natural England (NE)) commissioned a seascape sensitivity study	apply to offshore windfarms with WTGs greater than 400m high. The maximum height of the VE WTGs has been reduced from 424m to 399m blade tip height (above LAT) (395m above MHWS) as described in Table 10.18. The update addendum highlights the OESEA 2020 conclusions that 40km was a 'reasonable' and 'substantial' buffer from designated coastal landscapes for WTGs up to 400m high to blade tip. The closest point of the SCHAONB coast is now located approximately 38.7 km from the closest WTG within the VE array areas. Further consideration of how the findings of this SLVIA relate to the recommendations of the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2020) and its Update Addendum (Suffolk County Council, 2023) are set out in the conclusions of this Chapter in Section 10.18 of Volume 6, Part 2, Chapter 10: SLVIA. The number of WTGs will not exceed 79 at the minimum blade tip height (324m above LAT) and 41 at the maximum blade tip height (399m above LAT). The maximum height of the VE WTGs has been reduced from 424m blade tip height to 399m blade tip height (above LAT), leading to a reduction in the ZTV and apparent scale of the WTGs as described in Table 10.18. A minimum separation between the Galloper and VE WTGs has been applied to the design of the MDS layout assessed in the SLVIA, which ensures that no WTG within the VE array areas will be located closer than 38.7 km from the SCHAONB.	
Seascape, Landscape and Visual (document reference 6.2.10)	The seascape of Suffolk is sensitive to offshore wind farm development primarily due to its relationship with the combined Suffolk Coast and Heaths AONB and Suffolk Heritage Coast, with seascape contributing significantly to the AONB's setting and natural beauty. To fully assess the potential seascape impacts on East Suffolk's coastal communities and designated landscapes, an update to the Suffolk Seascape Sensitivity Study 2020 was required as the original scope of works did not cater for the proposed Five Estuaries project parameters.	The findings of the updated addendum to the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2023) apply to offshore windfarms with WTGs greater than 400m high. The maximum height of the VE WTGs has been reduced from 424m to 399m blade tip height (above LAT) (395m above MHWS) as described in Table 10.18. The update addendum highlights the OESEA 2020 conclusions that 40km was a 'reasonable' and 'substantial' buffer from designated coastal landscapes for WTGs up to 400m high to blade tip. The closest point of the SCHAONB coast is now located approximately 38.7 km from the closest WTG within the VE array areas. Further consideration of how the findings of this SLVIA relate to the recommendations of the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2020) and its Update Addendum (Suffolk County Council, 2023) are set out in the conclusions of this Chapter in Section 10.18.	N
Seascape, Landscape and Visual (document reference 6.2.10)	In your recent correspondence with elected members, you advised that National Grid has indicated that they would like Five Estuaries to connect to their proposed East Anglia Connection Substation south of Lawford in Essex, which is part of their East Anglia GREEN project. The cable route is expected to make landfall between Frinton-on-Sea and Holland-on-Sea in Tendring, Essex, and the onshore cables would be laid underground. As previously set out in our response submitted to the Planning Inspectorate (PINS) for the Environmental Impact Assessment (EIA) Scoping Report consultation held in Autumn 2021, ESC is not a host authority, or a direct neighbouring	Noted	N

	authority of the onshore scoping area. However, whilst no onshore infrastructure is proposed within our District, you have previously acknowledged that there will be some wind turbine visibility from the Suffolk Coast.		
Seascape, Landscape and Visual (document reference 6.2.10)	ESC has concerns regarding the potential significance of visual impact on our coastal regions resulting from the introduction of up to 79 wind turbine generators with associated foundations having a maximum tip height of 424m above mean sea level. At a distance of approximately 37km from the offshore array, the proposed wind turbines will be visible from the designated Suffolk Coast and Heaths AONB. The response is provided on the basis that the Five Estuaries Offshore Wind Farm proposes an onshore grid connection located outside of Suffolk and beyond the East Suffolk Council District, however, should this change in future, our position on this project may need to be revisited. This letter should be read in conjunction with our previous non-statutory consultation response (11 August 2022), the response submitted to PINS for the EIA Scoping Report consultation, and the Inspectorate's Scoping Opinion published in November 2021.	The findings of the updated addendum to the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2023) apply to offshore windfarms with WTGs greater than 400m high. The maximum height of the VE WTGs has been reduced from 424m to 399m blade tip height (above LAT) (395m above MHWS) as described in Table 10.18. The update addendum highlights the OESEA 2020 conclusions that 40km was a 'reasonable' and 'substantial' buffer from designated coastal landscapes for WTGs up to 400m high to blade tip. The closest point of the SCHAONB coast is now located approximately 38.7 km from the closest WTG within the VE array areas. Further consideration of how the findings of this SLVIA relate to the recommendations of the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2020) and its Update Addendum (Suffolk County Council, 2023) are set out in the conclusions of this Chapter in Section 10.18 of Volume 6, Part 2, Chapter 10: SLVIA. The number of WTGs will not exceed 79 at the minimum blade tip height (324m above LAT) and 41 at the maximum blade tip height (399m above LAT). The maximum height of the VE WTGs has been reduced from 424m blade tip height to 399m blade tip height (above LAT), leading to a reduction in the ZTV and apparent scale of the WTGs as described in Table 10.18. A minimum separation between the Galloper and VE WTGs has been applied to the design of the MDS layout assessed in the SLVIA, which ensures that no WTG within the VE array areas will be located closer than 38.7 km from the SCHAONB.	N
Seascape, Landscape and Visual (document reference 6.2.10)	ESC acknowledges that renewable energy will play a central role in tackling climate change and in meeting Government targets in the lead up to net-zero by 2050. A significant amount of new offshore wind generation and associated infrastructure is required to connect 50GW by 2030. However, the shift towards the delivery of low carbon and renewable sources of energy must consider the potential impacts it may have on the landscape, natural environment and local communities set to host or neighbour such development. Developers must also explore opportunities for greater levels of coordination between projects in relation to the objectives set out in the Offshore Transmission Network Review (OTNR).	The potential impacts are assessed in the Environmental Statement (volume 6), which is supplemented by the Report to Inform Appropriate Assessment (document reference 5.4). The Applicant is coordinating with North Falls on potential construction options that would reduce the impact through joint delivery. This is set out in the Co-ordination Document (document reference 9.30). In addition, the Applicant has been taking part in the Offshore Connection Support Scheme (which is an output of the Offshore Transmission Network Review). This has involved coordination with North Falls and Sealink on the potential for an offshore connection - more information about this potential option is set out in the Offshore Connection Scenario document (document reference 9.29).	N
Seascape, Landscape and Visual (document reference 6.2.10)	ESC supports Five Estuaries' submission into the Government's Offshore Coordination Support Scheme (OCSS), noting that this seeks to provide grants to offshore energy projects to develop coordinated options for offshore transmission infrastructure. Five Estuaries is also engaging with the OTNR as is the developer of the North Falls project, and whilst it is welcomed that the Five Estuaries project, alongside other developers, has committed to exploring options within the Early Opportunities workstream4, ESC remains	Noted. As above.	N

	disappointed that the project has not been put forward as a Pathfinder. Every opportunity should be undertaken by the two developers, given it is likely that they will have the same connection location, to seek maximum coordination between the projects in order to minimise impacts on local communities and the environment. The Sheringham Shoal and Dudgeon extension projects located in Norfolk are demonstrating that greater coordination is possible, and this should be replicated. ESC would welcome the opportunity to engage in future pathfinder discussions should these options be pursued within East Suffolk.		
Seascape, Landscape and Visual (document reference 6.2.10)	ESC welcomes the intention for coordination between the Five Estuaries and North Falls offshore wind farm projects, noting that an opportunity to coordinate more closely has been identified by the developers. We understand that coordination will seek to reduce the potential impact of building the onshore connection to the national electricity transmission network for the two projects, however, note that Five Estuaries is also considering submitting an application for a Development Consent Order (DCO) that would allow for flexibility to accommodate a coordinated connection at a later date, provided there is greater certainty on the commercial, regulatory and technical environment. The viability of any coordinated connection is dependent on the progress made by the OTNR process, associated regulatory and commercial policy changes and the individual offshore connector projects involved.	Noted. As above.	N
Seascape, Landscape and Visual (document reference 6.2.10)	It is noted that the PEIR is based on the principle of an onshore connection for just the Five Estuaries project, taking into account the potential cumulative impact of other projects. Five Estuaries will continue to develop coordinated plans on the basis of existing regulations to provide an onshore connection to avoid delays to the planned grid connection date in order to support the UK Government's 2030 targets. The PEIR cites regulatory, technical and commercial challenges to delivering an offshore connection as being a hurdle to coordination, noting that overcoming these hurdles is a complex challenge which is being considered as part of the government led OTNR process. In order for a coordinated connection by 2030 to be a viable option, the PEIR identifies reform to policy, associated regulations and licensing needs as an urgent requirement alongside commercial certainty.	Noted. As above.	N
Seascape, Landscape and Visual (document reference 6.2.10)	Whilst the proposed onshore connections for both Five Estuaries and the North Falls projects are not within the East Suffolk District, offshore options for connection should continue to be fully explored, minimising the need for onshore infrastructure. ESC understands that Five Estuaries is considering drafting its DCO on the basis of an onshore connection with the option to move to a coordinated connection should it become a viable alternative within project timescales. ESC supports the proposed coordination effort between the Five Estuaries and North Falls projects regarding key elements such as cable corridor selection (to optimise both onshore routes), environmental surveys and by sharing consultation feedback. It is encouraging to read that coordination and cooperation will continue between the projects throughout their development and may enable elements of joint delivery should the technical and commercial conditions allow for this, reducing the potential impact of building the onshore connection to the national electricity transmission network for the two projects.	Noted. As above.	N
Seascape, Landscape and Visual (document reference 6.2.10)	ESC is being consulted on and is aware of a number of energy related projects that may have an impact on our District, and we welcome and support collaborative working between all Applicants and the National Grid to ensure that the optimal solution is delivered. We expect this to involve coordination and the sharing of infrastructure where feasible to reduce the amount required onshore	Noted. As above.	N
Seascape, Landscape and Visual	It is acknowledged as part of the Five Estuaries' project development that the turbine array area has been reduced following the last consultation, with a section of the northern array being removed to help avoid filling in the 'gap' between existing wind	Embedded mitigation measures are described in Section 10.9 of Volume 6, Part 2, Chapter 10: SLVIA and include a reduction in the spatial extent of the windfarm site between Scoping and PEIR, which	Y

(document reference 6.2.10)	farms as seen from the Suffolk coast. The justification presented for this refers to the sensitivity of views from the coast, particularly from within the AONB.	reduced the apparent lateral spread of WTGs, with a section of the northern array removed to help avoid filling in the 'gap' between existing wind farms as seen from the Suffolk coast.	
Seascape, Landscape and Visual (document reference 6.2.10)	The PEIR concludes that the selection of a maximum allowable blade tip height and rotor diameter for the wind turbines would help minimise the impact upon the seascape, and there will be no significant effects upon the seascape, landscape and visual amenity surrounding the Five Estuaries offshore wind farm. The commissioned update to the Suffolk Seascape Sensitivity Study (2020) reviews the sensitivity assessment previously undertaken using the same study area limits, assessing for wind turbines greater than 400m to blade tip above Lowest Astronomical Tide (LAT) (more appropriate for the Five Estuaries project at 424m to tip). The report update forms an addendum to the original assessment and together they will act as a framework and background study for assessing the likely seascape and visual effects of wind farms off of the Suffolk coast. It also undertakes a review of the Five Estuaries Seascape and Landscape Visibility Impact Assessment (SLVIA) methodology used in the PEIR.	The findings of the update addendum to the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2023) apply to offshore windfarms with WTGs greater than 400m high. The maximum height of the VE WTGs has been reduced from 424m to 399m blade tip height (above LAT) (395m above MHWS) as described in Table 10.18. The updated addendum highlights the OESEA 2020 conclusions that 40km was a 'reasonable' and 'substantial' buffer from designated coastal landscapes for WTGs up to 400m high to blade tip. The closest point of the SCHAONB coast is now located approximately 38.7 km from the closest WTG within the VE array areas. Further consideration of how the findings of this SLVIA relate to the recommendations of the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2020) and its Update Addendum (Suffolk County Council, 2023) are set out in the conclusions of this Volume 6, Part 2, Chapter 10: SLVIA in Section 10.18.	N
Seascape, Landscape and Visual (document reference 6.2.10)	The update addendum to the Suffolk Seascape Sensitivity to Offshore Wind Farms Study (2020) was produced by White Consultants (June 2023) and is appended in Annex A. It finds that wind turbines over 400m should be located no less than 40km from the coastline (with turbines at 425m >42.5km) for the introduced visual effects on the AONB to fall below the medium magnitude threshold. It also assessed the average offshore visibility distances related to the percentage of days each year that turbines can be seen from coastal receptors. This assessment concluded that the Five Estuaries arrays (with the closest row of 424m turbines at approximately 37.7km from the Suffolk coast at the closest point) would be visible less than 33% of days each year due to visibility modifiers (i.e. meteorological/atmospheric conditions). However, on days where the turbines will be visible, it is expected that visual effects form within the AONB will be worse than medium magnitude. It is however noted that the precise magnitude of effect will depend on the findings of a detailed assessment of AONB special qualities as discussed below.	The findings of the update addendum to the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2023) apply to offshore windfarms with WTGs greater than 400m high. The maximum height of the VE WTGs has been reduced from 424m to 399m blade tip height (above LAT) (395m above MHWS) as described in Table 10.18. The update addendum highlights the OESEA 2020 conclusions that 40km was a 'reasonable' and 'substantial' buffer from designated coastal landscapes for WTGs up to 400m high to blade tip. The closest point of the SCHAONB coast is now located approximately 38.7 km from the closest WTG within the VE array areas. Further consideration of how the findings of this SLVIA relate to the recommendations of the Suffolk Seascape Sensitivity to Offshore Wind Farms (Suffolk County Council, 2020) and its Update Addendum (Suffolk County Council, 2023) are set out in the conclusions of this Volume 6, Part 2, Chapter 10: SLVIA in Section 10.18.	N
Seascape, Landscape and Visual (document reference 6.2.10)	Additionally, it was found that there are multiple references within the PEIR to the Five Estuaries array not being within the AONB's 'immediate setting' but rather within the 'open seascape'. Section 10.11.181 within PEIR Volume 2, Chapter 10 Seascape Landscape and Visual Assessment states that 'the VE array areas do not affect the immediate setting of the SCHAONB, but will be seen on and beyond the horizon, as a 'horizon development' to a large, open seascape, rather than being viewed 'within' its seascape/landscape.' Section 10.11.357 also states 'In views from the Suffolk coast at night, the VE WTG aviation lighting will not occur in the immediate setting of the coast or the SCHAONB, but will be on the horizon of a large, open seascape, rather than being viewed 'within' its seascape/landscape.' 'Immediate setting' is not a reference supported by planning policy. It is the view of ESC that the limit of a seascape setting is the visual horizon, therefore if the Five Estuaries array can be seen on the visual horizon, it is considered to be within the seascape setting for the AONB. ESC therefore does not	The assessment describes the 'immediate setting' of the SCHAONB and 'horizon development' as a way of distinguishing between the effects of development on the distant visual horizon/open seascape compared to development at close range in the foreground seascape (immediate setting). Where WTGs are visible closer to shore, in the foreground seascape or visible next to coastal focal points or complex and enclosed coastal landscapes (immediate setting), there is potential for adverse effects of higher magnitude on setting, whereas offshore wind farm developments tend to have lower levels of effect, of less adversity, when located in the seascape backdrop away from the seascapes visible at the coast, in locations on or beyond the horizon ('horizon development'). It is accepted that the VE array areas are within the seascape setting of the SCHAONB and may be visible	N

	agree with the Five Estuaries conclusion that the wind turbine array is not within the AONB's 'immediate setting'. Setting refers to the surroundings in which the AONB is experienced, the extent of setting is therefore not fixed or measured. The visual horizon (and Five Estuaries array) will be experienced by users within the AONB; therefore 'immediate setting' has no real value in this context.	in views out of the SCHAONB, and by virtue of its nature, siting and size/scale is likely to have an impact on the setting and special qualities of the SCHAONB, however these are assessed in the SLVIA (Section 10.11) and found to be not significant.	
Seascape, Landscape and Visual (document reference 6.2.10)	In parallel to the Suffolk Seascape Sensitivity Study update addendum, White Consultants also undertook a comparison of seascape and visual impact assessment methodologies for East Anglia TWO/East Anglia ONE North offshore wind farms and the Five Estuaries offshore wind farm to ensure consistency in the PEIR approach adopted. The comparison report is appended in Annex B. Sections 2.4-2.10 of the appended methodology review finds that whilst special qualities are referred to at various points in the method, no focussed assessment of them has been undertaken for the PEIR. It is therefore recommended that a full assessment of the effects on AONB special qualities is carried out as special qualities reflect what is important about the AONB (i.e. they describe its natural beauty and express the qualities for which it was designated). As such, great weight must be accorded to them (as set out in national planning policy), noting that all special qualities are of high value and important whether physical, historical, cultural or perceptual. Special qualities can be affected by development in the AONB's setting and this in turn can affect the primary statutory purpose of the designation.	The comments in the 'Comparison of SLVIA Methodologies for East Anglia TWO/East Anglia One North and Five Estuaries' (White Consultants, June 2023) are noted and addressed in full in the conclusions of Volume 6, Part 2, Chapter 10: SLVIA in Section 10.18. SLVIA methodology is subject to ongoing iteration to address professional practice and guidance, therefore some differences in approaches between East Anglia TWO and Five Estuaries are to be expected. The review undertaken by East Suffolk Council highlighted a number of improvements in clarity of criteria, helpful, reasonable and fair wording/approach in the SLVIA Methodology (which is set out in full in Appendix 10.1). A full assessment of the effects of VE array area on the special qualities of the SCHAONB was undertaken in the PEIR (Section 10.11 of the PEIR, pages 169 to 192 (paragraphs 10.11.171 to 10.11.280) and appears to have been missed by East Suffolk Council (and the SCHAONB partnership) when reviewing the PEIR. East Suffolk Council (and the SCHAONB partnership) have subsequently acknowledged that 'full assessment of the effects on AONB special qualities' was undertaken in the PEIR. This full assessment of the effects on SCHAONB special qualities is undertaken in Section 10.11 of Volume 6, Part 2, Chapter 10: SLVIA.	N
Seascape, Landscape and Visual (document reference 6.2.10)	The comparison report also highlights the potential limitations of the cumulative impact assessments supporting the Five Estuaries development. Understanding a combined and in totality scenario will be essential to understanding the scale of effects and potential impact on AONB special qualities and purposes of designation. The Planning Inspectorate noted in their Scoping Report that there are a number of other projects, including Nationally Significant Infrastructure Projects (NSIPs) such as East Anglia ONE North and TWO Wind Farms, North Falls Offshore Wind Farm and Sizewell C, located within the likely study area for the Proposed Development. There is the potential for cumulative impacts to occur as a result of temporal and spatial overlap of the Five Estuaries project with these other NSIPs which needs to be adequately assessed. This view was supported by ESC, noting that the relevance of the AONB's special qualities extends beyond its legal boundaries and into its setting, especially in respect of 'out to sea'. A focussed assessment of AONB special qualities is therefore required to contribute to the decision-making process. As yet this has not been undertaken in detail and will be necessary to fully understand the magnitude of visual effect on the AONB. ESC previously highlighted the importance of the AONB's special qualities and its purposes for designation in the EIA Scoping response. This advised that these must be given consideration in ongoing assessments, given the size and location of the proposed wind turbines. It is considered that the statutory purposes of the designation may be put at risk from the project alone and cumulatively with other projects, and ESC's final position on seascape impacts on the AONB will be informed by the findings of this assessment.	Guidance on assessing cumulative landscape and visual impacts (NatureScot, 2021) defines cumulative impacts as 'the additional changes caused by a proposed development in conjunction with other similar developments OR as the combined effect of a set of developments, taken together'. The SLVIA undertaken in Section 10.13 of Volume 6, Part 2, Chapter 10: SLVIA assesses the 'additional' cumulative changes resulting from the VE array areas (in addition to other projects such as East Anglia ONE North and TWO Wind Farms, North Falls Offshore Wind Farm and Sizewell C), in line with this NatureScot guidance and guidance contained within IEMA (2020) 'Demystifying Cumulative Effects' in respect of considering the additional (contribution) of the development to the cumulative effect. This approach allows the contribution of the specific project to the cumulative effect to be assessed (rather than the totality of the effect) and addresses guidance in Advice Note 17 (PINS, 2019) to provide information on 'how the effects of the applicant's proposal would combine and interact with the effects of other development'.	N
Marine Geology,	ESC acknowledges that the landfall location for subsea transmission cables will not be within the East Suffolk District and we are generally satisfied with the scope and level of	Noted.	N

Oceanography and Physical processes (document reference 6.2.2)	detail applied in the Coastal Processes related Impact Assessments. However, it is noted that several reference documents are 20+ years old, notably those regarding sediment (SNSSTS 2002) and structure scour assessment. The impact assessments conclude low/negligible impacts on coastal receptors and/or pathways in every case, noting that the assessment of magnitude is based on the fact that changes to the wave regime will not extend to the coast and therefore there is no potential for morphological change. It was also concluded that suspended sediment, tidal currents, accretion/scour around structures, and landfall impacts appear to pose a very low risk of causing a negative impact on the ESC coastline. Their comments therefore focus on the assessment of how wave energy will be affected as this appears to have the greatest potential to cause an impact on the East Suffolk coastline. The study has assessed the impact of wave energy interruption by turbine foundations arising from both this development in isolation and also the entire licensed turbine field, for a number of wave directions. The results show an impact zone on the lee side of each turbine group that is limited in plan extent to relatively close to each turbine field. In no modelled case does the zone of interruption extend to the ESC shoreline.		
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	The impact assessment does not consider how the turbines will reduce wind energy on their lee side which has potential to increase the zone of wave energy disruption. This is considered important because if there is a measurable impact which reduces wave energy on approach to the East Suffolk shoreline from an east/southeast direction, then it has potential to alter the net sediment drift balance at the shoreline. There are coastal locations where a reduction in the southerly component of net drift may be significant e.g., East Lane Bawdsey and Thorpeness. The impact assessments use a threshold for Impact Significance of 5% which is a standard value. It appears unlikely that the model will show an impact at the shoreline above this value, however, ESC questions this threshold on the grounds that a permanent reduction in wave energy from this direction, albeit potentially <5%, may over several years, have a cumulative significant impact. We are aware that the counter argument to this could be that if such a potentially small change in forcing conditions at the coast were to arise, it would probably be subsumed within natural variability and so identification by post-installation monitoring, with a view to mitigation, would be challenging. However, it is requested that the final impact assessments undertaken for this project demonstrate consideration of the impact of wind energy interruption by the turbine array on lee side wave energy, in addition to turbine foundation interruption impacts, and this should provide a commentary on how this impact may impact net sediment trends over East Suffolk shorelines.	Consideration of the potential for wind energy reduction in the lee of an array to impact the wave regime is set out in paragraph 2.13.55 et seq of the Marine Geology, Oceanography and Physical processes chapter of the ES (document reference 6.2.2).	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	It is acknowledged that transport assessment is focussed on the vicinity of the onshore scoping area within Essex, however there are pressures experienced from port related activities. ESC defers to SCC Highway Authority for detailed comments on potential traffic and transport impacts within Suffolk and/or East Suffolk.	Noted.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	It is acknowledged from PEIR Volume 3, Chapter 3 that the wider study area ‘is set at the boundary of the counties of Essex and Suffolk, within which the majority of the local supply chain and labour market effects that could occur would be experienced’. It is noted that this assessment considered impacts during construction and operation upon levels of employment, visitor displacement, and impacts on recreational activities both onshore and offshore, with similar impacts, potentially being experienced during the decommissioning phase.	Noted.	N
Landscape	In the non-statutory consultation response previously provided, ESC highlighted that	Noted.	N

and Visual Impact Assessment (document reference 6.3.2)	there is a possibility that tourism effects may be felt in East Suffolk due to seascape visual impacts introduced by the proposed wind farm extension, either alone or in-combination with other NSIP projects. This was however caveated as we awaited further assessments being completed before providing detailed comments regarding whether economic impacts are anticipated. Noting the matters raised in the seascape section of this letter, ESC still awaits further assessment being completed. The need for a detailed assessment of AONB special qualities has been highlighted to inform ESC's final position on the visual effects within the AONB, and we reserve the right to provide more detailed comments on socio-economic effects and tourism once this has been completed. ESC is therefore unable to support the PEIR's conclusion that 'there will be no significant negative effects upon Socio-Economic, Tourism and Recreation receptors' at the time of submitting this Stage 2 consultation response.		
Landscape and Visual Impact Assessment (document reference 6.3.2)	We understand that this response will also be shared with North Falls Offshore Wind Farm as part of the coordination effort between the two projects. It is understood that the feedback received as part of this consultation will be used to refine the assessment and mitigation proposals within the final Environmental Statement submitted for Examination as part of the DCO process. ESC welcomes ongoing engagement with the Five Estuaries project as the DCO application progresses and we trust the feedback provided in this letter is useful, being read alongside our earlier consultation responses and the EIA Scoping response submitted by ESC to PINS in Autumn 2021.	Noted.	N
Seascape, Landscape and Visual (document reference 6.2.10)	ESC will remain concerned until the special qualities assessment has been undertaken. If once completed it is found that the mitigation hierarchy would be unable to fully mitigate the anticipated effects and that residual impacts remain, ESC (in conjunction with SCC as host Authority and the SCHAONB Partnership) will be seeking appropriate compensation to offset the seascape impacts.	A full assessment of the effects of VE array area on the special qualities of the SCHAONB was undertaken in the PEIR (Section 10.11 of the PEIR, pages 169 to 192 (paragraphs 10.11.171 to 10.11.280) and appears to have been missed by East Suffolk Council (and the SCHAONB partnership) when reviewing the PEIR. East Suffolk Council (and the SCHAONB partnership) have subsequently acknowledged that 'full assessment of the effects on AONB special qualities' was undertaken in the PEIR. This full assessment of the effects on SCHAONB special qualities is undertaken in Section 10.11 of this ES chapter 10. The Project has had due regard to the statutory purpose of the SCHAONB (to 'conserve and enhance' natural beauty) through the siting and design of the VE array areas, which include embedded measures that avoid significant effects, minimise 'harm' and avoid 'compromising' the purposes of the SDNP. Clacton-on-Sea pier is outside the SLVIA study area i.e. over 60km from the VE array areas. A viewpoint is included from Clacton-on-Sea (Viewpoint F shown in Figure 10.45 of Volume 6, Part 2, Chapter 10: SLVIA) from the promenade north of pier, which is within the study area.	N

ESSEX COUNTY COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	ECC, as well as other consulted Authorities affected by this proposal, has a clear preference for a coordinated approach between the different proposed offshore windfarm extension projects and multi-purpose interconnector projects within the vicinity of this project.	Noted.	N
General	ECC acknowledges that Five Estuaries have identified their project,	The Applicant has been involved in the government's Offshore Transmission	N

	together with the promoters of North Falls, Nautilus and Euro link, as being within the Early Opportunities workstream of the Offshore Transmission Network Review, and that there are ongoing discussions between these parties and National Grid Electricity Transmission (NGET), under the auspices of the Department for Business, Energy and Industrial Strategy and Renewables UK. However, it is considered, and on balance, that the developers of these separate projects have not presented a comprehensive and conclusive set of evidence that the transmission objectives of this project cannot be met using alternative link(s) to reduce the impact of onshore infrastructure on the terrestrial environment in Essex or Suffolk. If an alternative offshore solution with reduced impacts was to be delivered, in a timely manner, without risking wider Net Zero and decarbonisation targets, it would be welcomed by the County Council. Such a proposal would negate the need for this project to landfall in Tendring, to access a length of undisturbed land, and remove the requirement to provide an on-land substation, as is here proposed in one of two locations.	Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection.	
Onshore Project Description (document reference 6.3.1)	ECC has separately made strong objections to the recent EAG DCO project on the basis that it does not adequality demonstrate why greater offshore co-ordination would not be feasible, which would avoid or significantly reduce the need for that project and the connection to Five Estuaries at or around Lawford.	Noted. The Applicant is progressing on the basis of its connection agreement with National Grid. An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection.	N
Onshore Project Description (document reference 6.3.1)	ECC has raised serious objection to this proposal, part of which is of particular reference to VE, in that the proposed connection point would be in Lawford. There are clear and demonstrable reasons why this location is completely unacceptable. By VE constructing its own independent substation linking to the Grid connection point at Lawford it would contribute to the in-combination effects. VE as a project seeks consent for its own substation before connection to the Grid substation, this will result in the provision of significantly harmful industrial type infrastructure in an open, tranquil rural area from the proposal as submitted, from EAG, VE and in addition from North Falls when this comes forward. This means the area around Lawford, where one substation already exists, could result in four independent sub stations in close proximity to each other. The area of land around Lawford and its rural farmland environment is sensitive to change and, when looked at in combination with the aforementioned developments, the impact of a quasi-industrial development of the scale as proposed would be injurious to the local area and its surroundings, when taking into account in combination effects. It is noted that within the consultation it makes it clear that this route will be refined down with the collection of evidence to refine the same. Additional statutory consultation will take place after further engagement.	Noted. The process that led to the selection of the onshore substation is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4), and is largely driven by the existing regulatory processes for determining where new electricity generators connect to the national transmission network. The Applicant has been involved in the government's Offshore Transmission Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection. Cumulative impacts are now assessed throughout the ES and are additionally covered by a dedicated Cumulative Effects Assessment Methodology document (document reference 6.1.3.2).	N
Onshore Project Description	It is currently unclear as to what the impacts of VE would be in	Cumulative impacts are now assessed throughout the ES and are	N

(document reference 6.3.1)	conjunction with North Falls. These are two alike developments and whilst they would have some impact on views of the Windfarm array in combination from the Clacton coast, the main impact of the same would come in the construction of the landward side of the developments. With two connection points, cable runs, construction works, haul roads, compounds and works proposed in connection with both developments it is not possible to assess what the in-combination effects of the same would be as the consultation documents fall short of making this clear.	additionally covered by a dedicated Cumulative Effects Assessment Methodology document (document reference 6.1.3.2).	
Onshore Project Description (document reference 6.3.1)	ECC has long made the point that the developments as proposed on the Tendring peninsular are similar in type and extent, hence co-operation between the developments needs to be considered. The current draft National Policy Statement EN5, which is likely to be fully in place when VE is at Hearing, plays significant importance on the close co-ordination of onshore projects, in particular section 2.5 of the same which promotes co-ordination between applicants, particularly where the sensitivities of the landfall sites is sufficient, which is clearly the case with VE and the Tendring coast. Going forward it will be necessary for VE to demonstrate how it meets the overarching principles within the current and draft EN5, something that is lacking at this time.	National Policy Statement EN5 has now been designated. The Applicant is now coordinating with North Falls on potential construction options that would reduce the impact through joint delivery. This is set out in the Co-ordination Document (document reference 9.30).	Y
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	ECC believe that the potential impacts and disturbance placed on local communities by the construction and operation of onshore transmission networks cannot be adequately dealt with through the planning system and it is necessary for Five Estuaries to provide a voluntary Community Benefit Contribution (CBC) package to host local communities. The CBC package would recognise the role of local communities that are being asked to host nationally significant infrastructure projects that will contribute significantly to the government's commitment to Net Zero and energy security. Such an Environmental Improvement Fund could be used to support local initiatives including, but not limited to, the provision of community woodlands, tree and hedgerow planting, the establishment of traditional orchards and the enhancement of wildlife habitats. Local community groups, parish councils and voluntary sector organisations would be encouraged to make applications to this fund.	RWE, the lead developer for the Project, has on previous schemes supported the communities in which it operates and has committed to work with communities to develop its approach to supporting the local area. At this stage, the details of any community benefit package associated with Five Estuaries have not been finalised. The Applicant will engage local people and groups to help shape how the project can best support the community prior to construction. The Applicant recognises and agrees that any approach to developing community benefits is considered outside of (but informed by the findings of) the formal assessment within the EIA and planning process required by the 2008 Planning Act. It is important to clearly define the approach to community benefit contributions in the context of the mitigation and compensation that is required under EIA regulations and the 2008 Planning Act. The Applicant will continue to work with ECC, TDC and other community stakeholders on this approach. Outline Employment and Skills Strategy (document reference 9.27) sets out how the Applicant intends to maximise the benefits of these aspects of the Project.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	ECC expects appropriate and robust mitigation for negative residual impacts on the community and locality, which could be, for example, include but not be limited to, funding for alternative outdoor recreational offers, access and amenity improvements, green space, cultural and heritage enhancements.	The Applicant has a long history of supporting the communities in which it operates and has committed to work with communities to develop its approach to supporting the local area. At this stage, the details of any community benefit package associated with Five Estuaries have not been finalised. The Applicant will engage local people and groups to help shape how the project can best support the community. The Applicant recognises and agrees that any approach to developing community benefits is considered outside of (but informed by the findings of) the formal assessment within the EIA and planning process required by the	N

		2008 Planning Act. It is important to clearly define the approach to community benefit contributions in the context of the mitigation and compensation that is required under EIA regulations and the 2008 Planning Act. The Applicant will continue to work with ECC, TDC and other community stakeholders on this approach.	
Draft Code of Construction Practice (document reference 9.21)	ECC consider it necessary that the Five Estuaries project includes the submission of a detailed Construction Management Plan (CMP) to mitigate and compensate against any as proposed construction impact on health and wellbeing. The CMP should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites.	Five Estuaries has provided noise control measures in its CoCP (document reference 9.21). This will be secured via a requirement in the DCO application. This is supported by an Outline Construction Traffic Management Plan (document reference 9.24), an Outline Public Access Management Plan (document reference 9.25) and an Outline Workforce Travel Plan (document reference 9.26), which the Applicant considers an appropriate level of detail at this stage. A detailed CMP will be drafted when the construction contractor(s) are appointed.	N
Draft Code of Construction Practice (document reference 9.21)	It is necessary that an appropriate noise assessment undertaken and this will need to address the construction phases of the proposal and the operational noise. Methodology of the aforementioned assessment shall be agreed once specific details of the proposal are known. A lighting assessment will also be necessary.	Sections 9.10 and 9.11 of the Airborne Noise and Vibration chapter of the ES (document reference 6.3.9) assess construction and operational noise impact from VE upon the existing environment. Control measures for lightning are included in CoCP (document reference 9.21). Lighting would only be used temporarily during construction. No operational lighting proposed.	N
Human Health and Major Disasters (document reference 6.4.2)	It is noted that within the documentation, reference is made to Health impacts over a large number of separate documents. It would be preferable if the same were incorporated within a separate Health Impact Assessment in the interest of clarity.	Agreed that under EIA regulations a health chapter would include all relevant chapters as opposed to signposting. HIA undertaken in accordance with latest EIA 2022 guidelines and is fully compliant. This is set out in the Human Health and Major Disasters chapter of the ES (document reference 6.4.2).	N
Traffic and Transport (document reference 6.3.8)	Whilst the as consulted upon Traffic and Transport Chapter includes a comprehensive review of the network, specific regard should be given to any of the 28 key junctions across the district that were investigated as part of the evidence base for the Local Plan process that may be affected by development traffic. Whilst published in 2017 to support the Local Plan this is the last time a comprehensive review of the local road network took place.	The majority of the 28 junctions are on either HGV or construction workforce access routes identified, which are considered in the Transport Assessment and traffic and transport ES chapter. No junction capacity assessment have been undertaken, which is justified in Section 5.3.6 of Volume 6, Part 3: Annex 8.1: Transport Assessment.	N
Traffic and Transport (document reference 6.3.8)	Further details of all access point and road crossings will be required with the submission of the DCO including stage 1 road safety audit.	General Arrangement (GA) drawings of the proposed access points and haul road crossings that would be used by VE have been prepared and have been subject of a Stage 1 Road Safety Audit (RSA) as set out in Volume 6, Part 3, Annex 8.1: Transport Assessment.	N
Traffic and Transport (document reference 6.3.8)	It is not clear which version of TEMPRO has been used. Essex County Council have issues with the use of TEMPRO 8 on the Essex Road network as experience is that it underestimates growth.	TEMPRO version 7.2c has been used as set out in Paragraph 8.6.17 of Volume 6, Part 3, Chapter 8: Traffic and Transport.	N
Traffic and Transport (document reference 6.3.8)	Committed development planning application numbers are set out, but it would be useful to show these on a plan and provide a description of the development. It is unclear if Tendring District Council have been involved in identification of committed developments.	A plan showing the committed development is now included in the Cumulative Environmental Assessment Methodology (document reference 6.1.3.2) in section 3.3.	N
Traffic and Transport (document reference 6.3.8)	The core working hours are 12 hours and the peaks fall outside of the network peak, is this realistic, particularly in winter months?	A proportion of vehicle movements associated with the construction of VE would be most likely to be within highway peak hours during the winter months, as per the analysis of first and last daylight across the year in Tendring has been undertaken as set out in Volume 6, Part 3, Annex 8.1: Transport Assessment Traffic flows are generally higher during August across the highway network in the study area, when peak hour vehicle movements associated with the construction of VE are less likely due to the availability of daylight hours as set out in Volume 6, Part 3, Annex 8.1:	N

		Transport Assessment. Therefore, should there be some vehicle movements associated with the construction of VE during the peak hours in the winter months, the total vehicle movements are likely to be lower than the total during August as set out in Volume 6, Part 3, Annex 8.1: Transport Assessment	
Traffic and Transport (document reference 6.3.8)	Table 8.2.1 and Figure 8.14 etc. are these for AM or PM peaks?	The peak hour flows are assumed to be the same in each.	N
Traffic and Transport (document reference 6.3.8)	The Highway Authority have not been able to undertake site visits of all roads that are proposed to access the works compounds and there are specific concerns regarding use of some minor routes including Waterhouse Lane to the north of the A120. It is likely that if it is not possible to avoid use of the minor/rural road network by utilising internal haul roads then further mitigation should be investigated on roads where two HGVs cannot pass each by possible road widening or provision of passing bays.	Waterhouse Lane is no longer proposed as a main construction access route. Improvements to Bentley Road are proposed, as set out in Volume 6, Part 3, Annex 8.1: Transport Assessment. No other routes have been identified for any passing bays or widening as a result of the VE construction traffic	Y
Traffic and Transport (document reference 6.3.8)	Whilst the DCO provides powers in respect of highway works the Highway Authority would wish all highway works to be delivered using its standard S278 Highways Act 1980 process and would seek early agreement from Five Estuaries regarding this point. Additionally, the DCO provides powers regarding Street works and again the Highway Authority would wish to seek assurance that the Essex Permitting Scheme is used so that Essex County Council can properly manage Five Estuaries proposed Street works in addition to that of other statutory undertakers/Highway Authority/developers, as well as Section 50 (Highways Act 1980) licences for private apparatus under the highway.	Proposed highway works are included within the DCO alongside proposed protected provision, to protect Essex's highways assets. The use of the Essex permitting scheme is acknowledged as is included with the Other Consents and Licences document (document reference 5.8).	N
Traffic and Transport (document reference 6.3.8)	It is noted that cumulative development has been addressed but will be subject to further assessment within the DCO submission. The Highway Authority obviously have concerns over similar offshore schemes occurring in the local area and every effort should be made for the schemes to work together to reduce impact and disruption to local communities	The cumulative assessment has now been undertaken in Volume 6, Part 3, Chapter 8: Traffic and Transport, on the worst case assumption of VE and NF OWF being constructed at the same time; however with a coordinated approach by utilising the same construction accesses, haul road and crossings, with one project installing these and the other project reinstating them. More information about the potential to coordinate the construction of the two projects is set out in the Co-ordination Document (document reference 9.30).	N
Traffic and Transport (document reference 6.3.8)	It is noted that further information regarding AILs will be provided at the DCO stage.	The anticipated AIL delivery route from the Port of Harwich and the AIL access on Bentley Road has been investigated and discussed with NH. Details of other options considered for the route and swept path drawings at key junctions are provided in Volume 6, Part 3, Annex 8.1: Transport Assessment. It was agreed with Essex County Council that low loader swept path analyses for cable drum delivery can be undertaken post DCO consent.	N
Traffic and Transport (document reference 6.3.8)	ECC are unsure if Public Rights of Way have made sperate representation on this consultation which would usually be the case. We have looked briefly at the information supplied in this regard and it appears that comprehensive consideration of the Public Rights of Way network has taken place. Our main concerns are that where temporary diversion is required this can usually only occur for 6 months, we suspect the DCO may have additional powers in this regard, but would recommend further discussion with the rights of way team takes place regarding diversions and the proposed temporary public rights of way management.	Temporary diversions can be up to 18 months, with greater than 6 month periods agreed by the SoS. A plan showing the sections of each PRoW that wood need to be temporarily diverted is provide in Volume 9, Report 25: Outline PAMP	N

Traffic and Transport (document reference 6.3.8)	This is very basic and not very far reaching. In other schemes I have seen minibuses being provided to pick up groups of workers staying in local accommodation. Whilst I understand that this scheme covers a large geographic area, I would have thought that some kind of shuttle bus service could work and reduce workers vehicles using the local road network, more information/further discussion regarding this would be welcomed. Car sharing is an obvious measure, and it is important that this is encouraged positively by reducing on site car parking and to support the assumption of 1.5 people car occupancy.	The Outline WTP (document reference 9.26) has been updated and reflects discussions on sustainable travel measures with ECC at the traffic and transport ETGS.	Y
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Further information will be required to cover drainage concerns and drainage elements onsite. Details should include any temporary works (culverts) to ordinary water courses, drainage channels for the purpose to give access to the project location. The surface water management during the construction of office, storage compounds. The proposal should enlist the required mitigation to prevent onsite/offsite flooding. Measures taken to prevent any pollutants entering surface water or ground water. Appropriate measures to deal with spills and leakages onsite.	This is assessed and reported in the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). Specifically: Comments relating to surface water drainage is covered in Section 6.10 and Section 6.11. Surface water drainage is also discussed in the ECC FRA and the OnSS FRA, included at Volume 5, Report 5.3.1: Onshore ECC FRA and Volume 5, Report 5.3.2: OnSS FRA. Comments relating to potential pollution to surface water or to groundwater is covered in Section 6.10 and Section 6.12 Comments relating to spills/leakages is scoped out as agreed in Section 6.4.2. An outline CoCP outlining best practice measures has also been provided as part of the DCO. application (Volume 9, Report 9.21).	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	The LLFA recommends that the drainage proposal for the areas under Essex should comply with SuDS Design Guide. The proposal should assess the areas susceptible to surface water flooding and requires appropriate measures to mitigate any adverse impacts during the construction phase and any implication associated with existing drainage interruption/blockage or temporary diversions. Proposal for surface runoff disposal during construction phase and from the built area's (offices, storage compounds) in accordance with SuDS Design Guide.	The ECC FRA and the OnSS FRA make reference to the LLFA SuDS Design Guide and state that surface water management will be subject to approval of the LLFA. The FRA's are included at Volume 5, Report 5.3.1: Onshore ECC FRA and Volume 5, Report 5.3.2: OnSS FRA.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Consultation with the LLFA is required to have section 23 consent for the areas where the project will have direct or indirect effect on drainage channels, or ordinary water courses.	The ECC FRA and the OnSS FRA make reference to a requirement for consent from the LLFA for any works affecting ordinary watercourses. The FRA's are included at Volume 5, Report 5.3.1: Onshore ECC FRA and Volume 5, Report 5.3.2: OnSS FRA. Further commitments are also included within the Onshore Substation Design Principles document (Doc Ref 9.4)	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	ECC welcomes the proposed BNG approach as detailed in Volume 5, Annex 4.14 and the proposed minimum 10% BNG for this development. We welcome reference to the Essex Green Infrastructure Strategy (2020) but would also highlight the need to take account of the Essex Green Infrastructure Standards (2022) which provide clear guidance on the requirements on both planning policy and planning application and processes. We would also note that an updated Biodiversity Metric 4.0 was published in March 2023 and should be used in place of the previous version of the metric to	Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which is considered equivalent to a Green Infrastructure Strategy document. The OLEMP refers to relevant aspects of the Essex GI strategy and standards and includes woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network.	N

	accompany the DCO submission.	Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Moving forward, ECC would ask for the production of a Green Infrastructure Strategy for the route, based on the Essex Green Infrastructure Strategy (2020) and Essex Green Infrastructure Standards (2022) to provide a more detailed an assessment of the ecological context of the development. The scheme should include but not be limited to: • The design of the development to deliver Biodiversity Net Gain and wider environmental net gain. This that forms an important component of nature recovery networks and the wider landscape scale GI network. • A Green Infrastructure Plan outline the implementation of green infrastructure across the proposed preferred option corridor, the timescale for the implementation of each aspect and, the details of the quality standard of construction, management and maintenance that will occur.	Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which is considered equivalent to a Green Infrastructure Strategy document. The OLEMP refers to relevant aspects of the Essex GI strategy and standards and includes woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	ECC has now established a Local Nature Partnership (LNP) covering Greater Essex. The LNP contains three working groups – a community engagement group, a planning and biodiversity net gain working group and, a Local Nature Recovery Strategy (LNRS) group. The works of this group, including the upcoming LNRS, will need to be supported and acknowledged moving forward.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	1.3.29 states: “It is expected that a standard 5 year maintenance period will be applied. The detail of replacing failed planting will be presented in the OLEMP and LEMP." A landscape ecological management and maintenance plan and work schedule should be for a minimum of 10 years, although through mandatory biodiversity net gain it will be expected for the habitat to be secured for at least 30 years via obligations/ conservation covenant. Therefore, the proposed 5 year maintenance period is insufficient.	Outline proposals for mitigation and compensation, including roles and responsibilities, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which is considered equivalent to a Green Infrastructure Strategy document. It includes measures to increase biodiversity and therefore assists toward CFA targets. The commitment to 5 years maintenance period remains. Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Details of the LEMP should include who is responsible for GI assets (including any surface water drainage system) and the maintenance activities/frequencies. We would also expect details on how management company services for the maintenance of GI assets and green spaces shall be funded and managed for the lifetime of the development to be included. This is to ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high quality value and benefits of the GI assets.	Outline proposals for mitigation and compensation, including roles and responsibilities, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which is considered equivalent to a Green Infrastructure Strategy document. It includes measures to increase biodiversity and therefore assists toward CFA targets. The commitment to 5 years maintenance period remains. Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The proposed development is situated within the Essex Climate Action Commission’s (ECAC) recommended Climate Focus Area (CFA), which is formed of the Blackwater and Colne River catchment areas. The objective of this recommendation is for the CFA to “accelerate [climate] action and provide exemplars, for learning and innovation: adopting Sustainable Land stewardship practices: 100% by 2030 and Natural Green Infrastructure: 30% by	Outline proposals for mitigation and compensation, including roles and responsibilities, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which is considered equivalent to a Green Infrastructure Strategy document. It includes measures to increase biodiversity and therefore assists toward CFA targets. The commitment to 5 years maintenance period remains. Further details are also included Volume 6, Part 3, Chapter 2: Onshore	N

	2030" (ECAC, 2021). Among the objectives of the CFA are to achieve net zero carbon, biodiversity net gain, improve soil health and air quality, reduce flooding and urban heat island effect, and enhance amenity, liveability and wellbeing of Essex communities. The CFA require developments to take into account the following requirements in line with meeting the requirements outlined in NPPF: a) biodiversity net gain to enhance biodiversity and the natural environment by creating Natural Green Infrastructure contributing to the CFA 30% by 2030 target and the wider Local Nature Recovery Network/Strategy. b) flood and water management, for those properties at risk of flooding to include Integrated Water Management and Natural Flood Management techniques. c) New developments to improve urban greening of our towns, and villages through the provision of street trees for example. New developments are necessary in terms of increasing greenspace creation, naturalizing existing green spaces, greening the public realm, and implementing sustainable drainage systems (SuDS). The proposed development has the opportunity through the development of an effective GI strategy to also contribute towards meeting the CFA targets and in promoting nature recovery and habitat connectivity.	Landscape and Visual Impact Assessment. There is no built aspect of the development proposals that is considered to be at risk of flooding. The onshore cable route will be buried with no above ground level infrastructure and is considered to be resilient to flooding and the onshore substation is situated in an area with low flood risk. It is noted that during construction surface water drainage requirements will be dictated by a temporary surface water drainage strategy which will be prepared post consent. This strategy will be designed to control runoff through the use of sustainable drainage (SuDS) and infiltration techniques, where feasible. Surface water runoff from the onshore substation will be controlled through a construction phase surface water drainage strategy and a separate operational phase drainage strategy. These strategies will include SuDS features and will promote infiltration where feasible.	
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Page 15: The Shoreline Management Plan (SMP) is not one which has been produced by Essex County Council (ECC) which the header for 6.2.25 suggests, but it is a plan which was developed in partnership (endorsed by ECC) and led by the Environment Agency. The SMP presents a preferred management policy for different frontages over different time periods (epochs).	This change has been incorporated in the relevant chapters.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	The SMP highlights that the defences at Holland-on-Sea are under pressure and a landward realignment would create a more sustainable situation by reducing the pressure on defences and moving towards a more natural coastal frontage. The SMP also states on p 89 section 3.3 that a defence that is economic to maintain (i.e. benefits: costs ratio greater than 1) may not also be afforded from finite public finances, and this should be considered by the proposed developer as the comment on page 75, para 6.7.70 states that the current line will be held until 2055 (though this will in fact depend on the availability of funding). The longer-term management intent for the area where landfall is proposed (Policy Development Zone C2) has a dual policy of both Hold the Line and Managed Realignment. It is therefore important that the applicant fully considers the implications of a managed realignment on the siting of the onshoring of the cabling and associated infrastructure, as well as the access and egress for construction and any ongoing maintenance.	The ECC FRA considered the resilience of installed coastal defence infrastructure to flooding. The ECC FRA is included at Volume 5, Report 5.3.1: Onshore ECC FRA.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	On page 26, it is noted that the potential for damage to flood defences or surface water drainage infrastructure during construction has been scoped in for assessment (document reference 6.4.1), and it is therefore assumed that any potential	Comments relating to potential risk from trenchless cabling techniques is covered in Chapter 6.3.6, Section 6.10.	N

	impact of horizontal drilling on the integrity of the seawall will also be covered by this and included.		
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	It is not clear how much material will be generated by the Horizontal Drilling or other trenched excavations, or where the material that's been generated will be deposited. This material could be extremely valuable for beneficial use of dredged material coastal protection and/or habitat creation schemes in Essex. The applicant should liaise with the Environment Agency and other interested organisations including Essex County Council to determine where this material could best be utilised. The Pollution Prevention parameter of the "Mitigation measures embedded into the project design" table on page 83 states that excavated material will be placed in such a way as to avoid any disturbance of areas close to the banks of watercourses and to prevent spillage into water features and so it is assumed from this that it is not being deposited at sea – in either case, beneficial use of the material should be actively considered with Environment Agency or local stakeholders advising of potential receiving locations.	Soils suitable for reuse as part of wider mitigation associated with the OnSS (e.g. planting areas) to be reused in a broadly similar location to their origin, and stored for the shortest amount of time permissible; Any surplus soils from the OnSS works to be re-used for landscaping, offered to landowners or disposed of in an appropriate manner off-site. Any waste contractor will follow the waste hierarchy with materials taken from site.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	On page 30, under 6.4.9 it has been mentioned that data requests have been sent to Essex County Council with regard to shoreline monitoring data. Essex County Council hold no data of this type, this would be able to be sourced from either Tendring District Council and/or the Environment Agency.	Noted.	N
Climate Change (document reference 6.4.1)	ECC welcomes the support the Government's Energy Security Strategy gives for offshore wind expansion and goal of 50 GW of offshore wind production by 2030.	Noted.	N
General	ECC recognises and welcomes the identified opportunities for employment, local skills development and local supply chains, but would welcome further details of community benefits of the scheme. For example, whether there is the opportunity for part-community ownership, a community benefit fund, etc. to be in line with the recommendations of the ECAC report recommendations.	Noted. The Outline Employment and Skills Strategy (document reference 9.27) sets out how the Applicant will help use the Project to deliver benefits and opportunities in the area. Community benefits are considered separate to a project application and traditionally are available at the same time as the projects themselves become fully operational. At that point we will have more detail about what the community support will look like and how it will work.	N
Climate Change (document reference 6.4.1)	We would welcome details on how Green House Gas (GHG) emissions of associated infrastructure i.e. the substation, and throughout the lifetime of the development will be minimised including embodied and operational carbon. Whilst the overall project is likely to be considered net zero due to the net positive impact of the generation of renewable energy- it is also important that emissions reduction measures are sought at each stage of the project. The aim should be for a net zero development at all stages/ within each element of infrastructure of the project and reliance on the positive impact of renewable energy production should not be relied upon to mitigate those. The potential impact on not just the UK to meet its climate GHG reduction commitments and wind energy targets, but the impact on Essex and the various commitments by ECC and its boroughs/districts should also be considered within the PEIR and future assessments/reports.	Assessment of Green House Gas (GHG) emissions including embodied and operational carbon are now provided in Volume 6, Part 4, Annex 1.1 Section 1.4. The Project will endeavour to minimise GHG emissions across the project lifetime.	Y
General	BEIS analysis has identified the incredible need for energy storage, in a decarbonised net zero energy system. This is due to the intermittent nature of renewable energy technologies such as	The Applicant has no plans to include these technologies.	N

	offshore wind. Hence it is asked for confirmation as to the plans for the VE project also include battery storage or more innovative solutions such as green hydrogen production?		
Ground Conditions and Land Use (document reference 6.3.5)	Previously at the non-statutory consultation ECC made a detailed response as it refers to the safeguarding of mineral reserves and the place the development should be within the waste hierarchy. It is noted that a Mineral Resource Assessment will be included within the suite of submitted DCO documents hence and until submission of the same the previous points as made in consultation are considered relevant at this time as far as mineral reserves is concerned. Hence the comments as made at the non-stat consultation remain as previously set out. For the purpose of brevity they are not repeated here but can be provided again on request.	A Mineral Resource Assessment is now included within the suite of DCO Submission documents (Annex 6.5.2 Mineral Resources Assessment) The assessment of potential impacts are addressed within Volume 3, Chapter 5 - Ground Conditions & Land Use	N
Seascape, Landscape and Visual (document reference 6.2.10)	The proposed locations for Viewpoints and Illustrative Viewpoints, including reference to Clacton-on-Sea and Harwich. Whilst the viewpoints proposed are broadly acceptable, we would advise a specific viewpoint from Clacton-on-Sea pier is also included.	Clacton-on-Sea pier is outside the SLVIA study area i.e. over 60km from the VE array areas. A viewpoint is included from Clacton-on-Sea (Viewpoint F shown in Figure 10.45 Volume 6, Part 2, Chapter 10: SLVIA) from the promenade north of pier, which is within the study area.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	Viewpoints have primarily been selected based on the potential impacts from the turbines. However, we would also be expecting receptors along the onshore cable corridor to also be assessed where impacts may occur. This does not appear to have been addressed in the latest revision and further clarification is therefore required.	A detailed assessment of the visual effects of the landfall and onshore cable corridor on visual receptors, including residents, road-users, walkers and horse riders are included in Section 2.12 of the LVIA and with cumulative visual effects associated with the onshore cable corridor presented at Section 2.14 of the LVIA (Chapter 6.3.2).	N
Seascape, Landscape and Visual (document reference 6.2.10)	ECC advise to include photomontages taken in the late afternoon sun as the turbines are likely to be at their most visible in the evening as the sun will be setting in the west, and views will, subject to weather conditions, be widely available from coastal locations both on the shore and from elevated locations back from the beach or cliffs.	Figures 10.26 – 11.46 in Volume 6, Part 2, Chapter 10: SLVIA present photomontages based on photographs taken in summer and at the recommended time where possible. Section 10.13 considers the cumulative and in combination sequential visual effects of VE with other projects and proposals.	N
Seascape, Landscape and Visual (document reference 6.2.10)	Viewpoints from Dunwich Beach, Aldeburgh, Old Felixstowe and The Naze, Walton have been undertaken as night-time photography. Furthermore, ECC note that the accumulation of non-significant visual effects along such a route may together be of significance. As previously advised, this assessment will also need to consider the cumulative and in-combination sequential visual effects in the evenings with other projects and proposals.	The cumulative impact of visual effects in the evenings with other projects and proposals is now addressed in Section 10.18.33 of Volume 6, Part 2, Chapter 10: SLVIA.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	The proposed substation search area is located to the south of the Dedham Vale AONB and therefore may contribute towards its setting. For this reason, the proposed substation design and location need to be carefully considered. ECC also note that the landscape around Lawford and the proposed substation location is an open and exposed plateau with a low density and rural settlement pattern, therefore any changes to the landscape will undoubtedly have an adverse impact on visual amenity and landscape character. Therefore, mitigation measures and landscape enhancements must be appropriately considered to ensure these are minimised considerably.	The OnSS will have a limited effect on the Dedham Vale AONB owing to the limited extent to which inter-visibility occurs. Site survey and aerial photography show that the landscape around Lawford has a good level of tree cover, especially to the north where the AONB occurs and this limits potential visibility of the OnSS. Mitigation measures will be implemented and are described at Chapter 6.3.2, Section 2.9 and shown in Figure 2.12 of the LVIA.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	Limited reference has been made to the Essex Landscape Character Assessment. In line with previous comments, ECC would advise that the Essex Landscape Character Assessment should provide the overarching framework for the baseline study, with further reference to the Tendring Landscape Character Assessment	Reference is made to the Essex Landscape Character Assessment and Tendring Landscape Character Assessment in Section 2.7 and shown in Figures 2.3 and 2.4 of the LVIA (Chapter 6.3.2).	N

	and Landscape Character Assessment of the Essex Coast for additional local landscape characteristics and qualities. ECC also note that the scheme falls within the East of England Landscape Framework.		
Landscape and Visual Impact Assessment (document reference 6.3.2)	ECC would also expect localised landscape studies (1:2500 scale) to be undertaken for areas surrounding the proposed substation to ensure the baseline and potential impacts are accurate.	The local landscape around the onshore substation is described and assessed in Section 2.11 of the LVIA (Chapter 6.3.2).	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	In determining landscape value, the Landscape Institute's Technical Guidance Note (TGN) 02-21 'Assessing the Value of Landscapes Outside National Designations' has recently been published and builds on the details within GLIVIA3 and the assessment of value (GLIVIA3 Box 5.1). For instance, Table 1 of the TGN provides a range of factors that can be considered when identifying landscape value. This includes the incorporation of cultural associations (natural heritage and cultural heritage) into consideration of landscape value, which is greatly supported.	The LVIA (document reference 6.3.2) has been updated to incorporate references to the Landscape Institute's Technical Guidance Note (TGN) 02-21 'Assessing the Value of Landscapes Outside National Designations' and ensuring this guidance is reflected in the assessment of landscape value.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	ECC note that the LVIA (Table 2.2) suggests that TGN 02-21 has been "…referenced in section 2.4.21 and its contents have been used to inform the assessment of effects on landscape character in section 2.11". The Technical Guidance current appears to be missing from Section 2.4.21 and is also omitted from the 'Guidance' (Section 2.4.22). Similarly, Section 2.11 of the LVIA refers to 'Visual Effects' and ECC are unable to see how the additional factors have been taken into consideration within the 'Physical Landscape' assessment (Section 2.10).	Reference to 'Assessing the Value of Landscapes Outside National Designations' is made in Section 2.7 of the LVIA (document reference 6.3.2). It should be noted that the value of the local landscape around the onshore substation is limited by the extent to which this landscape has been moderated by intensive agricultural practices and the very limited occurrence and extents of natural or semi-natural habitats or vegetation.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	The Jaywick to Harwich stretch of the England Coast Path was approved by the Secretary of State July 2021. Work is now underway to prepare the new stretch of coast path for public use and therefore the LVIA should consider the cumulative sequential visual effects on users of the England coast path along this stretch and in turn, additional viewpoints along this stretch of coast will be necessary to ensure this assessment can be undertaken. ECC note that the Figure 10.23 'Cumulative ZTV –Five Estuaries with Baseline (operational OWF)' and Figure 10.24 'Cumulative ZTV -Five Estuaries with Tier 1 OWF' indicate that Five Estuaries would be theoretically visible from the England Coast Path and further clarification is therefore sought.	The effects on visual receptors associated with the England Coast Path will relate to the offshore components and viewpoints to represent these visual receptors are included and assessed in the SLVIA (document reference 6.2.10). The effects on visual receptors associated with the England Coast Path are assessed in Section 2.12 of the LVIA (Chapter 6.3.2) in respect of the onshore component of the landfall at Sandy Point. The relatively small scale and contained extent of the landfall construction means that it will not give rise to significant cumulative effects.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	In terms of landscape and visual cumulative effects, ECC would expect all proposed receptors to be scoped in. We note the 'high-level cumulative assessment(s) have only made reference to the Tendring District Landscape Character Assessment (7A Bromley Heaths) whereas we would expect other receptors such as those identified within Section 2.7 to be included.	The purpose of the LVIA is to identify significant effects and significant cumulative effects and it is line with this purpose that only receptors with potential to undergo significant effects and significant cumulative effects are assessed in detail. The close clustering of the cumulative developments means that significant cumulative effects will be localised and, therefore, likely to be contained within the Landscape Character Area (LCA) of 7A Bromley Heaths. The cumulative assessment is presented in Section 2.14 of the LVIA (Chapter 6.3.2).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	ECC note that hedgerows within the survey area are considered to meet the definition of important hedgerows' in relation to wildlife and landscape criteria under the Hedgerow Regulations 1997. In line with previous comments, ECC would advise that both trees and hedgerows are assessed in detail: A detailed hedgerow assessment (in accordance with the Hedgerow Regulations 1997) to be undertaken to assess the value and health of the hedgerows	Detailed hedgerow survey has been undertaken: summary detail for the habitat and hedgerow survey scope and baseline data used to inform the assessment is included at Section 4.5, with further details in VE PEIR Volume 6, Part 6, Annex 4.2: Habitat and Hedgerow Survey Report, N of A120 and VE PEIR Volume 6, Part 6, Annex 4.3: Habitat and Hedgerow Survey Report, south of A120 – these can be found in the application document Volume 6, Part 6, Annex 4.22 Onshore Ecology Preliminary	N

	impacted. This should account for wildlife and landscape, as well as Archaeology and History. Assessment against the criteria set out in the Hedgerows Regulations 1997 for archaeology and history should be based on an assessment utilising information from National Heritage List or England for information on Scheduled Ancient Monuments and the Suffolk Historic Environment Record (SHER) for non-designated heritage assets.	Environmental Information Report Annexes. Arboricultural survey and impact assessment, in accordance with BS5837: 2012, has been undertaken and is reported in the Arboricultural Report (document reference 9.22.1).	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	ECC would advise that an Arboriculturally survey and impact assessment should be undertaken to understand the quality of trees in the study area and proposed impacts on them. The assessment should also identify any ancient woodland or veteran trees that could pose a constraint on the scheme. This assessment should be undertaken in accordance with British Standard 5837:2012 'Trees in relation to design demolition and construction – Recommendations' and should provide details on trees and shrubs to be retained and/or removed, the impact on them and any constraints.	Detailed hedgerow survey has been undertaken: summary detail for the habitat and hedgerow survey scope and baseline data used to inform the assessment is included at Section 4.5, with further details in VE PEIR Volume 6, Part 6, Annex 4.2: Habitat and Hedgerow Survey Report, N of A120 and VE PEIR Volume 6, Part 6, Annex 4.3: Habitat and Hedgerow Survey Report, S of A12 these can be found in Volume 6, Part 6, Annex 4.22 Onshore Ecology Preliminary Environmental Information Report Annexes. Arboricultural survey and impact assessment, in accordance with BS5837: 2012, has been undertaken and is reported in the Arboricultural Report (document reference 9.22.1).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	Trial trenched evaluation is currently being undertaken across part of the proposed substation site, results of the evaluation will need to be included in the DCO application.	The results of the trial trench evaluation undertaken at the OnSS area are included as an Annex to the Onshore Archaeology and Cultural Heritage Chapter (document reference 6.3.7).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	The Tendring District is particularly rich in prehistoric ritual remains which range from single monuments to extensive cemetery areas. One example is the scheduled monument site at Ardleigh, which lies c.1.5km directly west of the proposed substation site, the scheduled area covers a site nearly 900m long by 600m wide and provides a good illustration of a well preserved extensive prehistoric landscape within the Tendring peninsula.	Noted. This is assessed in the Archaeology and Cultural Heritage chapter of the ES (document reference 6.3.7).	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	The extent, nature and significance of the archaeological remains, both onshore and offshore, has not yet been fully determined and it is uncertain that avoidance will be a practical option given the engineering requirements of the proposed works. The Applicant would be required to conclusively demonstrate that there is potential to avoid impact on any significant concentrations of archaeological remains where preservation would be the most appropriate mitigation strategy. Prior to the DCO application ECC would expect the results of all desk based assessments and geophysical surveys to be combined in order to identify any concentrations of archaeology which may be difficult to avoid through design. Any areas where there is little or no opportunity through design to avoid these archaeologically sensitive areas would need to be evaluated through a programme of trial trenching prior to the submission of the DCO to ensure that a suitable mitigation strategy, including preservation can be proposed.	We acknowledge that there is a level of uncertainty in the extent, nature and significance of archaeological remains in the areas within the RLB where geophysical survey data was not acquired by VE. Because of the high number of archaeological records in the area precautionary AEZ have been placed around all recorded locations where data has not yet been assessed. Further geophysical surveys, along with archaeological assessment of the data collected, and the implementation of the PAD awareness training have also been included as mitigation strategies to minimise the chance of impact. It is expected that ahead of ES the data gaps will be filled through a data sharing agreement with North Falls OWF, and a great level of confidence can be applied to all AEZ and understanding of the archaeological potential of the development area.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	There may be cumulative direct effects with the North Falls OWF. The North Falls OWF will follow the same or very similar onshore ECC, substations and cable routes. It is unclear how much flexibility in design there will be, with both wind farms following similar designs, with regard to avoiding archaeological remains of high significance when no intrusive archaeological fieldwork has been undertaken. This would be of significance for any Palaeolithic sites which are rare and highly significant.	The width of the Onshore ECC retains flexibility for both projects to avoid archaeological remains if necessary. The Onshore ECC is approximately 90m wide, the combined open trenching construction corridor for both projects is around 60m wide, leaving 30m of flexibility to avoid archaeological remains. Should extensive archaeological remains of high significance be discovered that cover the entirety of the width of the corridor, the 90m corridor allows the project to consider the use of HDD (or other trenchless technique) to go beneath the archaeological deposits or	N

		concentrations of features.	
Archaeology and Cultural Heritage (document reference 6.3.7)	There are no proposals for outreach and enhanced public understanding as part of the mitigation beyond appropriate publication of the results of archaeological investigations and archiving. It is considered there would be scope to demonstrate a commitment to delivering enhanced public understanding/benefit and legacy as part of the mitigation considering the significant size of the scheme and the interest in the heritage of the area. The details of outreach should be included within an outline Written Scheme of Investigation for both onshore and offshore archaeology.	The Outline Onshore WSI (document reference 9.23) submitted as part of the application contains options for outreach and public engagement for the Onshore area. The details of these activities would be based upon the results of the post-consent surveys and will be further refined following this work. This refinement will be undertaken in consultation with the statutory consultees at the appropriate time.	Y
Archaeology and Cultural Heritage (document reference 6.3.7)	Table 7.8 - An agreed programme of archaeological investigation work. Further details of this will need to be provided in the ES and the submission of an Outline Written Scheme of Investigation	An Outline Onshore WSI (document reference 9.23) has been provided as part of the application which outlines measures for further archaeological assessment and options for mitigation measures based upon the results of the assessment surveys.	Y
Archaeology and Cultural Heritage (document reference 6.3.7)	7.10.2 The impact of the whole development on geoarchaeological remains including potential Palaeolithic remains will need to be considered and not just at HDD sites.	The impact of the whole development (not just impacts from HDD/trenchless techniques) have been considered within the Onshore Archaeology and Cultural Heritage Chapter (document reference 6.3.7).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	7.17.1 Production of report on archaeological trial trenching and geoarchaeological test pits within the SSA West Area. To be submitted as an Appendix and results of geoarchaeological test pits to inform on site deposit model and geoarchaeological DBA which should be updated with any relevant information is considered necessary in advance of the DCO submission.	Results of the archaeological trial trenching and test pit evaluation are presented within two reports which are annex's to the Onshore Archaeology and Cultural Heritage Chapter 6.3.7). The results of the geoarchaeological test pits have informed the updated deposit model within the geoarchaeological desk-based assessment (also presented as an annex to the chapter).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	7.17.1 Illustrative plan of archaeological evidence including geophysics, APs and HER overlaid and identification of any archaeological sensitive areas (where mitigation by design may not be possible) is considered necessary in advance of the DCO submission.	A plan showing archaeological evidence including HER, geophysics, Aps have been overlaid to identify areas of archaeological sensitivity. The width of the Onshore ECC retains enough flexibility for archaeological remains to avoided by design. Should extensive archaeological deposits or concentrations of features be discovered then the 90m corridor retains the flexibility for the project to consider the use of HDD/trenchless technique to go beneath concentrations of archaeological features or deposits.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	7.17.1 Production of Outline WSI to set out approach to assessment and mitigation- This will need to include opportunities for the enhancement of heritage assets, and how the project might deliver public (heritage) benefit. The ES should aim to make clear public heritage benefits and outreach as part of planned mitigation is considered necessary in advance of the DCO submission.	An Outline Onshore WSI (document reference 9.23) has been provided as part of the application which outlines measures for further archaeological assessment and options for mitigation measures based upon the results of the assessment surveys.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	Historic Environment DBA 5.7.1 - A map regression should be included in an archaeological DBA which would help identify any heritage assets that may no longer be extant but which may have associated below ground remains. Any assets identified will need to be plotted and listed as an additional heritage asset.	A map regression exercise was undertaken as part of the work completed by APS for both the landfall area and the Onshore ECC, to inform the desk-based assessment. This is provided as an Annex to the Onshore Archaeology and Cultural Heritage chapter (document reference 6.3.7).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	Only three boreholes have been monitored and two historic borehole records used to create a stratigraphic model. This would not be considered robust enough to make conclusions across the whole scheme. The report states that the gravel deposits are deeply buried, and conventional archaeological evaluation of this buried land surface is unlikely to be practical. This is based on one borehole record, the geoarchaeological DBA notes that the Kesgrave gravels are present at much shallower depths. The report needs amending to clarify this and should be updated as new information becomes available. A site deposit model across the entire scheme would be beneficial.	The limitations of the geoarchaeological desk-based assessment were acknowledged within the assessment presented at PEIR, this was based upon the information available at the time of writing. Since PEIR the geoarchaeological desk-based assessment has been updated to include the results of the watching brief on the ground investigation works and the results of the geoarchaeological test pit evaluation at the OnSS area.	N

Archaeology and Cultural Heritage (document reference 6.3.7)	The geoarchaeological DBA has presented a very high-level assessment based on existing BGS borehole data and desk based research. It has created a basic deposit model and zoned the route into Geoarchaeological Characterisation Zones (GCZs). This approach is considered appropriate however the interpretation is based on a limited number of borehole records and should be supplemented with purposive borehole data which includes analysis and interpretation of the sediments from the borehole cores. Any geotechnical boreholes taken prior to DCO submission should be monitored by a geoarchaeological specialist in order to refine the model.	The geoarchaeological desk-based assessment was based upon information available at the time of writing. Further assessment in the form of purposive geoarchaeological boreholes may be required and is presented in the Outline WSI to be undertaken post-consent. A geoarchaeologist monitored all geotechnical boreholes undertaken prior to the DCO application and the results are presented as Annex's to the Onshore Archaeology and Cultural Heritage chapter (document reference 6.3.7).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	The DBA has identified that the Kesgrave deposits lie at depths that will be impacted upon, in places, the cable trenches. The discovery and identification of any Palaeolithic and Mesolithic sites within the development area would be considered of high significance.	The impacts to Kesgrave sand and gravel deposits with archaeological potential have been assessed within the Onshore Archaeology and Cultural Heritage chapter.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Commitment to avoid heritage receptors is preferable, the success of this will depend on the accuracy in the identification of Archaeological Exclusion Zones and the practicality of avoiding these by design. This information should be clearly presented in the ES to ensure there is flexibility in design to achieve the mitigation proposed.	Agreed, avoidance is the preferred mitigation and feature specific AEZs will be applied to the seen extent of all anomalies of archaeological potential identified in the geophysical data and all recorded losses.	Y
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	There are a number of maps depicting the Archaeological Exclusion Zones. It would be beneficial to overlay all AEZ's onto one map to determine where there may be design issues where mitigation by avoidance is not feasible and to identify areas at the earliest opportunity where further investigation may be required to understand the nature and significance of the marine heritage assets that may be impacted upon by the development.	Additional figures have been included to illustrate the total number of AEZs.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	The Mitigation methods listed (other than avoidance) include geotechnical campaign and archaeological watching briefs. Any AEZs within the intertidal zone could be of high significance and there would be potential for more traditional 'land-based' archaeological investigation techniques to be proposed should a direct impact be identified. The potential for archaeological evaluation within the intertidal zone should be explored and considered as a mitigation method. Clarification is needed on how the offshore fieldwork will be presented, and results fed back into the site deposit model. More information on methods of publication is required, should this be appropriate and proposals for outreach and enhanced public understanding should be included as part of the mitigation.	A more specific assessment of the archaeological potential of the intertidal area and greater reference to the enhanced public understanding of the archaeology and archaeological potential of the area has been incorporated into the mitigation measures. This is included in the Outline Marine Written Scheme of Investigation for archaeology (document reference 9.19).	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Table 4, Page 22 - Table 4 states London Clay -Sometimes referred to as Till. London Clay is not a till deposit. This needs to be amended.	The reference to 'Till' was removed.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	8.7.1 - The WSI indicates that Post-Fieldwork Assessment is currently not expected. Provisions should be made for the need for post-fieldwork assessment in the case where archaeological evaluation or archaeological watching briefs may be required.	Provisions for post-fieldwork assessment, have been included in Section 8.7 of the Outline Marine Written Scheme of Investigation for archaeology (document reference 9.19), which details when this may be required and how the further assessment may occur.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	8.7.4 - The spot-dating of all pottery from any investigation. Specialists may be required for identification of any ceramic finds, named specialists should be included in the WSI. In addition, a flint specialist would be required to identify any flint artefacts	Paragraph 8.7.6 of the Outline Marine Written Scheme of Investigation for archaeology (document reference 9.19), includes an example of specific guidance which may be referred to where specialised analysis will be required. Where specialists are required for further analysis advice will be	N

		sort from relevant Archaeological Curators and guidance.	
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	11.2 - No archive is suggested	The OASIS archive has been referred to in paragraph 8.13.2 of the Outline Marine Written Scheme of Investigation for archaeology (document reference 9.19), along with the intention to include additionally relevant achieves in the specific Method Statements.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	We welcome Chapters 7.2 Schedule of Mitigation, 7.3 Draft Code of Construction Practice (CoCP) and 7.5 Landscape and Ecology Design Principles.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	We note that ecological field survey and/ or reporting is ongoing (except for plants, GCN and some bird species) and we are satisfied that the ecological impact assessment has been undertaken in accordance with CIEEM guidelines.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.7.5 and Table 4.9 - ECC note the limitations to nonbreeding bird surveys and that, adopting a precautionary approach, could form a significant proportion of nearby SPA/ Ramsar non-breeding populations. ECC would appreciate clarification on whether any land within the RLB is considered to be functionally-linked to notified birds for the Habitats sites within scope of the HRA report and what mitigation will be needed to avoid adverse effect on integrity.	Effects on qualifying or notified bird species for designated sites, including birds using functionally linked habitats, have been specifically considered within Sections 4.11 to 4.14 of this chapter (document reference 6.3.4) and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment). Mitigation measures are set out in Section 4.10. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.9 and Table 4.9 - ECC note that four hedgerows within the survey area are considered to meet the definition of important hedgerows' in relation to wildlife and landscape criteria under the Hedgerow Regulations 1997, as shown on Figure 4.4. ECC welcome the clarification that additional important hedgerows may be identified following analysis of protected species survey results and await further detail.	Detailed hedgerow survey has been undertaken: summary detail for the habitat and hedgerow survey scope and baseline data used to inform the assessment is included at Section 4.5, with further details in VE PEIR Volume 5, Annex 4.2: Habitat and Hedgerow Survey Report, N of A120 and VE PEIR Volume 5, Annex 4.3: Habitat and Hedgerow Survey Report, S of A120. These can be found in Volume 6, Part 6, Annex 4.22 Onshore Ecology Preliminary Environmental Information Report Annexes. Three hedgerows within the survey area are considered to meet the definition of 'important hedgerows' in relation to wildlife and landscape criteria and an addition eight in respect of supporting protected species, under the Hedgerow Regulations 1997, as shown on Figure 4 4 (for consideration of historically important hedgerows please refer to Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage). Important Hedgerows which are potentially impacted by the scheme are included on Tree Preservation Order and Important Hedgerow plan (document 2.10).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.10.1, 4.8.9, Table 4.11 and Table 4.13 - ECC welcome the embedded mitigation measures and commitments made to be secured by Requirements of any DCO made. These should also relate to Priority s41 species as well as protected and notable to allow SoS to demonstrate they are meeting their NERC duty ahead of Env Act enhanced duty becoming mandatory. ECC also welcome the preliminary mitigation and compensation in Table 4.12 with the additional of s41 in the Table name as the term notable does not include all Priority s41 species.	Identification and evaluation of Important Ecological Features, is provided at Section 4.8 and Table 4 13. Mitigation is included at Table 4 15; "protected and notable" species includes S41 species, which are protected through local and national planning policies. Outline proposals for mitigation and compensation are included in the OLEMP (Volume 9 Annex 9.22 Outline Landscape and Ecological Management Plan), These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. Further details are also included Volume 6, Part 3, Chapter 2: Onshore	N

		Landscape and Visual Impact Assessment.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Table 4.12 and Volume 7 Chapter 5 - ECC recommend that the creation option for natural regeneration of woodland/ scrub is added to the Landscape and Ecology Design Principles to be used where appropriate to increase habitat connectivity.	Outline proposals for mitigation and compensation are included in the OLEMP (Volume 9 Annex 9.22 Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	5.1.3 - ECC note that, to account for potential changes to the detailed scheme of design, once detailed design is known the Metric will be re-run, and the BNG Final Design Report shall be prepared.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Although the cabling and substation area indicated looks to be primarily farmland, an arboricultural survey and impact assessment should be undertaken to assess the quality of the existing trees along the length of this route, as well as to identify any ancient woodland or veteran trees that could pose a constraint on the scheme. This assessment should be undertaken in accordance with 'British Standard 5837:2012 Trees in relation to design demolition and construction –Recommendations' and should provide details on trees and shrubs to be retained and/or removed, the impact on them, and any constraints. This will identify any trees within the site that would pose a constraint to this development and if they are of sufficient quality to merit protection and/or retention. Once this is ascertained an arboricultural method statement and tree protection plan will be required to ensure no preventable damages are made during the development.	An Arboricultural feasibility report is included at ES Volume 9 Report 22 Outline Landscape and Ecological Management Plan Annex 1 Arboricultural Feasibility Report.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	If trees pose a constraint or their removal is required for this development to proceed than replacement planting opportunities could be incorporated into the design through methods such as native hedgerows and SUDs schemes and should be presented with the submission of a Soft Landscaping Plan. Good species selection would allow for an enhanced provision for wildlife and bring long term ecological benefits to area to potentially mitigate any disturbance during construction. The area of land chosen passes closely to residential areas and there may be trees on site that hold special cultural or personal value to the residents. This could prove a source of contention if trees are seen to have high amenity value. Consultation with the residents should be undertaken once the tree impacts and methods has been established.	Outline proposals for mitigation and compensation are included in the OLEMP (Volume 9 Annex 9.22 Outline Landscape and Ecological Management Plan), These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. No mature trees are anticipated to require removal for temporary access. Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	It is impossible to assess the impact this proposal will have on trees without knowing the precise location of the built structures/hard surfacing and the route the cabling will be taking. Whilst considering the design, the site access route must also be considered as it would be in appropriate to remove mature trees for temporary access.	No mature trees are anticipated to require removal for temporary access. An assessment of the potential for mature tree loss has been undertaken and concludes that around 44 trees would be lost based upon likely micrositing of project elements to avoid trees identified in the Arboricultural Feasibility Report at Volume 9, Annex 4.21 Outline Landscape and Ecological Management Plan, Annex 1. Where ever possible the project will retain of mature trees as far as safely practicable, via micrositing. It may be possible to reduce the number of trees impacted during detailed design.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	3.1.3 - ECC welcome and agree with the assumption that there is potential for long-term socio-economic benefits to the community resulting from investment into skills, including green skills, providing	The Applicant agrees that the Project has the potential to contribute towards long-term socio-economic benefits to the community resulting from investment into skills, including green skills, providing a lasting legacy.	Y

	a lasting legacy. However, we are of the opinion that skills and workforce planning needs to commence immediately. We need a 'skills pipeline' lead up time to construction and operations.	To that end, the Applicant has been working with stakeholders in the region to develop an Outline Employment and Skills Strategy (document reference 9.27) based on key tenets of understanding skills demand from forthcoming projects across the region, opportunities for local people to gain employment and skills, and how the regional skills infrastructure can develop to respond to this demand. The ES includes a formal assessment of the potential employment generated during construction and operation and the extent to which this could be supported locally, for assessment purposes. The Applicant notes that the Employment and Skills Plan would provide a framework for how these estimates can be reached and expanded upon.	
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	3.2.37 – There is an error in the title of the document referred to here. It should say 'Skills for Essex Strategy and Action Plan'. However, this plan has now been superseded by the Essex Skills Plan 2023, and the emerging Local Skills Improvement Plan (LSIP) 2023.	This is noted and has been addressed within the ES.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Table 3.2 – Whilst ECC understand that current levels of employment are unknown, they'd expect that the nature of the employment should not be an unknown to the developer. ECC reiterate our previous feedback in the PINS scoping opinion which is that the developer should clearly set out the assumptions about the number of workers required and the skills profile(s) at this early stage. This will inform engagement with local skills providers, educators and ECC. A construction and operational workforce profile would also need to be scoped as this information is required for ECC to help prepare the workforce for the future. This can be confirmed at ES stage, but early work on this is needed	The ES includes an assessment, based on guidance for construction and operational employment supported by offshore wind projects, of the anticipated number and duration of employment opportunities by type, and narrative information on the skills required for these roles. This also incorporates an assessment on the potential for these roles to be drawn from the local supply chain and workforce. The Applicant is also providing an Outline Employment and Skills Strategy (Document Reference 9.27), which supports engagement with local skills and education providers on the likely project job and skill requirements.	Y
Climate Change (document reference 6.4.1)	ECC notes that each PEIR chapter, where relevant, considers the issue of climate change, this being set against both National and County expectations. It states: Further information in relation to climate change will be included in the ES which will accompany the DCO application when more detailed project information will be available." ECC looks forward to the receipt of the as promised details at DCO submission.	Noted. The ES now includes a standalone Climate Change chapter (document reference 6.4.1).	Y
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Tendring Council Tourism is a major part of the District economy providing a wide and diverse range of tourism opportunities as it makes the most of its rural seaside location which is well connected to the wider region by means of a variety of transport modes. One of Tendring's stated Local Plan priorities is to : "work with partners to provide an enhanced environment for tourism and the maritime sector and its associated services." (Policy PP9 an dPP11 in the Local Plan and Objective 10). The Cultural, Visitor and Tourism sector encompasses a range of activities which play an important role in the District's economy. This sector is worth more than £353 million per annum to the economy and is estimated to provide 7,900 jobs across Tendring District. The majority of jobs and businesses in this sector are located in and around Clacton. Figures from the Economic Strategy 2019 show that tourism employment has grown by 35% over the last five years.	The Applicant recognises Tendring District Council's priority for tourism and the maritime sector identified within the Local Plan and has referenced this within the ES. The Applicant recognises the research referred to that estimates the overall value and volume of tourism in Tendring and has included this within the baseline section of the ES as a material consideration of the sensitivity of the tourist economy as a receptor.	N
Socio-Economic, Tourism	Seasonal increases as a result of tourism will need to be looked at	The ES considers how seasonality affects the sensitivity of the key receptor	N

and Recreation (document reference 6.3.3)	and mitigated as required to safeguard and where possible enhance the impact the development would have on the tourism sector to protect its attractiveness of the same and safeguard socio economic interests and enhance the same wherever possible.	(the tourist accommodation supply) during the construction phase and a 'worst case' assessment has been made. Qualitatively, the assessment recognises that the visitor economy differs across the year in terms of the types of attractions and activities sought by visitors as well as the volume and value of visitors and spend.	

MALDON DISTRICT COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	The proposed development relates to the construction of an off-shore windfarm well outside the district of Maldon. Therefore, the Council does not wish to make any comment on this proposal.	Noted.	N

SUFFOLK COUNTY COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Project Description (document reference 6.3.1)	Suffolk County Council notes that indirectly affected electoral divisions include: Felixstowe Coastal, Felixstowe North and Trimley, Wilford, Aldeburgh and Leiston, Blything, Kessingland and Southwold, Lowestoft South, Gunton, Pakefield	Noted.	N
Onshore Project Description (document reference 6.3.1)	Suffolk County Council highlights the following substantive issues: a) The Council's preference for a coordinated offshore centred approach. b) The need for seascape and landscape impacts and mitigation in respect of the Suffolk coast and its Areas of Outstanding Natural Beauty. c) The need for the promotor to consider community benefit and project legacy. d) Socio-economic impacts of the scheme and seeking further commitments to support local skills training measures. e) Impacts on tourism. f) The need to assess traffic and transport impacts, including upon Suffolk's transport system. g) A full assessment of cumulative impacts with other schemes.	Noted. These are dealt with in more detail below.	N
Onshore Project Description (document reference 6.3.1)	Suffolk County Council notes the current NPS and their relevance, but also notes that the Government consulted on changes to the suite of Energy National Policy Statements in 2021 (including revised versions on EN-1, EN-3 and EN-5). The revised versions of this policy guidance may be published later this year, before any NSIP application has been submitted. If so, the new guidance will need to be considered.	The updated NPSs have been designated. This has been updated throughout the application documents and the new guidance considered.	N
Onshore Project Description (document reference 6.3.1)	Suffolk County Council's energy infrastructure policy (February 2021), provides in-principle support for projects that are necessary to deliver Net-Zero Carbon for the UK.	Noted.	N
Onshore Project Description (document reference 6.3.1)	Suffolk County Council expects to have comprehensive and effective engagement with developers and their supply chain partners to maximise the local business opportunity, skills aspiration, and employment benefits. Where appropriate, Suffolk County Council County Council and developers should promote synergies between projects that enhance these benefits, deliver growth, and attract inward investment.	Noted. Suffolk County Council has been engaged with as part of the development of the Outline Employment and Skills Strategy (document reference 9.27).	N
Climate Change (document reference 6.4.1)	Suffolk County Council endorses schemes that support the decarbonisation of heat and transport, reduce energy poverty, and improve the climate adaptive resilience of both the natural environment and communities.	Noted.	N
Onshore Project Description (document reference 6.3.1)	Suffolk County Council has a clear preference for a coordinated approach between the different proposed offshore windfarm extension projects and multi-purpose interconnector projects within the vicinity of this project. Objections have been made separately to NGET's East Anglia Green project noting the offshore connection potential. A comprehensive case for not adopting the offshore connection option has	The Applicant has been involved in the government's Offshore Transmission Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is	N

	not been made. the socio-economic and highway impacts of an inshore development will also affect the local road network and communities and business in Suffolk.	set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection.	
Seascape, Landscape and Visual (document reference 6.2.10)	Suffolk County Council, East Suffolk Council and the Suffolk Coast and Heaths Area of Outstanding Natural Beauty Partnership have commissioned a Seascape Sensitivity Study, which will be provided once complete. Early indications show that the conclusions of the report will be different to that of the opinion provided by the project.	Noted.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Suffolk County Council requests that the following are considered: the Economic Strategy for Norfolk and Suffolk, the Technical Legacy Report for Norfolk and Suffolk along with the County Councils Energy Infrastructure Policy.	It is worth nothing that while there are potential benefits from an offshore connection for reducing the Project's potential impacts, there is the possibility that these impacts would be displaced to different projects and locations.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Suffolk County Council requests that expected number and nature of employment opportunities during each phase of the project are included. These employment opportunities need to be related to the expected availability of labour in the area.	The ES includes an assessment, based on guidance for construction and operational employment supported by offshore wind projects, of the anticipated number and duration of employment opportunities by type, and narrative information on the skills required for these roles. This also incorporates an assessment on the potential for these roles to be drawn from the local supply chain and workforce. The assessment considers public datasets and published information that quantifies the potential future demand and existing supply of skilled labour relevant to the delivery of construction and operational employment in order to consider the extent to which employment could be supported locally, and to identify the potential for measures to address local employment through an Employment and Skills Strategy.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Suffolk County Council welcomes the commitment to prepare and implement an Employment, Skills and Education Strategy. Request to engage in order to maximise the benefits	Noted. Suffolk County Council has been engaged with as part of the development of the Outline Employment and Skills Strategy (document reference 9.27).	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Suffolk County Council has concerns that the project, given its location close to the Suffolk Coast & Heaths AONB, Dedham Vale AONB and other rural areas of Suffolk of importance to the tourism economy, could have impacts upon visitor perception, and visitor numbers, both during construction and during operation, which, in particular in combination with other projects happening simultaneously in the area, could be significant.	The ES considers the effect of tourism at the scale of the regional economy (document reference 6.3.3), recognising that tourism is driven by the range, location and type of visitor attractions including the AONB and facilities / locations within and around them. The assessment considers the individual environmental effects on each receptor at a level identified as appropriate by each topic area. The assessment includes a consideration of the potential for effects related to actual significant environmental construction impacts to arise in combination affecting tourist receptors, and has considered secondary data on the potential for adverse perceptions to arise and to manifest as actual changes to value and volume of tourism. The assessment includes a cumulative impact assessment.	N
Traffic and Transport	Suffolk County Council expects traffic and transport impacts to be fully assessed and	The only road in Suffolk included in the traffic and transport	N

(document reference 6.3.8)	mitigated, for Suffolk especially in regard to any potential construction traffic impacts on Suffolk's rural road network and the limited options for suitable HGV and Abnormal Intervisible Loads (AIL) routes once the East Anglia Green route alignment has been chosen. Potential impacts to the A12 and wider road network will need to be agreed with Suffolk County Council.	study area is the A12. The A137 through Manningtree has not been included in the study area as it not part of the proposed VE construction access route network for HGVs and is not likely to be used by many construction workers, given the limited accommodation options along the A137 corridor between Ipswich and Tendring. Construction workers arriving and departing to Ipswich would use the A12 and A120, which is a similar or shorter journey time to the majority of the VE construction access locations, particularly when there is known delays on the A137 route.	
Traffic and Transport (document reference 6.3.8)	Suffolk County Council request an Outline Port Construction Management Plan to manage traffic impacts that arise at any port as a result of the offshore elements of the proposal.	The preferred base port(s) for the offshore construction and operation and maintenance activities of VE is not known as this would be decided post-consent. Port activity would be within the envelope assessed when the existing approvals for the Port were considered. Therefore, an assessment of these vehicle movements does not form part of the Traffic and Transport chapter.	N
Traffic and Transport (document reference 6.3.8)	Suffolk County Council request consideration of decommissioning and removal routes	Details surrounding the decommissioning phase are yet to be fully clarified. In addition, it is also recognised that policy, legislation and local sensitivities constantly evolve, which will limit the relevance of undertaking an assessment at this stage. Nevertheless, decommissioning activities are not anticipated to exceed the construction phase worst case criteria. In addition, there is potential for onshore cables to remain in situ, which would see a reduction in impacts and resulting level of significance in comparison to the assessment of construction effects	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Workforce displacement and churn needs to be assessed given (approximately 5 NSIPs reaching statutory consultation stage in 2023/24) of Nationally Significant Infrastructure Projects and other developments proposed in the area. The assessment should include consideration of other infrastructure projects, not just offshore wind farm projects, and identify how any mismatch between supply and demand can be addressed. In addition, how local workforce can be maximised. The construction period for this project is predicted to occur during the middle of the construction period for Sizewell C Nuclear Power Station. It is anticipated that there would be significant cumulative pressure on the available workforce.	The ES includes an assessment, based on guidance for construction and operational employment supported by offshore wind projects, of the anticipated number and duration of employment opportunities by type, and narrative information on the skills required for these roles. This also incorporates an assessment on the potential for these roles to be drawn from the local supply chain and workforce. The assessment considers public datasets and published information that quantifies the potential future demand and existing supply of skilled labour relevant to the delivery of construction and operational employment in order to consider the extent to which employment could be supported locally, and to identify the potential for measures to address local employment through an Employment and Skills Strategy. This approach has been developed with cognisance that projections and forecasts include some level of national infrastructure delivery in the same labour market. The development of the Outline Skills and Employment Strategy (document reference 9.27) has focused on an approach that recognises the Project's role in the wider	N

		delivery of energy infrastructure and the challenges and opportunities that creates for the regional economy and labour market.	

TENDRING DISTRICT COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Project Description (document reference 6.3.1)	Tendring District Council (TDC) has been working with Essex County Council (ECC) to provide technical input into the full planning process for the Five Estuaries development and this response should therefore be considered in conjunction with representations from Essex County Council	Noted.	N
Onshore Project Description (document reference 6.3.1)	Tendring District Council state that along with all other authorities in Essex and many in Suffolk and Norfolk it has previously made representations to National Grid raising strong objections to the East Anglia Green proposal. With these objections in mind, this Council cannot support any proposal to connect the Five Estuaries Offshore windfarm to the electricity network via the proposed East Anglia Green substation. Preference is for an offshore connection, bypassing Tendring. Tendring District Council believe that the current DCO application is premature given that the review process for an offshore connection is ongoing.	Noted. The process that led to the selection of the onshore substation is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4), and is largely driven by the existing regulatory processes for determining where new electricity generators connect to the national transmission network. The Applicant has been involved in the government's Offshore Transmission Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection. It is worth nothing that while there are potential benefits from an offshore connection for reducing the Project's potential impacts, there is the possibility that these impacts would be displaced to different projects and locations.	N
Onshore Project Description (document reference 6.3.1)	The Tendring coastline has existing offshore windfarms, this Council does not object to the offshore elements of the proposals which are an extension of what is already in place. The Council recognises the great benefits of offshore wind – not only in the generation of clean energy in the face of a climate emergency, but also in the provision of jobs in the construction, maintenance and servicing of the turbines and the potential for Harwich to play an important role in supporting that industry	Noted	N
Onshore Project Description (document reference 6.3.1)	Tendring District Council believes that much greater consideration should be given to an offshore powerline route that would avoid the need for the cables to make landfall through / under the SSSI and LNR designations. Whilst the grounding of the cables through the SSSI / LNR would bring about temporary disruption that could be mitigated over time, it would also cause significant damage to the area and greatly affect the tourism industry during the construction period.	Noted. This consideration is set out in the Offshore Connection Scenario document (document reference 9.29). While pursuing the potential offshore connection scenario, the Applicant has progressed with its proposals as presented in the application that are in line with national policy.	N
Onshore Project Description (document reference 6.3.1)	Tendring District Council states that it will not accept the need for the onshore elements of the Five Estuaries scheme until such time that the alternative offshore route has been properly considered and duly discounted through a full and transparent process for East Anglian Green.	Noted. This consideration is set out in the Offshore Connection Scenario document (document reference 9.29). While pursuing the potential offshore connection scenario, the Applicant has progressed with its proposals as presented in the application that are in line with national policy.	N
Onshore Project	Tendring District Council highlights concern from local residents around	Noted. The Project proposals and assessments take into the	Y

Description (document reference 6.3.1)	impacts of large-scale, intrusive physical on-shore infrastructure in the form of substations in sensitive locations and the disturbance and environmental impact of development along the route. These relate as much to the construction phases as they do to the operational phase. Concerns include potential land-take and height of Substations, poor road access, via narrow country lanes will be irreversibly damaged during the construction process and will cause significant disturbance to a rural community where the road infrastructure is not designed to accommodate such activity.	concerns raised, relating to both the construction and operational phases of the Project. Views to the substation are assessment as part of the LVIA Chapter of the ES (document reference 6.3.2); The overall transport access strategy for the Project looks to maximise the use of haul roads and minimise the use of B roads and minor roads (particularly for HGVs). The potential impact is assessed in Traffic and Transport chapter of the ES (document reference 6.3.8), which is supported by the Traffic and Transport Trip Generation and Distribution Annex (document reference 6.6.8.2). The Applicant's proposals for managing this are included in the Outline Construction Traffic Management Plan (document reference 9.24). Improvements to Bentley Road were introduced after Stage 2 consultation to help manage traffic impact between the A120 and the proposed haul road.	
Onshore Project Description (document reference 6.3.1)	Tendring District Council concerns are magnified by clustered options for two other substations, including the 400kV East Anglia Green substation might also be located within close proximity – completely transforming the character and enjoyment of this relatively untouched part of Tendring's rural heartland.	The purpose of the LVIA is to identify significant effects and significant cumulative effects and it is line with this purpose that only receptors with potential to undergo significant effects and significant cumulative effects are assessed in detail. The close clustering of the cumulative developments means that significant cumulative effects will be localised and, therefore, likely to be contained within the Landscape Character Area (LCA) of 7A Bromley Heaths. The cumulative assessment is presented in Section 2.14 of the LVIA (Chapter 6.3.2).	N
Human Health and Major Disasters (document reference 6.4.2)	Tendring District Council is concerned about the health risks posed to residents within proximity to electro-magnetic fields - as demonstrated through considerable research and peer-reviewed scientific data in relation to childhood cancer.	This issue has been scoped out of the EIA, as set out in the Scoping Opinion (document reference 6.1.6): "The Scoping Report states that all electrical infrastructure will have to comply with International Commission on Non-ionizing Radiation Protection (INIRP) guidelines for public exposure and design of electrical infrastructure, and the impact will be of negligible magnitude. The Inspectorate agrees that this matter can be scoped out of further assessment in the ES on this basis."	YN
Airborne Noise and Vibration (document reference 6.3.9)	Tendring District Council is concerned about noise emanating from substations - raising concern about proximity to people's homes.	Section 9.11 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration details the operational noise, the proposed limits and control measures.	N
Ground Conditions and Land Use (document reference 6.3.5)	Tendring District Council is concerned that the sterilisation of agricultural land along the route of the underground power connections seems to have been given little weight in combination with NG proposals	The permanent loss of agricultural land within VE is restricted to the operational footprint of the OnSS and landscaping areas. This is addressed in further detail within impact assessment Volume 3, Chapter 5 Ground Conditions and Land Use. The OnSS must be located in proximity to the NGET EACN substation zone. The evolution of the design is set out Volume 6, Part 1: Chapter 4 Site Selection and Consideration	N

		of Alternatives.	
Landscape and Visual Impact Assessment (document reference 6.3.2)	Tendring District Council has significant landscape concerns and feels that there is a clear need for landscape impact and mitigation plans in respect not only of the SSSI and LNR at landfall, but also along the length of the route through the district to either of the proposed substations	This is addressed in the Outline Landscape and Ecological Management Plan (document reference 9.22).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Tendring District Council appreciates the outline in Volume 5 Annex 4.14 VE approach to Biodiversity Net Gain and encourage increases that exceed the current 10% national requirements	The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. The 30 year management commitment applies to areas that will remain under the control of RWE and/or are necessary for delivery of BNG. Reinstated habitats elsewhere will be subject to a maintenance period of 5 years only RWE may revise this, to ensure successful establishment.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Tendring District Council welcomes the long term commitment (30yrs in line with BNG regs), to the planting around the substation and requests that this is replicated for all other areas of planting that occur as a result of the project	The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. The 30 year management commitment applies to areas that will remain under the control of RWE and/or are necessary for delivery of BNG. Reinstated habitats elsewhere will be subject to a maintenance period of 5 years only RWE may revise this, to ensure successful establishment.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Tendring District Council requests inclusion of other stakeholders, such as Essex Wildlife Trust, Farming Wildlife and Agriculture Group when long term discussions on planting maintenance are taking place with landowners along the route.	The Applicant has been engaging with the Essex Wildlife Trust with regards to BNG provision. Final designs are subject to further discussions.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Tendring District Council requests that opportunities to assess any positive contributions that can be made to the Local Nature Recovery Strategy should be assessed.	The VE approach to BNG (which the LNRS will have a bearing on) is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. The Outline Landscape and Ecological Management Plan (OLEMP) in Volume 9, Annex 9.22 includes details of proposed biodiversity enhancements. These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. The OLEMP sets out the key landscape and ecology elements that will be secured in the final LEMP which The Applicant will be required to submit to the relevant planning authority for approval as a requirement of the DCO.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Tendring District Council requests that it is consulted for a Community Benefit Contribution package for the legacy of the project. A priority for TDC will involve seeking reinforcements to the sea defences and the cycle routes for the affected areas. There are costed community projects within the district that require funding (Jaywick being just one example), TDC will share these at an appropriate time. Longer term benefits and contributions should also be discussed	The Applicant has a long history of supporting the communities in which it operates and has committed to work with communities to develop its approach to supporting the local area. At this stage, the details of any community benefit package associated with Five Estuaries have not been finalised. The Applicant will engage local people and groups to help shape how the project can best support the community. The Applicant recognises and agrees that any approach to	N

		developing community benefits is considered outside of (but informed by the findings of) the formal assessment within the EIA and planning process required by the 2008 Planning Act. It is important to clearly define the approach to community benefit contributions in the context of the mitigation and compensation that is required under EIA regulations and the 2008 Planning Act. The Applicant will continue to work with ECC, TDC and other community stakeholders on this approach.	
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Tendring District Council requests engagement on training a local work force in the relevant areas and longer term commitment to apprenticeships.	The Applicant agrees that the Project has the potential to contribute towards long-term socio-economic benefits to the community resulting from investment into skills, including green skills, providing a lasting legacy. To that end, the Applicant has been working with stakeholders in the region to develop an Outline Skills and Employment Strategy (document reference 9.27) based on key tenets of understanding skills demand from forthcoming projects across the region, opportunities for local people to gain employment and skills, and how the regional skills infrastructure can develop to respond to this demand. The ES includes a formal assessment of the potential employment generated during construction and operation and the extent to which this could be supported locally, for assessment purposes. The Applicant notes that the Employment and Skills Plan would provide a framework for how these estimates can be reached and expanded upon. The Project's approach to engagement includes Tendring District Council and will be used to further understand the potential for delivery of apprenticeships through the construction and operation of the Project.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Tendring District Council requests further detail on specific schemes that will benefit the employment prospects of the current working and future working population	The Applicant agrees that the Project has the potential to contribute towards long-term socio-economic benefits to the community resulting from investment into skills, including green skills, providing a lasting legacy. To that end, the Applicant has been working with stakeholders in the region to develop an Outline Skills and Employment Strategy (document reference 9.27) based on key tenets of understanding skills demand from forthcoming projects across the region, opportunities for local people to gain employment and skills, and how the regional skills infrastructure can develop to respond to this demand. The ES includes a formal assessment of the potential employment generated during construction and operation and the extent to which this could be supported locally, for assessment purposes. The Applicant notes that the Employment and Skills Plan would provide a framework for how these estimates can be reached and expanded upon.	N

		The Project's approach to engagement includes Tendring District Council and will be used to further understand the potential for delivery of apprenticeships through the construction and operation of the Project.	
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Tendring DC states that at present Tourism is a major part of the District economy. As such we would expect to see a full outline of how the impacts on tourism will be mitigated. Tendring DC disagrees with an impact rating of Negligible on Tourism, as the disturbance not only to the coast and the wider countryside, particularly in the construction phase, will be significant and in summer months on which local business' are dependant. TDC request further assessment at popular landfall sites for tourism.	The ES considers the effect of tourism at the scale of the regional economy (document reference 6.3.3), recognising that tourism is driven by the range, location and type of visitor attractions including the AONB and facilities / locations within and around them. The assessment also considers the individual environmental effects on each potential tourist receptor at a level identified as appropriate by each topic area. The approach taken is to consider each individual environmental assessment that has the potential to result in a significant effect on receptors with tourist value (for example PRoW or cultural assets, community facilities or commercial facilities) in terms of changes to amenity of users, operation of the receptor, or accessibility.	N
Traffic and Transport (document reference 6.3.8)	Linked to above comment, TDC requests further monitoring and assessment of construction traffic impacts at popular landfall tourism sites	The B1032 Clacton Road is the closest highway link to landfall subject to the formal assessment in the traffic and transport chapter and results in no significant effects. A negligible number of HGVs (maximum of 2 per month) and employees (maximum of 80 in a month) would require access to the Beach via the Holland Haven Country Park access from the B1032 Clacton Road. Given the very low anticipated VE construction vehicle movements at this tourist site, they do not require formal assessment; however the sensitivities of tourism are acknowledged through Volume 9, Report 24: Outline CTMP.	Y
Cumulative Effects Assessment Methodology (document reference 6.3.1.2)	Taking the wider view of all proposed NSIP projects within the Tendring (EA Green & North Falls Offshore Wind Farm), the Council would expect to see an assessment of the cumulative impacts with other schemes. Both at land fall, along the route and the approach towards the substation in the north of the district - in particular with consideration toward the Dedham Vale AONB.	The cumulative effects methodology can be found in Volume 6, Part 1, Annex 3.1: CEA Methodology. Cumulative effects are now assessed throughout onshore chapters in Volume 6, Part 3.	N
Onshore Project Description (document reference 6.3.1)	TDC draw attention to the following key areas for ongoing engagement with the project: - Long term commitment to apprenticeships and permanent employment - Establishment of a Community Benefit Contribution package - Fully mitigated proposals to address the impact of the entire project in environmental terms, including but not limited to ecology, visual landscape, Biodiversity Net Gain and the ongoing maintenance - Fully mitigated proposals to deal with the impact of construction on tourism within the District - Fully mitigated proposals addressing the impacts on residents – both physical and mental) in the immediate vicinity of construction and the substations - Fully mitigated proposals with regard to the impact of construction on the highways along the route and at the substations - Fully mitigated proposals with regard to the impact of this project and the in combination impacts of North Falls and East Anglia Green.	Noted. The Applicant will continue to engage with Tendring District Council throughout the development and construction of the Project.	N

THANET DISTRICT COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Further to a review of the Seascape, Landscape and Visual Assessment, Volume 2, Chapter 10 of the Preliminary Environmental Information Report (PEIR), the Council has no comments to make with regard to the impact on the District.	Noted.	N

8.1.2 Parish councils

ALRESFORD PARISH COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Traffic and transport (document reference 6.3.8)	Whilst Alresford is not directly within the proposed corridor for the route of the onshore cables the impact of such a construction project cannot be contained due to the transportation issues involved in an already over crowded road network in the general area. Documentation non aligned with the PEIR reveals that haul roads will have to be constructed in order to move the large quantities of concrete, ducting and cables required. These haul roads will in turn require significant traffic movements during their construction causing disruption to many communities, especially communities such as Alresford with it's ready-mixed concrete plant and surrounding aggregate quarry businesses. Section 5.15.8 of the PEIR states that (1)“Overall, it is considered that there will be no significant effects upon Onshore Biodiversity and Nature Conservation” and that further information can be found within the publication Volume 3, Chapter 4: Onshore Biodiversity and Nature Conservation. The comment on the above statement (1) is that it simply cannot be the case that there are no significant effects - during the actual process of construction of the haul roads and then the trenching there will be disruption to habitats. Our local experience of aggregate quarrying and the subsequent movement of materials is that although nature conservation can be attended to at the end of the life of a quarry the impact of years of quarrying and transportation can be devastating on biodiversity and nature. We must not forget the impact on communities caused by heavy plant traffic – this is a major concern.	The VE construction accesses and haul road crossings have been discussed and agreed in principle with Essex County Council. The construction access and haul road crossings have been subject to a Stage 1 Road Safety Audit (RSA) and the designs have been amended where necessary to ensure they are safe. Some temporary traffic management measures (temporary speed limit reduction and temporary traffic control) have been identified at some of the construction accesses or haul road crossings (see Part 9, Report 24: Outline CTMP) and further traffic management measures would be discussed and agreed with Essex County Council as art of detailed design stage should the DCO be approved and set out in the final CTMP to be prepared and approved by Essex County Council. 100% of HGVs would be via Bentley Road to the south of the Onshore ECC and the A120 and whilst this route would be the route for the majority of construction workforce vehicle movements and would be the promoted route to the workforce, there may be a small number of cars/LGVs that could access the construction accesses through Little Bromley.	Y
Climate change (document reference 6.4.1)	Alresford Parish Council has declared “a Climate Emergency” and fully understands the need for green energy production from offshore wind farms. We have no comments to make on the offshore construction process.	Noted.	N
General	The issue we have is with the cable export corridor and the impact it will have on the whole of the Tendring area from Frinton beach to Ardleigh. The electrical power has to be brought ashore and it should be noted that under recent legislation a highly disruptive energy project can only be undertaken when 1)“There are no feasible alternative solutions that would be less damaging or avoid damage”. 2)“ The proposal needs to be carried out for imperative reasons of overriding public interest”. 3)” The necessary compensatory measures can be secured”. We would comment that feasible alternatives to the cable export corridor have not been fully investigated (the use of off-shore substations for example and the further routing of cables undersea to less intrusive and sensitive landing sites). In addition clarity on compensatory measures is required.	The process that led to the selection of the onshore substation is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4), and is largely driven by the existing regulatory processes for determining where new electricity generators connect. The Applicant has explored the potential for connection via an offshore option through the government's Offshore Coordination Support Scheme. How this could lead to an offshore connection option is set	N

		out in the Offshore Connection Scenario document (document reference 9.29). The Applicant is working directly with landowners to agree compensation for the use of land including temporarily for construction and permanently where the land is required for the onshore substation (and where the retention of access rights via wayleaves and easements are required).	
General	We object to the cable corridor route and suggest the alternative of offshore substations and that cables are laid in the marine environment as much as possible before being brought ashore nearer to existing National Grid infrastructure. We object to substations in both locations.	Noted. How the Applicant is exploring the potential for an offshore connection option is set out in the Offshore Connection Scenario document (document reference 9.29).	N
Traffic and transport (document reference 6.3.8)	As indicated in previous answers to questions associated with the project we have specific concerns regarding the traffic and transport impact. The roads in the District of Tendring carry heavy traffic loads due to seasonal leisure activity and commuter transport. In addition many of the local routes are currently B roads and minor roads that have not been upgraded to carry increased heavy good vehicles. Without the basic infrastructure to support transportation the impact on communities will be highly detrimental - especially with the addition of the planned housing developments on the borders of Tendring and Colchester.	The overall transport access strategy for the Project looks to maximise the use of haul roads and minimise the use of B roads and minor roads (particularly for HGVs). The potential impact is assessed in Traffic and Transport chapter of the ES (document reference 6.3.8), which is supported by the Traffic and Transport Trip Generation and Distribution Annex (document reference 6.6.8.2). The Applicant's proposals for managing this are included in the Outline Construction Traffic Management Plan (document reference 9.24). Improvements to Bentley Road were introduced after Stage 2 consultation to help manage traffic impact between the A120 and the proposed haul road.	Y
General	There has perhaps been too much focus on overall outcomes and insufficient consideration to the process. The project may solve one problem but may be creating other problems.	The application contains around 270 documents, the majority of which are related to the assessment and mitigation of potential impacts - including the cumulative assessment of impacts from nearby projects.	N

ARDLEIGH PARISH COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Ardleigh Parish Council asks that previous responses to consultation by Five Estuaries, most recently on 12 August 2022, still stand and should be considered for the current consultation.	Noted.	N
General	Ardleigh Parish Council states "In principle, the Parish Council supports the generation of green energy and is not opposed to the development of off-shore wind farms"	Noted.	N
General	Ardleigh Parish Council object to the proposed connection onshore. This will result in tunnelling beneath the shoreline, trenching to place underground cables through Tendring, and a sub-station near to or within Ardleigh (with further sub-stations needed for National Grid and for other providers). The OTNR option for offshore connection is stressed as preferable to reduce environmental impacts.	The process that led to the selection of the onshore substation is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4), and is largely driven by the existing regulatory processes for determining where new electricity generators connect to the national transmission network.	N

		The Applicant has been involved in the government's Offshore Transmission Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection. It is worth nothing that while there are potential benefits from an offshore connection for reducing the Project's potential impacts, there is the possibility that these impacts would be displaced to different projects and locations.	
General	Ardleigh Parish Council has concerns that the project in combination with NG plans will impact the environmental and the rural characteristics around the Parish. Emphasised in their emerging Neighbourhood Plan- 'It is the overwhelming view of the people who live and work in the Parish of Ardleigh that it should above all else retain its rural characteristics, including the visual quality of its buildings, open spaces, trees, hedges, footpaths and bridleways… There is also a strong sense of community in Ardleigh which should be protected and nurtured throughout all parts of the Parish, including its outlying hamlets…' (para 6.29-6.30 Ardleigh Neighbourhood Plan). More details are on the Tendring DC site htps://www.tendringdc.uk/sub-content-pages/ardleigh-neighbourhood-plan	Noted. The Planning Statement (document reference 9.1) sets out the balance between potential local impact, local planning policy and national planning policy.	N
Traffic and transport (document reference 6.3.8)	Ardleigh Parish Council has concerns about the impact on the road and lane network in the areas around the new sub-stations and of safety for all users but especially those on foot/ cycling or on horseback along the narrow lanes. Such concerns would be exacerbated if several substations are contiguously or closely located.	The overall transport access strategy for the Project looks to maximise the use of haul roads and minimise the use of B roads and minor roads (particularly for HGVs). The potential impact is assessed in Traffic and Transport chapter of the ES (document reference 6.3.8), which is supported by the Traffic and Transport Trip Generation and Distribution Annex (document reference 6.6.8.2). The Applicant's proposals for managing this are included in the Outline Construction Traffic Management Plan (document reference 9.24). Improvements to Bentley Road were introduced after Stage 2 consultation to help manage traffic impact between the A120 and the proposed haul road.	Y
Traffic and transport (document reference 6.3.8)	Ardleigh Parish Council notes that the proposed average number of HGV's journeys along the B1029 each day will be up to 73 for the duration of the project, expected to take between 18 and 24 months as well as temporary construction compounds along "a corridor route" for Parking, Welfare Facilities, Material set-down areas and Access points with compounds for drilling. The concern is that this would impact the entire stretch of the B1029 including Burnt Heath, Ardleigh and Ardleigh village to the junction with the A137.	In the Traffic and Transport chapter of the ES (document reference 6.3.8) and supporting Trip Generation and Distribution Annex (document reference 6.6.8.2) assess the potential impact on the B1029. It is not proposed that this route would be used for HGVs, so the traffic impact would be limited to additional road users associated with works or other light vehicles. Management of impacts from construction traffic is detailed in the Outline Construction Traffic Management Plan (document reference 9.24) and the Outline Workforce Travel Plan (document reference 9.26).	N
Onshore Project Description (document reference 6.3.1)	Ardleigh Parish Council has concerns around • Agricultural Land. loss and damage to significant areas of high grade agricultural land- at a time when food security is of increased concern • Landscape and Views. The topography around Ardleigh means there are vast open vistas across productive farmland which could be disfigured forever by proposed pylons and substations	The majority of impact on farmland as a result of the Project would be temporary and associated with the construction of the underground cable. Obviously, there would be a permanent loss of farmland associated with the onshore substation and this is assessed in the Ground Conditions and Land Use chapter of the ES (document reference 6.3.5). The reasons for this site over a brownfield site are set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4) but in summary the necessary requirements and constraints of a new	N
General	Ardleigh Parish Council emphasise RWE's responsibility and sustainability goals, asking that the project aligns to this: "RWE is helping to shape the sustainable future of the	The Applicant takes its responsibilities seriously and the majority of the material submitted as part of the application is concerned with the	N

	world's power supply. As part of society and a key player in the worldwide energy market, we are aware of the responsibility that goes with our role. We exercise that responsibility every day by applying clear principles to our corporate and social actions. Every single person at RWE – from Executive Board members and managers to colleagues and line staff – contributes by acting responsibly towards others and the environment. For RWE, taking responsibility means taking socially relevant issues into consideration in our corporate decision-making processes, keeping an eye on the consequences of our actions beyond our own area of responsibility and considering corporate activities from an ecological, social and ethical standpoint as well as from a business perspective. Corporate Responsibility is part of the contribution RWE makes to sustainable development and responsible business management. Everything from environmental protection and climate-change mitigation, social concerns and human rights through to responsible corporate governance is taken into account – as RWE does justice to its responsibility in every sense."	assessment and mitigation of potential impacts on environmental and social receptors.	

FRINTON & WALTON TOWN COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Site Selection and Alternatives (document reference 6.1.4)	Frinton & Walton Town Council queries why the project does not make landfall via Aldeburgh and the Atomic Power Stations. If an alternative scheme is to be used then there is no need to go across our Parish bounds.	Aldeburgh is significantly further from the site of the proposed East Anglia Connection Node substation than the proposed landfall. The process for determining the location of the connection to the national electricity transmission network is set out in the Alternatives and Site Selection chapter of the ES (document reference 6.1.4).	N
General	Frinton & Walton Town Council states: The volume of Electricity can only be handled by a new power line. The scheme from the National Grid is called East Anglia Green. From Power Station to switch using overhead cables, means a loss of 40% of electricity generated.	Position noted.	N
Site Selection and Alternatives (document reference 6.1.4)	Frinton & Walton Town Council states: An alternative scheme to use undersea cabling has been asked for by not only the Tendring District Council, but also The County Councils of Norfolk, Suffolk and Essex, who are all opposed to the overhead Pylons. If an alternative scheme is to be used then there is no need to go across our Parish bounds.	The Applicant has been involved in the government's Offshore Transmission Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection. It is worth nothing that while there are potential benefits from an offshore connection for reducing the Project's potential impacts, there is the possibility that these impacts would be displaced to different projects and locations.	N
Environmental Statement (Volume 6)	Frinton & Walton Town Council states: The Government has made a tentative submission for all wetland sites on the east coast, the application was submitted in July 22 by the RSPB, WWT(Wetlands Wildlife Trust) and NT(National Trust), to UNESCO for consideration as a World Heritage Site. The Hamford Backwaters are considered to be the 2nd most important site in Europe for over wintering birds. It is well known that pylons and overhead cables are not compatible with migrating birds.	The Report to Inform Appropriate Assessment (document reference 5.4) recognises the Hamford Backwaters as a designated site for wintering birds. The Project does not include any proposals for pylons or overhead cables.	N
Site Selection and Alternatives (document reference 6.1.4)	Frinton & Walton Town Council states: We do understand that Wind Farms must connect, where they are told to by National Grid. Both 5 estuaries and North Falls have applied for up to £100m from an Early Opportunities Co-Ordinating Scheme, so that they can join up to the National Grid. This is Government money. Yet we,	The Offshore Coordination Support Scheme (OCSS) is a government grant to help projects work together to develop potential solutions that involve a coordinated offshore connection. Five Estuaries, North Falls and Sealink jointly applied for the scheme and were successful and are currently working	N

	who are affected are offered nothing.	together to explore the possibilities. This is covered in more detail in the Offshore Connection Scenario document (document reference 9.29). The Frinton and Walton parish area is likely to experience limited temporary impacts as assessed throughout the ES. Once built, there is likely to be little or no impact to the immediate area.	
Site Selection and Alternatives (document reference 6.1.4)	Frinton & Walton Town Council's objection to East Anglia Green noted: National Grid's East Anglia Green Project, proposes an energy transmission route consisting of the construction of 180km of 50m tall pylons carrying 400kV cables through the entire central length of our County (as well as through our neighbours, Norfolk and Suffolk), save for a section of undergrounding at Dedham Vale. This Council has already expressed declared a climate emergency and an ambition to be net zero by 2050 so plans for renewable wind farms off the East Anglian coast are welcomed. However, this Council has serious concerns about the nature and short-period of consultation, the route, and how carbon-heavy the proposed scheme of overhead pylons are which rely on 100 year-old technology. Furthermore, this Council believes that: · There has been insufficient consideration of alternative approaches which would allow for the required infrastructure but without the sheer scale of the damage to the environment, landscape and the difficulties of this project going ahead, all at the same time as multiple large-scale infrastructure projects which have the potential to cause major disruption across the East of England. · New offshore generated electricity should be transmitted offshore, which is why an offshore grid is needed. This is firmly in the interests of both residents and business, offshore windfarms themselves and wider interests e.g. Freeport East. Such an alternative approach would future-proof the network and could avoid all the physical constraints of an above or below-ground solution, retain ease of access for ongoing maintenance and provide a more direct point of connection for any current or future off-shore wind farms. · This pylon infrastructure is neither wanted nor needed considering the viable option of undersea power cables. These cables could transport power to where it is needed, helping future proof energy supplies and boost energy security, without adversely impacting on residents, businesses and communities across Essex. This Council therefore calls upon: · Both the Government and National Grid to refocus the East Anglia Green Proposals on an offshore solution and engage in meaningful discussions with Essex and its neighbouring County Councils to achieve this. National Grid to: · Provide this Council with all the information asked for in our response of 16 June by 30 August 2022. · Make publicly available full, open and transparent information on all options, including offshore and undergrounding, to enable evaluation and comparisons to be made by Essex residents, businesses, Councils and other stakeholders. This information to be publicly available for a period of at least 6 months before any Development Control Order (DCO) application is made." Councillor Stock OBE formally moved the Motion, which was then seconded by Councillor G V Guglielmi.	Noted. As set out in the Site Selection and Alternative chapter of the ES (document reference 6.1.4) and the Offshore Connection Scenario document (document reference 9.29), the Applicant has followed the existing regulatory process for agreeing a potential connection point and best practice in designing a project on that basis. In addition, the Applicant is exploring the possibility for an offshore connection through the government's processes.	N
General	Frinton & Walton Town Council states: This Consultation will be one of 2 we will respond to. As another very similar scheme from North Falls is proposing a very similar route to the proposed sub station, where the 400Kva will be able to access the power lines for London. These schemes will have no positive effect for this Council. The land owners that the cabling will travel under and across will receive	There will be limited, temporary, impacts on the parish area from the construction phase of the Project. There are no permanent onshore above ground structures associated with the Project in the parish area. The Outline Employment and Skills Strategy (document reference 9.27) sets out how the Applicant will help use the Project to deliver benefits and opportunities in the	N

	some form of compensation. What is in this scheme for FWTC? Where is the planning gain? We are already a Green Parish. The Gunfleet Wind Farm provides enough energy for all of Tendring and up to a 3rd of Colchester. We get no gain from this scheme that comes ashore at Holland Haven and then underground to the power grid, where its 132 Kva can be used locally. Potential gains for FWTC: - The PROW and Cycle Route 150 from Holland Haven to Frinton beneath the Sea Wall be made good and brought up to an acceptable standard to be adopted by Essex Highways. - A small charge be placed upon the electricity passing through the Parish per, say .01p, KWH generated. - A Community based scheme: 5 Estuaries create a local Electricity supply company for the FWTC area. It will sell electricity to the Residents at a substantial discount to the average tariff available locally. - Discuss with the Environment Agency compensation for affecting the integrity of the seawall, so that they will hold the line for the seawall from Holland Haven to Frinton-on-Sea for epoch 3 of the Shoreline Management Plan	area. Community benefits are considered separate to a project application and traditionally are available at the same time as the projects themselves become fully operational. At that point we will have more detail about what the community support will look like and how it will work.	

LITTLE BROMLEY PARISH COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Landscape and Visual Impact Assessment (document reference 6.3.2)	Little Bromley Parish Council has concerns around Visual Impact - The potential visual impact for the entire parish is major. The scale of the substation within its search areas is so large that proposed screening cannot be entirely effective. You state that, from all considered viewpoints, the initial visual impact is classed as Major reducing to Moderate or Minor after 5 to 10 years. With the height of the substation buildings being up to 15 metres, and the tree species proposed growing up to 8 metres (after 15 years), then there is still in the order of 7 metres of the industrial substation visible above the tree line. LBPC would like to understand how screening can be improved so the substation is less visible.	In the ES, Volume 6, Part 7, Annex 2.2, the LVIA Visualisations demonstrate that the mitigation planting will be effective after 15 years. This is because the planting has been deliberately offset form the onshore substation, so that it is closer to the visual receptors associated with properties, PRoWs and roads and owing to perspective will create an effective screen in a relatively short space of time.	N
Airborne Noise and Vibration (document reference 6.3.9)	Little Bromley Parish Council has concerns around Operational Noise - There is concern on the noise levels from the substation. Your modelling shows an increase in noise at selected noise monitoring sites, such that noise mitigation measures are needed to be put in place when the substation is built. You are looking for around a 10dbA reduction by mitigation. However LBPC are concerned that you do not state what the expected maximum noise increase will be around the village as a consequence of your substation operation. LBPC believes that it is essential that the residents have a clear understanding of noise levels with mitigation measures in place. As can be seen from the background noise measurements taken, Little Bromley is a very quiet area, and LBPC believe that any noise increase with consequent reduction in quality of life for residents is unacceptable.	Section 9.11 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration details the operational noise assessment. Figure 9.12 shows the calculated operational noise from the OnSS after mitigation, which is the specific sound level. Noise levels down to 15 dB LAeq have been shown to include a wider area of Little Bromley village, specifically to address this question; however, in practice it would not be possible to measure levels below 20 dB LAeq. It should be noted that the rating level may be higher if an acoustic feature is audible at the receptor location. The specific noise level from the OnSS is in the region of 15 - 18 dB LAeq for the more populated area of the parish, Shop Road. Included in the parish are isolated dwellings, the closest of these to the OnSS are assessed in detail in the EIA	N
Airborne Noise and Vibration (document reference 6.3.9)	Little Bromley Parish Council has concerns around Construction Noise - The construction period of 12-hours per day, 6 days a week for over 2 years will be hugely disruptive to the village and surrounding area. LBPC believes that construction noise will be intrusive to the village and surrounding areas. You have selected a 65dBA threshold as being acceptable and we would like to understand the basis for this level being chosen. LBPC also believe that different noise types can be particularly penetrating - for example a back-up alarm or vehicle motion alarm can be clearly heard over a long distance. It	Noise thresholds that are advised in relevant standards and guidance documents will differ based on a number of factors, including, but not limited to the time of day, character and type of noise experienced, duration of exposure and prevailing noise environment. BS 5228-1:2009+A1:2014 is the relevant British Standard when assessing construction noise and takes account of the factors relevant to the characteristics of construction noise when advising threshold values. 65 dB is the most stringent limit available in BS5228 for the control of	N

	would be helpful to understand what mitigation measures could be included to reduce construction noise.	construction noise for the daytime. Similarly, the most stringent night-time limit of 45 dB and evening limit of 55 dB has been adopted in the assessment. A number of mitigation options can be employed, as appropriate, for the control of construction noise. These include, but are not limited to, one or a combination of the following: the selection of quieter equipment, relocating noisier plant at greater distances from dwellings, the use of a noise barrier around the perimeter of the works, localised acoustic screening around noisy plant and the use of enclosures. The use of pink noise reversing alarms that produce a "static" sound as opposed to a beep will be used where reasonably practicable to reduce the noise generated by reversing beepers on site vehicles.	
Traffic and Transport (document reference 6.3.8)	Little Bromley Parish Council has concerns around Construction Traffic - The predicted HGV traffic during the construction period is exceptionally high with greater than 6x volume growth from today, for example, on Bentley Road (from 28 per day to 181 per day). With a 12 hour work day this would indicate an average of 15 HGV movements per hour, or one every 4 minutes. We would expect that in reality there will be periods where volumes are even higher with less traffic at other times. The roads in the parish of Little Bromley are not designed for such traffic volumes and size. It is not possible for two HGV's to pass on most roads without one of the vehicles mounting the road verge, with subsequent verge damage. The roads themselves are in poor repair, and with this volume of HGV's will deteriorate further and faster. LBPC would like to understand how Five Estuaries will mitigate these highway problems.	The vehicle movements assessed in Volume 6, Part 3, Chapter 8: Traffic and Transport are the maximum anticipated per day during the construction of VE, based on a set of robust assumptions. The average VE construction vehicle movements during the 19 month construction period are also set out in Volume 6, Part 3, Annex 8.1: Transport Assessment. The percentage increases, of HGVs in particular are due to the very low baseline on Bentley Road. No HGVs associated with the construction of HGVs would be remitted to travel through Little Bromley and will access the Onshore ECC via Bentley Road to the south of the Onshore ECC and the A120 only. Highway improvement works are proposed (see Section 7.0 of Volume 6, Part 3, Annex 8.1: Transport Assessment) to facilitate safe two-way HGV movements for the section of Bentley Road between and including the junction with the A120 and the VE construction accesses and may also include a segregated non motorised user (NMU) path, the requirement for which would be discussed and agreed with Essex County Council and informed by surveys of the use of Bentley Road by pedestrians, cyclists and horse-riders. The widening of Bentley Road would minimise any potential mounting of verges by HGVs and Part 9, Report 24: Outline CTMP that has been prepared to be submitted alongside the ES for the DCO application sets out the range of measures that could be implemented to manage and monitor VE construction traffic.	Y
Traffic and Transport (document reference 6.3.8)	Little Bromley Parish Council has concerns around Construction Dust and Mud - Five Estuaries are planning a 2-year plus construction project which will create significant dust, dirt and mud on roads. Residents properties and gardens will be affected, and our roads will be affected. LBPC would like to understand how Five Estuaries plan to mitigate this.	Part 9, Report 24: Outline CTMP that has been prepared to be submitted alongside the ES for the DCO application sets out the range of measures that could be implemented to manage and monitor VE construction traffic, including dust and dirt repression	N
Traffic and Transport (document reference 6.3.8)	Little Bromley Parish Council has concerns around Construction Traffic Management - LBPC understand that the current traffic management plan is essentially for traffic to be removed from the public highways onto haul roads. It has not been made clear how access of Five Estuaries traffic into haul roads will be achieved - will this be by traffic light control for example - as this could cause delays in the local road network. LBPC would also like to understand how Five Estuaries will ensure and police that HGV's and other development traffic does not route through the village of Little Bromley and surrounding single track roads.	The VE construction accesses and haul road crossings have been discussed and agreed in principle with Essex County Council. The construction access and haul road crossings have been subject to a Stage 1 Road Safety Audit (RSA) and the designs have been amended where necessary to ensure they are safe. Some temporary traffic management measures (temporary speed limit reduction and temporary traffic control) have been identified at some of the construction accesses or haul road crossings (see Part 9, Report 24: Outline CTMP) and further traffic management measures would be discussed and agreed with Essex County Council as art of detailed design stage should the DCO be approved and set out in the final CTMP to be prepared and approved by Essex County Council. 100% of HGVs would be via Bentley Road to the south of the Onshore ECC	Y

		and the A120 and whilst this route would be the route for the majority of construction workforce vehicle movements and would be the promoted route to the workforce, there may be a small number of cars/LGVs that could access the construction accesses through Little Bromley.	
Traffic and Transport (document reference 6.3.8)	Little Bromley Parish Council has concerns around Route Disruption - LBPC believe the impact on the local road network around Little Bromley parish will be high. Bentley Road, Paynes Lane, Spratts Lane, Barlon Road, Ardleigh Road and Grange Road will all be crossed by the Export Cable Corridor and Haul Roads. It has not been made clear how Bentley Road will be crossed (whether HDD will be used) but we have been advised that the other roads listed will be open trenched. Further to the West it is planned that Waterhouse Lane will be used as an access route (for HGV's and other vehicles) and it is also possible that Clacton Road (off Horsley Cross Roundabout) will be used with an access point into the Five Estuaries development. With all these roads affected there will be major disruption to village, farm and business traffic flows, with the key access into the A120 severely restricted.	Bentley Road (via the A120) would be the only route for VE construction HGVs to access the VE construction accesses (for Onshore ECC Route Sections, 5,6,7, the OnSS and 400kV Connection). The B1035 Clacton Road (via the A120) would be the only route for VE construction HGVs to access the VE construction accesses (for Onshore ECC Route Section 5). There would be no delay in VE construction vehicles entering any construction access and would not cause any safety issues for other users of the highway network The options for managing VE construction vehicle movements at the construction accesses and haul road crossings are set out in Part 9, Report 24: Outline CTMP and the confirmed measures would be set out in the final CTMP to be discussed and agreed with Essex County Council should the DCO be approved. The Applicant is committed to installing the cable under Bentley Road and Ardleigh Road using a trenchless crossing technique and therefore would be no disruption to the highway network. The option has been retained to install the cable under Paynes Lane, Spratts Lane and Barlon Road and should this be the preferred option, any temporary disruption would be for a very short duration. Paragraph 8.9.9 of Volume 6, Part 3, Chapter 8: Traffic and Transport states "It is assumed that any temporary road closure to install the cable under a road using open trenching would be for a maximum of seven days and should more than one temporary road closure be required during the construction of VE, these would not be simultaneous unless agreed with Essex County Council in advance or via approval of the final CTMP." Also, set out in Paragraph 8.9.1 of Volume 6, Part 3, Chapter 8: Traffic and Transport 'Where direct access would be affected by a temporary road closure, the Applicant would liaise with those users directly to ensure minimal disruption as possible whilst an access is temporarily closed, which could include 24-hour working and/ or providing alternative crossing, where appropriate. This would include liaising with the emergency services, to ensure access could be maintained during the closure.'	Y
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Little Bromley Parish Council has concerns around Loss of Village Amenity - The Five Estuaries development and associated facilities such as haul roads, temporary construction compounds and haul road access points will be highly disruptive to day-to-day village life. Quiet country roads and Public Rights of Way will be affected impacting residents, walkers, cyclists and horse riders. There are many farms which need access to their properties and fields at all times of year, and especially during harvest. Annual events such as the Little Bromley 10k race and the Corbeau Seats Rally use many of the roads and areas of the parish that will be affected by the development. Both these events raise significant funds for local charities. An important village social gathering point is St Marys Church (Grade II* Listed by National Heritage), which will have the ECC passing close and have major development close by. St Marys is maintained by the Church's Conservation Trust, with many events organised by the Friends of Little Bromley Church.	The Socio-economic, Recreation and Tourism chapter of the ES has drawn together a qualitative summary of the Project's potential likely significant environmental effects on amenity, highlighting receptors and their potential sensitivity to change as identified by each environmental topic within the ES. This has been considered at a receptor level. Construction effects have been considered where they have the potential to result in effects on traffic and accessibility (using roads and PRoW) as a result of changes in traffic volumes and community severance. Using this modelled information, noise and air quality related to traffic have also been assessed - with receptors like St Marys Church considered sensitive taking into account their existing uses. The ES concludes that - with the benefit of a range of Management	N

	Services are still carried out on an occasional basis at the Church. The village bus service runs down Bentley Road, and school buses run daily during term time to take local children to their schools.	Plans, the effects on the local road network and community facilities in Little Bromley Parish are not likely to be significant when considered using objective and independent thresholds within legislation, policy and guidance. However the Applicant recognises the potential for uncertainty, and the responsibility to monitor and report back on the effectiveness of management plans, and engage on them with local communities, in order to avoid effects or address the effectiveness of the Plans. This is a core component of each Management Plan. The Project notes the specific annual events, As set out in the Code of Construction Practice (document reference 9.21) a Community Liaison Officer will be charged with the responsibility to ensure that the construction activities are mindful of events occurring in the community.	
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	Little Bromley Parish Council has concerns around Business Impact - With road diversions and closures and large parts of the parish under development our village businesses, many of which depend on local road access by customers , could be seriously affected.	The Traffic and Transport chapter of the Environmental Statement (document reference 6.3.8) has assessed the potential for driver delay on roads with the potential to experience significant adverse effects from construction activity. Where relevant to socio-economic, recreation and tourism receptors that assessment has been summarised within the Socio-economic, Recreation and Tourism chapter of the ES.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Little Bromley Parish Council has concerns around Village Well Water - Many properties in Little Bromley have no mains water connection and are reliant on well water. There is concern on whether the Five Estuaries development will affect the water sources in the village and affect these water supplies. Extension of the water main to these properties would seem to be the only way to guarantee continuity of supply.	Assessment of effect on groundwater is included in Section 6.10 and a groundwater risk assessment (Volume 6, Part 6, Annex 6.6.1: Groundwater Risk Assessment) has been undertaken for all abstractions within the Study Area. The risk assessment includes assessment of all licenced abstractions and private water supplies within the Hydrology and Hydrogeology study area, including properties within Little Bromley. A number of properties are identified as requiring further assessment prior to commencement of construction due to the proximity of water supply abstractions to proposed works. Where required, monitoring of water supplies would be carried out as part of a monitoring plan in order to understand local groundwater regimes and to ensure that works during construction do not affect local supplies.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Little Bromley Parish Council has concerns around Village Drainage - Little Bromley has a very high water table and during wet periods localised flooding and drainage problems can occur. There is concern on whether the Five Estuaries development will affect the village drainage flows and increase the frequency or scale of these events.	Assessment of flood risk is included in Volume 5, Report 5.3.1: Onshore ECC FRA and Volume 5, Report 5.3.2: OnSS FRA. During construction, surface water drainage requirements will be dictated by a temporary surface water drainage strategy which will be prepared post consent. This strategy will be designed to control runoff through the use of sustainable drainage (SuDS) and infiltration techniques, where feasible. Surface water runoff from the onshore substation will be controlled through a construction phase surface water drainage strategy and a separate operational phase drainage strategy. These strategies will include SuDS features and will promote infiltration where feasible. The implementation of controls on surface water runoff will ensure that there is no change t local hydrological regimes and no potential for increase in flood risk from surface water.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Little Bromley Parish Council has concerns around Wildlife and Environmental Impact - Little Bromley parish has a rich and varied wildlife population as identified by the Five Estuaries and North Falls surveys. This includes many species of waterbirds and non-waterbirds (you have identified	All development projects create potential impact. The need for this project is set out clearly in national policy. The Applicant has undertaken a detailed environmental impact assessment (reported on in Volume 6 of the application, the Environmental Statement). It is the	N

	51 target species in the area surveyed). We are very close to the Stour Estuary SSI and Ramsar site, and your surveys indicate bird species present which are related to those sites. Badgers, hares, foxes, deer, bats and other mammals can be found in the parish. Grass snakes are regular seen in the summer. These all thrive in the parish, as we have woodland, extensive hedgerows and arable margins some of which will be affected by your planned development. The migratory bird route across East Anglia, the East Atlantic Flyway, has gained Government backing to bid to become a UNESCO World Heritage Site. Major developments such as planned by Five Estuaries, North Falls and National Grid will have serious impact. You state that the potential exists for protected or notable species to be impacted by construction activities either physically via permanent or temporary habitat loss or by inadvertent injury or killing or from disturbance via light, noise and human presence. You also state that there is potential for permanent habitat fragmentation and species isolation as a result of the OnSS construction and also from construction of the cable route. The OnSS construction will bring a permanent loss of an estimated 5.88Ha of habitat together with the additional loss of the TCC area and the cable route during construction.	purpose of the DCO consenting regime for the potential impacts to be balanced against policy, to be examined by the Planning Inspectorate, and for a final decision to be made by the Secretary of State. The Applicant notes the areas of concern. The potential impact on wildlife in particular is assessed in Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4), and the summary of potential effects can be found in section 4.18 which includes the highlighted issues. The Applicant is also committed to biodiversity net gain, more information on which is set out in the Onshore Biodiversity Net Gain Indicative Design Stage Report (document reference 6.6.4.18).	

TENDRING PARISH COUNCIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	There are several ancient oak trees along Stones Green Road which need to be considered. (Map available)	The Applicant has committed to off route haul utilising existing gaps in hedgerows and to install the ducts using a trenchless technique (such as HDD) under Stones Green Road. Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. More information can be found in the Arboricultural Report (document reference 9.22.1).	Y
Ground Conditions and Land Use (document reference 6.3.5)	The Council request the impact on agricultural land and farming be kept to an absolute minimum - there is already one local farmer concerned he may not be able to return to farming his land after this project.	Noted.	N
Onshore Project Description (document reference 6.3.1)	3.8 The Council suggests it is better to stay on the Beaumont side of this corner, although we believe the plan may be to tunnel under anyway.	The Applicant has committed to using trenchless techniques (such as HDD) under the junctions at Thorpe Road, Swan Road and Tendring Road.	Y
Traffic and Transport (document reference 6.3.8)	Stones Green Road is part of the National Cycle network.	The Applicant has committed to off route haul utilising existing gaps in hedgerows and to install the ducts using a trenchless technique (such	Y

		as HDD) under Stones Green Road.	
Traffic and Transport (document reference 6.3.8)	The Council requests the B1035 is not used as an alternate route at any time. It passes through a conservation zone plus it is not wide enough for two lorries to pass and the road has been blocked when used by Highways as a diversion route for lorries in the past.	The B1035 is proposed as a local construction vehicle access route between the B1033 and the Onshore ECC and between the A120 and the onshore ECC for HGVs, however not the section of the B1035 between these sections and therefore avoiding Tendring, Tendring Green and Goose Green. The sections would be used by HGVs are suitable for two HGVs to pass each other. Full details of the proposed access routes are included in the CTMP (document reference 9.24).	N
Draft Code of Construction Practice (document reference 9.21)	The Council requests a limit on operation be in force for working days/hours to prevent residents being disturbed by constant noise which travels across our open farmland.	Working hours are set out in the CoCP (document reference 9.21). This also includes best practice noise and vibration control measures.	N
Outline Public Access Management Plan (document reference 9.25)	The Council requests that footpaths are always kept open (with diversions as needed). Many residents walk daily as well as having several ramblers groups coming to our village.	The Outline Public Access Management Plan (document reference 9.25) includes details on the approach to managing Public Rights of Way. The Applicant plans to maintain access through diversions.	Y
General	The usage of the island being built in the North Sea should be considered, as well as bringing power onshore further north using existing infrastructure.	This is significantly outside the scope of the Project. The Applicant has engaged with the Offshore Coordination Support Scheme to look at potential deliverable offshore connections, which is set out in the Offshore Connection Scenarios Document (document reference 9.29) .	N
Co-ordination Document (document reference 9.30)	The Parish Council would prefer yourself and North Falls to continue pursuing the idea of working in tandem to prevent several years of unnecessary disturbance in our area as one company finishes only for the other one to start. A colossal waste of resource as well.	The Applicant is coordinating with North Falls on potential construction options that would reduce the impact through joint delivery. This is set out in the Co-ordination Document (document reference 9.30).	N

8.1.3 Prescribed consultees, statutory bodies and technical stakeholders

AFFINITY WATER

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Affinity has a clear interest in VE but notes that there has been limited effort to date to engage with Affinity on the development of the proposals given the potential for the proposals to impact Affinity's interests. Whilst Affinity has no corporate position on the principle of the VE proposals, at present it has several concerns that should VE come forward in its proposed form, this would pose a significant risk to Affinity's ability to discharge its statutory water supply duties under the Water Industry Act 1991. Overall, on present information available, Affinity does not consider that FEOWFL has demonstrated that it can resolve all of Affinity's concerns regarding the impact of VE on Affinity's water infrastructure and its overall statutory undertaking.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
General	Affinity requests reimbursement by FEOWFL of its reasonably incurred costs in engaging with FIVE ESTUARIES and the DCO process, given these costs are required to be incurred solely because of the FIVE ESTUARIES proposals and are not a function of Affinity's core business.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. No further requests have been received.	N
General	There is a general lack of clarity in the documentation provided as part of the statutory consultation, such that it is not clear how many other Affinity assets (apart from those specifically referenced below) will be affected by the VE proposals and how the required new onshore infrastructure will interact with Affinity's existing infrastructure. The consultation documents issued do not contain sufficient detail in relation to the onshore works for Affinity to be able	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N

	to properly scope the potential impacts on its infrastructure and the works necessary to address those. Affinity is concerned that this lack of clarity reflects the lack of engagement to date and a wider failure to consider the impact on Affinity's statutory undertaking when developing the VE proposals. Further, detailed information is required.		
General	An early understanding of the programme of works is required as well as detail of the water supply requirements for construction activities and operational built assets.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
General	The consultation materials are extremely vague on the strategy for addressing utilities and the interaction with utility operators and provide no comfort that Affinity's operations will not be adversely impacted. From Affinity's review of the consultation documents there does not appear to be any reference to water infrastructure. Any diversion works need to be planned in conjunction with Affinity and other undertakers as connection works cannot go ahead unless and until Affinity is satisfied that the new infrastructure is suitable.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
General	Affinity is currently undertaking work to improve and future proof its network. Affinity will expect all diversions arising from VE proposals to achieve the same future proofed specification. Like for like replacement of infrastructure which is currently used at a high percentage of capacity will not be acceptable, especially with other developments within Affinity's eastern catchment area.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
General	It is currently not clear to Affinity if VEOWFL intends to carry out all utility works itself or allow undertakers such as Affinity to carry out works. It is also not explained how it is anticipated that such works will be co-ordinated or carried out to ensure that Affinity can properly undertake or supervise the connections into its existing assets where necessary.	Noted. The proposals do not include the requirement to divert existing water utilities.	N
General	Ultimately, VEOWFL will need to provide Affinity with legally binding protections, through protective provisions on the face of the DCO to Affinity's satisfaction and/or by way of a side agreement, to regulate works affecting Affinity's statutory undertaking, and to provide suitable indemnity and other provisions.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
Onshore Project Description (document reference 6.3.1)	Horsley Cross 21" Cast Iron Main: The VE proposals will affect a key asset by both crossing and running parallel to the asset. This section of main is a strategic main supplying water to our Horsley Cross water treatment works. This is the area's primary treatment works supplying 70% of the water to the Tendring Peninsula and therefore a critical asset to Affinity's business. Any interruption to this use would have a high level of adverse impact on Affinity's business and ability to supply water and therefore meet its statutory duties. Affinity requires certainty that this main will be protected to its satisfaction during construction and operation or that a suitable alternative solution can and will be provided. It has not been possible to find any meaningful consideration of these assets in the consultation materials provided.	The project has now developed its design to avoid impacting on the Horsley Cross 21" cast iron main.	Y
Onshore Project Description (document reference 6.3.1)	The close proximity of the VE cables may have an adverse impact on the ongoing condition of the asset potentially causing it to fail earlier than would be expected. Affinity needs to have a better understanding as to the potential effect that the high-voltage cables to be constructed as part of VE will have on its assets, through independent expert analysis, so that necessary protection measures can be put in place.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
Onshore Project Description (document reference 6.3.1)	There are no diversions related to Horsley Cross 21" Cast Iron Main explicitly listed in the consultation documentation. Affinity will need any necessary diversions to be completed before it can take the existing main	The project has now developed its design to avoid impacting on the Horsley Cross 21" cast iron main.	Y

	out of supply. It will be essential that this is taken into account in the sequencing of works.		
Onshore Project Description (document reference 6.3.1)	Affinity must retain the ability to maintain any existing or diverted apparatus (or undertake improvement works) for the purposes of its statutory water supply duty. Insufficient information has been provided as to what measures are proposed to secure this.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
Onshore Project Description (document reference 6.3.1)	There is a fundamental lack of detail and there is no indication of the protections that VEOWFL is willing to offer to ensure Affinity's ability to discharge its statutory duties is not fettered. Without further information and comfort being provided ahead of the submission of the DCO application, Affinity will be forced to submit an objection to that application. Affinity is seeking meaningful and timely engagement from FEOWFL given the importance of a holistic approach to the design solutions and the wide range of complex issues to be resolved. Affinity wish to work with VEOWFL to: - Determine the scope of its infrastructure affected; - influence the detailed solutions proposed; - develop the outline work programme for the order in which works to Affinity infrastructure would be undertaken to ensure impacts can be managed to an acceptable level; and - agree how appropriate provisions and protections can be put in place through a private legal agreement and protections in the DCO.	Noted. The Applicant will not interfere with the stakeholder's statutory duties. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. The Applicant will work with Affinity Water on asset protection if required.	N
Socio-Economic, Tourism and Recreation	Affinity is also seeking the opportunity to agree the approach to be taken on cost recovery. Affinity needs to better understand when and how engagement with it on design and delivery of water infrastructure diversions and alterations (as well as works in the vicinity of assets to remain in situ) will be carried out and how Affinity's costs incurred in that process will be met.	Noted. The Applicant engaged with the stakeholder to provide a list of potential crossing locations. No further requests have been received.	N

ANGLIAN WATER

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Anglian Water notes the process for identifying the onshore infrastructure area of search and onshore substation siting options and acknowledge that the detailed design development work has continued to define two landfall options - with the southern option potentially having the greatest impact on our assets.	Noted.	N
General	The paras state that during construction of the cable and OnSS, the TCCs will be established to support the works and will require sewerage services supplied either via mains connection or septic tanks. We would seek clarification whether a connection to our wastewater network will be required for any of the TCCs and advise that early discussions should take place with our pre-development team regarding capacity of our network assets to accept wastewater flows from the proposed TCC sites.	Noted. The Applicant is continuing to engage with the stakeholder to establish bespoke protective provisions and we are discussing the potential for a statement of common ground.	N
Onshore Project Description (document reference 6.3.1)	The project boundary for the southern option for the onshore cable route is adjacent to our Clacton-Holland Haven WRC, we note that the intention will be to undertake HDD from the proposed HDD landfall compound to the north-west of the WRC and therefore any impacts are likely to arise in terms of the proposed TCC south of Manor Way and opposite the entrance to the Clacton Holland Haven WRC. We would welcome discussion on impacts to our assets and their operation should the southern option be taken forward as the preferred landfall route.	Northern HDD option was selected following the consultation. Manor Way is proposed to be used for beach access during construction. Further discussions with Anglian Water about protection provisions are ongoing.	Y

General	Whilst most of the onshore ECC and the OnSS areas of search avoid our wastewater network assets, given that these are within specific catchment areas associated with each water recycling centre, there are some interfaces with our assets. We have provided a response to the land interest questionnaire and further impacts on our below ground assets can be found via digdat Connect.	Noted. The Applicant is continuing to engage with the stakeholder to establish bespoke protective provisions and we are discussing the potential for a statement of common ground.	N
General	Anglian Water welcomes reference to our Scoping Response with regard to impacts on our sewer systems regarding increased demand or disruption during construction. Regarding public water supply, we can confirm that we are not the statutory undertaker for water supply within the project area - this will be Affinity Water.	Noted.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	We note that management of the additional risk of surface water flood risk during the onshore construction phase will potentially affect pre-existing surface water drainage patterns The surface water drainage strategy whilst adhering to sustainable drainage principles should also take account of any impacts of surface water flooding from the construction of the cable route on our wastewater network. We would also seek to confirm whether surface water connections to our network are required (including from TCCs) to manage surface water flood risk. If such matters are identified, then we would seek to be included in any discussion on the Surface Water Drainage Strategy and ensure the draft DCO includes the relevant Requirements to facilitate future consultation on surface water drainage.	Noted. The Applicant is continuing to engage with the stakeholder. Flood risk is assessed in the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). This is supported by the Ground Water Risk Assessment (document reference 6.6.6.1). It is unlikely new connections will be required.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Anglian Water notes the section regarding sewer flooding incidents and agrees the majority of the onshore ECC does not include our sewerage network, although there are touchpoints where the onshore project boundary is close to or adjacent to our infrastructure assets.	Noted.	N
General	Whilst Protective Provisions should address many of the concerns regarding interactions with our assets, Anglian Water would seek to ensure that 24/7 access to our assets such as Water Recycling Centres (WRCs), and sewer pumping stations, is not compromised by the construction of the onshore cabling route and OnSS and therefore would welcome discussion with the VEOWF regarding such matters and their inclusion in the final CTMP. This includes, inter alia, access to the Clacton-Holland Haven WRC which would be particularly impacted should the southern ECC landfall option be selected following the consultation.	Noted. The Applicant is continuing to engage with the stakeholder to establish bespoke protective provisions and we are discussing the potential for a statement of common ground.	N
General	Anglian Water welcomes the statement regarding works affecting existing drains, sewers or chambers will be undertaken in a manner agreed with the relevant statutory undertakers. We would seek to gain agreement with VEOWF on the Protective Provisions for Anglian Water to ensure that such works are in accordance with these provisions.	Noted. The Applicant is continuing to engage with the stakeholder to establish bespoke protective provisions and we are discussing the potential for a statement of common ground.	N
General	Anglian Water would want to minimise the disruption to customers and cost to the project of diverting, relocating and provision of wastewater pipelines and infrastructure, and certainly the onshore route and areas of search have limited impact on our assets, but these impacts are to a degree dependent on which landfall option is taken forward. It is noted that there is a wide corridor selected for the grid connection route which should provide sufficient latitude to deliver the necessary pipeline diversions or connections for construction and coordination with North Falls OWF. Early pre-submission engagement would serve to enable pre submission agreement on Protective Provisions for those assets and the submission by RWE of an agreed Statement of Common Ground with Anglian Water. This in turn reduces the Examining Authority questions for statutory undertakers and removes the	Noted. The Applicant is continuing to engage with the stakeholder to establish bespoke protective provisions and we are discussing the potential for a statement of common ground.	N

	possible need for changes to the project during Examination.		

CADENT GAS

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	In respect of existing Cadent infrastructure, Cadent will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus, Cadent Infrastructure within or in close proximity to the development. Cadent has identified the following apparatus within the vicinity of the proposed works: ▪ Immediate Pressure (above 2 bar) gas pipelines and associated above ground and below ground equipment ▪ Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are also gas services and associated apparatus in the vicinity, these are not shown on plans but their presence should be anticipated)	Noted. The Applicant is engaging with Cadent to protect their assets.	N
General	Where diversions of apparatus are required to facilitate the scheme, Cadent will require adequate notice and discussions should be started at the earliest opportunity. Please be aware that diversions for high pressure apparatus can take in excess of two years to plan and procure materials. Cadent will require the party requesting the diversion works to obtain any necessary land rights, planning permissions and other consents to enable the diversion works to be carried out. Details of these consents should be agreed in writing with Cadent before any application is made. Cadent requires a minimum of C4/Design study to have been carried out to establish an appropriate diversion route, temporary and permanent land take ahead of any application being made. Where diversions sit outside the highway boundary the party requesting the diversion will be responsible for obtaining at their cost and granting to Cadent the necessary land rights, on Cadent's standard terms, to allow the construction, maintenance and access of the diverted apparatus. As such adequate land rights must be granted to Cadent (e.g. following the exercise of compulsory powers to acquire such rights included within the DCO) to enable works to proceed, to Cadent's satisfaction. Cadent's approval to the land rights powers included in the DCO prior to submission is strongly recommended to avoid later substantive objection to the DCO. Land rights will be required to be obtained prior to construction and commissioning of any diverted apparatus, in order to avoid any delays to the project's timescales. A diversion agreement may be required addressing responsibility for works, timescales, expenses and indemnity.	Noted. The Applicant is engaging with Cadent to protect their assets.	N
General	Where the Promoter intends to acquire land, extinguish rights, or interfere with any of Cadent's apparatus, Cadent will require appropriate protection for retained apparatus and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. Operations within Cadent's existing easement strips are not permitted without approval and will necessitate a Deed of Consent or Crossing Agreement being put in place. Any proposals for work in the vicinity for Cadent's existing apparatus will require approval by Plant Protection under the Protective Provisions/Asset Protection Agreement and early discussions are advised	Noted. The Applicant is engaging with Cadent to protect their assets.	N
General	Cadent has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip. Please be aware that written permission is required before any works commence within the Cadent easement strip and a Crossing Agreement may be required if any apparatus needs to cross the Cadent easement strip The below guidance is not exhaustive and all works in the vicinity of Cadent's asset shall be subject to review and approval from Cadent's plant protection team in advance of commencement of works on site.	Noted. The Applicant is engaging with Cadent to protect their assets.	N
General	General Notes on Pipeline Safety: • You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and Cadent's specification for Safe Working in the Vicinity of Cadent High Pressure gas pipelines and associated installations - requirements for third parties GD/SP/SSW22. Digsafe leaflet Excavating	Noted. The Applicant is engaging with Cadent to protect their assets.	N

	Safely - Avoiding injury when working near gas pipes. There will be additional requirements dictated by Cadent's plant protection team. • Cadent will also need to ensure that our pipelines remain accessible throughout and after completion of the works . • The actual depth and position must be confirmed on site by trial hole investigation under the supervision of a Cadent representative. Ground cover above our pipelines should not be reduced or increased. • If any excavations are planned within 3 metres of Cadent High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a Cadent representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline. • Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with Cadent's Plant Protection team is essential: ▪ Demolition ▪ Blasting ▪ Piling and boring ▪ Deep mining ▪ Surface mineral extraction ▪ Landfilling ▪ Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.) ▪ Wind turbine installation ▪ Solar farm installation ▪ Tree planting schemes		
General	Pipeline Crossings: • Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations. • The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required. • The type of raft shall be agreed with Cadent prior to installation. • No protective measures including the installation of concrete slab protection shall be installed over or near to the Cadent pipeline without the prior permission of Cadent. • Cadent will need to agree the material, the dimensions and method of installation of the proposed protective measure. • The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to Cadent. • A Cadent representative shall monitor any works within close proximity to the pipeline.	Noted. The Applicant is engaging with Cadent to protect their assets.	N
General	New Service Crossing: • New services may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees. • Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres. • A new service should not be laid parallel within an easement strip • A Cadent representative shall approve and supervise any new service crossing of a pipeline. • An exposed pipeline should be suitable supported and removed prior to backfilling • An exposed pipeline should be protected by matting and suitable timber cladding • For pipe construction involving deep excavation (<1.5m) in the vicinity of grey iron mains, the model consultative procedure will apply therefore an integrity assessment must be conducted to confirm if diversion is required	Noted. The Applicant is engaging with Cadent to protect their assets.	N

CIVIL AVIATION AUTHORITY

Topic	Issue from feedback	Project response and	Project

		consideration	change? Y/N
Military and Civil Aviation (document reference 6.2.13)	Aviation Obstacle Notification: The CAA requires notification of a change to aviation obstacles if it or they are 100 metres or more above sea level, in accordance with Article 225A of the Air Navigation Order (2016). Additional consideration of the aviation obstacle environment may be required during the initial build phase and the temporary use of cranes that may extend above a height of 100 metres or during towage of pre-built turbines from shore to final generation position.	Noted.	N
Military and Civil Aviation (document reference 6.2.13)	Aeronautical Obstacle Lighting and Marking: A Lighting Management Plan (LMP) must be agreed and implemented in consultation with the CAA in order for the UK to meet its international obligations under the Chicago Convention. The CAA uses requirements set out in Article 223 of the Air Navigation Order (2016) as the basis for its requirements.	Noted.	N
Military and Civil Aviation (document reference 6.2.13)	Impacts on civil aviation monitoring systems: Wind turbines located within the line-of-sight of surveillance systems (in particular, primary radar) can cause clutter and interference and can result in performance degradation. Radar line-of-sight analysis is theoretical; operationally there are other factors such as signal refraction, diffraction, attenuation and anomalous propagation within a given radar environment that can influence the probability of an operational wind turbine being detected. Our regulatory powers ensure that air navigation service providers undertake appropriate safeguarding activities in respect of their systems and equipment used for the provision of services, that changes to the operating environment are fully considered within their Safety Management Systems and that the operational systems and equipment are functional and being used safely. We recommend that engagement with all potentially affected aviation stakeholders is undertaken and appropriate mitigation schemes developed.	Noted.	N
Military and Civil Aviation (document reference 6.2.13)	Helicopter Operations This covers two aspects: (1) potential helicopter support for operations and maintenance of the wind farm itself; and (2) impact on offshore helicopter operations to existing platforms and installations Requirements for winching operations should be discussed with appropriate helicopter operators well in advance. Where such operations are undertaken, additional platform design criteria, lighting on the wind turbines, obstacle clearance and marking of the blades may be required. This is detailed in CAA Publication (CAP) 437 – Standards for Offshore Helicopter Landing areas. All offshore helicopters operate with limited icing clearances which means that they must be able to descend to warmer air near the sea surface at any point on the route. Operation through a wind farm corridor is highly unlikely and it might be that they would have to route around the wind farm. This may impact fuel burn and load capacity. In addition, where wind turbines are located in the vicinity of existing platforms and installations that offshore helicopters operate to/from, consideration must be given to approach and take off, including in abnormal situations (e.g. one engine inoperative). Engagement with operators and duty holders as appropriate should be undertaken.	The helicopter operators (Bristow Helicopter, NHV Helicopters and CHC Helicopters) were provided with details of VE and were requested feedback information on any perceived impact the development may have on their individual operation in the region of VE. To date only Bristow Helicopters have responded (email dated 16 January 2023) stating that no significant impact would be created to their operation.	N

COAL AUTHORITY

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Project Description (document reference 6.3.1)	I have checked the site location plan against the information held by the Coal Authority and can confirm that the proposed development site is located outside of the defined coalfield. On this basis, the Planning team at the Coal Authority have no comments to make.	Noted.	N

EAST SUFFOLK AND NORTH ESSEX NHS FOUNDATION TRUST

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Socio-Economic, Tourism	The applicant's intention to undertake further consultation with stakeholders	The Applicant has engaged with stakeholders across the public health	N

and Recreation (document reference 6.3.3)	to obtain necessary details required to assess the impacts of the proposals on healthcare facilities and services is welcomed. ESNEFT, together with other members of the ICB, would be please to liaise further with the applicant to provide the required information.	sector including ESNEFT and other members of the ICB to explain how the Project has evolved in response to consultation, and to describe the types and potential scale of effects in order to ensure stakeholders are fully sighted on the approach to impact assessment and (where relevant) mitigation.	
Human Health and Major Disasters (document reference 6.4.2)	A Health Impact Assessment has been requested which should be prepared by the applicant, in liaison with ESNEFt and the ICB. This should be in accordance with the advice and best practice published by Public Health England, the Essex Planning Officers' Associated HIA Guidance Note and the Suffolk County Council Guide to Infrastructure Contributions to establish the current capacity position of ESNEFT's services, the likely level of demand and the means by which that demand could be addressed. The following information is required to prepare the HIA: - The number of workers from outside the wider study area - The location of accommodation for the temporary population - The ESNEFT healthcare facilities and services likely to be accessed by the temporary population - The number of A&E attendances likely to arise over C&D phases.	Separate meetings have been held with WHO to discuss why a standalone report is not possible. The health chapter is compliant with latest EIA guidance. The number of workers from outside the wider study area is considered in Impact 4 in Volume 6, Part 4, Chapter 2: Human Health. Regarding increasing pressures/demands on public health services as a result of an influx in construction workers, Volume 6, Part 3, Chapter 3: Socioeconomics, Tourism and Recreation concludes that access to primary healthcare facilities would be minor adverse and not significant. This is because construction workers would be residing locally to the Project area on a temporary basis and living within tourist/visitor accommodation during on-shift periods and would return home during off-shift periods and weekends. GP capacity within the local impact area and hospitals within the order limits of VE are outlined within Volume 6, Part 4, Chapter 2, Annex 2.1: Health Baseline Statistics. Whilst there are only two hospitals within the order limits that contain an accident and emergency (A&E) department (Colchester and Ipswich Hospital), no significant adverse impacts have been identified with respect to hospital capacity/demands. This is a result of the mitigation proposed throughout the ES chapters which has considered the risk of 'major accidents and/or disasters' occurring associated with any aspect of the project, during the construction, operation and decommissioning phases as negligible.	N
Human Health and Major Disasters (document reference 6.4.2)	Alternatively, ESNEFT and the other ICB members would commission their own HIA and submit this for review as part of the consultation process.	See above.	N
Human Health and Major Disasters (document reference 6.4.2)	It is noted that the applicant proposed to include impacts from major accidents and disasters within other relevant PEIR chapters. However, there are no references to major accidents or disasters in relation to their likely impact on healthcare services and facilities within the Socio-Economic chapter of the PEIR. People affected by an accident or disaster associated with the project are likely to be transferred to Colchester or Ipswich Hospital so the impacts on these facilities should be fully assessed. Major accidents and disasters should be included in the HIA.	Major accidents have been considered in the Human Health and Major Disasters chapter of the ES (document reference 6.4.2). The risk of a major disaster is considered to be low, therefore, there will be no significant impacts on hospital visits.	N
Human Health and Major Disasters (document reference 6.4.2)	Mitigation measures identified by the HIA to address the impacts from the proposed development need to be discussed and agreed with ESNEFT and secured as planning obligations linked to the grant of any consent for the project.	Meeting held on 06/09/2023. No significant impacts have been assessed under the ES Health and/or Socio-Economic Chapter on healthcare services. Therefore no obligations in relation to health services are required.	N
Human Health and Major Disasters (document reference 6.4.2)	The Trust supports the applicant intention to engage with relevant stakeholders as part of the assessment to establish the scope, scale and nature of healthcare impacts arising and the level of mitigation required to address the identified impacts, which would need to be sectored via a planning obligation agreement linked to any consent prior to development commencing.	No significant impacts have been assessed under the ES Health and/or Socio-Economic Chapter on healthcare services. Therefore no obligations in relation to health services are required.	N

Human Health and Major Disasters (document reference 6.4.2)	It is suggested that the extent of the healthcare impacts and related mitigation measures are fully assessed and agreed with the ICB prior to the DCO application submission.	No significant impacts have been assessed under the ES Health and/or Socio-Economic Chapter on healthcare services. Therefore no obligations in relation to health services are required. A meeting was held with the NHS Trust on 6/9/2023 where healthcare impacts in relation to influx or workers were discussed. It was agreed that the approach and findings of the socio-economic chapter were satisfactory and additional worker numbers would not be significant or put an additional strain on healthcare services. In addition, road closures that may impact on ambulance services were discussed. Road closure details were submitted and no concerns were raised. The Applicant shall liaise and communicate with the NHS and ambulance services prior to any closures to ensure there are no impacts.	N

ECLIPSE POWER NETWORKS

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	We do not have any assets along the cable route.	Noted.	N

ENVIRONMENT AGENCY

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	The Environment Agency (EA) have reviewed the relevant sections of the PEIR, there is currently a lack of additional information in relation to the potential impacts to existing defences and how the proposed cable route would pass under the tidal defence at Holland on sea or the three main river crossings. EA reviewed information at earlier consultations and were satisfied works would not have any adverse impact on the defences. However, in the absence of the detail within this consultation we cannot assume what was discussed at the Expert Topic Group is going to be delivered and therefore we will need to see more information with regard to how the cable will pass under the tidal defence at Holland Haven, this should include drawings showing depth, type of construction with evidence/calculations that this underpass will not affect the stability of the defence.	In relation to impacts on the tidal defence further information is included in the Outline Landfall HDD Method Statement (document reference 9.28).	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	6.7.62 states that the defences are considered acceptable for this phase of the development and that the project is cognisant of the potential Managed Realignment site, yet there are no proposals on how the compounds will be protected against potential flood waters, no mitigation or contingency proposals. This has been highlighted during the Expert Topic Group meetings also, and yet no further information has been provided to mitigate or provide contingency measures. The challenge for the area is that economic justification to maintain the defences in the longer term will be difficult and although the SMP Policies are set, they are non-statutory and provide no guarantees that funding will be made available to achieve the aspirational policy. Therefore allowance needs to be made to account for not just the current situation, but the impacts that climate change and sea level rise will	Section 6.7 covers the resilience of the installed infrastructure and Volume 5, Report 5.3.1: Onshore ECC FRA covers potential flood response measures during construction. The ECC FRA at Volume 5, Report 5.3.1 assesses risk in relation to the existing alignment during the construction phase (within Epoch 2) and notes that following construction and reinstatement there will be no risk.	N

	have on the flood risk area, and ensure that adequate protective measures are incorporated into any new developments.		
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	A point of clarification around 6.7.70 is needed, it indicates that it is the for the EA to consider the SMP Policy. This is not the case. Although the Essex and South Suffolk SMP is led by the EA, it is not owned by the EA, but sits within the Governance of the Essex Coastal Forum and their elected members. Any changes to Policy need to go through a change process requiring further public consultation and approval.	Noted. Relevant documents updated.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	A point of clarification is needed around Section 6.2.25 – it suggests responsibility for the SMP is with Essex County Council, it is not. While the EA are the lead organisation for the SMP, it is owned by all relevant risk management authorities and stakeholders.	Noted. Relevant documents updated.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	6.10.28 – There is an assumption that the impact on the defences is low. But without mention of the methodology around the depth and techniques of the Horizontal Directional Drilling (HDD), the EA are unable to agree that the impacts will be negligible. Further information is required.	Section 6.10.28 of the Hydrology, Hydrogeology and Flood Risk chapter (document reference 6.3.6) states that agreement through consent will be required to undertake works crossing, or within 8 m of flood defences or Main Rivers or within 16 m of a tidal main river. Trenchless crossing activities would be undertaken in accordance with the conditions of any agreement given or consent granted which would be specified to ensure that construction does not result in damage to existing assets. In relation to impacts on the tidal defence further information is included in the Outline Landfall HDD Method Statement (document reference 9.28).	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	6.10.74 – only the letter A, is there missing text.	Noted. Relevant documents updated.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Section 4.2 (55) & (56): The reference to the standard of protection for the tidal defences being 0.5% AEP is for present day but this will reduce over time due to the impacts of Climate Change and Sea Level Rise. Therefore, any infrastructure within the Flood Zone will be at increased risk of flooding in the future and appropriate consideration should be given to mitigate for the future risks. This is also important given comments above in relation to uncertainty of the frontline defences being maintained in the longer term.	The ECC FRA at Volume 5, Report 5.3.1 assesses risk in relation to the existing alignment during the construction phase (within Epoch 2) and notes that following construction and reinstatement there will be infrastructure present and therefore no risk.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Section 5.3 (102) – The EA is under no legal obligation to undertake maintenance or improvement works, these decisions are carried out under permissive powers and subject to availability of funding. It cannot be assumed that the defences will be maintained to the current standard of protection for the future. The methodology of trenchless techniques is noted, and the impacts of these methods is unlikely to compromise the defences but as highlighted above further information will be required. We recognise that further ground investigations will inform the final construction method and it must be ensured that we are consulted on this detail.	Section 6.10.28 states that agreement will be required to undertake works crossing flood defences.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	More information is required, on the crossing tables 3 from Volume 7, 7.4 Crossing register shows crossing ref: WX-02 as a Possible trenched crossing, We will need to see additional information once confirmed	This was an error. WX-02 will be Trenchless crossing. This is updated in the revised Crossing Register (document reference 6.6.1.1) included with the application.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	We are satisfied with the currently available information about the main river crossings	Noted.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Further information is needed on how the underpass of the defence and crossing of the main rivers will be carried out assuming that these crossings will have no detrimental effect on the tidal defence structures and	Section 6.10.28 states that agreement through consent will be required to undertake works crossing flood defences and Main Rivers.	N

	watercourses.	In relation to impacts on the tidal defence further information is included in the Outline Landfall HDD Method Statement (document reference 9.28).	
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	The documents show three main river crossings on Holland Brook, Kirby Brook by the tidal defence and at Tendring Brook. If they are directionally drilling under the watercourses, we are satisfied but have not seen final documentation.	Noted.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	The tidal defence at Holland Haven could realigned in the future so there is no guarantee that the current tidal defence arrangements would protect the transition joint bay compound or cable routes within the tidal flood risk area. We would need to see evidence this has been taken into consideration.	The ECC FRA at Volume 5, Report 5.3.1 assesses risk in relation to the existing alignment during the construction phase and notes that following construction and reinstatement there will be no risk as all infrastructure is buried and flood resilient. In relation to impacts on the tidal defence further information is included in the Outline Landfall HDD Method Statement (document reference 9.28).	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Although Asset Performance are unaware of any future funding issues there is also no guarantee that funding for works to maintain the tidal defence between Holland on Sea and Frinton On sea will be available in the future. The funding for any damage repair or projects would be looked at on a case-by-case basis.	The ECC FRA at Volume 5, Report 5.3.1 assesses risk in relation to the existing alignment during the construction phase and notes that following construction and reinstatement there will be no risk as all infrastructure is buried and flood resilient.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	The EA have reviewed the submitted proposals for this consultation and are currently satisfied in respect of flood risk. Principally a large proportion of the study area is within Flood Zone 1. We are satisfied to see possible Substation locations referenced ‘SSA West’ and ‘SSA East’ are both in Flood Zone 1 Temporary compounds should look to be sequentially sited. If located in a Flood Risk Zone a suitable Flood Risk Assessment would need to be completed. Although it does not seem to be an issue within these plans just to note - There should be no land raising in Flood zone 3b. Any main river crossing will require permits. Also if in SSSI, SPA and SAC area they will need to consider that Natural England assent may be required separately to a flood risk permit. The submitted documents mention that an evacuation plan will be produced noted LPA consider.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Table 4.5 Rivers and streams and aquatic marginal vegetation are not listed as habitats within the Red Line Boundary despite a number of watercourses, including the Tendring Brook, crossing the proposed development site. Suggest that these features are recognised as Section 41 habitats in Figure 4.4.	All habitats within the Order Limits (including rivers and streams) are identified within sections 4.8.6 of the ES Chapter. Important habitats, including S41 habitats, are shown on Figure 4-4.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Table 4.12. Hedgerow loss. It is recommended that mitigation/compensation for hedgerow loss goes beyond simply replacing the lost sections with an equivalent length of new planting. New hedgerow planting should be at a scale whereby there is a net gain in the overall length of hedgerow within the red line boundary. Such action would be in line with the requirements of the revised draft of National Policy Statement EN-1.	Outline proposals for mitigation and compensation, including maintenance and management timescales, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. The commitment to a 5 year maintenance period (all areas) and 30 year management plan for areas under the control of Five Estuaries and/or necessary to meet BNG commitments remains. Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment.	N
Onshore Biodiversity and Nature Conservation	Table 4.18, water vole. Deterrence or removal of water vole from areas affected by the development will require a Protected Species Licence.	As set out in Table 4-15 of the ES Chapter (document reference 6.3.4), the construction phase affects two water courses which support water	N

(document reference 6.3.4)		vole; a 10m wide haul road is proposed to cross the Tendring Brook (utilising an existing access that may require upgrading) and the Holland Brook north of Horsley Cross. Based on current survey data a licence is not considered necessary, to enable this work to proceed However, this will be re-assessed based upon pre-commencement/pre-construction survey results and final scheme design.. In the event a licence is required, the licence application would be submitted to NE in advance of work affecting water vole habitat. The conditions of the licence would be specified to ensure that construction and temporary presence of the haul road does not result in significant adverse impacts to the local population.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The EA would be pleased to comment on the results of the protected species surveys, in particular those for otter and water vole, together with any proposed mitigation and enhancement measures, once these become available.	Noted. The Applicant welcomes any further comments from the EA.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The EA welcome the commitment of the developer to deliver Biodiversity Net Gain. However, they would question whether the treatment of hedgerows, for which a 5 year maintenance period is proposed as opposed to a 30 year management and monitoring plan, is sufficient to deliver the requirement for Biodiversity Net Gain. This is of relevance because hedgerows are likely to be one of the most extensive onshore habitats affected by the proposed development.	The commitment to a 5 year maintenance period (all areas) and 30 year management plan for areas under the control of Five Estuaries and/or necessary to meet BNG commitments remains. Further details are also included Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The principle of no net loss of water vole habitat on the Holland Brook at the ONSS should be extended to other watercourses (Main Rivers and Ordinary Watercourses) throughout the development site.	Mitigation measures, including a commitment to no net loss of habitat for water vole, are set out in Section 4.10 of the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4). Trenchless crossing HDD locations are identified on the obstacles crossing register (document reference 6.3.1.1); it is proposed for all main watercourses. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	1.4.15. The list of potential enhancements should include improvements to the hydro morphology and ecology of watercourses to enable them to reach their Water Framework Directive targets.	Outline proposals for mitigation, compensation and enhancement, including maintenance and management timescales, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), These include woodland and hedgerow planting proposals, as well as creation of ponds and pools that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	For the major watercourse crossings the EA's preferred option, from an ecological and hydro morphological perspective, is to avoid direct impacts by the use of HDD (subject of course to the adoption of precautions to prevent spills of drilling fluids etc.). If open cut trenching is utilised for other watercourses they would expect any flow in the watercourse to be maintained at all times, for example by over pumping. If any watercourse supports fish then the pumps should be protected with a 2mm filter to prevent entrapment/entrainment of fish species. The bed and banks of the watercourse will require careful reinstatement, for example by the storage and return of any gravel bed sediment. The use of artificial bank reinforcement should be avoided. Wherever possible opportunities should be taken to improve the ecology and natural functioning of affected	The Project now proposes to use trenchless techniques at the majority of watercourses. The commitment to this is included in the Obstacle Crossing Register (document reference 6.6.1.1). Further information on control measures to be used in the event of open cut crossing are included in the CoCP (document reference 9.21).	Y

	watercourses.		
Marine Water and Sediment Quality (document reference 6.2.3)	The EA note that a WFD compliance assessment will be undertaken, as part of the application process, for both the marine and terrestrial elements of the proposed development. For the terrestrial sites we recommend that the developer considers implementing enhancements to surface waterbodies, particularly where these are crossed by the electricity cable routes, in order to help deliver the Water Framework Directive objectives for the relevant waterbodies.	Nutrient runoff could be exacerbated by sediment-laden runoff (assuming a particulate nutrient load associated with agricultural soils), however with the mitigation strategies (e.g. soil management strategies and pollution prevention measures) developed during the design of VE (as implemented e.g. in Volume 9, Report 21: CoCP), there will be no compromise of the Nitrates Directive sites. 6.3.7 There are no anticipated impacts on estuarine environmental receptors (associated with the onshore elements of the VE) and thus there are no anticipated impacts on the associated European sites. On this basis, the onshore elements of VE will not result in the protected area objectives for the surface water bodies being impacted and therefore will not cause any deterioration in status or compromise the achievement of the objectives for the relevant WFD water bodies.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	The EA have reviewed Chapter 2.2 “Marine Geology, Oceanography and Physical processes” of the report and it appears to be very comprehensive. There are no obvious errors/omissions and all data sources appear to be sound and relevant. The conclusions of impacts of the MDS (Maximum Design Scenario)/MAS (Maximum Adverse Scenario) - i.e. “Minor (adverse)”, on processes that are not considered to be pathways, appear to be sound based on the analysis of studies conducted (including previous study reports and published data).	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	MAS appears to align, generally, with WCS (worst case scenario), but also appears to be used interchangeably with MDS – this could cause confusion – and, although MDS is defined in the list of abbreviations, MAS is not.	Noted. Terminology has been standardised in the ES.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	There are a few minor typographical errors within the document, e.g. “72ocalize” instead of “localise” in the trenchless cable installation section, but they do not really detract from the main message of the document.	Noted. Typographical errors have been addressed in the ES.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	The range of data sources are described and discussed in more depth in Annex 2.1, these include previous studies of historic data and “new” analysis of LiDAR. There only appear to be minor typographical errors within the document, e.g. mismatch between “Profile” (in text) and “Transect” (on figures), but these do not affect the overall information presented.	Noted. Typographical errors have been addressed in the ES.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	The modelling appears to be appropriate for the task. Both wave and sediment modelling are used, with bathymetry of the area taken from various previous studies. Minor model errors are reported, with some mismatches between observed and model generated data. However, these mismatches appear to be due to the limitations of the models, scale of the underlying data and grid mesh used, plus local variations in the local environment (v. difficult to model)	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Section 2.4.4 indicates that the HDD punch-out location could be in either the intertidal area or in an area below LAT. The EA recommend that they occur below LAT so as to not interfere with coastal/nearshore processes, and in the main body of the report there are indications that this appears to be the preferred option, with reference to cable protection mounds being located in water depths approx. 5m below LAT.	Noted. Clarification is now provided in the chapter that the project is considering option for both inter-tidal or below LAT for HDD punch-out location.	Y
Ground Conditions and Land Use (document reference 6.3.5)	Principally due to the low risk unproductive bedrock geology and due to a lack of Source Protection Zone 1/2 in the search area, and the avoidance of historically contaminative land uses, the EA are generally satisfied on land contamination issues. But it should be ensured that the EA are consulted if	The approach to managing unexpected contamination is set out within the CoCP. The CoCP (Volume 9, Report 21: CoCP) identifies the procedures to be followed should an area of unexpected contamination be encountered.	N

	unexpected contamination is identified during the project which may be a significant risk to the water environment (including the numerous abstractions identified).	Where necessary, works on site at that location will cease until any identified contamination has been assessed by a suitably qualified Environmental Consultant in accordance with The Contaminated Land (England) Regulations 2006;	
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Table 6.12 mentions hydraulic breaks where gradients are significant - consider both trench gradient and also groundwater hydraulic gradients. Often tanks are installed when required.	Table 6.12 includes reference to hydraulic groundwater gradient for the potential inflow of groundwater into open trenches or excavations, as well as the topographic gradient of the trench itself. The option for the use of settlement tanks is noted and included for within Table 6.12.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	6.10.54 and 6.10.84 mentions breakout of bentonite. We would expect measures to prevent this and manage any incidents to be included in the CoCP. However there is minimal reference to this in the Draft Code of Construction Practice. It would also be assumed that this would be mentioned in Table 6.11 where HDD is referred to.	Section 6.10.59 sets out refers to controls within the CoCP (document reference 9.21) which will be implemented to prevent any potential release of drilling fluid (bentonite) to the water environment. More information is included in the Outline HDD Landfall Method Statement (document reference 9.28).	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Section 6.7.30 mentions shallow groundwater. The only mention of dewatering is in 6.10.7 - consider any potential dewatering requirements and their effects on water features. Abstractions have been identified. Has the water feature survey considered the potential effects of trenchless drilling, breakout of HDD muds/bentonite breakout into these abstractions? This should be assessed.	Assessment of effect on groundwater is included in Section 6.10 and a groundwater risk assessment has been undertaken for all abstractions within the Study Area.	N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Consideration of temporary dewatering requirements at an early stage is essential in case background monitoring is required - if required, the EA may require consultation and time should be allowed for assessment of any licencing requirements as to not adversely impact the project timeline.	Noted. The groundwater risk assessment (Volume 6, Part 6, Annex 6.6.1: Groundwater Risk Assessment) includes for potential groundwater monitoring following site investigations into potential abstractions identified.	N

ESSEX COUNTY FIRE AND RESCUE SERVICE

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Essex County Fire and Rescue Service ask that the following are considered during the development of the Fiver Estuaries Offshore Wind Farm: - Adherence to the requirements of the Fire Safety Order and approved document B - Installation of smoke alarms/ sprinkler systems at suitably spaced locations throughout each building - Implementation of vision zero principles where there are introductions of or changes to the road network -Mitigations to reduce risks around outdoor water sources - Suitable principles in design to avoid deliberate fire setting	The project is committed to produce a Design Guide for the onshore substation (please see document 9.4, Onshore Substation Design Statement within the DCO application). The top level design codes that relate to the specific points mentioned (such as National Grid Specifications, Building Regulations, CDM etc) will be defined within this Design Guide. This Design Guide will be subject to engagement and approval by the relevant local authorities and stakeholder (i.e. Essex or Tendering to be determined). This process will ensure the appropriate fire and safety design requirements are identified and adhered to.	N
Traffic and transport (document reference 6.3.8)	Consideration of road widths to be accessible whilst not impeding emergency service vehicle response through safe access routes for fire appliances including room to manoeuvre (such as turning circles)	Where a temporary lane closure is proposed (currently only associated with improvements works on Bentley Road), the open lane would be sufficient in width for an emergency vehicle to pass.	For input
Traffic and transport (document reference 6.3.8)	Access for Fire Service purposes must be considered in accordance with the Essex Act 1987 - Section 13, with new roads or surfaces compliant with the table attached to withstand the standard 18 tonne fire appliances used by Essex County Fire and Rescue Service	This is noted by the Applicant.	For input
Annex 8.4: Traffic and Transport Outline Public Access Management Plan	Implement a transport strategy to minimise the impact of construction and prevent an increase in the number of road traffic collisions. Any development should not negatively impact on the Service's ability to respond to an incident in the local area.	Volume 9, Report 24: Outline CTMP sets out the measures and processes that would be implemented on construction access route and at construction accesses and haul road crossings, to minimise disruption on the highway network and maintain safety for all users.	N

General	Ensure that a risk reduction strategy is carried out to cover the construction and completion phases of the project and implement a land management strategy to minimise the potential spread of fire either from or towards the development site.	Good practice construction site measures are set out in the CoCP (document reference 9.21)	N

ESSEX WILDLIFE TRUST

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Essex Wildlife Trust note that most of the ecological surveys required for robust impact assessment are either ongoing or yet to be reported, so it is not possible to fully assess the impacts of the scheme. As a result, their comments are very limited in scope.	These are now provided as part of the ES in annexes to the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The accuracy of data in respect of species assemblage and abundance in grassland habitats south of the A120 is noted as unreliable due to the extreme hot and dry weather conditions during the summer in 2022.	This limitation is referenced within the ecological impact assessment, and has been taken into account when evaluating important ecological features and potential impacts.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	GCN survey data is incomplete due to a lack of access for surveys to be conducted in 2022; Essex Wildlife Trust acknowledge that a precautionary approach is being taken and presence assumed for the pond clusters south of the A120 and that further surveys will be attempted in 2023.	Additional survey was conducted in 2023 and is reported at Volume 6, Part 6, Annex 4.1: Great Crested Newt Survey Report: Additional Ponds. Baseline data for GCN is summarised within the ES chapter at sections 4.8.26 - 4.8.33.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Surveys of non-breeding birds are ongoing and a precautionary approach is being applied to potential foraging areas for birds such as lapwing and golden plover feeding at night.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Analysis and interpretation of bat survey results have not yet been completed.	Bat survey reports are included at Volume 6, Part 6, Annex 4.7: Bat Survey Report: North of A120; Volume 6, Part 6, Annex 4.8: Roosting Bats Tree Survey Report: South of A120; Volume 6, Part 6, Annex 4.9: Bat Activity Survey Report: South of A120; Volume 6, Part 6, Annex 4.10: Bat Survey Report: Additional Tree Survey. Baseline data for bats is summarised within the ES Chapter at sections 4.8.68- 4.8.75.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Badger survey results have not been reported in the PEIR but will be appended to the ES, as will otter and water vole survey information.	Badger survey results are reported at Volume 6, Part 6, Annex 4.21: CONFIDENTIAL Protected Species Reports and Figures and at section 4.8.76 - 4.8.79 of the ES. Otter and water vole survey is reported at Volume 6, Part 6, Annex 4.14: Otter and Water Vole Survey Report: North of A120 and Volume 6, Part 6, Annex 4.15: Otter and Water Vole Survey Report: South of A120. It is also summarised within the ES chapter at sections 4.8.80 - 4.8.86.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Essex Wildlife Trust note that Table 4.9 states that the water vole population within the RLB is "considered unlikely to be more than locally important based on desk study data". Essex Wildlife Trust must point out that due to the conservation status of water voles in Essex, and the distribution of the core population in coastal refugia (borrow dykes and ditch networks), the water voles within the study area are likely to be of regional importance.	Identification and evaluation of Important Ecological Features, including water vole, is provided at Section 4.8 and Table 4.13. The water voles within the Study Area are assessed as being of Regional Importance. Outline proposals for mitigation and compensation, including maintenance and management timescales, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which supersedes the LEDPP provided with the PEIR. The OLEMP applies to all land within the Proposed Order Limits.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Essex Wildlife Trust note that a dormouse survey report will be appended to the ES.	Dormouse survey results are reported at Volume 6, Part 6, Annex 4.12: Dormouse Survey Report: North of A120 and Volume 6, Part 6, Annex 4.13: Dormouse Survey Report: South of A120. They are also summarised within the ES chapter at sections 4.8.87 - 4.8.91	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Essex Wildlife Trust urge both the Five Estuaries and North Falls project teams to collaborate and ensure that construction works can be undertaken in conjunction to minimised impacts on habitats, protected species and biodiversity. Impacts on watercourses should be avoided and micro siting of	The Applicant has worked with North Falls to develop potential ways to deliver elements of the construction of both projects together. These are set out in the Co-ordination Document (document reference 9.30) and are dependent on the projects hitting key milestones within a	Y

	project elements should be used to avoid important ecological features.	reasonable time frame of each other.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The mitigation and compensation principles for the ONSS outlined in the PEIR LEDP pages 12-14 should apply to the entire onshore component of the project.	Outline proposals for mitigation and compensation, including maintenance and management timescales, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan), which supersedes the LEDPP provided with the PEIR. The OLEMP applies to all land within the Proposed Order Limits.	N

FORESTRY COMMISSION

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The Forestry Commission are particularly concerned about any impact on Ancient Semi Natural Woodland. They note that while there are several Ancient Semi Natural woodlands in the vicinity of the proposed cable route corridor, which may be affected by an increase in traffic and reduced air quality during construction. The boundary of the proposal runs alongside the approx. 3.2ha, Ancient replanted woodland of Simon's Wood. Ancient woodlands are an irreplaceable habitat. As highlighted in Paragraph 180 (c) of the NPPF, whilst Nationally Significant Infrastructure Projects are not subject to the NPPF, it sets out the importance of these irreplaceable habitats. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). The Forestry commission refers VE to further technical information set out in NE and Forestry Commission's Standing Advice on Ancient Woodland plus supporting Assessment Guide and "Keepers of Time" - Ancient and Native Woodland and Trees Policy in England	All sensitive ecological designations including Ancient Woodlands have been assessed within the ES, where relevant (i.e., in line with guidance). Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14 in Volume 6, Part 3, Chapter 10: Air Quality. No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10. Outline proposals for mitigation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	One of the most important features of Ancient Woodlands is the quality and inherent biodiversity of the soil; being relatively undisturbed physically or chemically, it is also a major seed bank. Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include: • damaging or destroying all or part of them (including their soils, ground flora or fungi) • damaging roots and understorey (all the vegetation under the taller trees) • damaging or compacting soil around the tree roots • polluting the ground around them • changing the water table or drainage of woodland or individual trees	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14 of the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4). No direct impacts to ASNW or to veteran trees are anticipated. Embedded mitigation measures are set out in Section 4.10. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Due to the irreplaceable nature of Ancient Woodland, most 'temporary' uses will result in irreplaceable damage. It is essential that Simon's Wood is considered appropriately. It is also essential that fuels, chemicals, or waste materials such as topsoil, minerals or hard-core are not stored on ancient woodland soils or under the woodland canopy.	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14 of the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4). No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include	N

		woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	For ancient woodlands, there should be a buffer zone of at least 15 metres to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, you're likely to need a larger buffer zone. For example, the effect of air pollution from development that results in a significant increase in traffic.	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10 of the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4. This includes installation of protective fencing around retained habitats of importance and retained trees including root protection zones. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. Other protection measures can include taking care not to cut tree roots or causing soil compaction around trees (e.g., through vehicle movements or stacking heavy equipment) or contamination from poisons. Suitable fencing, dampening down to avoid dust impacts and minimising lighting.	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10 of the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4). This includes installation of protective fencing around retained habitats of importance and retained trees including root protection zones. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The Forestry Commission note there are several small areas of woodland in or around the cable route corridor, without a specific arboricultural report it is difficult to determine their loss in the landscape, although we note your commitment to replacing any potential loss of trees by at least equivalent numbers and to other mitigation measures including other tree and woodland planting.	An assessment of the potential for mature tree loss has been undertaken and concludes that c.44 trees would be lost based upon likely micrositing of project elements to avoid trees identified in the Arboricultural Feasibility Report at Volume 9, Annex 4.21 Outline Landscape and Ecological Management Plan, Annex 1. Where ever possible the project will retain of mature trees as far as safely practicable, via micrositing. Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated.	N

		Mitigation measures are set out in Section 4.10 of the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4). This includes installation of protective fencing around retained habitats of importance and retained trees including root protection zones. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The Forestry Commission would also like you to note there is a small area of woodland within the cable route corridor, of approximately 0.94ha, at approximate location of TM 1992 2043 that is still under obligation to one of our legacy grant schemes. The landowner is expected to meet all of the Terms and Conditions of the agreement contract. Failure to do so is likely to require the Forestry Commission to seek to recover all of the relevant grant that has been paid in order to prevent public money being wasted.	Noted. The Applicant has now committed to cross the area using a trenchless technique, therefore there will be no impact to the woodland.	Y
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The Forestry Commission note the PEIR mentions plans for native woodland planting for screening purposes, linking and buffering of existing woodland and improvements to existing woodlands on site. As VE are seeking to include new trees and woodland in their plans, the Forestry Commission would normally recommend the enhancement of ecological networks by buffering existing woodland to create larger blocks of ideally at least 5ha. Species and provenance of new trees and woodland need to be considered to establish a more resilient treescape which can cope with the full implications of a changing climate. When planting new trees and woodland, ensure that biosecurity is robust to avoid the introduction of pests and diseases.	Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. Locally appropriate species are proposed for all planting requirements.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The Forestry Commission acknowledges that the PEIR identifies the important of and need for protect ancient woodlands and that it also includes the application of the Mitigation Hierarchy should there be any impact upon ancient woodlands within the proposed development area.	Noted. No direct impacts to ASNW or to veteran trees are anticipated.	N

GREATER GABBARD OFFSHORE WINDS LTD (GGOWL)

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Offshore Project Description (document reference 6.2.1)	Based on material shared to date, GGOWL envisage a crossing point of the GGOWL inter-array cable and the Five Estuaries export cable. GGOWL request confirmation that no other crossings or interfaces are planned. Furthermore, GGOWL expect thorough and structured cooperation on this matter once the Project plans and designs allow, in order to minimise risks to GGOWL.	No other crossings are planned.	N
Military and Civil Aviation (document reference 6.2.13)	GGOWL request information about the Project aviation plan or concept once this is known.	An aviation lighting plan will be prepared as part of the pre-construction process. The Defence Geographic Centre (DGC) will be informed of the locations, heights and lighting status of the wind turbines, including estimated and actual dates of construction and the maximum height of	N

		any construction equipment to be used, prior to the start of construction, to allow inclusion on Aviation Charts.	
General	GGOWL reiterate our interest in a strong collaboration between parties and in this spirit request an ongoing forum to make representations to Five Estuaries as and when areas of risk, opportunity or disruption become apparent.	We will continue to engage with GGOWL as the Project progresses.	N
Offshore Project Description (document reference 6.2.1)	As it relates to the onshore elements of the Project, GGOWL currently foresee minimal disruption given the principle of no co-location of assets or works, nor adjacent assets or works between parties. GGOWL request that should Five Estuaries foresee this principle changing then GGOWL are notified as soon as this becomes apparent. GGOWL commit to supply reasonable information to facilitate discussions and decision making in this regard.	Noted.	N
Offshore Project Description (document reference 6.2.1)	GGOWL anticipate that during all phases of the Project there exists risk of disruption from marine/maritime operations. GGOWL request that sufficient marine coordination between parties be put in place, appropriate in its timing, frequency and detail, in order to deconflict GGOWL and Project operations.	Noted and agreed.	N

HARWICH HAVEN AUTHORITY

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Shipping and Navigation (document reference 6.2.9)	Later in 2023 we will complete a £130m large-scale project to deepen the navigational approach channel into Harwich Harbour to 16.5m BCD. The purpose of the project is to accommodate the ever-growing breed of Megamax vessels in operation that (400 metres with a draught of 17.5 metres) call at the Haven ports. With a deeper navigational channel, and new deeper berths at the Port of Felixstowe, we envisage the combined value proposition will attract many more shipping lines to use the Port of Felixstowe and therefore vessels arriving and departing the Haven will increase. The worldwide maritime industry trend for less ship movements but larger vessels carrying equivalent tonnage looks set to continue. The Haven trade gateway is critical to UK PLC and our pilotage services cannot be interrupted. Delayed or missed Megamax arrivals would cause significant cost implications to Harwich Haven Authority. The ports industry is highly competitive and dissatisfied shipping lines are highly likely to look for an alternative port, potentially in Europe, if they do not receive the service standards they require.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	We understand that regulatory bodies such as Natural England and the Environment Agency will have been included within your consultation. We would therefore echo any concerns they may have raised in relation to the legally protected and designated areas that exist within the Haven.	Noted.	N
Commercial Fisheries (document reference 6.2.8)	We draw attention of the negative impact some elements of your proposal would have on the local fishing fleet as fishing stocks might be impacted. We have been working closely with the fishing community and CEFAS to introduce lobster hatchlings into the waters of the Haven. The failure of this project would see us with a significant financial loss.	For consideration of impacts on shellfish stocks, see Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. The assessment presented in Section 8.10 to 8.12.6 in Volume 6, Part 2, Chapter 8: Commercial Fisheries does not predict any significant (in EIA terms) effects on commercial fisheries as a result of impacts on commercially targeted fish and shellfish stocks.	N
Offshore Project Description (document	1.4.11 Exclusion zone must not be put in place in the Sunk area or channel that would restrict 24/7/365 vessel access requirements or pilot boarding	The Navigation Installation Plan is currently being developed in conjunction with HHA, PL and Sunk VTS. This will consider	N

reference 6.2.1)	operations etc.	procedures and any necessary restrictions required during installation and maintenance associated with the export cables in this area. Meetings to progress the NIP are ongoing and will continue through pre-examination and examination phases.	
Offshore Project Description (document reference 6.2.1)	1.8.6 Suggest that no cable joints to be in locations in the Sunk area, due to extra work required in this busy shipping area, leading to increased navigational safety risk.	The Navigation Installation Plan is currently being developed in conjunction with HHA, PL and Sunk VTS. This will consider procedures and any necessary restrictions required during installation and maintenance associated with the export cables in this area. Meetings to progress the NIP are ongoing and will continue through pre-examination and examination phases.	N
Offshore Project Description (document reference 6.2.1)	1.8.2 In the Sunk area, cable depth needs to consider that the world's largest vessels may anchor and dredge anchors in emergency scenario.	The NRA and EIA chapter for shipping and navigation have considered both realistic and worst case future draughts in the baseline and future case scenarios. Cable Burial Risk Assessment and the Cable Specification and Installation Plan will take this information into consideration.	N
Offshore Project Description (document reference 6.2.1)	1.8.2 Due to draught of vessel and future dredging, consider a maximum draught of 20m plus 10% UKC, as such minimum depth required 22m BCD (plus anchor protection depth as above).	The NRA and EIA chapter for shipping and navigation have considered both realistic and worst case future draughts in the baseline and future case scenarios including the draughts specified.	N
Offshore Project Description (document reference 6.2.1)	1.16 Safety zone will not be able to impede vessel traffic movements within the Sunk area or normal operations such as pilot boarding.	Safety zones will only be applied for in relation to surface piercing structures which will be located only within the array areas.	N
Shipping and Navigation (document reference 6.2.9)	Point 9.7.7 recognises the location of the Sunk Pilot station, recommend cable routing is in the southern area of the cable corridor due to the location of the Sunk Pilot station. Routing the cable close to the Sunk Pilot station would cause disruption for vessels boarding Pilots and increase the risk of collisions.	The offshore export cable corridor was refined following PEIR to increase the distance from the Sunk pilot boarding station.	Y
Shipping and Navigation (document reference 6.2.9)	9.7.30 The average length quoted has no relevance, and it is not representative.	Additional vessel traffic data relating to the offshore export cable corridor has been analysed in the ES NRA including consideration of vessel size and use of the recommended deep water routes.	N
Shipping and Navigation (document reference 6.2.9)	9.7.31 Average draught quoted has no relevance, and it is not representative.	Additional vessel traffic data relating to the offshore export cable corridor has been analysed in the ES NRA including consideration of vessel size and use of the recommended deep water routes.	N
Shipping and Navigation (document reference 6.2.9)	9.7.37 Min 10% UKC needs to be considered and added to this.	The NRA and EIA chapter for shipping and navigation have considered both realistic and worst case future draughts in the baseline and future case scenarios. Cable Burial Risk Assessment and the Cable Specification and Installation Plan will take this information into consideration including under keel clearance.	N
Shipping and Navigation (document reference 6.2.9)	9.11.60 Suggest that no ECC construction vessels with restricted ability to manoeuvre (cable laying etc) to operate in Sunk area when vis below 2 miles.	Protocol for project vessels including with respect to weather conditions will be captured in the NIP for which consultation with HHA, PLA and Sunk VTS is ongoing and will continue through pre-examination and examination phases.	N
Shipping and Navigation (document reference 6.2.9)	9.11.103 This general comment is not acceptable. We cannot accept any reduction of depth in the Sunk area if it limits vessels.	Where cable burial is not possible, cable protection will be applied, noting that in sensitive areas the export cables will be buried or low profile protection used to ensure there is no reduction in water depth.	Y
Shipping and Navigation (document reference 6.2.9)	9.11.116 Full engagement required.	The Applicant will continue to engage with Harwich Haven Authority throughout the development, construction and operation of the Project, including through development of the NIP through pre-examination and examination phases.	N
Shipping and Navigation (document reference 6.2.9)	9.11.126 Note the MCA comment, we need to also consider this for HHA VTS, especially with regarding organisation of pilot boarding operations.	The Navigation Installation Plan is currently being developed in conjunction with HHA, PL and Sunk VTS. Meetings to progress the NIP are ongoing and will continue through pre-examination and examination phases.	N

Shipping and Navigation (document reference 6.2.9)	9.11.189 The average length quoted has no relevance, and it is not representative.	Additional vessel traffic data relating to the offshore export cable corridor has been analysed in the ES NRA including consideration of vessel size and use of the recommended deep water routes.	N
Shipping and Navigation (document reference 6.2.9)	Table 9.25: Impact C6: Not in agreement with Significance of effect and Residual effect outcomes for C6. It is not currently tolerable or tolerable with mitigation proposed.	The risk assessment has been updated for ES to consider consultation feedback, additional future case work undertaken, and the inclusion of the NIP as an embedded mitigation measure to ensure the significance of risk is ALARP.	N
Shipping and Navigation (document reference 6.2.9)	Impact O6: Not in agreement with Significance of effect and Residual effect outcomes for O6. It is not currently tolerable or tolerable with mitigation proposed.	The risk assessment has been updated for ES to consider consultation feedback, additional future case work undertaken, and the inclusion of the NIP as an embedded mitigation measure to ensure the significance of risk is ALARP.	N
Shipping and Navigation (document reference 6.2.9)	Cumulative effects Impact 6: Not in agreement with Significance of effect and Residual effect outcomes for Impact 6. It is not currently tolerable or tolerable with mitigation proposed.	The risk assessment has been updated for ES to consider consultation feedback, additional future case work undertaken, and the inclusion of the NIP as an embedded mitigation measure to ensure the significance of risk is ALARP.	N

HEALTH AND SAFETY EXECUTIVE

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	According to HSE's record, the proposed DCO application boundary for this NSIP is not within any consultation zones of major accident hazard sites or major accident hazard pipelines.	Noted.	N
General	From the information provided in the PEIR, it is unlikely that Hazardous Substance Consent will be required. However, the HSE would like to highlight that the presence of hazardous substances on, over or under land at or above set threshold quantities will require Hazardous Substances Consent under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others for which HSE is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015 as amended.	Noted.	N
General	Regulation 5(4) of the Infrastructure Planning (EIA) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIP is summarised in Advice Note 11 Annex on the Planning Inspectorates website. This document includes a section 'Risk Assessments' describing the applicable legislation containing the requirement for risk assessment and the role of the HSE.	Noted.	N
General	HSE has no comment to make on explosives sites or electrical safety from a planning perspective.	Noted.	N

HISTORIC ENGLAND

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	In Section 4 (Geophysical Assessments), HE agree with the statement that identified anomalies could represent archaeological materials of interest and that they should be a key factor in all future planning for this project. They note the approach adopted for the data analysis and interpretation, including the geoarchaeological assessment of geophysical data, and refer VE to the comments that they already made above. HE, therefore, welcome the	Further clarification on the production of the deposit model is in the Outline Marine WSI (document reference 9.19).	N

	attention that will be given to producing an Outline Deposit Model, as summarised in Table 42, although the outline WSI should be explicit about how this is to be achieved.		
Offshore Project Description (document reference 6.3.1)	Historic England (HE) agree with the approach set out in Section 1.4.3 that the analysis of preconstruction survey data should inform the final selection process for WTG locations, any requirement for foundation drilling and installation methods for cabling inclusive of burial depth.	Noted.	N
Offshore Project Description (document reference 6.3.1)	HE recommend that every effort should be made to optimise 'detailed pre-construction' survey data-gathering exercises to enable identification of seabed and sub-seabed features of possible archaeological interest, for example, in reference to a Maximum Design Scenario (MDS) based on gravity base jacket foundations and gravity base monopile foundation (as outlined in Table 1.6).	Geotechnical surveys will occur pre-construction. These will be informed by the geoarchaeological assessment of geophysical data and baseline data (see Section 11.9 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Section 4.3 of Volume 6, Part 5, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report).	N
Offshore Project Description (document reference 6.3.1)	HE recommend that the Outline Marine Written Scheme of Investigation (WSI) presented in Volume 4, Annex 11.2, is revised to align with the detail provided in Section 1.4.	The Outline Marine WSI (document reference 9.19) has been updated to align with the pre-construction works detailed in Section 1.4 of the Offshore PD.	N
Offshore Project Description (document reference 6.3.1)	HE note any layout would follow a 'series of principles' (Section 1.5.4), which are to be subject to agreement with relevant stakeholders and which must be considered inclusive of the historic environment. In their view, this is especially important considering that any final WTG and OSP locations are to be confirmed post-consent as part of a detailed design phase.	Noted.	N
Offshore Project Description (document reference 6.3.1)	HE would add in reference to Table 1.6, when considering either the known or presently unknown elements of the historic environment as might be encountered by this proposed project, that it is the area of seabed clearance and depth of seabed penetration that comprise a realistic worst-case scenario. In addition, all consideration of installation must consider deployment and seabed impacts associated with Jack-Up Vessels (JUVs) or other specialist installation vessels that deploy anchors, as described in Section 1.17.	Noted	N
Offshore Project Description (document reference 6.3.1)	For Gravity Base System (GBS) foundations, it was not apparent what depth of seabed preparation will be required. This is a relevant matter considering the statement made in Section 1.6.29 and need for 'significant seabed preparation' prior to placement. It is, therefore, important the detailed information is included in the ES along with an appropriate impact assessment.	The depths of dredging required for the placement of gravity base jacket foundations have been included in Table 11.16 of Volume 6, Part 2, Chapter 11: Offshore Archaeology.	N
Offshore Project Description (document reference 6.3.1)	HE would encourage the Applicant to plan investigation programmes which optimise the timely involvement of professional, experienced and accredited archaeological consultants. We make this point now in reference to the envisaged construction programme (Section 1.13 and Figure 1.19) with some preliminary survey and clearance works potentially taking place in 2026 to 2028.	Future surveys will be subject to archaeological review where relevant in consultation with Historic England. Archaeological objectives will be included in geotechnical sampling campaigns and any other survey works where this is deemed beneficial. These objectives and the role of the ongoing geophysical and geotechnical campaigns throughout the lifetime of the project as an mitigation is included in Section 11.11 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage.	N
Offshore Project Description (document reference 6.3.1)	Effective engagement with archaeological advice services should enable detailed consideration of known and presently unknown heritage assets. It should, for example, ascertain the risk that archaeological materials may be present within the maximum burial depth for either array or High Voltage Alternating Current (HVAC) electricity export cables to 3.5m (as given in Tables 1.23 and 1.24), which is described as 'below the level of the non-mobile seabed (i.e. base of sand waves)'. It is, therefore, relevant that the Cable Burial Risk Assessment (CBRA), to be conducted post-consent, considers 'ground conditions and other factors' as inclusive of known	VE has produced an Outline Cable Burial Risk Assessment (Volume 9, Report 9) which will consider 'ground conditions and other factors'. The detail of the CBRA will be developed post-consent.	N

	heritage assets as well as the risk of encountering presently unknown heritage assets.		
Offshore Project Description (document reference 6.3.1)	Section 1.12 considers construction at landfall, which is to occur between Holland on-Sea and Frinton-on-Sea, possibly at Holland Haven (as mentioned in Section 2.4.3, Chapter 2). HE note the installation techniques could comprise trenchless techniques, e.g. Horizontal Directional Drilling (HDD), micro-tunnelling or auger boring. In reference to the fact that such techniques may require JUVs in the shallow subtidal area, HE agree that the overall footprint of disturbance within the cable corridor should be informed by pre-commencement surveys, inclusive of archaeological assessment, before mainline works commence in the coastal landfall area.	Noted and agreed - the archaeological assessment of the development area will be used to inform the final design, including in the nearshore and landfall area.	N
Offshore Project Description (document reference 6.3.1)	The timing of pre-commencement surveys is crucial to inform micro-siting or any other mitigation action due to the project encountering 'unexpected on-site conditions. This should be considered inclusive of archaeological materials and sedimentary sequences of paleo-environmental interest, as might be encountered up to 20m below the contemporary surface (see Table 1.28), or in any area as could be impacted by open-cut installation techniques.	Noted and agreed - the archaeological assessment of geophysical survey data will be used to inform the final design. The implementation of PAD training will further mitigate the risk of impact on 'unexpected' archaeology.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Section 2.7.8 describes sub-bottom profile data collected during the VE geophysical survey in the proposed array and the identification of three main units, which from an archaeological perspective include: - Holocene: i.e. surficial sediments (largely sands and gravels) which reach a maximum thickness of 19m below the seafloor in the northern array area; and - Pleistocene: comprising a 'variety of channel complexes of varying sizes, incising through London Clay Formation and Harwich Formation'. HE note that these units are also identified within the offshore ECC, as described in Section 2.7.16. It is, therefore, recommended that the Outline Marine WSI (Volume 4, Annex 11.2) should place more focus on the use of this information to produce a deposit model as a viable mitigation measure.	Further references to the Marine Geology, Oceanography and Physical processes chapter have been addended to the relevant sections within Annex (document reference 6.5.11.1: Offshore Archaeology and Cultural Heritage Technical Report).	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	HE consider there is an associated risk of presently unknown archaeological materials being exposed due to bedform movement or otherwise encountered (unexpectedly) in consideration of the maximum design scenario (as set out in Table 2.8) and proposed works inclusive of: - dredging for seabed preparation prior to foundation installation; - installation of electricity export cables; - Sand wave clearance via dredging (export cables); and - Trenching at landfall. HE, therefore, see it as an important component of the impact assessment exercise that consideration of the historic environment as is known or might exist within the VE array areas and offshore ECC require attention in any subsequent survey campaigns to build on those data acquired in 2021. We recommend the Outline Marine WSI is amended accordingly.	Offshore Archaeology and Cultural Heritage (document reference 6.2.11) and the Outline Marine WSI (document reference 9.19) have been updated ahead of the DCO application with the latest project design parameters.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE note in the Scoping Opinion (listed in Table 11.2), published by the Planning Inspectorate, that potential impacts could result from changes to marine physical processes, resulting from the proposed development. Consequently, a justification should be provided about why the study area used for the archaeological assessment was different to that proposed for the assessments of physical processes.	The 1km buffer study area has been used for the desk based assessment. A study area in line with the physical processes has been assessed for impacts, however it was concluded that there would be no impact beyond the DCO order limits. This has been clarified and links to the appropriate Chapters and Sections included.	N
Offshore Archaeology and Cultural Heritage (document reference	In response to the direction that the ES should provide a justification for the extent of the study area used in the assessment, HE note the Applicant has focussed on the use of a 1km buffer around the Red Line Boundary (RLB) in	The 1km buffer study area has been used for the desk based assessment. A study area in line with the physical processes has been assessed for impacts, however it was concluded that there would be no	N

6.2.11)	the baseline assessment inconsideration of ‘uncertainty of positions of historical ship losses’. While such an approach can support the desk-based review of known charted vessel losses, it does not necessarily take account of changes to dynamic seabed conditions that may cause archaeological materials (known and unknown) to be either buried or exposed.	impact beyond the DCO order limits. This has been clarified and links to the appropriate Chapters and Sections included.	
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE agree with the points made by the Inspectorate (Table 11.2) inclusive of: - the risk of ‘double counting’ of onshore heritage and marine heritage receptors and the importance of consistency between respective assessments; - If no new surveys are explicitly proposed within the scope of the ES, the production of an Outline Marine Written Scheme of Investigation (WSI) is essential to outline the methodological approach to the post-consent mitigation, should consent be obtained; - that historic environment represents a potentially significant issue in EIA terms, for both onshore and offshore elements and should be ‘scoped in’ to the assessment.	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE welcome the statement that ‘Future surveys will be subject to full archaeological review where relevant in consultation with Historic England. Archaeological objectives will be included in geotechnical sampling campaigns and any other survey works where this is deemed beneficial’. To support whether assessment is beneficial, it is essential that the Applicant has access to professional, experienced and accredited archaeological advice.	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE agree with the impacts scoped in for assessment, as listed in Section 11.4.3 (construction, operations & maintenance and decommissioning) regarding direct and indirect impacts such as disturbance of sediment containing potential marine heritage receptors (material and contexts) leading to the exposure of those marine heritage receptors. On this basis, HE recommend that the findings of Marine Geology, Oceanography and Marine Processes chapter are incorporated into the discussions of indirect impacts on sediments (Volume 2, Chapter 2.02).	References to the Marine Geology, Oceanography and Physical Processes into discussions of indirect impacts on sediments have been included where relevant.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In consideration of appropriateness of study areas, HE question why the marine archaeology study area encompasses the PEIR RLB plus a 1km buffer up to MHWS. They question whether or not this is sufficient for assessment of indirect effects on marine archaeological and cultural heritage receptors, as described in Section 11.4.5. The statement made in Section 11.4.6 that the marine archaeology study area may be reviewed and amended in the ES is welcomed vis. identification of additional constraints, to which HE add effects on sedimentary dynamics as described in Chapter 2.	References to the Marine Geology, Oceanography and Physical Processes into discussions of indirect impacts on sediments have been included where relevant.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	With regard to the inclusion of the North Sea Prehistory Research and Management Framework (NSPRMF) in Table 11.3, it is important to understand that while it does include a resource assessment (i.e. literature review) it also includes research questions and strategies. These are directly relevant and applicable in the production of any (outline) archaeological WSI. They should be used by this project, post consent and pre commencement.	The NSPRMF was used to inform the research questions and strategies for ES.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	It should be noted, the NSPRMF has now been updated and published online as part of the UK programme for digital research frameworks: https://researchframeworks.org/nsprmf/.	Noted.	N
Offshore Archaeology and	HE note the statement made in Section 11.6 (Uncertainty and Technical	Noted.	N

Cultural Heritage (document reference 6.2.11)	Difficulties Encountered) that there are data gaps within the offshore cable corridor route. They agree there is a risk that previously unidentified heritage assets could exist in locations where the survey data has not yet been acquired for this proposed project. They appreciate, therefore, the acknowledgement of the importance of obtaining 'full data coverage in order to reduce uncertainties and the risk of later design modifications' (Section 11.6.4).		
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE are pleased that precautionary AEZs will be applied to each of the known assets. It is acknowledged that there are gaps in the data coverage that will be addressed post-PEIR (Section 11.6. 4), but the resolution of these studies will need to be carefully considered to ensure that previously unknown remains are identified.	Any additional data and resources have been included where possible to provide a robust and up to date assessment of archaeological potential in the study area.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE are pleased that the archaeological potential of the intertidal zone is recognised (Section 11.7.20). However, it is stated that no offshore geotechnical surveys are planned and will be delivered post consent (subject to permission). They consider the detail of any (outline) WSI prepared for this project is crucial to demonstrate that mitigation measures are identified and ready to be implemented. Currently, HE are of the view that the Outline Marine WSI presented in Volume 4, Annex 11.2 does not offer this clarity. We recommend the document is revised.	The Outline Marine WSI (document reference 9.19) has been updated to provide clarity in how the proposed mitigation measures, in particular regarding geoarchaeology, will be implemented.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE note the categorisation of the archaeological resource (Section 11.7) as relevant to the array areas and offshore ECC and the corroboration between desk-based sources of information and the available geophysical data, as illustrated in Figures 11.3–11.5	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In reference to the attention given to designated sites, HE note the inclusion of UKHO Record Reference 14995 (Vickers Wellington aircraft) which spatially relates to geophysical anomaly Reference MA0029. They confirm that this crash site will be automatically protected by the provisions of the Protection of Military Remains Act 1986 (https://www.gov.uk/guidance/aviation-archaeology), as correctly identified in Volume 4, Annex 11.2, Section 5.8.	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	The statement made in Section 11.7.36 (Unlocated Marine Heritage Receptors) is very important and any ES produced must adequately determine such risk and ensure viable mitigation strategies are presented and delivered within any draft Deemed Marine Licence(s).	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In Section 11.8 (Archaeological Assessment of Geophysical Data), HE note the description in 11.8.2 that shallow geophysical and Ultra-High Resolution Seismic (UHRS) data was acquired across the VE array areas and associated export cable route corridor. The data quality was considered as 'good' and, therefore, suitable to identify anomalies of archaeological interest (as summarised in Table 11.7). In particular, they note the identification of 235 anomalies assessed as 'high archaeological potential, as seen in SSS and MBES data, showing a magnetic return of >100 nT or correlating with UKHO records'.	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Section 11.8.5 describes 58 'High Potential Anomalies', as summarised in Table 11.8 based on geophysical data examination and also the identification of 98 'Medium Potential Anomalies' (Table 11.9) and 473 low potential anomalies. Figure 11.11 shows the distribution of the geophysical data. For clarity, HE recommend larger scale figures should be produced that include identification references. HE note the identification of anthropogenic or wreck debris (MA ID Refs: MA0602 and MA0297) 273m east from the recorded location of submarine HMSM E6. They highlight the fact that	Larger scale figures have been produced to illustrate the high potential anomalies and high concentrations of potential archaeology within the RLB.	N

	HMSM E6, a Royal Navy submarine lost with all hands in December 1915 is a designated ‘protected place’ under the Protection of Military Remains Act 1986.		
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In Section 11.9 (Geoarchaeological Assessment of Geophysical Data), HE note it is stated in 11.9.3 that in the VE array areas, at this stage, there is less available evidence to indicate presence of paleo-landscape features (e.g. channels). The offshore ECC does cross locations, however, where geoarchaeological features have previously been mapped with MA3000, to MA3003 and MA3010 to MA3017 being identified of interest (Figure 11.12)	The areas of geoarchaeological potential within the Array and ECC have been expanded on and updated in line with new data where possible.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE welcome the consideration of the Thames REC project but we are aware that an outline deposit model (Table 11.10) is to be expanded upon in line with a phased geoarchaeological assessment programme, for which no further detailed is provided in Volume 4, Annex 11.2 (Outline Marine Written Scheme of Investigation). The crucial factor here is the use of geotechnical survey data as could be obtained post consent.	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE agree with the approach set out in Section 11.10 (Key Parameters for Assessment), although they are mindful that structure placement and cable routes are yet to be confirmed. The maximum design parameters and the approach to identifying maximum possible effect are understood in the assessment provided vis. a worst-case scenario approach. However, HE recommend the ES includes depths of dredging required for the placement of gravity base jacket foundations.	The depths of dredging required for the placement of gravity base jacket foundations have been included in Table 11.16 of Volume 6, Part 2, Chapter 11: Offshore Archaeology.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	From HE's perspective, it is the depth and area of seabed excavation that indicates the greatest possible direct impact to archaeological materials on, within and beneath the contemporary seabed, either within the array areas or offshore ECC. Regarding maximum number of JUV operations during construction (Table 11.11) the relevant matter here is proximity to anomalies as presently identified in Tables 11.8 and 11.9.	The depths of dredging required for the placement of gravity base jacket foundations have been included in Table 11.16 of Volume 6, Part 2, Chapter 11: Offshore Archaeology.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In Section 11.11 (Embedded Mitigation), HE note the description that ‘mitigation measures or commitments’ (summarised in Table 11.12) are identified and it is, therefore, our advice that such measures are clearly included as conditions within any draft Deemed Marine Licence submitted.	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	The embedded mitigation approaches outlined in Table 11.12 (avoidance/AEZs, WSIs, a PAD, archaeological assessment and post-construction monitoring) are what HE would expect for this project. They are pleased that archaeologists and archaeological specialists will be involved in the design of the geophysical and geoarchaeological survey campaigns to ensure that opportunities are maximised (Sections 11.11.17 and 11.11.18).	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE would recommend that the geoarchaeologists are allowed direct access to the geotechnical cores as it is better to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.	Noted and agreed - this will be included in any forthcoming method statement relating to geotechnical cores.	Y
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE appreciate the evolution of the project design, the application of good practice and use of standard protocols. They note that where significant effects are determined additional mitigation measures will be forthcoming. Section 11.11.2 describes embedded mitigation measures as presented in the Outline Marine WSI. They note the acknowledgment that ‘mitigation design may evolve through the pre-construction development process and will be updated to reflect any further study and in consultation with the Archaeological Curators’. HE note the acknowledgement that ‘implementation of this Marine WSI is mitigation, rather than the document itself’ (Section 11.11.5).	Noted.	N

Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Regarding the use of AEZs, Section 11.11.6 states that 'All development and related activities that could impact the seabed are microsite within the boundaries of an AEZ'. HE would recommend this is clarified in the ES, as it appears to go counter to the purpose of AEZs.	Noted and agreed, micrositing will occur around AEZs not within them.	Y
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE agree with the spatial extent of AEZs as described in paragraph 11.11.9. They also agree with the approach described in Sections 11.11.16 – 11.11.19 (Archaeological Assessment of Available Data) and the format of any Post-Construction Monitoring plan (Section 11.11.20).	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE are pleased that avoidance forms the core of the mitigation strategy, with AEZs being applied to all high and medium archaeological potential assets (Section 11.11.6). They note it is acknowledged that the design of the proposed scheme has not yet been finalised, and so there is the potential that it may not be possible to avoid some of identified assets. If this occurs, it is stated that strategies would be developed and agreed that aim to reduce, remedy or offset disturbances (Section 11.11.7).	Noted.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE note that the true extent of known sites at the time of the application may not be completely recorded and captured within prescribed AEZs until a high resolution UXO specification survey has been undertaken. This should be corroborated with detailed ground-truthing investigations (utilising onboard archaeological expertise), to assess any outlying geophysical anomalies.	Noted and agreed. A specific method statement will be produced and agreed prior to any ground truthing.	Y
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE are pleased it is acknowledged that anomalies classed as being of low archaeological potential could represent material of greater significance, such as elements from a wreck (Section 11.11.11). It is stated that further work may be required to investigate these remains in more detail, using approaches such as the ROV or through the UXO surveys, which is welcomed.	All future data and updated records will be checked against all anomalies of archaeological potential to contribute to a greater understanding of the archaeological potential of the area.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In Section 11.12 overall, HE agree with the summary presented in Table 11.13 vis. archaeological receptor sensitivity (value), but they note the grouping of reported losses/ fishermen's fasteners/ obstructions/ dead wrecks (not identified in geophysical data). These are different 'receptors' and while some can be grouped as low/negligible, e.g. 'dead' wrecks, they do not agree with the inclusion of 'fishermen's fasteners'. These could indicate the presence of very significant archaeological sites and should be subject to targeted investigation.	Noted. These will be separated to reflect the potential significance of Fishermen's Fasteners. All anomalies including low potential have been further assessed ahead of ground truthing and may be recommended for further investigation by ROV.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Debris fields, for example, could be associated with vessels lost during the Anglo Dutch naval conflicts in the 17th Century, as alluded to in Volume 4, Annex 11.1, Section 3.2. Furthermore, we note the comment regarding such seabed features in Volume 4, Annex 11.1, Section 3.6 (Fishermen's Fasteners). HE would recommend, therefore, that subsequent, higher resolution investigations as may occur post consent (should permission be forthcoming) and should be accounted for within delivery of an archaeological WSI.	Noted and agreed, provision for high resolutions have been included in the Outline Marine WSI (document reference 9.19).	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Regarding the definition of Impacts 1, 2, 3, 4, 5, 6 and 7 (listed in Section 11.12) and the application of embedded mitigation, HE note that in all instances 'significance of effect has therefore been assessed as minor to negligible and the effect is consequently considered not significant in EIA terms'. This demonstrates the importance of ensuring embedded mitigation is directly included within the conditions of any draft DCO.	The Applicant notes this, mitigation have been directly included in the conditions of the draft DCO.	Y
Offshore Archaeology and Cultural Heritage (document reference	In reference to Impact 7, HE appreciate the argument presented regarding 'sensitivity (value) of the Broad Historic Character Types' as summarised in Table 11.14. However, in the description of 'Perception of the Historic	Noted, the capacity for change has been included in an updated approach to HSC.	Y

6.2.11)	Seascape Character' (HSC), they are not immediately reconciled to the statements about 'Changes to Perception'. For example, it is stated that 'renewable energy would contribute to the existing perception of industry the HSC' (Table 11.14). In their view, the assessment provided in the ES should instead focus on the capacity for the existing historic character to accommodate change as presented by the proposed development.		
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE note a focus towards assessing HSC in reference to 'current public perception', which is not a primary factor in HSC. While it is accepted that there will be different perceptions of character, the HSC methodology is studious in not equating such matters to sensitive receptors, i.e. people. To do so, in our view, confuses matters with visual impact assessment criteria as are dealt with elsewhere in the EIA exercise. This approach appears to be demonstrated in Volume 4. Annex 11.1, Section 3.7.8, which states that the 'HSC uses the marine archaeology study area plus an additional 50km buffer to define the maximum extent of significant visual effect and perceived impact'. HE recommend, therefore, that the approach to HSC is reassessed in the production of any ES. They also note the attention given to possible positive changes and subsequent unaffected access. In consideration of increased focus on security requirements for nationally significance infrastructure, particular offshore wind farms, this assumption should be reassessed in the ES.	The approach to the HSC has been reassessed for ES.	Y
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	The heritage receptors that could be impacted by scour/erosion were classed as being of 'negligible to very high' sensitivity (Section 11.13.30), while the overall level effect of scour has been assessed to be of minor adverse significance (Section 2.11.51). It was not clear, therefore, why the impacts are concluded to be only minor to negligible (Section 11.13.31).	Noted, clarity about impacts and effects and their assessment has been added.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Sections 11.13 (Environmental Assessment: Operational Phase) and 11.14 (Environmental Assessment: Decommissioning Phase) and the determination of significance of effect require the same adherence and formal application of embedded mitigation. HE, therefore, confirm the requirement for such mitigation to be bound directly into the conditions of any (draft) DCO.	The Applicant notes this, mitigation has been directly included in the conditions of the draft DCO.	Y
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In Section 11.15 (Environmental Assessment: Cumulative Effects), HE note the statement made in 11.15.4 that a Zone of Influence (ZOI) of 50km from the marine archaeology study area has been applied for the Cumulative Effects Assessment (CEA). An explanation should be provided in the ES as to the selection of a 50km ZOI. Furthermore, we note the Cumulative Assessment Summary and the conclusion that the significance of effect is assessed as 'minor to negligible' and, therefore not significant in EIA terms. This is, again, entirely predicted on delivery of embedded mitigation as a formal consent requirement.	The guidance from where the ZOI was determined has been included.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Section 11.17 (Transboundary Effects) mentions paleochannels and paleo-landscapes within the North Sea to stretch beyond international boundaries. The impact on submerged landscapes in those cases is expected to be mitigated and offset by archaeological assessments of available geophysical and geotechnical data. However, appropriate reference would need to be made in the ES as to how this might actually be delivered.	Noted, the information gathered from surveys and how it will be used to inform a greater understanding of the palaeoenvironment and consequently offset impact has been expanded on in the ES and more specific examples have been included.	N
Offshore Archaeology and Cultural Heritage (document reference	HE would advise the Applicant to access relevant national and international archaeological research frameworks (https://researchframeworks.org/). They encourage such consideration as part of the approach set out in Section	Noted and agreed, these have been included in the ES and any MSs.	N

6.2.11)	11.19 (Next Steps).		
Archaeology and Cultural Heritage (document reference 6.3.7)	HE note that LiDAR data has been used as part of the assessment. They recommend this data is presented in the supporting appendix for the DCO application. As part of the Scoping Response (28 October 2021), they previously advised that resolution of 1m is the basic minimum needed for archaeological assessments using LiDAR, but where greater detail is required, higher resolution is preferable (in line with Historic England's document, Using Airborne LIDAR in Archaeological Surveys, 2018). HE would, therefore, expect the Onshore ECC and Ons options to demonstrate there is sufficiently high LiDAR resolution for the identification of archaeological earthworks.	A total of 73 LiDAR tiles were used for the assessment. 52 of these were 1m resolution or higher and includes full route coverage from the 2018 National LiDAR programme data. Less than a third of the tiles used were of 2m resolution. The 2m resolution dataset is one of the earliest datasets and still provides microtopographic earthwork evidence particularly in Local Relief Modelling which may have been eroded in later datasets and is therefore not discarded from the assessment and is used alongside datasets of higher resolution to provide context	N
Archaeology and Cultural Heritage (document reference 6.3.7)	It is stated in Section 7.4.14 that direct effects to heritage assets relates to only those assets that are within the footprint of the proposed development and associated enabling works. It should be noted that changes to the water environment that could impact the preservation conditions of nearby archaeological remains/deposits could also result in physical damage and should, therefore, be classed as a direct impact. These effects may be felt outside of the red-line boundary.	Assessment of potential effects to waterlogged deposits/features is provided within and outside of the proposed Order Limits is provided within the Onshore Archaeology and Cultural Heritage chapter (document reference 6.3.7).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE are pleased that the potential for previously unknown archaeological remains to be present has been acknowledged (Section 7.4.15) but note that the geophysical survey work is currently still ongoing, and so the information presented within the PEIR is incomplete (Section 7.6.1).	The geophysical survey (document reference 6.6.7.2) has been completed within all areas of the route, with the exception of small areas which were unsuitable for survey (e.g. roads, hedgerows, watercourses, woodland) or restricted by landowner access.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	It is noted that deposits of high archaeological and geoarchaeological potential based on the Palaeolithic finds recorded within the study area (Section 7.7.3). It is also noted that peat was recorded in all three boreholes monitored at the landfall location (Section 7.7.6) which could be of high archaeological and/or paleoenvironmental interest.	This is reflected in the assessment presented in the Onshore Archaeology and Cultural Heritage chapter (document reference 6.3.7).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE are pleased that the potential impacts to the organic sediments have been discussed in Section 7.10.3, including the potential for compression or dewatering that would lead to the degradation to any remains of interest. The preparation of the Outline WSI will need to detail how these sorts of deposits will be sampled and investigated, the sort of remains that will be assessed and the techniques that will be applied.	The Outline Onshore WSI (document reference 9.23) provided with the application includes details of how these deposits will be assessed post-consent and options for mitigation measures to be refined following the post-consent assessment phase.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	The survey work to date (geophysics, aerial photography, lidar) has identified a number of features/sites across the onshore ECC and OnSS, some of which have the potential to be of high heritage significance (e.g. Sections 7.10.14 and 7.10.29). It is stated that the mitigation strategies to assess these features will be presented in the Outline WSI and will allow the impacts of the proposed scheme to be mitigated, reducing the residual effects to minor adverse. HE look forward to seeing the Outline WSI in due course.	The Outline Onshore WSI (document reference 9.23) provided with the application presents strategies for further assessment and mitigation to be undertaken post-consent. This was shared with statutory consultees prior to the submission of the DCO application.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	It is acknowledged that there is the potential for presently unknown heritage assets to be impacted by the proposed scheme (Section 7.10.51). The nature, form, extent, date and heritage significance is unknown, but it has been argued that it is likely for archaeology of all periods to be present. It is also argued that any archaeology present is likely to be of low-medium or medium significance. These assumptions should be reviewed and refined as the evaluation work continues.	The assessment made at PEIR has been reviewed and refined for the ES. This incorporates the results of surveys undertaken since the preparation of the PEIR to inform the assessment in the ES.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE would need to comment on the detail of the Outline WSI when it has been produced.	The Outline Onshore WSI (document reference 9.23 has been shared with Historic England prior to the submission of the DCO application.	N
Archaeology and Cultural	In terms of the presentation of Figure 3, Volume 5, Annex 7.1, to avoid	Following the selection of the OnSS location within SSA West. The two	N

Heritage (document reference 6.3.7)	confusion HE recommend that the Conservation Areas and Substation Areas are better distinguished, i.e. shaded in different colours on Figure 3.	SSA's presented at PEIR are no longer required and have been removed from Figure 3	
Archaeology and Cultural Heritage (document reference 6.3.7)	Figure 10 of Volume 5, Annex 7.1 (Air Photo Services) requires a key.	All figures prepared by Air Photo Services now have a key.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE recommend that insert maps are provided for Figures 12-23 of Volume 5, Annex 7.1 (Air Photo Services), for each illustration, to show the location of each figure in relation to the wider scheme.	This work was carried out by Air Photo Services in 2022 and has not been revisited for the ES.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE note the historic Ordnance Survey mapping presented for the Onshore ECC (Figures 24-28 of Assessment of Aerial Imagery for Archaeology, Volume 5, Annex 7.1). These maps have been cropped for the Onshore Red Line Boundary. They recommend these are reproduced for the DCO application as complete maps, i.e. without cropping – to provide context for the ECC. They also recommend that an insert map is provided for each illustration, to show the location of each figure in relation to the wider scheme.	The historic maps were obtained by Air Photo Services by a third party provider who are a highly regarded provider of industry standard georeferenced historic mapping data. APS balanced the project delivery timescale against project resourcing and the cost of the dataset and chose only within the red line. To source whole map sheets from accurately georeferenced and consistently high quality data mosaic would have been economically preclusive to the project budget.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	HE welcomed the line spacings used for the survey in Section 2.4 as they are in line with the HE document 'Marine Geophysics' (2013)	Noted.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	In Sections 2.4.16 and 2.6.1, it is helpful to be provided with confirmation that the MBES and BS data were reviewed by a qualified marine archaeologist for targets identified during the assessment of other datasets and information regarding the length, width and anomaly height above the seabed was cross-referenced with side scan and sub-bottom results where these features possessed a surface expression.	Noted.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	In Section 2.7, HE appreciate the comment made that mitigation measures identified (as summarised in Table 3) will be reflected in the DCO requirements and/or Deemed Marine Licence (dML) conditions. Section 3.3 does include a few known locations of archaeological interest, such as SS Marie Leonhardt, HMSM E-6, HMS MAC-5 and SS Willy. Section 3.4 (Aviation Remains) does identify two recorded losses of aircraft and sites of aircraft components: UKHO 14995 Second World War Vickers Wellington, although no further identification appears to be available. The other aircraft loss is of a German FW 190 (UKHO 15199).	Noted.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	HE note that for Historic Seascape Characterisation (HSC), ‘change’ was frequently assessed as positive. HE consider such an assessment should be included within Chapter 2 and that the purpose of the technical annex was to explain the methodological approach devised to support that assessment of impact (positive or negative).	The approach to HSC was revised for ES.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	HE welcome further discussion to address the assertion that ‘perception of cultural topography and recreation may undergo a positive change with the increase in understanding and awareness of paleo-landscapes, peat deposits as well as artefacts and wrecks identified in the geophysical and geotechnical surveys undertaken for VE’ (Section 3.7.128). It is important that it is fully understood how this approach is related to the primary purposes of HSC as advocated by HE.	The approach to HSC was revised for ES.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	A summary of the known marine heritage is provided is Section 5.2.1. It is stated that of the 106 known records, 24 were identified by the geophysical survey work and were assigned a specific AEZ. The remaining 82 known remains were assigned a precautionary AEZ of 50m (Section 5.2.3), but it is important to note that the true extent of known sites at the time of the application may not be completely recorded and captured within prescribed	Noted.	N

	AEZs until a high resolution UXO specification survey has been undertaken, and further corroborated with detailed ground truthing investigations (utilising onboard archaeological expertise), looking at any outlying geophysical anomalies.		
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	HE are pleased to see that the potential for unlocated and unrecorded marine heritage to be present has been considered, and that it is recognised that they are of unknown archaeological potential and heritage significance (Section 5.3.1). It is also noted that these sorts of remains have been included in the embedded mitigation strategy (Section 5.3.2), as they will require further investigation.	Noted.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	It is acknowledged in Section 11.11.11 that anomalies of low archaeological potential could represent material of greater significance, such as material associated with a wreck, and that further work may be required to investigate them. HE appreciate that the Protocol for Archaeological Discoveries will be applied as part of the embedded mitigation, but detail should be included about how the low potential anomalies will be investigated further.	Noted, further detail on investigation of potential anomalies has been included.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	It is recognised that all areas of the development may cause direct impact to deposits which have the potential to be of geoarchaeological interest, but that the impact will be restricted to the required burial and penetration depths (Section 5.5.2). However, as no geotechnical cores have been collected or assessed as part of the work to date, the significance of the deposits and therefore the impact of the proposed scheme has not been fully determined and this could be classed as a risk.	Geoarchaeological cores are planned should consent be obtained, with the areas of these informed by the SBP data and the previous records. Further, any cores collected by the project not for specific archaeological assessment will still be subject to archaeological involvement in the planning, acquisition and review. This has been clarified in the text.	N
Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report	An outline deposit model has been presented as part of the PIER (Table 42), but it would have been useful to include a geoarchaeology DBA and a figure that shows the locations of the samples recovered offshore so that the data could be inspected, and to illustrate the level of data coverage and therefore the confidence that could be held in the outline deposit model. HE recommend this is produced and included as an appendix in the ES.	Further detail for the geoarchaeological baseline and a figure illustrating where samples have been collected to date has been included at ES. Detail on how this data will be used to inform the deposit model has also been included.	N
Annex 11.2: Outline Marine Written Scheme of Investigation	This document should guide the methodological approach for further surveys, investigations and assessments required throughout the life of the project and set out archaeological actions and mitigation, such as the use activity specific Method Statements. We consider this is not the case as presently presented by this document. We agree, however, with the proposed implementation of the outline marine WSI will require the employment of a professional, experienced and accredited Retained Archaeologist.	The Outline Marine WSI (document reference 9.19) has been revised to include further methodology, survey details (where possible), and how mitigation strategies will be implemented throughout the timeline of the project.	N
Annex 11.2: Outline Marine Written Scheme of Investigation	In Section 5.6 it is not clear why this section is included. The primary focus for a WSI is on the techniques and methodological approach to utilising any and all relevant survey data acquired post consent (should permission be secured) to inform design and deliver inconsideration of risk of encountering known and unknown heritage assets.	Noted. HSC has been removed from WSI.	N
Annex 11.2: Outline Marine Written Scheme of Investigation	The inclusion of HSC within the WSI implies that post-consent data acquisition, processing, analysis and interpretation will be used to understand change to perceptions of historic character as could be introduced by this proposed development. It is HE's position that such analysis should be concluded as part of the EIA exercise on the basis of adequate data availability to characterise the area within which the development is to take place. They therefore recommend this is removed from any outline WSI. The document is also to be updated to reference the existence of the online North Sea Prehistory Research and Management Framework.	Noted. HSC has been removed from WSI.	N

Annex 11.2: Outline Marine Written Scheme of Investigation	HE agree with the detail set out in Section 6 (Embedded Mitigation), although this information appears to duplicate information provided elsewhere (e.g. Annex 11.1). They recommend, therefore, the outline WSI is reviewed and revised to focus on the actual techniques and methodological approach to data acquisition and archaeological analysis and interpretation, as could occur post consent, as set out in Section 8 (Schemes of Investigation). For example, what will the geoarchaeological assessments entail (Section 6.5)? It would be useful to include details of the remains that will be assessed (e.g. pollen, plant remains, insects, ostracods, diatoms, foraminifera etc.) and the techniques that will be employed (e.g. chemical or biological assessment, scientific dating techniques etc.). In addition, how will geophysical anomalies/previously unlocated heritage assets be investigated in more detail (Sections 6.5 & 6.7)? For example, over 4500 low potential anomalies are noted in Table 3, some of which may represent material of archaeological value such as remains associated with a wreck. Information is needed about the nature of the surveys that may be carried out (approaches used, the resolution of the surveys etc.).	Noted. While some specific methodologies and techniques may not be able to be described at this stage of the assessment, further details have added where possible.	N
Annex 7.2: Onshore Geophysics	HE welcome the geophysical survey that is currently being undertaken over the Onshore ECC and OnSS options, and presented in Volume 5, Annex 7.2. HE recognise the geophysical survey is a major piece of work, comprising a magnetometer survey of 580 hectares. They welcome the data sharing agreement between VE and North Falls for the collection of this data.	Noted.	N
Annex 7.2: Onshore Geophysics	The results of the geophysical data collected to date, are presented in Volume 5, Annex 7.2: Geophysical Survey Report and summarised in Sections 7.7.36 – 7.7.48 of Volume 3, Chapter 7. We note the geophysical survey the information presented as part of the PEIR is incomplete.	The geophysical survey (document reference 6.6.7.2) has been completed within all areas of the route, with the exception of small areas which were unsuitable for survey (e.g. roads, hedgerows, watercourses, woodland) or restricted by landowner access.	N
Annex 7.2: Onshore Geophysics	The geophysical survey was carried out across a range of environments and deposit types, which may include waterlogged deposits near water channels or in marshes. It would be useful for the completed survey report to state if any areas would benefit from the use of alternative geophysical approaches.	The use of alternative geophysical approaches has been considered following the completion of the survey. Information relating to whether areas would benefit from alternative geophysical approaches is set out within the Outline Onshore WSI (document reference 9.23) submitted with the application.	N
Annex 7.3: Geoarchaeological Desk Based Assessment	HE note the Geoarchaeological desk-based assessment (Volume 5, Annex 7.3). They note the recommendations in Section 8 and Table 7 of this document. The report acknowledges, however, that the data coverage within the scheme is generally poor with only 17 archive boreholes located within or close to the scheme boundary (Section 6.2.3). The conclusions drawn from the preliminary deposit model should, therefore, be treated with caution at this stage until additional information is recovered.	The PEIR was based upon information available at the time of writing and the limitations of the dataset were acknowledged within the assessment. Since the production of the PEIR, the results of the additional GI works and the test pit evaluation has been added to the revised geoarchaeological desk-based assessment and used to inform the assessment within the Onshore Archaeology and Heritage Chapter (document reference 6.3.7).	N
Annex 7.3: Geoarchaeological Desk Based Assessment	Additional geoarchaeological and paleoenvironmental sampling has been recommended (Section 8 of Volume 5, Annex 7.3), which is welcomed, but HE would recommend that additional detail is provided in a method statement about how the deposits will be sampled and assessed. They also recommend that the geoarchaeologists are allowed direct access to, and able to retain when necessary, the geotechnical cores as it is better to record and assess continuous core sequences rather than isolated deposits as this allows for greater reliability and confidence in the resulting conclusions.	The Outline Onshore WSI (document reference 9.23) provided with this application contains a strategy for further geoarchaeological and paleoenvironmental assessment to be undertaken post-consent. This includes details of how the deposits will be sampled and assessed.	N
Annex 7.3: Geoarchaeological Desk Based Assessment	HE would recommend that the application of scientific dating is considered carefully before the cores are recovered as some of the deposits discussed in this section exceed the upper limit of some dating techniques, such as radiocarbon dating. For these deposits, alternative techniques would be required, such as optically stimulated luminescence (OSL) dating. As this	The techniques for scientific dating for the archaeological works to be undertaken post-consent has been carefully considered during the preparation of the Outline Onshore WSI (document reference 9.23). The option for techniques such as Optically Stimulated Luminescence dating has been included should this be necessary.	N

	technique provides a date for the last time mineral grains were exposed to light, the collection and storage of sampled cores needs to be carefully considered and may require the use of light-proof sleeves on cores when they are being collected (e.g. Section 8.2.2).		
Annex 7.3: Geoarchaeological Desk Based Assessment	HE are pleased to see that geophysical survey techniques, such as Electrical Resistivity Tomography have been considered to investigate subsurface structures and lithological changes (Section 8.2.4). This work will add valuable information to the deposit model being developed for the site.	Proposals for post-consent mitigation techniques including justification and rationale for further geophysical surveys are included within the Outline Onshore WSI (document reference 9.23).	N
Annex 7.4: Archaeological and Geoarchaeological Monitoring of Ground Investigation works	This document presents the results of monitoring three boreholes recovered for ground investigation works in the landfall area. Although limited in number, the boreholes have clearly demonstrated the archaeological and paleoenvironmental potential of the deposits sampled in this area. In particular, the peat has the potential to reconstruct past landscapes and environments. Additional work will be required to investigate the area in more detail and build on the findings presented in this report.	These results have been incorporated into the geoarchaeological desk-based assessment and recommendations for further work to be undertaken post-consent are outlined in the geoarchaeological desk-based assessment and Outline Onshore WSI (document reference 9.23).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE are concerned that no archaeological trial-trenching, test-pitting or paleoenvironmental coring has been undertaken at this stage to establish the significance of archaeological remains. Consequently, they consider it premature to assign 'significance of effect' for archaeological remains that have not been fully assessed. HE are also concerned by, what they consider to be, the limited extent of trial-trenching proposed between PEIR stage and DCO, 'within the SSA West Area, subject to landowner access' (Section 7.17.1).	The assessment presented at PEIR was based upon the information available at the time of writing. Since that time additional GI works, archaeological trial trenching and test pitting have been undertaken and used to inform the significance of effect in the Archaeology and Cultural heritage chapter. The process of baseline characterisation and survey is designed to address the archaeological potential of the Order Limits in a proportionate manner, leading to an assessment, permitting informed decision making. In order to establish the baseline, the area within the proposed order limits has been subject to thorough assessment informed by appropriate and proportionate levels of survey work. This process has involved desk-based assessment, supported by walkover surveys, geophysical survey, archaeological and geoarchaeological monitoring of GI works, specific geoarchaeological desk-based assessment and evaluation at a key area of sensitivity. This substantial body of work is considered to form a proportionate basis on which to undertake assessment in the ES. This work and the assessment represent an appropriate and entirely adequate basis on which to make an informed judgement on the impact of the development upon the heritage significance as well as proposals for mitigation for identified effects. The Applicant has also considered the potential disruption to land interests along the route.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE note the proposed mitigation measures 'to minimise the potential adverse effects to buried archaeological remains resulting from the construction phase will be achieved through preservation by record' (Section 7.10.53). It is stated in Section 7.10.56 that the implementation of a programme of archaeological work, as set out in any agreed Written Scheme or Schemes of Investigation, would be secured as a requirement of the DCO. At this stage, however, no evaluation has been undertaken to test the results of the aerial photography, LiDAR analysis and potential archaeological assets identified as geophysical anomalies, as well as other potential archaeological remains recorded in the HER (for example, indicated by the Portable Antiquities Scheme) – and to assess the significance of the archaeological remains. They find this is disappointing.	Since the preparation of the PEIR archaeological trial trench and geoarchaeological test pit evaluation have been undertaken at a key area of sensitivity. Further archaeological assessment is proposed to be undertaken post-consent as set out in the Outline Onshore WSI (document reference 9.23). This phase of evaluation will inform the detailed design and the need for and nature of further mitigation measures.	N
Archaeology and Cultural Heritage (document	HE note Section 7.6.1 states, 'the desk-based studies on which this assessment has been based in part, are predictive and do not provide a	The process of baseline characterisation and survey is designed to address the archaeological potential of the proposed Order Limits in a	N

reference 6.3.7)	definitive understanding of as-yet unrecorded archaeological heritage assets that may be affected by the proposed development'. They also note it is stated in Section 7.6.3, 'the nature of the site area means that the character of as-yet unrecorded heritage assets can be predicted with a reasonable degree of confidence, although the condition and distribution of such heritage assets is less well defined'. In their view, the character of 'as-yet unrecorded heritage assets' needs to be established with certainty, as part of the assessment.	proportionate manner, leading to an appropriate assessment, permitting informed decision making. In order to establish the baseline, the area within the proposed Order Limits has been subject to thorough assessment informed by appropriate and proportionate survey work. This process has involved desk-based assessment supported by walkover surveys, geophysical survey, monitoring of all GI works, specific geoarchaeological desk-based assessment and evaluation at a key area of sensitivity. This substantial body of work is considered to form a proportionate and entirely adequate basis on which to make an informed judgement on the impacts of the development upon heritage significance.	
Archaeology and Cultural Heritage (document reference 6.3.7)	Sections 7.10.51 and 7.10.52 consider the disturbance or loss of, at present, unknown archaeological remains, 'currently of unknown date and heritage significance' (Section 7.10.51). It is asserted in 7.10.52 that construction activities, with mitigation measures, would be reduced to minor adverse effect. HE consider significance cannot be attributed to unknown archaeological remains; again, this needs to be evidence-based.	Mitigation measures would be tailored to the heritage significance of the archaeological remains discovered. For remains of high significance, avoidance through design would be implemented where possible. Less significant archaeological remains or areas where harm is unavoidable would be mitigated through set piece excavation works or through watching brief as appropriate. These techniques will preserve the archaeological remains by record. The reduction to minor adverse effect acknowledges that archaeological remains will be truncated either through the proposals or through the archaeological intervention which is itself destructive.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE are concerned to ensure the significance of all archaeological remains is adequately established within the proposed development. In particular, they consider the assessment of significance should be established by trial-trenching evaluation, test-pitting and, where appropriate, paleoenvironmental coring, prior to DCO submission. This is to ensure that archaeological remains of high heritage significance are identified and preserved in situ. This is especially important for parts of the scheme with limited flexibility to relocate works, and thus avoid (and preserve in situ) any archaeological remains of high heritage significance.	The heritage significance of archaeological remains has been based upon non-intrusive surveys and intrusive surveys. The approach adopted and the level of works undertaken to establish the baseline is considered proportionate and appropriate to allow for informed decision making. The OnSS area has been archaeologically evaluated and the location for the OnSS compound has been designed to avoid the potential route of the Roman Road. The Onshore ECC retains enough flexibility to be able to avoid archaeological remains following post-consent assessment prior to detailed design. The Onshore ECC for the DCO application is 90m wide. The combined easement for both projects is approximately 60m wide, allowing 30m for adjustments and flexibility within the alignment.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	In terms of Section 7.10.53, HE do not consider archaeological trial-trenching and test-pitting to be mitigation measures. These are techniques used to assess significance, and to provide evidence-base from which the mitigation measures would be produced and agreed.	It is agreed that trial trenching and test pitting are not mitigation measures. These techniques are proposed as part of the post-consent assessment phase to inform the detailed design.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE would recommend targeted trial-trenching evaluation is carried out prior to DCO submission, and the results submitted for examination. They consider trial-trenching evaluation should be carried out, as a minimum, at the location(s) of the proposed OnSS (both SSA West and SSA East), as well as at the landfall location, construction compounds and pinch points along the route, for example, at directional drill access points. HE also consider any areas of the ECC where 'hot spots' of archaeological remains have been defined should be also evaluated with trial-trenching, if they cannot be avoided and preserved in situ by the scheme. They consider this is proportionate and justified to ensure the significance of any archaeological remains have been adequately assessed. This is consistent with HE response to the Scoping Report (dated 28 October 2021). It is best practice in terms of the assessment of archaeological remains to identify, in advance, whether any important remains are present	Trial trenching and geoarchaeological test pitting has been carried out at the OnSS area where archaeological potential was identified through non-intrusive surveys in conjunction with greater effects from the proposals. A strategy for further assessment post-consent, prior to the detailed design, is presented in the Outline Onshore WSI (document reference 9.23). Mitigation measures including avoidance of archaeological remains to facilitate preservation in situ, will be designed based upon the results of the assessment.	N

	that could preclude or modify the proposed development.		
Archaeology and Cultural Heritage (document reference 6.3.7)	Archaeological work at this stage would help to ensure that the DCO application is well-informed and appropriately designed. It would also significantly reduce the risk of additional unexpected costs and delays at a later stage. If archaeological evaluation is not undertaken, as recommended, the applicant should provide clear justification in the DCO application for this, i.e. as to why it has not been, or cannot be, undertaken at this stage in the process.	The areas within the proposed Order Limits has been subject to thorough assessment, informed by appropriate and proportionate levels of survey work. This process has involved, desk-based assessment supported by walkover surveys, geophysical survey, archaeological and geoarchaeological monitoring of GI works, specific geoarchaeological desk-based assessment and evaluation trenching at a key area of sensitivity. This work and the assessment represent an appropriate and entirely adequate basis upon which to make an informed judgement on the impacts of the development upon heritage significance as well as proposals for the mitigation of identified effects.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	For areas of the proposed development where trial-trenching evaluation would not be undertaken in advance of DCO, HE would recommend the DCO should be worded appropriately to secure preservation in situ of any archaeological remains of high heritage significance defined post consent, should the circumstances be considered necessary by Essex County Council and also HE.	Approaches for appropriate evaluation and subsequent mitigation, including preservation in situ are set out within the Outline WSI provided with the application (Volume 9, Report 23).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	The Written Scheme of Investigation for each stage of archaeological work should be approved by Essex County Council and also approved by HE, as the statutory historic body. They recommend, therefore, that HE is also a named party in the DCO to ensure subsequent documentation relating to archaeological investigation are also approved by HE post DCO being granted. HE would recommend the Outline Written Scheme of Investigation (WSI) should be supplemented by a detailed WSI prepared for each stage of archaeological investigation by the archaeological organisation commissioned to undertake the work. This should be included in the DCO to ensure the detailed scope for each stage of investigation is approved by Essex County Council and HE prior to commencement of the archaeological investigation. If the evaluation (archaeological trial-trenching, test-pitting and paleoenvironmental coring) is not undertaken in advance, we also consider that the detailed WSIs for evaluation of the onshore ECC should be also submitted for DCO examination, along with the Outline WSI.	Written Schemes of Investigation will be prepared for the post-consent assessment and mitigation and will be agreed by the relevant local planning authority (via their historic environment advisors). Outline Onshore WSI (document reference 9.23) is provided with the application.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	A timetable for each stage of archaeological investigation, including fieldwork, assessment, analysis, reporting, publication and archiving, as well as display and presentation and community engagement, should be submitted to and approved by Essex County Council and HE. This should be included in the DCO to provide clarity to all parties as to when the approval of the detailed written scheme of archaeological investigation or detailed method statement, by the competent authority, will occur.	This information is provided as far as possible within the Outline Onshore WSI (document reference 9.23) submitted with the DCO based upon the information available at the time of writing. Further detail on the timings of the surveys can be provided in the post-consent WSI(s).	N
Archaeology and Cultural Heritage (document reference 6.3.7)	As well as publication and deposition of the project archive in a suitable museum or archive repository, HE would recommend there should be provision for public engagement and outreach activities during the investigation as well as provision for the museum-quality display of artefacts and presentation of discoveries revealed by the proposed development. They consider this would help to mitigate the impact of the development on archaeological remains.	A suite of options for public engagement and outreach is presented within the Outline Onshore WSI (document reference 9.23). This would be refined post-consent, based upon the findings of the further assessment and mitigation, to ensure that these are presented and interpreted appropriately.	Y
Archaeology and Cultural Heritage (document	In terms of the assessment of indirect impacts, HE recommend that a ZTV is provided in the Onshore Archaeology and Cultural Heritage Assessment,	The ZTV prepared for the LVIA assessment has been used for the assessment of indirect impacts for the onshore infrastructure.	N

reference 6.3.7)	along with the proposed viewpoints, in relation to the highly-graded heritage assets.		
Archaeology and Cultural Heritage (document reference 6.3.7)	HE consider the magnitude of impact should be considered to be medium adverse, resulting in a moderate negative effect significance for the Grade II* listed Church of St Mary, Little Bromley, which is significant in EIA terms (following Table 7.5 of Volume 3, Chapter 7). We recommend this assessment is revisited in the ES. HE recommend the assessment of the setting of, and impact of the proposed development on, this designated heritage asset is reconsidered by the applicant. This is because the setting makes a positive contribution to the significance of this monument and because, in HE's view, the proposed development will result in a significant change to the setting. They recommend that proposals should be put forward by the applicant to mitigate the impact of the OnSS on the significance of this heritage asset.	The assessment of effects has been revisited for the ES following the refinement of the route of the Onshore ECC and the selection of the SSA West as the OnSS location. The assessment of effects has remained as a minor adverse effect and details are provided to support this assessment. Mitigation planting has been proposed to mitigate landscape and visual effects, which include additional planting to screen the OnSS from the surrounding area.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE have concerns in terms of the assessment of setting and the impact of proposed OnSS on the Scheduled 'Crop mark site S of Ardleigh' (LEN 1002146), which is excluded from the assessment. It is stated, 'the cropmarks derive much of their significance from their archaeological interest with very little contribution made by their setting' (Table 1 of Volume 5, Annex 7.6). They disagree with this assessment. HE consider the rural, agricultural setting makes a positive contribution to the significance of this monument and because they consider the proposed development has the potential to result in a change to the setting. Moreover, this Monument falls within the study area of the OnSS (SSA West). HE recommend, therefore, this Scheduled Monument is also included in the assessment. They also recommend a visualisation (or visualisations) should be prepared for this Monument, to enable the visual impact of the proposed OnSS (and also the cumulative impact of the NF and EACN substations) on the significance of the site to be assessed.	A visualisation for Cropmarks South of Ardleigh has been prepared and includes a cumulative visualisation for NF and EACN substations. Additional assessment of the effects to significance of this monument arising from the presence of the OnSS has been undertaken within the Onshore settings annex which supports the chapter. No significant effects to the heritage significance of the asset have been identified, however a summary of the assessment presented within the Annex 7.6 has been included within the ES chapter.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE have concerns in terms of the assessment of setting and the impact of proposed OnSS on the non-designated Little Bromley Henge, which is also excluded from the assessment. In HE's view, this feature is a highly significant non-designated heritage asset with potentially equivalent significance to that of a designated heritage asset. It is stated, 'the surroundings have no bearing on the significance of the asset the monument does not derive its significance from any views towards or from the surrounding landscape' (Table 1 of Volume 5, Annex 7.6). HE disagree with this assessment. The presence of this asset in the rural, agricultural landscape is a rare survival. We consider the setting contributes to its significance, and the monument draws a considerable amount of significance from how it is experienced in the landscape. They also recommend a visualisation (or visualisations) should be prepared for this asset, to enable the visual impact of the proposed OnSS (and also the cumulative impact of the NF and EACN substations)on the significance of the site to be assessed.	A visualisation has been prepared for Little Bromley Henge (Part 6, Volume 6, Annex 7.10 Cultural Heritage Viewpoints and Wirelines). Additional assessment has also been undertaken of the effects to heritage significance of this asset arising from the presence of the OnSS during the operational phase. The monument is an entirely below ground archaeological asset and cannot be experienced within the current landscape without prior knowledge of its existence. No significant effects are anticipated, however a assessment is presented within Annex 7.6 and a summary of the assessment is included within the assessment of effects within the ES Chapter	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE recommend that historic hedgerows, previously removed but which are recorded on the historic maps, are re-instated as part of the mitigation strategy - and thickened as part of the landscape design principles, in addition to proposed planting scheme	No historic hedgerows are to be affected by the proposals and as such no mitigation measures are required.	N
Offshore Archaeology and Cultural Heritage	HE are disappointed with the assessment, which has scoped out the majority of highly-graded heritage assets without providing any detailed	This assessment has been reviewed and revised for the ES. Assets requested for assessment within Table 11 have been included and	N

(document reference 6.2.11)	evidence, or heritage specific visualisation, for assessment. HE would recommend this section relating to the Historic Environment Settings Analysis - Offshore Array is reviewed and revised, and they would recommend a number of heritage visualisations are prepared for the DCO submission. They would be pleased to provide further advice and guidance about the location of these viewpoints.	more detailed assessment has been undertaken for selected assets. Additional wirelines have also been prepared, the heights and locations for which were agreed in advance with Historic England.	
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	Viewpoint 6 from Aldeburgh (Figure 10.31 of SLVIA Montages) is not taken from the gun platform of the Slaughden Martello Tower, which is, in HE's view, the critical viewpoint for this heritage asset. Consequently, we do not consider this provides an accurate visualisation for the assessment. We would recommend that an additional visualisation is provided for the Martello tower from the gun platform.	Viewpoint 6 is taken from the beach at Aldeburgh and was used to provide a representative view of how the offshore array would look from Aldeburgh. To supplement this, a wireline has been prepared from the position of the Martello Tower and from the height of the gun platform to illustrate the heights and positions of the proposed WTGs from the height of the gun platform. No adverse effect to the heritage significance of the Slaughden Martello Tower was identified at PEIR and following the review of the additional wireline, the assessment is considered to remain.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE note the viewpoint for the Grade II* Listed The Naze Tower, Walton-on-the-Naze (Figure 10.37 of SLVIA Montages). This also appears to be taken from ground level adjacent to the Tower. Again, HE would recommend a heritage-specific visualisation is prepared – and assessed - from the top of The Naze Tower, that is 26m high. This is because the impact is potentially quite different from a viewpoint at ground level, and this is, therefore, the location that should be used for the heritage assessment visualisation.	The viewpoint from Naze Tower was taken at ground level from in front of the tower and was used as a representative viewpoint for how the array would look from the asset. To supplement this a wireline from the height of the top of the tower have been provided to inform the assessment. No adverse effect to the heritage significance of the Naze Tower was identified as part of the PEIR assessment. The preparation of the additional wireline did not change the conclusion of the assessment of effects.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	In general, and with the exception of the visualisation from the roof of Orford Castle, none of the viewpoints and visualisations presented are heritage-specific. HE would recommend that additional visualisations are prepared to enable the visual impact of the scheme on the setting of key highly-graded designated heritage assets to be adequately assessed.	Additional wirelines have been prepared since PEIR in consultation with Historic England.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE consider the setting assessment should be carried out in accordance with the approach set out in Historic Environment Good Practice Advice in Planning Note 3, The Setting of Heritage Assets (GPA3). In terms of access GPA3 states, because the contribution of setting to significance does not depend on public rights or ability to access it, significance is not dependent on numbers of people visiting it'.	Noted, this Historic Environment Good Practice Advice in Planning Note 3 has been utilised to inform the setting assessment.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	In Suffolk, neither the Scheduled 'Martello tower by Bawdsey Beach' (LEN 1006015), 'Martello tower at Rose Cottage', Bawdsey (LEN 1002969) nor 'Martello tower on golf course adjoining Woodbridge Haven', Felixstowe (LEN 1006036) are considered in Volume 5, Annex 7.5. Likewise, the Scheduled 'Martello tower at Shingle Street' is not considered in in Volume 5, Annex 7.5. We would recommend these are added to Table 11 of Volume 5, Annex 7.5 and adequately assessed. HE also note that Bawdsey Manor, which is Grade II* Listed and forms a group with a number of other designated heritage, is not discussed in Volume 5, Annex 7.5 (and it has been, therefore, effectively scoped out). We would recommend these are also added to Table 11 of Volume 5, Annex 7.5 and adequately assessed.	These assets have been included within the relevant Annex to the chapter. The Martello Tower at Rose Cottage and Bawdsey Manor were also included for more detailed assessment within the annex.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE recommend a heritage-specific visualisation, from above the cliffs, is prepared in order to enable the visual impact on the Grade II* Listed heritage asset to be accurately assessed; although there is a viewpoint close to Bawdsey Manor (Viewpoint F), this appears to have been taken from beach level in front of (i.e. below) Bawdsey Manor (Figure 10.42 of SLVIA Montages).	The assets at Bawdsey have been included within the Settings Annex. The assessment presented within the chapter does not make an assessment of the 'visual impact' of the proposals on heritage assets. It makes an assessment of effects of the proposals upon the heritage significance of assets through change within their setting, where this leads to harm to (or reduction in) heritage significance (as per the Historic England guidance). An assessment of the assets at Bawdsey	N

		Manor has been presented which follows the steps outlined in the historic England guidance. This outlines the asset, its setting, its heritage significance, the contribution of setting to heritage significance and the effects of the proposals on that significance. No adverse effect to heritage significance is anticipated to occur as part of the proposals.	
Archaeology and Cultural Heritage (document reference 6.3.7)	HE note the Scheduled and Grade I Listed 'Landguard Fort' has been scoped out of the assessment because, 'the fort currently has limited views due to health and safety constraints relating to the visitor experience from inside the fort' (Table 11 of Volume 5, Annex 7.5). HE would recommend this is re-assessed and Landguard Fort scoped into the assessment. They would recommend that a photomontage is provided from the one of the most prominent locations, for example, one of the battery installations, and not from ground level in front of the Fort, as appears to be the case for Viewpoint D (Figure 10.43 of SLVIA Montages, Volume 6, Annex 10.3).	Additional assessment of Landguard Fort has been undertaken within the Settings Annex. An additional wireline from the height of one of the battery's has been provided to support the assessment. As no likely significant effects to the asset are anticipated, this has not been scoped into the chapter.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	In Essex, there are a number of highly-designated heritage assets along the coast at Harwich that have been all scoped out and no visualisations have been provided for any of these assets (Table 11 of Volume 5, Annex 7.5). These include the Scheduled and Grade II* Listed 'The Harwich Redoubt', the Scheduled Beacon Hill Fort, the Scheduled and Grade II* Listed High Lighthouse, Scheduled and Grade II Listed Low Lighthouse and the Scheduled 'The Dovercourt lighthouses and causeway'. HE would recommend that a visualisation is presented, from the most prominent asset, to allow the visual impact on these assets to be accurately assessed.	The highly designated assets at Harwich lie at a distance of approximately 55km from the array area. These have been subject to assessment within the settings annex. The heritage significance of these assets is not considered to be affected by the introduction of the array at this distance from the assets. The presence of the array out to sea will not affect the ways in which the heritage interests which make up the significance of the assets are experienced or appreciated. A wireframe from the height of the High Lighthouse has been prepared to support this assessment.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE have previously recommended (at a stakeholder meeting on 2 November 2022) that a photomontage montage should be prepared from the gun platform of Martello Tower 'K', Walton-on-the-Naze. Although they acknowledge that the immediate context around the Tower has changed, nevertheless, they consider the impact of the proposed development should be assessed, and a visualisation prepared, from the platform of the Scheduled Martello Tower K. HE are disappointed this has been scoped out of the assessment (Table 11 of Volume 5, Annex 7.5) and recommend it is added into the assessment for the DCO application.	A detailed assessment of Martello Tower K is provided in the settings annex. This Martello Tower lies approximately 54km from the array area. This asset was constructed to protect Walton Mere which lies to the north of the asset. Another tower was positioned at Walton sea front to protect the coastal zone; this tower (Tower J) has been demolished. Tower K does not derive its heritage significance from its relationship with the sea or sea views out to sea as this would have been the purpose of Tower J. Tower K was specifically designed with the purpose of protecting the Mere so it is Walton Mere rather than the coastal zone which contributes to its significance. Tower K has been scoped out of assessment within the ES (with justification provided within the settings annex) and visualisations of the array were not considered necessary to inform the assessment.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	Clacton on Sea is considered in Annex 7.5 of Volume 5 and scoped out in Table 11, although it includes three Scheduled Martello Towers D, E and F (LENs 1016553, 1016554, 1016555). Clacton has been scoped out of the assessment (Table 11 of Volume 5, Annex 7.5). No visualisations have been presented for the highly-graded heritage assets, however, to enable the impact to be assessed. HE recommend that a visualisation is provided from the gun platform of at least one Martello Tower at Clacton to enable the impact to be adequately assessed.	The assets at Clacton on Sea lie approximately 62km from the array. A visualisation was prepared from Clacton to provide a representative viewpoint of how the array would look. The visualisation and observations made upon the site visit determined that the array would not be visible even in the clearest conditions over that distance. Detailed assessment of the Martello Towers at Clacton are provided within the Settings Annex but as no significant effects were anticipated this was not scoped in for further assessment within the chapter.	N
Offshore Archaeology and Cultural Heritage (document reference 6.2.11)	HE note and welcome that VE will continue to work with North Falls OWF to look at opportunities for co-ordination during construction to minimise the overall impact of the two projects.	Noted and agreed, the Project is aware of the importance of minimising impact through appropriate and thorough assessment of the development area.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE consider it is critical that cumulative, heritage-specific visualisations are provided for examination, given the potential combined scale of the proposed developments adjacent to the proposed VE OnSS.	Cumulative visualisations with the North Falls OnSS from Little Bromley Henge, Cropmarks South of Ardleigh have now been provided in Part 6, Volume 6, Annex 7.10 Cultural Heritage Viewpoints and Wirelines. A visualisation close the St Marys Church has been	N

		prepared to include the VE OnSS, North Falls OnSS and the EACN Substation and is provided in Volume 6, Part 7, Annex 2.2 LVIA Visualisations, Viewpoint 5, Figure 2.20a-g.	
Archaeology and Cultural Heritage (document reference 6.3.7)	HE would recommend cumulative visualisations should be prepared for both the Grade II* listed Church of St Mary, Little Bromley (LEN 1337175) and the Scheduled 'Crop mark site S of Ardleigh' (LEN 1002146).	Cumulative visualisations with North Falls have now been prepared for Little Bromley Henge and Cropmarks S of Ardleigh and are presented in Part 6, Volume 6, Annex 7.10 Cultural Heritage Viewpoints and Wirelines. The Cumulative visualisations for Grade II* church of St Mary are presented in Volume 6, Part 7, Annex 2.2 LVIA Visualisations, Viewpoint 5 Figure 2.20a-g.	N
Archaeology and Cultural Heritage (document reference 6.3.7)	HE recommend that a ZTV is provided for the cumulative assessment, and any additional viewpoints identified and assessed, in relation to the highly-graded heritage assets.	A ZTV has been provided for the cumulative assessment which includes the North Falls OnSS and the EACN substation zone. This is presented within Volume 6, Part 7, Annex 2.1 LVIA Figures, Figures 2.14 and 2.15.	N

LOW CARBON

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Project Description (document reference 6.3.1)	Low Carbon has an ongoing project which could be impacted by the Five Estuaries Project. Attached is a decision note (reference: 22/02117/FUL) and plan (LCS034-PLE-01_rev14) for a solar farm under your proposed route within the Tendring District, Essex; more particularly, to be located on land currently registered at HM Land Registry with freehold title number EX706653. The solar farm is known as Thorpe Park Solar Farm and is owned by Low Carbon Solar Farm 12 Limited.	Noted.	N
Onshore Project Description (document reference 6.3.1)	With respect to the Five Estuaries Project, Low Carbon does have concerns on the proposal and would like to engage further with you during your own respective development process. We are open to further discussions following the conclusion of the current consultation period in order to preserve Low Carbon's current position. As part of this, we have conducted a very initial discussion with yourselves and have arranged a meeting with RWE to further discuss our developments.	The Applicant's land agent team has met with Low Carbon to discuss the proposals. Engagement will continue as required.	N
Onshore Project Description (document reference 6.3.1)	Low Carbon's concerns relate to: (i) part of your potential cable route being situated within our site boundary; (ii) the impact on our construction and operational plans for the main site; and (iii) any potential impact on the solar farm point of connection and the ability to export into the electricity network.	Noted. The Applicant's land agent team has met with Low Carbon to discuss the proposals. Engagement will continue as required.	N
Onshore Project Description (document reference 6.3.1)	Low Carbon is expected to start and complete construction within the next 12 months. As the area could be a potential construction site, it is advised to make early contact for access arrangements for surveyors. Furthermore, the area for the solar farm will undergo a change from what exists today and so this will need to be considered for your assessment work.	Noted. The Applicant's land agent team has met with Low Carbon to discuss the proposals. Engagement will continue as required.	N

MARINE MANAGEMENT ORGANISATION

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	The MMO provided a short cover letter, thanking VEs for sharing the PEIR documentation and highlighting they have reviewed the consultation documents in collaboration with their scientific advisers at CEFAS.	Noted.	N
General	A short section on the MMO's role in NSIPs. The MMO is statutory consultee during the pre-application stages, and an interested party for the	Noted.	N

	examination stages of DCO applications for Nationally Significant Infrastructure Projects (NSIPs) in the marine area. In the case of Nationally Significant Infrastructure Projects (NSIPs), the 2008 Act enables Development Consent Orders (DCO) for projects which affect the marine environment to include provisions which deem marine licences. .		
Offshore Project Description (document reference 6.2.1)	MMO provide a brief description of the project.	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	The MMO provide a break down of what impacts have been included in the assessment. They note that no receptors have been scoped out of the impact assessment and agree with the applicants decision to include all potential receptors in the impact assessment. The MMO then list all the impacts the applicant has included, including the data sources which have been used.	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	MMO note that two pathways for cumulative impacts to occur have been identified: 1) through increases in the suspended sediment concentration and (2) changes to the wave climate. The MMO agree with this assessment and the requirement to include these in the assessment for potential cumulative impacts.	Noted.	N
Marine Water and Sediment Quality (document reference 6.2.3)	The MMO note that the applicant has also conducted project specific surveys for contaminants within the seabed of the proposed array areas. The report states that analyses were conducted by SOCOTEC, who, as the report states, are an MMO-validated laboratory for chemical analyses, however, the MMO would like to highlight that they are not validated for particle size analysis.	While sediment samples were analysed by SOCOTEC for contaminants, the Particle Size Analysis (PSA) was undertaken by Fugro GB Marine Limited, an MMO-approved laboratory for this analysis.	N
Marine Water and Sediment Quality (document reference 6.2.3)	4.1.2 - The MMO note the 17 samples from the array areas and cable route, 3 of which were tested for contaminants. The MMO note that they assume a more detailed contaminant survey will take place as in their opinion three samples is a too small sample size to support an application of this size. If the areas are entirely coarse sediment, then this may be sufficient but sufficient evidence to justify this should be presented.	As noted in the Benthic Subtidal and Intertidal Baseline Survey Scope of Works (Doc ref: 003428631-02), which was consulted upon with the MMO, Cefas and Natural England in January 2021, a maximum of 12 Day grabs was planned across the full study area (Array Area, Interconnector Area and ECR). The number and location of sample stations was selected following review of the geophysical survey data, with distribution of sampling stratified to ensure different habitat types were representatively sampled. Three samples were collected within the Array Areas and analysed for contaminants, with one sample each within the North Array, South Array and Interconnector areas. Sediment composition of samples collected within these areas were predominantly sand and gravel fractions, with the three samples analysed for contaminants including those with increased fine content (particularly 'FE1_01'). Given the relatively low fines content within the Array Area samples, the limited number of samples was considered appropriate (contaminants largely associated with fine material as opposed to relatively coarse sands and gravels). A greater number of samples were analysed for contaminants within the ECR where an increased fines content was observed (to be expected given the coastal/inshore setting).	N
Marine Water and Sediment Quality (document reference 6.2.3)	MMO note that from the contaminant surveys, all tested contaminants were below the respective limit of detection or CEFAS Action Level 1. They note Arsenic exceeded the TEL from the Canadian Sediment Quality Guidelines, but did not exceed the PEL. MMO note that this is not an unexpected finding in offshore sediments e.g. Hornsea Four and EA One North.	Noted.	N
Marine Water and Sediment Quality (document	It appears that only those stations which contained “fines” have been tested, which the MMO presumes to be sediment with ≤63µm diameter. However,	The Applicant acknowledges that similar fines content was observed in samples 'FE1_02' and 'FE2_06'. However, it is noted that these two	N

reference 6.2.3)	the MMO note that both sites FE1_02 and FE2_06 – which were not tested for contaminants, also contain similar levels of fine material to site FE2_01 (which was tested for contaminants). The MMO do not see the rationale of not testing for contaminants at these sites and request further clarification from the Applicant.	samples, as well as all samples obtained within the Array Areas, were predominantly comprised of sands and gravels. As noted in the Benthic Subtidal and Intertidal Baseline Survey Scope of Works (Doc ref: 003428631-02), which was consulted upon with the MMO, Cefas and Natural England in January 2021, a maximum of 12 Day grabs was planned across the full study area (Array Area, Interconnector Area and ECR). The number and location of sample stations was selected following review of the geophysical survey data, with distribution of sampling stratified to ensure different habitat types were representatively sampled. Three samples were collected within the Array Areas and analysed for contaminants, with one sample each within the North Array, South Array and Interconnector areas. A greater number of samples were analysed for contaminants within the ECR where an increased fines content was observed (to be expected given the coastal/inshore setting).	
Marine Water and Sediment Quality (document reference 6.2.3)	MMO note that whilst the contaminant results presented indicate very low levels, the number of samples is less than adequate. The MMO would agree that any sites which are sufficiently coarse need not be tested for contaminants, as the propensity for coarser material (medium sand – gravel) to exhibit contaminants above a limit of detection (LOD) is low.	As noted in the Benthic Subtidal and Intertidal Baseline Survey Scope of Works (Doc ref: 003428631-02), which was consulted upon with the MMO, Cefas and Natural England in January 2021, a maximum of 12 Day grabs was planned across the full study area (Array Area, Interconnector Area and ECR). The number and location of sample stations was selected following review of the geophysical survey data, with distribution of sampling stratified to ensure different habitat types were representatively sampled.	N
Marine Water and Sediment Quality (document reference 6.2.3)	Export Cable Corridor - As with the array areas, MMO do not see the rationale of only testing eight sample stations for contaminants when more than eight samples along the export cable corridor (ECC) have a notable proportion of fine material. For example, sample stations prefixed “FE5” comprise ten sample stations, of which only one was tested for contaminants, but all of which contain a not insignificant level of fine material.	As noted in the Benthic Subtidal and Intertidal Baseline Survey Scope of Works (Doc ref: 003428631-02), which was consulted upon with the MMO, Cefas and Natural England in January 2021, a maximum of 12 Day grabs was planned across the full study area (Array Area, Interconnector Area and ECR). The number and location of sample stations was selected following review of the geophysical survey data, with distribution of sampling stratified to ensure different habitat types were representatively sampled. Eight samples were collected within the ECR and analysed for contaminants.	N
Marine Water and Sediment Quality (document reference 6.2.3)	The MMO note that whilst the contaminant results in the ECC corridor indicate very low to low levels, the number of samples is less than adequate. Typically, the number of samples required to give adequate spatial representation should reflect both the extent of the activity, and the type of material. The MMO agree that any sites which are sufficiently coarse need not be tested for contaminants, as the propensity for coarser material (medium sand – gravel) to exhibit contaminants above an LOD is low.	As noted in the Benthic Subtidal and Intertidal Baseline Survey Scope of Works (Doc ref: 003428631-02), which was consulted upon with the MMO, Cefas and Natural England in January 2021, a maximum of 12 Day grabs was planned across the full study area (Array Area, Interconnector Area and ECR). The number and location of sample stations was selected following review of the geophysical survey data, with distribution of sampling stratified to ensure different habitat types were representatively sampled. Eight samples were collected within the ECR and analysed for contaminants.	N
Marine Water and Sediment Quality (document reference 6.2.3)	The MMO cannot find any justification as to the apparent exclusion of polybrominated diphenyl ethers from the applicant’s sampling regime. Whilst it may be the case that this contaminant group is unlikely to exhibit elevated levels in offshore sediments, The MMO would at least have expected some kind of scoping to justify its exclusion. As this is only the PEIR, the MMO do not consider this to be essential to resolve the PEIR consultation, but we would expect some detail in the Environmental Statement.	The polybrominated diphenyl ether analyses are presented in Section 3.6, and specifically Table 3.10 and Table 3.13 of Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	MMO agree with scoping out accidental pollution in relation to benthic receptors but would have expected to see the rationale for this in Section 5.4 of Chapter 5. The MMO acknowledge that Table 5.13 includes embedded mitigation relevant to scoping out the impacts of Accident Pollution and that	The Applicant has provided additional rationale and evidence to support the scoping out of accidental pollution within the final Es.	N

	the PEMP will include a MPCP, to state how the impact of accidental pollution will be mitigated.		
Benthic and Intertidal Ecology (document reference 6.2.5)	MMO note that impacts of noise pollution have been scoped out. They note the applicant states "that “a number of impacts have been scoped out in agreement with stakeholders”. However, in Section 5.3, when presenting the consultation to date, it is recognised that “this advice was not confirmed by Natural England”. Furthermore, the Applicant states in Table 5.2 that “All impacts confirmed to be scoped out by MMO are not included within the assessment”. Whilst we agree with the scoping out of the impacts from Noise/Vibration on the benthic receptors, we would have expected to see evidence justifying this decision within the PEIR.	The Applicant has provided additional rationale and evidence to support the scoping out of noise pollution within the final ES.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	The MMO recommend that inclusion of the potential impacts to benthic ecology during O&M from paint flakes deriving form the corrosion protection regime for the proposed development is included in the assessment in combination with other projects.	Paint will be in line with the project chemical risk assessment and final paint specifications be determined as suitable for use based on the information provided on the relevant material safety data sheet (MSDS) that will confirm that the paint is suitable for marine use. It is impossible to quantify the quantum of paint flakes that may be released over the lifetime of the project. Certainly the scale of material released will be extremely small in the context of such material that comes from general vessel traffic in the North Sea.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	The MMO welcome the use of the Regional Seabed Monitoring Programme Benthic Dataset and the OneBenthic Database.	Noted.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Table 5.13 of the PEIR includes several embedded mitigations. The MMO welcome the Applicants proposal of micro-siting infrastructure to avoid habitats of principle importance as a mitigation measure for consideration during construction.	Noted.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	MMO note that the applicant states that “Further consultation and engagement that will be undertaken to inform the benthic subtidal and intertidal ecology assessment and presented within the ES”. The MMO welcome the Applicants commitment to re-evaluate the impacts on benthic ecology should they arise.	Noted	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO note the methodology used to determine the maximum extent of impacts utilising the ZoI. The MMO consider that the applicant has provided a sufficiently detailed description of the ecology of relevant fish receptors which have been identified based on their potential importance or sensitivity. The MMO agree that the receptors identified and in general their ecology and groupings appear appropriate. The MMO do, however, have further comments in paragraphs 6.1.6 – 6.1.8 of this response relating to this.	Noted	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO note that the suitability assessment for Herring and Sandeel, plus the classification in accordance with Latto et al. 2013 and Reach et al. 2013 for preferred spawning habitats. The MMO consider these methods are a suitable way to infer preferred herring and sandeel habitats in both the regional and development area.	Noted	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO recommends that the Applicant corrects the spawning season for herring in Table 6.8 in the Fish and Shellfish Ecology document. The Applicant has stated the spawning period for the Banks/Dogger herring population (August –October inclusive) rather than the Downs population which spawn between November to January (inclusive). This error however is not repeated throughout the document as in Table 6.22 the correct spawning time is stated. It should also be noted that the Thames/Blackwater herring, despite their location in South East England are a spring spawning stock.	Noted. This has been amended in the ES chapter.	N

Fish and Shellfish Ecology (document reference 6.2.6)	The MMO note that Applicant has quantified the impacts to spawning grounds and habitat as a percentage of area affected throughout the report (e.g. Tables 6.23-6.28 in the fish ecology chapter). The MMO do not support the calculation of total spawning habitat, as this approach can over- or underrepresent spawning grounds and is solely based on substrate suitability. The MMO have provided a summary of the reasons below why we do not support the calculation of total spawning habitat: (i) Spawning areas can change over time or become recolonised. (ii) Whilst spawning and nursery ground maps are used to provide the most recent and appropriate information to identify spawning areas, they do not fully define/consider/identify the following: • All potential areas of spawning, • Any habituation that may occur i.e., identify areas where higher densities of spawning are present, • Specific substrate requirements e.g., substrates which are most suitable within the wider broadscale sediments, • More suitable topography e.g., ridges/edges of sandbanks where sandeel may spawn or furrows where herring may spawn, • Environmental factors that may influence spawning intensity such as temperature, oxygenation, natural disturbance, anthropogenic disturbance etc., • Calculations of specific spawning areas are based on peak spawning times i.e., the number of days of a spawning period rather than considering the entire spawning season. The MMO would expect the Applicant to acknowledge the overlap with the spawning and/or nursery grounds, however, quantifying the impacts based on percentage overlap is not appropriate due the reasons described in (i) and (ii).	The Applicant agrees with the points raised by the MMO with regards to the interchangeable nature of spawning and nursery ground extents. The spawning and nursery grounds and spawning seasons are defined by Ellis et al (2010) and Coull et al (1998). The extents of the grounds and the durations of spawning periods are considered highly precautionary, on the basis that Coull et al, (1998) specifically states that the spawning and nursery grounds should be seen as representing the widest known distribution given current knowledge and should not be seen as rigid. This is also the case with the duration of spawning seasons, with the seasons tabulated in Coull et al, (1998) described as the generally accepted maximum duration of spawning. Therefore, the Applicant deems that quantifying the percentage overlap of spawning grounds and the percentage temporal interaction with spawning periods is suitably precautionary for the assessment.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO would not anticipate albacore tuna (Thunnus alalunga) to be a significant species to be scoped into an assessment in the southern North Sea, as this does not normally form part of their distribution. Bluefin tuna (Thunnus thynnus), however, have not been identified or included in the assessment and are common seasonal visitors to the North Sea (Horton et al., 2021).	The Applicant thanks the MMO for this input, and confirms that Bluefin tuna have been incorporated into the assessment.	N
Fish and Shellfish Ecology (document reference 6.2.6)	MMO note that maps produced show that a large portion of the project site and ZOI can be considered suitable herring and sandeel habitat. The British Geological Society (BGS) and site specific grab sample data show that much of the area would constitute preferred and marginal herring and sandeel habitat. The project site and ZOI also overlap the northern portion of the Downs herring spawning ground defined by Coull et al. (1998), where high intensity herring spawning occurs (Ellis et al., 2011). International Herring Larvae Survey(IHLS) data also show that the site and ZOI overlap areas of herring spawning activity as shown by herring larval abundance. Although larval abundance overlapping the site may appear moderate, this may be due to the available data and its presentation (see paragraphs 6.1.11 and 6.1.20 – 6.1.23 of this response). Based on the information provided the MMO consider that the site and ZOI are sensitive areas for both herring and sandeel.	The Applicant confirms that the assessment has been updated to take into account the availability of suitable herring and sand eel spawning habitat within the array area in accordance with the MarineSpace (2013a and 2013b) methodologies as advised by the MMO, and site specific geophysical survey data.	N
Fish and Shellfish Ecology	MMO recommend that the Applicant provides a spawning/habitat site	The Applicant confirms that the assessment has been updated to take	N

(document reference 6.2.6)	suitability 'heatmap' following the approach described by MarineSpace et al. (2013a and 2013b) for herring and sandeel respectively. The methods combine the data layers as noted in paragraph 6.1.4 of this response, for herring layers (i), (ii), (iv) and (v); and for sandeel (i), (ii) and (iv) and applies a confidence score to each data layer. This would provide a better visual representation of the spawning ground/habitat areas and the spatial extent of any impact with these areas.	into account the availability of suitable herring and sand eel spawning habitat within the array area in accordance with the MarineSpace (2013a and 2013b) methodologies.	
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO highlight the impacts and sources of UWN which have been assessed in this chapter. With regards to UXO, the MMO acknowledge that the Applicant will seek consent for UXO clearance under a separate Marine Licence (post-consent) and this will not be consented under the DCO. Therefore, only a high-level assessment has been provided at this stage which the MMO consider to be appropriate. The MMO would expect an assessment of impacts to fisheries and fish ecology arising from UXO clearance to be included in the supporting evidence at the time the Marine Licence application for this activity is submitted.	This is noted by the Applicant, the Applicant confirms that an assessment of impacts to fisheries and fish ecology arising from UXO clearance will be included in the supporting evidence at the time the Marine Licence application for UXO clearance activities.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The VERs have been grouped according to their hearing capabilities (see paragraph 6.1.5 of this response) and have been assessed as both stationary and fleeing receptors. In addition, both sequential and concurrent piling scenarios have been modelled. The MMO consider this to be appropriate, however, due to uncertainties in receptor responses to UWN only the impacts to stationary receptors will be reviewed.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	It is the MMO's opinion that it should also be noted that although the behavioural effects of UWN on fish receptors has been considered, no modelling has been carried out to ascertain the spatial extent of this. The MMO recommend that the Applicant presents modelling for the received levels of single strike sound exposure levels (SELss) at the herring spawning ground/s (Downs and Thames/Blackwater herring spawning grounds) based on 135dB threshold in the final ES. The use of the 135dB is based on startle responses observed in sprat by Hawkins et al. (2014). Sprat is considered a suitable proxy species for herring for the purpose of modelling likely behavioural responses in gravid herring at the spawning ground. The MMO accept that, as stated by the Applicant, this a conservative estimate for a behavioural response, however we advise a precautionary approach. The Applicant argues based on a study by Skaret et al., (2005) that herring are much less lightly to respond to sound when engaging in life history critical activities. Whilst the MMO do not completely disagree with this statement there are two factors that should be considered: i) The study was based on vessel noise and not the sound generated from impact piling which may result in different behavioural responses. ii) If herring do not respond to the sound produced during impact piling and continue to head to spawning grounds in or near the development, they may then suffer TTS, injury or mortality. iii) It should also be noted that the Downs herring migrate from south to north during their spawning season, moving from the English Channel up through the North Sea, therefore there may be the potential for piling noise at VE to act as an acoustic barrier to migration. It is noted that impacts of UWN to all receptors including acoustically sensitive species such as herring and seahorse and other stationary receptors like sandeel have been assessed, with potential impacts ranging	The Applicant maintains that the 135dB threshold is overly precautionary, and that as stated by Popper et al (2014) it is not appropriate to determine the potential for behavioural effects quantitively due to the range of behavioural responses, and external stimuli and life events that can influence them. However notwithstanding this, the Applicant has presented potential behavioural impact ranges as 5dB increments from the piling source, and undertaken a literature review to inform the potential range and magnitude of effects on sensitive receptors.	N

	from negligible to moderate adverse, which are not significant in EIA terms. Whilst the MMO agree with this assessment for most receptors during the operational phase, we believe UWN generated by piling during construction could cause a significant impact to spawning herring and thus to the Downs herring population.		
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO note that Table 6.22 of Chapter 6: Fish and Shellfish states that although the development and ZOI overlaps the Downs herring spawning grounds and suitable spawning habitat (see paragraph 6.1.10 of this response), the IHLS data indicate that spawning actually occurs in the eastern English Channel, with the spawning intensity of the Downs stock overlapping the ZOI being much less intense. The Applicant has referenced studies by 'Collas et al., 2009 and Pawson, (1995) presenting this, however these studies have not been included by the Applicant in the reference list. The MMO disagree with this statement for the following reasons; the Southern North Sea and eastern English Channel (SNS) IHLS surveys are conducted as three separate sampling events; one in the 3rd quarter of each year undertaken by the Netherlands between 16-31 December, and two in the 1st quarter of each year; between 1-15 January undertaken by Germany, and between 16-31 January undertaken by the Netherlands. It is understood that Downs herring spawning activity in northern parts of the spawning grounds occurs later in the season compared to those grounds further south in the English Channel. Please see Annex 2 for examples of this taken from ICES (2014 and 2016) which demonstrate the variations in larvae abundance according to the periods in which surveys were carried out. The MMO note that references have been included for studies showing long time series data demonstrating that herring have not spawned intensively in the western part of the English Channel since the 1970's. The MMO was unable to find these studies in the reference list of the Fish and Shellfish Ecology chapter (Chapter 6: Fish and Shellfish Ecology) to review and would welcome copies of these studies.	The Applicant has added the appropriate references to the references list. The Applicant has provided additional clarification in the chapter regarding the presentation of relevant abundance of herring larvae within the heatmap figures. Individual years of IHLS surveys are also presented as heatmaps in Volume 4, Annex 6.3: Spawning Herring Heatmaps.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Based on the UWN modelling results and sensitivity of herring spawning habitat within the ZOI it is highly likely mitigation in the form of a temporal piling restriction during the Downs herring spawning season will be required, however, the MMO will be able to confirm this once the final ES is provided for review. The Downs spawning period is between November 1st and January 31st inclusive. However, the MMO believe there may be an opportunity for the temporal restriction to be refined based on the knowledge that spawning in this part of the Downs spawning ground occurs later in the season. However, any refinement in the duration of the restriction must be based on evidence. In order for the MMO to consider a shorter restriction than that of the full spawning season (November to January inclusive).	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO provide more info on modelling, they note modelling of the 135dB noise threshold is required to establish the range of impact for behavioural responses in herring to obtain the full range over which herring behaviour could be impacted. This can then be compared to individual years of IHLS larval survey data between the periods January 1st-15th and January 16th-31st in order to determine the highest larval densities which occur in the ZOI, and where there are 'hotspots' of continuously high larval densities in any year. Once the peak of high larval densities has been determined, a back-calculation from this period can be made to ascertain the approximate weeks when the herring will be aggregating, spawning and laying their eggs.	The Applicant maintains that the 135dB threshold is overly precautionary, and that as stated by Popper et al (2014) it is not appropriate to determine the potential for behavioural effects quantitively due to the range of behavioural responses, and external stimuli and life events that can influence them. However notwithstanding this, the Applicant has presented potential behavioural impact ranges as 5dB increments from the piling source, and undertaken a literature review to inform the potential range and magnitude of effects on sensitive receptors. The Applicant notes the MMO's suggestion of utilising back calculations to identify peak	N

		spawning periods of herring; due consideration to this approach has been considered.	
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO note that temporary increases in SSC will likely impact the spawning grounds of herring and sandeel and other species in the vicinity of the works. Sandeel and their eggs are not considered particularly sensitive to elevated SSC or smothering due to the naturally high SSC and deposition in their high energy natural environment. Herring are more sensitive where benthic eggs may be smothered, reducing oxygen and impacting egg and larval development. Adult herring are considered less sensitive due to their mobility although as stated previously in paragraph 6.1.18 of this response, it is not clear if they will be able to move away from the source of impact if migrating or spawning. It is stated that the plume will overlap 7.68% and 0.5% of the Downs and Blackwater spawning areas respectively, however as discussed in paragraph 6.1.7 this is not an appropriate way to quantify the impacts to herring (this has also been repeated when assessing other impacts). Owing to the overlap of the project array areas with the Downs herring spawning ground (as depicted in drawing no. 6.7 of Chapter 6: Fish and Shellfish Ecology), the MMO have major concerns regarding the impacts arising from increased SSC and subsequent deposition of sediment on gravid herring and their eggs and larvae as a result of construction activities which cause disturbance to the spawning habitat and therefore the MMO do not support the Applicant's conclusion that impacts to Downs herring will be minor adverse.	The Applicant has added additional information from the physical processes modelling to inform the assessment, with particular regard to the distribution, settlement and resuspension of fine sediments during the construction phase. Furthermore, the assessment will be updated to take into account the availability of suitable herring and sand eel spawning habitat within the array area in accordance with the MarineSpace (2013a and 2013b) methodologies as advised by the MMO, and site specific geophysical survey data. The assessment of the potential impacts to herring and sand eel have been updated accordingly.	N
Fish and Shellfish Ecology (document reference 6.2.6)	It is noted that the Applicant has assessed the impacts from increases in SSC and deposition to other fish receptors as minor adverse (not significant) and the MMO generally agree with this assessment. The MMO also agree that given the distance between the project ZOI and the Thames/Blackwater herring spawning grounds at the mouth of the Blackwater estuary in Essex and Herne Bay in Kent, that impacts to this population will be minor adverse.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Seabed disturbances leading to the release of sediment contaminants: The assessment of impacts to fish receptors has been concluded as minor adverse (not significant)during construction and decommissioning activities. This impact has been scoped out for the operational phase and although the exact reason has not been stated the MMO assume this is due the small amount of SSC expected to be generated during the operational phase and the long time period over which this will happen. The MMO agree with the Applicant's decision to scope out the release of sediment contaminants from further assessment.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Impacts on fishing pressure due to displacement: Fishing restrictions (both spatial and temporal) during the construction, operation and decommissioning phased of the array and ECC may displace fishing effort and concentrate this in other areas. The scale of this is expected to be small and should be monitored compensated by fisheries managers. The Applicant has assessed this impact to fish receptors as negligible and the MMO agree with this assessment.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Direct damage and disturbance: The MMO acknowledges that there are potential impacts to spawning herring and sandeel due to the location of the array and ECC which overlaps herring and sandeel spawning grounds. It is noted that the Applicant has assessed the impacts to fish receptors as negligible to minor adverse (not significant) with the latter for sandeel and herring. This is due to the relatively small impacted area, in the context of the spawning and nursery grounds, and therefore it is unlikely to cause	Noted.	N

	impacts at a population level. The MMO generally agree with this assessment, with the exception of Downs herring during their spawning season, as noted below in paragraph 6.1.30.		
Fish and Shellfish Ecology (document reference 6.2.6)	As raised in paragraph 6.1.25 of this response, the MMO have major concerns regarding the impacts arising from direct damage and disturbance to seabed sediments within the array areas which serve as herring spawning habitat and do not support the Applicant's conclusion that impacts to Downs herring resulting from direct damage and disturbance will be minor adverse. The MMO note that the Applicant has again attempted to quantify the impacts to the Downs spawning ground as approximately 1.9% of the habitat, which the MMO do not support.	The Applicant confirms that the assessment has been updated to take into account the availability of suitable herring and sand eel spawning habitat within the array area and ECC in accordance with the MarineSpace (2013) methodology, and site specific geophysical survey data. The conclusions of the assessment have been revised accordingly to determine the potential effects of direct damage and disturbance to seabed sediments within the array areas.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Accidental Pollution Events: The likelihood of an incident will also be reduced by the implementation of a Outline Project Environmental Management Plan (PEMP) and Outline Marine Pollution Contingency Plan (MPCP). The MMO note that the Applicant has assessed the impact to fish receptors as minor adverse (not significant), the MMO agree with this assessment.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Temporary habitat loss/ disturbance: The MMO note that this impact is expected to occur during the construction, operational and decommissioning phases and appears approximately the same as 'direct damage and disturbance'. It is also stated to encompass the same area and impact pathways. The Applicant has again assessed this as negligible to minor adverse (not significant), for all fish species. The MMO do not support the assessment conclusion for Temporary Habit Loss/Physical Disturbance of minor adverse for Downs herring due to the overlap with the Downs herring spawning ground, particularly, in respect of the southern array which shows a clear overlap with the spawning grounds mapped by Coull et al. (1988) and consistent presence of herring larvae through the IHLS data. The introduction of hard substrate into a generally soft substrate environment will have a negative impact on species such as herring and sandeel which have specific substrate requirements. The MMO note that the Applicant considers that the area to be 'lost' is small in the context of the available habitat in the area, therefore it is unlikely to have significant impacts at a population level. The Applicant has assessed this impact as negligible to minor adverse for fish receptors (not significant). At this stage the MMO do not support the conclusion of minor adverse impacts to Downs herring. As noted previously in this response, the MMO require a more accurate habitat assessment of potential spawning habitat using a combination of sediment data and larval data following MarineSpace (2013a) in order to ascertain the availability of suitable spawning habitat in the array areas, and thus the implications of long-term/permanent loss of spawning habitat.	The Applicant confirms that the assessment has been updated to take into account the availability of suitable herring spawning habitat within the array area in accordance with the MarineSpace (2013) methodology, and site specific geophysical survey data. The conclusions of the assessment have been revised accordingly to determine the potential effects of long-term/permanent loss of spawning habitat.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Increased hard substrate and structural complexity: This impact has only been considered for the operational phase and is broadly similar in scope and impacts to 'long-term loss of habitat'. The MMO note that this has again assessed this as negligible to minor adverse (not significant). The MMO agree with this assessment, however, we still have concerns regarding impacts to Downs herring as this also applies to the impact of increased	This is noted by the Applicant, the main focus of the assessment of potential impacts from increased hard substrate and structural complexity relates to impacts from changes to the biodiversity of the site from long term changes in substrates. Potential impacts from loss of suitable herring spawning habitat are assessed under Impact 11.	N

	hard substrate and structural complexity which effectively reduces the availability of gravel sediments as spawning habitat (see the above comment, paragraph 6.1.36).		
Fish and Shellfish Ecology (document reference 6.2.6)	Electromagnetic Fields (EMF) effects arising from cables: EMF are produced as a result of electricity passing through cables and may lead to attraction or repulsion in receptors that can sense the fields such as elasmobranchs and some other fish species. EMF diminishes with distance from the source therefore burying and the placement of scour protection will increase the distance from the cable to sensitive fish receptors. Maximum burial depth of the inter array and ECC are stated as 3.5m and a Cable Specification and Installation Plan (CSIP) will be developed to set out an appropriate cable burial depth. The MMO would light to highlight that, in accordance with the National Policy Statement for Renewable Energy Infrastructure (EN-3) (Dept. of Energy & Climate Change, 2011), where possible, the Applicant should ensure a minimum cable burial depth of no less than 1.5m (subject to local geology and obstructing objects) in order to mitigate the impacts of EMF on fish receptors.	This is noted by the Applicant, and the Applicant confirms that where possible a minimum cable burial depth of no less than 1.5m (subject to local geology and obstructing objects) will be implemented.	Y
Fish and Shellfish Ecology (document reference 6.2.6)	Shellfish Ecology - The MMO is content that the applicant has identified commercial shellfish species present at the proposed site. The MMO acknowledge that the specific commercial value of cockles and whelk fisheries in the area have been highlighted.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Shellfish Ecology -The MMO is satisfied with the scope of the evidence base proposed and note that there is expected to be 4 years between the assessment and work commencing. The MMO would like to highlight that we only consider the baseline to provide an accurate representation for up to 5 years after the assessment, when no significant changes having occurred. Should the period between application and the commencement of work be greater than 5 years, or significant changes have occurred at the site, we would expect to see updated baseline conditions.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Shellfish Ecology - Although no mitigation measures have been proposed in relation to shellfish, the MMO note that the project has embedded mitigation which is in line with good practices.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Shellfish Ecology - The MMO is concerned with the assumption that cockles are quite able to bury. The MMO consider that this statement is too simplistic and would prefer this to be revised to highlight that they are able to bury, however, the potential to do so is dependent on the suitability of the sediment type and the stress level of the individual.	This is noted by the Applicant, and the cockle assessment has been updated accordingly.	N
Marine Mammal Ecology (document reference 6.2.7)	Marine Protected Area Management Measures - The MMO provides a breakdown of the sites which could be affected by VEs and any associated management measures within them and what species are legally protected such as harbour porpoise and seals. The MMO consider that a wildlife licence is likely to be required for these works for potential disturbance and injury to cetaceans, and injury to seals for reasons provided above. Early engagement is recommended with the MMO on this matter.	EPS licences will be applied for cetaceans for both piling and UXO clearance activities, these will be applied for in the post-consent stage and additional documents (Final MMMPs and SIP/RIAA for Southern North Sea SAC) will also be submitted. Marine wildlife licences will be applied for seals prior to any post-consent activities taking place.	N
Marine Mammal Ecology (document reference 6.2.7)	Underwater Noise: The MMO have some concerns regarding the underwater noise assessment presented in Annex 6.2 Underwater Noise Technical Report (Annex 6.2). The MMO note that for the assessment of cumulative sound exposure, a fleeing animal receptor has been assumed for marine mammals, with	This is acknowledged, and this is the reason why both fleeing and stationary impact ranges are provided. There are many unknowns, but it is expected that the most likely impact range will be between these two calculated ranges.	N

	‘fleeing’ speeds of 3.25 m/s for low-frequency cetaceans and 1.5 m/s for all other receptors. For fish receptors, both a fleeing and stationary animal model has been assumed. The MMO are not aware of empirical evidence to support fleeing in fish, and therefore, the predictions based on a stationary receptor will be the most appropriate/relevant. Fleeing assumptions can have a significant effect on the assessment outcomes. For example, as per section 1.4.5 of Annex 6.2 (the report), the largest recoverable injury ranges (203 dB SELcum threshold) for monopiles are predicted to be 11 km assuming a stationary fish receptor. If a fleeing fish receptor is assumed, the impact ranges are reduced to 700 m at the Northern Array NE corner location. Maximum Temporary Threshold Shift (TTS) ranges are predicted up to 36 km for a stationary animal, reducing to 22 km for a fleeing receptor.		
Marine Mammal Ecology (document reference 6.2.7)	The MMO note that sections 1.3.9 to 1.3.10 of the report state that “The current version of INSPIRE (version 5.1) is the product of re-analysing all the impact piling noise measurements in Subacoustech Environmental’ s measurement database and cross-referencing it with blow energy data from piling logs…. This analysis showed that, based on the most up-to-date measurement data for large piles at high blow energies, the previous iterations of INSPIRE tended to overestimate the predicted noise levels at these blow energies. With this in mind, the current version of INSPIRE attempts to calculate closer to the average fit of the measured noise levels at all ranges”. The MMO welcome this clarification, and acknowledge the drive for reducing unnecessary conservatism in modelling. Allegedly, the current version of INSPIRE should produce more realistic predictions. However, the MMO consider that in light of these, the various claims throughout the PEIR (especially in the Marine Mammal Ecology chapter) that the noise modelling and predictions are ‘highly precautionary’ seem unjustified.	There are many factors that go into the assessment of underwater noise, and the performance of the model is one. However, the maximum piling energy (7000 kJ) for an extended period of time, and over a duration of 7.5 hrs for the monopiles, with 4 driven in a day, are highly precautionary. Overall, the assessment is indeed deemed to be highly precautionary.	N
Marine Mammal Ecology (document reference 6.2.7)	The MMO advise that more caution should be warranted given the lack of measured data for larger piles (in the region of 15 m diameter). The MMO note that previous source level estimates for lower hammer energies (i.e., 5,500 kJ for up to 16 m diameter piles proposed for Sheringham Shoal and Dudgeon Offshore Wind Farm Extension Projects) were 242.9 dB SPLpeak and 224.1 SELss, compared to 243.2 dB SPLpeak and 224.4 dB SELss for VE.	The lack of data for large piles is well understood, and Subacoustech (the Applicant's consultant on this issue) have done its best to accommodate this with the best available data. As more is available our predictions will naturally improve. We have found that the increase in pile sizes and hammer energies lead to an increase towards an asymptote, which is why the noted increase appears small. It remains, however, the best prediction based on available data.	N
Marine Mammal Ecology (document reference 6.2.7)	Figure 1.3 of the report shows a comparison between example measured impact piling data and modelled data using INSPIRE version 5.1. The MMO have the following comments: (i) The pile sizes used in this comparison are much smaller than the proposed 15 m diameter for VE (i.e., 1.8 m pile, 9.5 m pile, 6.1 m pile, and 6.0 m pile). (ii) Providing the hammer energies as well as pile diameter would be helpful (it is very unlikely that the hammer energies will be close to the proposed 7,000 kJ hammer energy for VE). (iii) Further evidence is required in terms of the single strike sound exposure level (SELss) and not just the peak sound pressure level (SPLpeak).	Hammer energies can be included. As the MMO rightly note, both the pile size and hammer energy will be below what is intended, but as piles and hammers of this size do not currently exist, validation of modelling using measured data can only be done with the best available data.	N
Marine Mammal Ecology (document reference 6.2.7)	The MMO largely agree with sections 1.3.13 – 1.3.14 of Annex 6.2 that the measurements taken during installation will be constrained by the piling plan and site limitations and a direct (like-for-like) comparison with a modelled scenario is unlikely to be possible. Nevertheless, even if the piling locations and choice of transects would not be matched precisely, both modelling and monitoring should provide enough information to deduce some envelope of received level (RL) curves in each case. Thus, some sort of comparison/s in	Agreed and noted. This is normal practice for these studies.	N

	the form of ‘level vs range’ plots (for comparable hammer strike energies), with the associated envelopes of variability, should be possible and would be expected.		
Marine Mammal Ecology (document reference 6.2.7)	Piling Predictions (single pile): The MMO have reviewed the predictions for piling (of single and consecutive monopiles). The MMO consider that the predictions look plausible for VHF cetaceans (and low- and mid-frequency cetaceans) and fish, under the modelling assumptions provided in the report, more specifically the source levels, piling profiles and marine mammal fleeing speeds. For phocids (seals) however, the PTS and TTS predictions look smaller than the MMO would expect. For example, under the modelling assumption that led to the predictions mentioned under paragraph 7.2.6 above, we would expect some modest PTS ranges for phocids (typically a few hundred meters, perhaps up to 1 km). The MMO request that the applicant confirms if the predictions for phocid pinnipeds are correct, or if some particular assumptions have been made regarding the fleeing behaviour and/or noise exposure of the phocids fleeing receptors?	The results seen for PTS for pinnipeds at VE may be slightly low. This has been updated with a more recent version of the model since this report was issued. As noted by the MMO, it is likely that PTS ranges would still at worst be of the order of a few hundred metres, which would be covered by standard mitigation (PSO/MMOs, soft starts etc).	N
Marine Mammal Ecology (document reference 6.2.7)	Piling Predictions (consecutive piling) - The MMO agree that it is appropriate that the report has considered the total number of piles, both monopiles and pin piles, that could be installed in a 24-hour period, as well as simultaneous (or concurrent) piling. There appears to be a slight miscalculation within the report. The piling profiles for a single monopile and single pin pile are given Tables 1.11 and 1.12 of the report respectively. The total piling duration for one monopile is 7 hours and 30 minutes. Thus, it would not be possible to install four monopiles in a 24-hour period (which would take at least 30 hours based on the piling profile provided). Section 1.4.11 of Annex 6.2 states: “The results given in Table 1.54 to Table 1.59 show that only minimal increases are expected over the single monopile installation, which is in line with the results for the four sequential pin pile scenarios”. However, this statement is only true for marine mammals. As expected, larger effects are predicted for stationary fish receptors when four pin piles and four monopiles are installed sequentially, compared to a single pile installation.	The MMO are correct in respect of the 7.5hrs x4 vs 24 hour operation. The worst case monopile is expected to take up to 7.5hrs, which is very unlikely to occur in practice and to maintain consistency this was multiplied by 4 as the project believes this could be achieved (albeit not at 7.5 hrs each), and technically exceeds 24 hrs. This is a layering of worst case, and so remains precautionary. The MMO is correct regarding the larger ranges for stationary fish and multiple piles. This has been amended in 1.4.11: "...[which] show that only minimal increases are expected over the single monopile installation, for fleeing animals, although stationary fish ranges show much larger increases."	N
Marine Mammal Ecology (document reference 6.2.7)	The MMO presume that Table 1.68 and Table 1.71 in Annex 6.2 should be showing the results for ‘fleeing’ and ‘stationary’ receptors rather than ‘PTS impulsive’ and ‘TTS impulsive’. The MMO recommend that these tables are corrected in the ES. The MMO considers that although limited information has been provided and such predictions are more difficult to sense check. Table 1.66 for example (below for reference) shows the impact areas for the installation of monopile foundations at two locations across VE for marine mammals. The in-combination area is greater than the sum of the individual Southern Array contour and the Northern Array contour (see green box) (i.e., VHF cetacean: 110 km2 and 130 km 2 = 240 km2 but the in-combination area is 710 km2). This is what the MMO would expect to see. There are some instances however, where the in-combination area is smaller than the sum of the two individual contours. This is likely due to some degree of overlap between the	The MMO is correct that there is a mis-label. This should be Fleeing (1.5m/s) and Stationary. The MMO presume correctly regarding the in-combination areas. Where two areas are small and well separated, Area1+Area2=Area(Combined). Where the two areas approach each other and blend, Area1+Area2<Area(Combined). If the two areas are very large and overlap strongly, Area1+Area2<Area(Combined)	N

	two affected areas but seek clarification from the Applicant on this.		
Marine Mammal Ecology (document reference 6.2.7)	Continuous (non-piling sources): Small effect ranges (largely < 100m) have been predicted for other sources of noise including the operational noise from wind turbines, and various construction activities (i.e., cable laying, suction dredging, trenching, rock placement and vessel noise). A fleeing animal receptor has been assumed for all marine mammals, and therefore the predicted effect ranges are minimal.	Areas are small enough, with usually a mobile source, that it is considered extremely unlikely that a receptor would remain the same distance from the source for its operational duration.	N
Marine Mammal Ecology (document reference 6.2.7)	UXO Clearance: The MMO have provided a breakdown of the assessment of UXOs and the predications. The MMO consider the predictions look reasonable. The MMO welcome that the final MMMP will be updated post-consent to take into account the most suitable mitigation measures. For UXO clearance, a Marine License will be applied for post-consent and included in that application will be a UXO MMMP. The MMO consider the current approach to mitigation outlined within the MMMP is appropriate.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	Chapter 7 Marine Mammal Ecology - With regard to Table 7.2. (Summary of consultation relating to marine mammals): The MMO do not agree that it would be inappropriate to assess the significance of TTS, and believe an assessment of TTS should be included in underwater noise impact assessments, in addition to the assessment of the risk of PTS and disturbance. However, it was agreed that, as a minimum, the predicted TTS effect ranges along with the number of animals at risk should be present in the ES.	The Applicant welcomes the MMO's opinion on this however an agreement on assessment methodology has already happened and the MMO acknowledges this.	N
Marine Mammal Ecology (document reference 6.2.7)	Chapter 7 Marine Mammal Ecology, Section 7.5.18 - A 5 km Effective Deterrence Range (EDR) for low order detonations has been assumed, which was suggested by Sofia Offshore Wind Farm. The MMO requested further evidence to support this EDR, and it was noted that Sofia Offshore Wind Farm would be undertaking underwater noise monitoring for low order clearance to provide empirical data to evidence the 5 km EDR. The MMO are yet to see empirical evidence to support the 5 km EDR.	The Applicant acknowledges the Natural England and Cefas joint statement and will continue to engage on this matter once the statement is published. At present the JNCC (2023) Marine Noise Registry recognises the 5km EDR for low order clearance and as such this has been assessed in Section 7.10 alongside a 26 km EDR for high order clearance and TTS as a proxy for PTS.	N
Marine Mammal Ecology (document reference 6.2.7)	Chapter 7 Marine Mammal Ecology - The MMO consider that the claims made throughout the report, particularly in section 7.7.11 of Chapter 7 (that the SELcum PTS predictions are ‘highly precautionary’ and ‘very unlikely to be realised’) are unsubstantiated. “As a result of these and the uncertainties on animal movement, model parameters, such as swim speed, are generally highly conservative and, when considered across multiple parameters, this precaution is compounded therefore the resulting predictions are very precautionary and very unlikely to be realised”. The MMO would argue how ‘uncertainties’ can be ‘highly conservative’. Although it is reasonable to assume that a marine mammal will swim away from the source, the actual concept of fleeing, specifically swimming away from the pile at a constant speed for a sustained period of time (over several hours), is not precautionary. The primary aim of the underwater noise modelling is to present the realistic worst-case scenario. While the MMO acknowledge that there may be conservative assumptions made (for instance, that pulsed sound does not lose its impulsive characteristics while propagating away from the source), these conservatisms may be offset by uncertainties surrounding the predicted source levels and fleeing speeds.	The Applicant maintains that the assessment of cumulative PTS (SELcum) is highly precautionary given the information presented in Section 7.6. The modelling does not account for recovery in threshold shift in between pulses or the loss of impulsive characteristics with distance. With regards to the fleeing model, the model uses typical swimming speeds rather than fleeing speeds which is considered to be conservative.	N
Marine Mammal Ecology (document reference 6.2.7)	With regard to section 7.11.111: “Overall, non-piling construction noise sources [cable laying, suction dredging etc.] will have a local spatial extent, short-term duration, and be intermittent, meaning that, with the most	The Applicant agrees with the MMO and has removed this sentence.	N

	precautionary estimates, a marine mammal would have to remain within close proximity for a 24hour period for TTS-onset to occur, which is extremely unlikely". Please note that this statement is true for a stationary/static receptor but not for a fleeing receptor (fleeing has been assumed in the underwater noise modelling). There are also other similar statements throughout Chapter 7 which need amending. As explained in Annex 6.2 (section 1.3.28), when an SELcum impact range is presented for a fleeing animal, this range can essentially be considered a starting position for the fleeing animal receptor. If a receptor began to flee in a straight line away from the noise source starting at the position (distance from the source) denoted by a modelled PTS or TTS contour, the receptor would receive exactly that noise exposure as per the PTS criterion under consideration. We acknowledge that the assessment presented is conservative as 24-hour continuous exposure has been assumed.		
Commercial Fisheries (document reference 6.2.8)	The MMO note that the Summary of effects for Commercial Fishing provided in the Non-Technical Summary is stated as having "no significant effects upon Commercial Fisheries receptors". The MMO consider that the proposed works are likely to disrupt access to fishing grounds both during construction and after completion so the effect might be higher than stated and should be considered further. The MMO note that the Applicant has identified 6 main impacts to fisheries receptors for the construction, operational and decommissioning phases, however one has been scoped out for all three phases, with another absent from the construction phase but its scoping out has not been justified	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	Reduction in access to, or exclusion: The MMO generally agree with this assessment, however, regarding impacts to inshore commercial fisheries, the MMO defer to the Kent and Essex IFCA for their local knowledge of fishing activity in inshore waters where data on fishing activity, intensity and landings are limited. Relying on fisher behavioural information from the MMO, which is largely based on catch landings and VMS/AIS tracking data, can often leave fishers in the small-scale and inshore fleets disproportionately under-represented when compared to other fleets/sectors (Chuenpagdee, 2012, Metcalfe et al., 2017).	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	Displacement: As per paragraph 8.1.5, on the whole, MMO agree with this assessment but defer to Kent and Essex Inshore Fisheries Conservation Authority (KEIFCA) for their comments in the likelihood of significant impacts of displacement to the inshore commercial fishing fleet.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	Disturbance of commercially important fish resources: In general, the MMO agree with the Applicants assessment. Although the impacts of UWN to herring could be significant without mitigation (see paragraphs 6.1.6 - 6.1.18), these constitute a relatively small proportion of the catch from rectangles 32F1, 33F1, 32F2 and 33F2. Therefore, reduction in available herring is unlikely to cause a significant impact to fisheries receptors. However, smaller vessels fishing in inshore waters which have a limited fishing grounds may be adversely affected by works in inshore waters, e.g. construction along the ECC. Again, the MMO defer to KEIFCA for further comments on how disturbance of commercially important fishes is likely to impact the inshore fleet.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	Increased vessel traffic associated with VEs: The Applicant has assessed this impact to fisheries receptors as minor adverse, MMO agree with this assessment.	Noted.	N

Commercial Fisheries (document reference 6.2.8)	Physical presence of infrastructure leading to gear snagging: The Applicant has assessed the impacts to fisheries receptors as minor adverse (not significant), MMO agree with the assessment. In addition, MMO agree with the scoping out of this impact for the construction phase as fisheries receptors will be required to keep 500m distance from construction operations and therefore snagging is unlikely to occur.	Noted.	N
Commercial Fisheries (document reference 6.2.8)	Additional steaming to alternative fishing grounds: This impact has been scoped out of all three phases and has therefore been not assessed by the Applicant. The MMO agree that small additions to steaming to navigate the array-area are unlikely to have significant impacts on fisheries receptors in this area.	In the Scoping Opinion, the Inspectorate agreed that the potential impact of additional steaming could be scoped out of further assessment in the ES. Acknowledging NFFO feedback, the potential impact was scoped back into assessment within the ES.	N
Fish and Shellfish Ecology (document reference 6.2.6)	MMO note there are minor technical or presentational comments that affect the overall confidence in the conclusions (please see paragraphs 6.1.5-6.1.7, 6.1.9, 6.1.19 and 6.1.20). - Wrong reference - Coull et al. (2010), this should be Coull et al. (1998) see Table 6.24 of documents reviewed 5(vi). - Wrong refence – Ellis et al. (2010), this should be Ellis et al. (2012) see section 6.7.7 - 6.7.8 in documents reviewed 5(vi). - Figure numbers and legends are not visible on large maps in documents reviewed 5(vi and vii). - ‘North seahorse mackerel’ in section 8.7.47 in review document 5(vii). - Section 6.10.102 of documents reviewed 5(vi) it states a minor adverse effect is significant in EIA terms. - Table 6.33 says ‘Impact 5: Direct damage (e.g. crushing) and disturbance to demersal and pelagic fish and shellfish species arising from shellfish activities’ instead of construction activities in reviewed document 5(vi). - Reference Reach et al. (2013) appears twice in reference list in documents reviewed 5(vi). - Table 1.71 although it states for ‘fleeing’ and ‘stationary’ in the legend it is not clear in the table which each impact area refers to, see review document 5(ix).	This is noted by the Applicant, and the fish and shellfish ecology chapter has been amended accordingly.	N
Commercial Fisheries (document reference 6.2.8)	Although the MMO consider The project description to be clearly presented. We could find no reference to the total array area in the documents provided. The MMO would appreciate it if we could either be provided the information or signposted to where it is within the ES.	The total array area can be found in Volume 6, Part 2, Chapter 1: Offshore Project Description.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The Applicant has utilised a desk-based assessment to characterise and assess fish and fisheries receptors. For fish receptors this included a broad combination of datasets including pre- and post-construction surveys from previous OWF developments, in addition to a variety of national and international monitoring programs and reports. The data sources used by the Applicant for the assessment are generally appropriate.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO note that for fisheries receptors the Applicant only appears to have included and assessed impacts during the construction phase of the project. The Applicant has assessed the cumulative impacts as minor adverse for all the potential cumulative impacts to fish receptors. Whilst the MMO agree with this statement with respect to temporary and long-term habit loss, UWN and increased SSC have the potential to cause significant adverse impacts on spawning herring and sandeel (see paragraphs 6.1.16 – 6.1.22 and 6.1.23 – 6.1.25 for details). Therefore, the cumulative impacts to spawning herring and sandeel due to VE and the developments identified by the Applicant in the vicinity have the potential to be significant if appropriate	The Applicant acknowledges these concerns about cumulative impacts on demersal spawning receptors, from increased SSC and underwater noise, and confirms that the cumulative assessment has been revised to take into account the availability of suitable herring and sand eel spawning habitat within the array area and ECC in accordance with the MarineSpace (2013) methodology.	N

	mitigation is not implemented.		
Fish and Shellfish Ecology (document reference 6.2.6)	It is not clear if the cumulative impacts have been assessed for the operational or decommissioning phases for fish receptors. It should be noted that for the general assessment, long-term habitat loss has been scoped out for the construction phase but is included for this phase in the cumulative assessment. However, in the description of temporary habitat loss in the cumulative assessment it does then discuss impacts in the operational phase, but this is not discussed in the context of long-term habitat loss. There is also no mention in the cumulative assessment of other potential impacts assessed in the general assessment (see Annex 2). The MMO accept that a cumulative impact assessment for the decommissioning phase is not appropriate at this stage due to the level of uncertainty of what developments/works will be taking place in the future. The reasons for the inclusions/exclusions should however be more clearly justified within the PEIR.	This is noted by the Applicant, and additional justification for the inclusions or exclusions of impacts assessed within the cumulative assessment have been provided within the Fish and Shellfish Chapter.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The Applicant has assessed long-term habitat loss as an impact during the construction phase for the cumulative assessment, however this has been scoped out of the main assessment of VE and only included for the operational phase. In addition, when assessing the cumulative impacts, the Applicant has evaluated temporary habitat loss. The Applicant should clarify this inclusion in the cumulative assessment if it is not to be included for the main assessment of VE alone.	This is noted by the Applicant, and additional justification for the inclusions or exclusions of impacts assessed within the cumulative assessment have been provided within the Fish and Shellfish Chapter.	N
Commercial Fisheries (document reference 6.2.8)	For fisheries receptors the Applicant has considered all the developments/works in the fisheries study area. All impacts to fisheries receptors have been assessed as negligible to minor adverse (not significant) and the MMO agree with this assessment.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	Impacts to navigation and shipping are accurately reflected within Volume 2 Chapter 9 of the Preliminary Environmental Information Report. Vessel traffic in the area seems to have been correctly identified and mitigation measures to navigational issues provided.	Noted.	N
Commercial Fisheries (document reference 6.2.8)	The MMO note that the only major issues raised so far relate to fisheries and commercial fisheries.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO do not support the calculation of total spawning habitat presented in the Tables 6.23 -6.28 in, Volume 2, Chapter 6: Fish and Shellfish Ecology - fish ecology chapter. The MMO considers that you should acknowledge the overlap with the spawning and/or nursery grounds but quantifying the impacts based on percentage overlap is not appropriate due the reasons described in (i) and (ii) in paragraph 6.1.7.	The Applicant agrees with the points raised by the MMO with regards to the interchangeable nature of spawning and nursery ground extents. The spawning and nursery grounds and spawning seasons are defined by Ellis et al (2010) and Coull et al (1998). The extents of the grounds and the durations of spawning periods are considered highly precautionary, on the basis that Coull et al, (1998) specifically states that the spawning and nursery grounds should be seen as representing the widest known distribution given current knowledge and should not be seen as rigid. This is also the case with the duration of spawning seasons, with the seasons tabulated in Coull et al, (1998) described as the generally accepted maximum duration of spawning. Therefore, the Applicant deems that quantifying the percentage overlap of spawning grounds and the percentage temporal interaction with spawning periods is suitably precautionary for the assessment.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO believe that additional modelling of the behavioural effects on UWN on fish receptors should be carried out to ascertain the spatial extent of this, see paragraph 6.1.18.	The Applicant maintains that the 135dB threshold is overly precautionary, and that as stated by Popper et al (2014) it is not appropriate to determine the potential for behavioural effects quantitively due to the range of behavioural responses, and external stimuli and life events that can influence them. However notwithstanding this, the Applicant has presented potential behavioural	N

		impact ranges as 5dB increments from the piling source, and undertaken a literature review to inform the potential range and magnitude of effects on sensitive receptors.	
Fish and Shellfish Ecology (document reference 6.2.6)	Mitigation in the form of a temporal piling restriction during the Downs herring spawning season will likely be required due to the UWN modelling results and sensitivity of herring spawning habitat within the ZOI, see paragraph 6.1.22.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO have major concerns regarding the impacts arising from increased SSC and subsequent deposition of sediment on gravid herring and their eggs and larvae as a result of construction activities which cause disturbance to the spawning habitat and therefore MMO do not support the conclusion that impacts to Downs herring will be minor adverse, see paragraph 6.1.25.	The Applicant has added additional information from the physical processes modelling to inform the assessment, with particular regard to the distribution, settlement and resuspension of fine sediments during the construction phase. The assessment of the potential impacts to herring has been updated accordingly.	N
Fish and Shellfish Ecology (document reference 6.2.6)	As per paragraph 6.1.25, the MMO have major concerns regarding the impacts arising from direct damage and disturbance to seabed sediments within the array areas which serve as herring spawning habitat and do not support the conclusion that impacts to Downs herring resulting from direct damage and disturbance will be minor adverse, see paragraph 6.1.30.	The Applicant confirms that the assessment has been updated to take into account the availability of suitable herring spawning habitat within the array area in accordance with the MarineSpace (2013) methodology, and site specific geophysical survey data. The conclusions of the assessment will therefore be revised accordingly to determine the potential effects of direct damage and disturbance to seabed sediments within the array areas.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO do not support the assessment conclusion for Temporary Habit Loss/Physical Disturbance of minor adverse for Downs herring due to the overlap with the Downs herring spawning ground, particularly, in respect of the southern array which shows a clear overlap with the spawning grounds mapped by Coull et al. (1988) and consistent presence of herring larvae through the IHLS data, see paragraph 6.1.34.	The Applicant confirms that the assessment has been updated to take into account the availability of suitable herring spawning habitat within the array area in accordance with the MarineSpace (2013) methodology, and site specific geophysical survey data. The conclusions of the assessment will therefore be revised accordingly to determine the potential effects of temporary habitat loss/disturbance to herring spawning habitats within the array areas.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The MMO consider that unless all parts of the development including all scour protection are to be removed when decommissioning occurs we recommend changing ‘long-term loss of habitat’ to ‘permanent habitat loss’ as this reflects the fact that some parts of the development will remain past the decommissioning phase. However, the MMO is content with the decision to scope out ‘long-term/permanent loss of habitat’ for the construction phase of the development. However, unless all infrastructure is to be removed at decommissioning, this impact should be scoped in for this phase of development, see paragraph 6.1.36.	The Applicant notes this, and has therefore changed the long-term loss of habitat impact, to 'permeant loss of habitat', to reflects the potential for some parts of the development to remain past the decommissioning phase.	N
Fish and Shellfish Ecology (document reference 6.2.6)	At this stage, the MMO do not support the conclusion of minor adverse effect to Downs herring, see paragraphs 6.1.4, 6.1.11 and 6.1.36. The MMO require a more accurate habitat assessment of potential spawning habitat using a combination of sediment data and larval data following MarineSpace (2013a).	The Applicant confirms that the assessment has been updated to take into account the availability of suitable herring spawning habitat within the array area in accordance with the MarineSpace (2013) methodology, and site specific geophysical survey data. The conclusions of the assessment have been revised accordingly with regards to potential effects on spawning herring.	N
Offshore Project Description (document reference 6.2.1)	In accordance with the National Policy Statement for Renewable Energy Infrastructure (EN-3) (Dept. of Energy & Climate Change, 2011), where possible, the Applicant should ensure a minimum cable burial depth of no less than 1.5m (subject to local geology and obstructing objects) in order to mitigate the impacts of EMF on fish receptors.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	As discussed throughout various paragraphs in this advice, the MMO currently do not support a number of the conclusions made regarding the significance of impacts to Downs herring and their spawning habitat. As per paragraph 6.1.28, based on the evidence presented in the PEIR, it is likely that the MMO Cefas will recommend mitigation in the form of a temporal	Noted. The individual points have been addressed above. The Applicant will continue to liaise with the MMO on these and other issues.	N

	piling restriction during the Downs herring spawning season, once we have reviewed the final ES. There is also a potential requirement for restrictions on other construction activities which cause disturbance to spawning habitat to be required during the Downs herring spawning season. However, any recommendations for temporal restrictions will be based on the outcomes on the EIA in the final ES, and subject to the inclusion of the additional information and data we have requested.		

MARITIME AND COASTGUARD AGENCY

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Shipping and Navigation (document reference 6.2.9)	It is noted that the boundary to the northern array area has been refined to address concerns raised earlier in the consultation process (Fig 6.2). This refinement is welcomed by the MCA. We also note that a full marine traffic survey of 28 days duration, from 15 January 2022 – 29 January 2022 (winter) and 15 June 2022 – 29 June 2022 (summer) has been undertaken as per MGN 654 requirements (table 5.1). The addition of 12 months AIS data (2019) and Anatec's ship route database is noted and will be useful in further informing the traffic analysis. The MCA are also encouraged by the inclusion of commercial route identification along with adverse weather routing in Sections 11 and 12.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	We appreciate that the layout as presented currently is indicative of a 'worst case' as described in Paragraph 71 of the NRA. The turbine layout design will require MCA agreement prior to construction to minimise the risks to surface vessels, including rescue boats, and Search and Rescue aircraft operating within the site. As such, MCA will seek to ensure all structures are aligned in straight rows and columns, including any platforms. Any additional navigation safety and/or Search and Rescue requirements, as per MGN 654 Annex 5, will be agreed at the approval stage.	The Applicant notes the Chamber of Shipping's position and will work with them to ensure that the turbine layout is in line with all the relevant requirements.	N
Shipping and Navigation (document reference 6.2.9)	Section 14 takes into account cumulative and transboundary effects. The inclusion of 12 more developments in addition to the baseline case as presented in table 14.1 is welcomed. An area of focus that also falls under cumulative effects is the proximity of the East Anglia Two project to the northern array. Section 17; Navigation Corridor Safety Case, applies and illustrates compliance with the Guidance. We note that in reference to MGN 654 the minimum overall width for the navigation corridor, based on the 90th percentile is 2.86 nm (17.4.1(423)). Figure 17.1 presents the narrowest point between boundaries at also 2.86 nm.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	Section 14 takes into account cumulative and transboundary effects. The inclusion of 12 more developments in addition to the baseline case as presented in table 14.1 is welcomed. An area of focus that also falls under cumulative effects is the proximity of the East Anglia Two project to the northern array. Section 17; Navigation Corridor Safety Case, applies and illustrates compliance with the Guidance. We note that in reference to MGN 654 the minimum overall width for the navigation corridor, based on the 90th percentile is 2.86 nm (17.4.1(423)).	Noted.	N

	Figure 17.1 presents the narrowest point between boundaries at also 2.86 nm.		
Shipping and Navigation (document reference 6.2.9)	MGN 654 requires that hydrographic surveys should fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard, with the final data supplied as a digital full density data set, and survey report to the MCA Hydrography Manager and the UKHO. Further information can be found in MGN 654 Annex 4 supporting document titled 'Hydrographic Guidelines for Offshore Developers', available on our website: https://www.gov.uk/guidance/offshorerenewable-energy-installations-impact-on-shipping.This includes surveys during the pre-construction, post-construction and post-decommissioning stages.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	There are also some stakeholder concerns regarding the route and burial of the export cable, again in the area to the south of Sunk Pilot Boarding Station and the maintained depth channels in that vicinity (PEIR, 9.7.37 and table 9.2). These include the target burial depth of 0.5m and the possible effect of future dredging of channels for port expansion to accommodate deeper draft vessels. Also of concern was the potential for the NeuConnect and North Falls cables crossing the area and being installed at the same time. Continued comprehensive consultation with the other projects and continued consultation with stakeholders will be key moving forward on this point.	The Project is aware of the sensitivities surrounding changes in under keel clearance and has therefore undertaken further assessment on identifying the impacts on areas sensitive to safe navigation.	N
Shipping and Navigation (document reference 6.2.9)	Safety zones during the construction, maintenance and decommissioning phases as presented in section 6, table 6.5 are supported, however it should be noted that operational safety zones may have a maximum 50m radius from the individual turbines. A detailed justification would be required for a 50m operational safety zone, with significant evidence from the construction phase in addition to the baseline NRA required supporting the case.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	An Emergency Response Cooperation Plan is required to meet the requirements of MGN 654 Annex 5 and will need to be in place prior to construction. The ERCoP is an active operational document and must remain current at all stages of the project including during construction, operations & maintenance and decommissioning. A SAR checklist will be discussed as the project progresses to track all requirements detailed in MGN 654 Annex 5.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	The comments detailed above are considered appropriate and necessary for the safety of navigation and Search and Rescue purposes. We hope you find them useful at this stage and MCA are happy to discuss further as the project progresses. We are content at this stage with regards to the process you have undertaken to comply with MGN 654 and its annexes, and we welcome the work undertaken for addressing the guidance and recommendations so far.	Noted.	N

MINISTRY OF DEFENCE

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this proposal. The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled 'Stage 2 Consultation Booklet and "Simplified Onshore Route" dated	Noted.	N

	March 2023. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.		

NATIONAL FARMERS' UNION

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Ground Conditions and Land Use (document reference 6.3.5)	This is critical. The NFU strongly feels that RWE needs to consult fully with landowners affected by any onshore apparatus and cable construction works. NFU members have reported that there have been requests for changes to the cable route to minimise the impact on property and farming operations, however they have not yet received a response. Failure to engage properly with landowners at all relevant stages will not only affect trust between landowners and RWE, but also drive the wrong outcomes.	Landowner engagement has been ongoing during the Project consultation stages. Mitigation measures have been embedded in the project design to reduce the disruption to landowners. Information is included within the Embedded Mitigation of Volume 3, Chapter 5 Ground Conditions and Land Use. The Project will seek to update the landowners on project progress and liaise with landowners to agree terms with affected parties including any loss of ongoing payments or penalties relating to agri-environmental stewardship schemes. The Code of Construction Practice (document reference 9.21) includes the requirement for a dedicated Agricultural Liaison officer to ensure continued engagement.	N
General	The NFU understands that the Project will connect to a new proposed National Grid Sub Station near Lawford, Essex. The NFU would like to be kept informed in regard to the development of this substation.	Noted.	N
General	This NFU is pleased to see that the project is exploring options to work collaboratively with other infrastructure projects in the area, which will reduce the cumulative impact. The NFU would like to understand further how the projects are working together to reduce the overall impact of the projects on the area. Specifically, how the VE Wind Farm and the North Falls Wind Farm projects are working collaboratively to rescue the cumulative impact in terms of land requirements and construction timings.	This is set out fully in the Co-ordination Document (document reference 9.30).	N
Non-Technical Summary (document reference 6.1.5)	This chapter outlines that the VE Project's operational lifetime is anticipated to be between 24 and 40 years. As such, the NFU would like conformation of the length of easement being sought from landowners through voluntary agreements. The NFU strongly feels that the easement term should not exceed the operational lifetime of the scheme.	This is a confidential discussion between individual landowners and the Applicant; based on the landowners requirements and project needs.	N
Onshore Project Description (document reference 6.3.1)	The NFU would like clarity on the depth the cables will be laid through agricultural land. It is imperative that the cables are laid at a minimum depth of 1.2m to the top of the tile to ensure there is sufficient distance between the cables and farming operations i.e., field drainage is generally laid at 0.9m and mole drainage at 0.65m.	Cables will generally be buried to a depth of not less than 1.2m.	Y
Onshore Project Description (document reference 6.3.1)	The NFU understands from the PEIR that the working corridor is to be 60m wide and may be up to 120m wide where trenchless techniques are used. It also states that a wider Red Lind Boundary of around 250m has been	This is dependent on when the two projects reach certain key milestones. More detail about how coordinated construction might be delivered is set out in the Co-ordination Document (document	N

	included to allow for the potential co-ordination with the North Falls offshore Project and to allow for different installation options. The NFU would like to understand further how construction for this will take place if there is co-ordination between the construction of the Five Estuaries and the North Falls project including whether the circuits will be laid sequentially or in parallel to understand the impact on farming businesses.	reference 9.30).	
Onshore Project Description (document reference 6.3.1)	Heat dissipation is a concern amongst farmers affected by the scheme, as it can impact the land for the lifetime of the project. Heat dissipation has been seen on previous underground cable schemes and can have a significant impact on the crops growing in fields affected, causing crops to grow at different rates. This creates issues when carrying out agricultural operations and assessing the best time to care for such crops effectively. The NFU would like to understand the measures taken to reduce the impact of heat dissipation on the scheme.	Many famers ask us what impact the heat dissipated by the cables could have on their crop yields. Scientific studies* have determined that the heat from the underground cables has no negative impact. The degree to which the soil actually heats up depends on various factors including the transmission technology, the insulation of the cables and the bedding material that the cables are laid in. Key roles are also played by the ability of the soil itself to conduct heat, the degree to which the cable is being used and seasonal and weather-related fluctuations in temperature in the soil. What has been found is that any heat from the cables dissipates quickly as it rises and temperatures in the top layers of soil, where roots are found, are similar to those measured in reference points away from the cable system. *Conducted by soil ecologist Prof. Dr. Peter Trüby of Freiburg University	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	How is RWE intending to deliver biodiversity Net Gain on the project? Volume 3 Chapter 4 states that the project should aim for a biodiversity net gain of at least 10%. The NFU does not support any agricultural land being acquired compulsorily for the purposes of delivering biodiversity net gain. If the project needs to acquire additional land to deliver such gain, then this should be required through negotiation only.	The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. This approach has been discussed and agreed with NE. The Applicant does not intend to use CPO powers to deliver BNG.	N
Ground Conditions and Land Use (document reference 6.3.5)	Volume 3 Chapter 5 section 5.7.8 highlights that the district comprises a significant proportion of high-grade agricultural land, predominantly used for intensive farming. The NFU strongly feels that the project should avoid best and most versatile land wherever possible.	The project has undergone an extensive site selection process which has involved incorporating environmental considerations including best and most versatile land in collaboration with the engineering design requirements and consultation responses. The evolution of the design is set out Volume 6, Part 1: Chapter 4 Site Selection and Consideration of Alternatives and Volume 6, Part 3: Chapter 1 Onshore Project Description.	N
Ground Conditions and Land Use (document reference 6.3.5)	The NFU also feels strongly that the impact the project will have on agricultural businesses needs to be considered in the development of the project. The construction and surface apparatus may cause significant disruption. The NFU would expect there to be consultation with farmers over practical matters including access, position of surface apparatus and accommodation works required to mitigate the impact on agricultural businesses.	Landowner engagement has been ongoing during the Project consultation stages. Mitigation measures have been embedded in the project design to reduce the disruption to landowners. Information is included within the Embedded Mitigation of Volume 3, Chapter 5 Ground Conditions and Land Use. The Project will seek to update the landowners on project progress and liaise with landowners to agree terms with affected parties including any loss of ongoing payments or penalties relating to agri-environmental stewardship schemes. The Code of Construction Practice (document reference 9.21) includes	N

		the requirement for a dedicated Agricultural Liaison officer to ensure continued engagement.	
Ground Conditions and Land Use (document reference 6.3.5)	Volume 3 Chapter 5 highlights the works which may impact soil quality and resource and how the direct impacts on soil quality have potential indirect impacts on soil fertility and drainage. Further that it has been stated potential long-term impacts resulting from the construction works is assessed as negligible but that careful soil handing will be required to preserve soil. The NFU is pleased that this has been acknowledged and that principles to manage potential impacts upon soil will be set out in a Soil Management Plan. The NFU would though like to see wording set out to cover soil reinstatement and field drainage in an outline management plan which is annexed to the Outline Code of Construction.	The CoCP (Volume 9, Report 21: CoCP) incorporates the outline principles of soil management and mitigation measures to ensure protection of soils. A Soil Management Plan (SMP) will be developed and will be produced in advance of construction.	N
Draft Code of Construction Practice (document reference 9.21)	The NFU notes the contents of the draft Code of Construction Practice within the PEIR. However, the Code does not include wording to cover soil storage, reinstatement and aftercare along with field drainage reinstatement. Specifically, we ask that NFU drafted wording is included in an Outline Code of Construction to cover how practical aspects of the construction should be dealt with in relation to agricultural land. The NFU draft wording covers the following: Role of an Agricultural Liaison Officer; Records of Condition; Biosecurity; Irrigation; Agricultural Land Drainage; Treatment of Soils and Agricultural Water Supplies.	The CoCP (Volume 9, Report 21: CoCP) incorporates the outline principles of soil management and mitigation measures to ensure protection of soils. A Soil Management Plan (SMP) will be developed and will be produced in advance of construction.	N
General	The NFU would like to engage further with RWE on behalf of members that may be affected by the proposed scheme and ask that a further meeting with the project team is arranged as soon as possible to discuss and obtain further information on the points raised in this consultation response, specifically link boxes, the easement, construction width and construction programme.	Noted. The Applicant is working with a land agent group representing the majority of landowners directly affected by the Project on these and other issues.	N

NATIONAL GRID

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Due to the location of the development, NGET wishes to express their interest in further consultation while the impact on our assets is still being assessed. NGET has a project within or in close proximity to the order boundary. Where the Promoter intends to acquire land, extinguish rights, or interfere with or work within close proximity to any of NGET's apparatus and land, this will require appropriate protection and further discussion on the impact to its apparatus and rights.	Noted. The Applicant is engaging with National Grid at a number of levels.	N
Onshore Project Description (document reference 6.3.1)	National Grid recognise the importance of early and continued collaboration between National Grid and the Five Estuaries project teams across the aspects of: • Engineering • Property & Lands • Consents and Environment • External Affairs The purpose of such is to ensure all interfaces between the projects are aligned and impacts minimised throughout the project lifecycle stages: • Design/Development • Construction • Operation & Maintenance.	Noted. The Applicant is engaging with National Grid at a number of levels.	N
Onshore Project	National Grid's Overhead Line/s is protected by a Deed of	Noted.	N

Description (document reference 6.3.1)	Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset		
Onshore Project Description (document reference 6.3.1)	Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004).	Noted.	N
Onshore Project Description (document reference 6.3.1)	If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines, then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.	Noted.	N
Onshore Project Description (document reference 6.3.1)	The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive’s (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.	Noted.	N
Onshore Project Description (document reference 6.3.1)	Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.	Noted.	N
Onshore Project Description (document reference 6.3.1)	If a landscaping scheme is proposed as part of the proposal, National Grid request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.	Noted and agreed. A stand off distance from existing overhead lines is included the OLEMP (document reference 9.22).	Y
Onshore Project Description (document reference 6.3.1)	Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.	Noted.	N
Onshore Project Description (document reference 6.3.1)	National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect their assets. Hence, they require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.	Noted.	N
Onshore Project Description (document reference 6.3.1)	Ground levels above National Grid's cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.	Noted.	N

NATIONAL HIGHWAYS

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Traffic and Transport (document reference 6.3.8)	National Highways welcomes the use of relevant policy and guidance presented at PEIR	Noted.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that clarification should be provided regarding whether the section of the A120 to the east of the Horsley Cross roundabout	The study area has been discussed further with Essex County Council and NH and presented in a Traffic Data Locations Technical Note (May	N

	has been included in the highway study area, and if not, justification should be provided for excluding this section of the SRN from the study area.	2022), which was issued to Essex County Council and NH. The data are set out in Paragraphs 8.6.13 to 8.6.15 and Table 8 8 of Volume 6, Part 3, Chapter 8: Traffic and Transport. The consideration of traffic flows at the A12 Junction 29 and the A120 between the Horsley Cross roundabout and Harwich has been included following feedback from NH at the ETG (November 2022). Data were obtained for this additional section of the A120 using existing data, as set out in Paragraphs 8.6.13 to 8.6.15 and Table 8 8 of Volume 6, Part 3, Chapter 8: Traffic and Transport.	
Traffic and Transport (document reference 6.3.8)	National Highways request that if Harwich Port is used then further access route works are likely and should be assessed. The section of the A120 from the B1035 junction to Harwich should either be included as a construction access route, or justification for the exclusion of the route should be provided. Further from earlier TN04: The full section of the A120 from A12 Junction 29 to the junction giving access to Harwich International Port, including the proposed new A120 junction associated with the Tendring Colchester Borders Garden Community, as well as all other existing junctions on this stretch of the A120, should be included in the transport study area.	As above	N
Traffic and Transport (document reference 6.3.8)	National Highways state that data has not been included for the A120 to the east of the junction with the B1035 at Horsley Cross. Data should be collected (either existing or new) for the section of the A120 to the east of the junction with the B1035 to Harwich in order for the baseline conditions of this section of the network to be understood.	A combination of DfT traffic data and traffic data from NH's Webtris database have been used for the assessment as set out in Table 8 8 of Volume 6, Part 3, Chapter 8: Traffic and Transport. Whilst a sensitivity test of 100% of HGVs arriving from and departing to the A120 east of Horsley Cross Roundabout has been undertaken, as this is a highly unlikely scenario, this section of the assessment of the A120 is based on Annual Average Daily Traffic (AADT) link flows only.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that justification for excluding the assessment of the traffic impact from the construction period of the offshore elements of the development should be provided, or the traffic impact of the construction of the offshore elements of the development should also be assessed.	With regards to offshore construction, the majority of components would be delivered by sea either directly to the site or to a staging port. Therefore the potential traffic impact from offshore construction onshore will be managed in line with existing port traffic management protocols.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that further clarification should be provided regarding the reasoning for only including 18 months of the construction programme in the highway assessment, when the construction period is stated to be 36 months.	The anticipated construction period is 18 months for the Onshore ECC and 400kV Connection and 19 months for the OnSS. As is it not known the extent of overlap of these construction periods, the worst case of both starting in the same month has been assumed for a robust assessment in Volume 6, Part 3, Chapter 8: Traffic and Transport.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that drawings of the proposed construction access to TCC 8 (i.e. Access 12) should be provided for review to determine whether the junction's proximity to the A120 will impact the SRN.	General Arrangement (GA) drawings of all proposed VE construction accesses have been prepared, which were subject to a Stage 1 RSA and amended where necessary. The GA drawings, Stage 1 RSA and Designer's Response are provided in Volume 6, Part 3, Annex 8.1: Transport Assessment. At the ETG on the 5th September 2023, Access 12 (which is now AC-06 or AC-07) was discussed with NH who acknowledged there locations are at a sufficient distance from the A120 that would not result in any impacts on the SRN.	N
Traffic and Transport (document reference 6.3.8)	National Highways comment that it is stated in the PEIR that access will be from A120/ Bentley Road (major/ minor junction) and A120/ Harwich Road (roundabout). Confirmation should be provided as to the suitability of A120 / Bentley Road and A120 / Harwich Road junctions to accommodate the physical swept paths of the types of vehicles envisaged, without overrunning kerb lines and/or adjacent traffic lanes	Swept paths of these junctions are provided in Volume 6, Part 3, Annex 8.1: Transport Assessment.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that the TEMPro growth factors should be provided for both the AM and PM peak periods. Further clarification	All TEMPRO factors used in the traffic and transport assessment are set out in Volume 6, Part 3, Chapter 8: Traffic and Transport.	N

	regarding the parameters used to obtain the growth factors should be provided, such as the geography and the road type.		
Traffic and Transport (document reference 6.3.8)	National Highways request that as part of the cumulative assessment the consented container terminal development at Bathside Bay should be included as a committed development in the study, or justification for excluding it should be provided.	Bathside Bay has been added to the cumulative assessment in Volume 6, Part 3, Chapter 8: Traffic and Transport.	N
Traffic and Transport (document reference 6.3.8)	National Highways state that a six year period is used in PEIR to account for Covid-19. Two periods are quoted in PEIR 2016 to 2022 and 2015 to 2021. The collision analysis study period should be clarified	At the ETG on the 5th September 2023, NH and Essex County Council agreed the period of 5 years (pre-Covid) plus 18 months of Covid (including 1 year post Covid), which is 2015 to 2022.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that the study area for the collision analysis should be extended to include the section of the A120 from the B1035 junction to Harwich.	The A12 between the B1035 Horsley Cross Roundabout and the Port of Harwich has been included in the road safety analysis provided in Volume 6, Part 3, Chapter 8: Traffic and Transport and Volume 6, Part 3, Annex 8.1: Transport Assessment	N
Traffic and Transport (document reference 6.3.8)	National Highways request that clarification regarding the differences between the figures in column 2 and column 4 of both Table 4 and Table 5 of this TN should be provided, including how they were calculated.	Column 2 is the maximum for each section during the construction programme individually, Column 4 is the peak month for all sections combined and the corresponding vehicle movements for each section.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that greater consideration should be given to the methodology of the construction workforce trip distribution and assignment, or justification should be provided to support the assumptions applied to the trip distribution and assignment methodology. PEIR assumes HGVs and construction crew vehicles will use the same routes, however it is likely that other routes will be used by crews notably A120 from Horsley Cross to Harwich.	The workforce trip distribution has been discussed and agreed with Essex County Council. NH stated at the ETG meeting on 5 September 2023, stated it would defer to Essex County Council in the workforce distribution and therefore this has been agreed with both stakeholders.	Y
Traffic and Transport (document reference 6.3.8)	National Highways request that the maximum peak hour trip generation for the SRN should be provided for both the AM and PM peak	The maximum proportion of VE construction vehicle movements in the morning and evening peak hours is assumed to be the same for each peak hour (the average hourly HGV movements and 20% of workforce vehicles, most likely in the winter months due to the availability of daylight), as set out in Paragraph 8.7.2 of Volume 6, Part 3, Chapter 8: Traffic and Transport and in Section 6 of Volume 6, Part 3, Annex 8.1: Transport Assessment	N
Traffic and Transport (document reference 6.3.8)	National Highways request that turning movements for each SRN junction in the study area should be provided in order to determine where junction capacity assessments are required on the SRN, unless further justification is provided for not doing so. For example, details of individual turning movements at the junctions concerned.	Morning and evening peak hour turning movements are provided on the A120 at the Harwich Road, Bentley Road and B1035 Horsley Cross roundabouts only (see Section 6.3.4 of Volume 6, Part 3, Annex 8.1: Transport Assessment. No turning movements have been shown at the A12 Junction 29 given the negligible number forecast on each on or off-slip. No terming movements have been shown on the A120 junctions to the east of the B1035 Horsley Cross roundabout as a worst case of 100% of these vehicle movements arrive from and depart to the Port of Harwich and therefore use the whole section of the A120, noting this is a highly unlikely scenario.	N
Traffic and Transport (document reference 6.3.8)	National Highways request that the Abnormal Load Assessment Report should be provided to National Highways when it has been finalised	Mott Macdonald has undertaken an assessment of the anticipated vehicle type that would be used to transport the AIL between the Port of Harwich and the proposed OnSS location, which is provided in Appendix EE of Volume 6, Part 3, Annex 8.1: Transport Assessment	N
Traffic and Transport (document reference 6.3.8)	National Highways request that consideration should be given to the possibility of a dedicated minibus service for workforce from towns in the vicinity of the proposed construction locations to reduce the level of workforce car trips generated.	At the ETG on the 5th September 2023, it was discussed and agreed that the target car occupancy of 1.5 could be achieved via a multiple options, but it would not be appropriate to commit to a minibus at this stage.	Y

NATURAL ENGLAND

Topic	Issue from feedback	Project response and consideration	Project

			change? Y/N
EIA Methodology (document reference 6.1.3)	Natural England (NE) recommend that SoCG should be started as early as possible to catalogue any areas of disagreement.	Noted.	N
EIA Methodology (document reference 6.1.3)	NE have advised and expect that their series of best practice advice documents are utilised and followed.	Noted.	N
EIA Methodology (document reference 6.1.3)	NE raise concerns with the EIA matrix used to determine significance of effects. They are concerned that the "cut-off" of no significance for negligible or minor significance conclusions could lead to errors in assessing cumulative effects adequately.	There is now a separate cumulative effects section of the assessment, outlined in Volume 6, Part 1, Annex 3.1: CEA Methodology. If there is a cumulative effect it will show a significant rating, otherwise it is negligible or minor.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE are concerned that existing pressures in the MLS SAC are already hindering the conservation objectives (CO) of the site. The construction, maintenance and decommissioning of VEs may move the site further from these CO. They advice firstly that cabling activates should be avoided in MLS SAC. VEs needs to consider the impact upon Annex 1 Sandbanks within or adjacent to the ECC. VEs should asses impacts on sandbank extent and the ecological structure and function of the sandbanks. NE advise that all efforts should be made to avoid sand waves or minimise the clearance/ lowering of them by micro-routeing cables. VEs need to refine the projects MDS as much as possible - they note that the MDS should be based on the assumption that 100 % of sediment in the trench is disturbed during cable installation.	The Applicant has considered the guiding principles of site selection using a proportionate approach taking into account all relevant constraints, see Volume 6, Part 1, Chapter 4: Site selection and Alternatives. The conservation objectives for all designated sites are referred to within Volume 5, Report 4: Report to Inform Appropriate Assessment (RIAA) however, due to the small footprint of VE, no adverse effect on integrity is predicted. VE has progressed compensation options for potential impact to the features of the Margate and Long Sand SAC in Volume 5, Report 5: Habitats Regulation Derogation. The project MDS is set out in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology and Physical Processes. It is noted here that, as for the PEIR, the ES Project Description assumes that up to 50% of material within the trench profile may become fully ejected. This is considered to be a realistic worst case assumption, that is consistent with numerous other OWF EIA studies and field evidence (e.g. BERR, 2008; Awel y Môr Offshore Wind Farm Ltd, 2022). For the ES, it is also confirmed that the combined envelope of results (for all sediment disturbance activity types) also accounts for up to 100% of material ejected from the trench during cable installation	N
Offshore Ornithology (document reference 6.2.4)	NE advises that CRM should be carried out utilising their best practice advice. NE do not advocate the use of stochLAB and VEs to provide evidence to supporting its use and to carry out comparative tests with established tools. If Band model adopted, NE advise the data should be explored more, to consider variability in all the key parameters such as monthly bird density, flight height, avoidance rate and nocturnal activity factor. In relation the CEA, marine aggregates, O&G, cables and shipping have been included in the baseline, NE advise that the ES should provide evidence of the scale of these activities, and cumulative/ in-combination totals should be based on "as consented" parameters within all assessments.	Volume 6, Part 5, Annex 4.10: Collision Risk Modelling: Comparison of Model Results provides a comparison of collision risk model outputs as obtained from the following versions of the Band CRM: • Deterministic Band (implemented in R using stochLAB); • Stochastic Band (implemented in R using stochLAB); and • Stochastic Band implemented using the online shiny app tool. The comparison demonstrated that the different implementations of the Band CRM generate mean values that are very similar (differences < 1-2%), with variation due simply to chance. The deterministic collision estimates, and stochastic collision estimates using the stochLAB R Package were therefore used in this chapter for appropriate species (see Volume 6, Part 5, Annex 4.8). Information on CEA is presented in Section 4.13. Worst-case cumulative totals from other offshore wind farm projects have been based on "as consented values". Parker et al. (2022c) advises that “Built and operational projects should be included within the cumulative assessment where they have not been included within the environmental characterisation survey, i.e. they were not operational when baseline surveys were undertaken, and/or any residual impact may not have yet fed through to and been captured in estimates of ‘baseline; conditions, such as ‘background’	N

		distribution or mortality rate for birds." All of the considered non-OWF activities are long-established, and their impacts would therefore have been accounted for within the environmental characterisation data.	
Benthic and Intertidal Ecology (document reference 6.2.5)	NE are concerned that existing pressures in the MLS SAC are already hindering the conservation objectives (CO) of the site. The construction, maintenance and decommissioning of VEs may move the site further from these CO. They advice that cabling activities should be firstly avoided in MLS SAC. The estimated overlap of the ECC and MLS SAC of 0.11 % cannot be viewed in isolation - number of other projects / pressures in that area / SAC and the overall impact / predicted impact is considered significant and may lead to an AEoI. NE draw VEs attention to Hornsea 3 decision where AEoI on the Wash and North Norfolk coast SAC could not be ruled out.	The Applicant has worked with Natural England's advice to develop a mitigation plan (document reference 9.13) which will reduce pressures on benthic features of the MLS SAC. Furthermore, a 'without prejudice' compensation case has been develop in the event AEoI is concluded.	Y
Marine Mammal Ecology (document reference 6.2.7)	NE does not agree with the assigned sensitivity and magnitude for harbour porpoise throughout the assessment of underwater noise impacts. They advise that these assignments should be revised particularly due to the sensitivity of UXO clearance and piling. They believe other impacts have been downplayed as well e.g. PTS, prey, disturbance due to operational noise and changes in fish abundance/distribution during operation.	Sensitivity is defined by the biology of the species and the Applicant is not aware of any additional literature to support a change in the sensitivity of harbour porpoise from underwater noise. The sensitivity definitions align with those presented in other projects' EIAs. The four levels of sensitivity have been changed from: Negligible/Low/Medium/High to Low/Medium/High/Very High in line with Natural England's recommendations.	N
Seascape, Landscape and Visual (document reference 6.2.10)	Concern that northern array has been assessed as insignificant. Most northerly eight wind turbines have greatest potential to effect the special qualities of the SCHAONB and SHC. Advise that assessment should be revisited. NE have provided additional evidence on the apparent heights at which proposed turbines will be perceived from key view points within SCHAONB and SHC. NE state that these apparent heights values and the lateral spread values should be used to inform judgements on the significance of effects. In addition, they advise the extent and magnitude of the cluttering effect, curtaining effect, and gap reduction between Galloper and Greater Gabbard OWFs, should also be revisited.	The conclusion of the SLVIA (Section 10.18 of Volume 6, Part 2, Chapter 10: SLVIA) is that the VE array areas will not result in significant effects on views from the SCHAONB or its special qualities. These conclusions are based on the assessments in Section 10.11 of the visual effects of the VE array areas from representative viewpoints in the SCHAONB and the full assessment of effects on SCHAONB special qualities in section 10.11 of Volume 6, Part 2, Chapter 10: SLVIA. The SLVIA considers the cumulative effect of the grouping of WTGs in the northern part of the VE array areas in the gap between Galloper / Greater Gabbard and East Anglia TWO in the CEA in Section 10.13 of Volume 6, Part 2, Chapter 10: SLVIA. On balance, while noting some differences in apparent scale of the WTGs within the northern VE array, the effect is considered not significant given the retention of some gap between VE and East Anglia TWO in the majority of views; the relatively narrow additional increase in lateral spread of the VE WTGs; their introduction as elements that are similar to those that are present or consented; and their very long distances from the SCHAONB on the sea skyline, all of which diminishes the potential 'curtaining' effect, and limits the cumulative effect to occurring in only the most optimum, infrequent, visibility conditions.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Advice from NE to follow.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE advise avoid locating HDD within or immediately adjacent to the HHM SSSI. Welcome clarification on this commitment. Avoid HDD during sensitive breeding and overwintering periods - mitigation should be in place if this cannot be avoided. Works across the foreshore within HHM SSSI could give rise to significant impacts - advise timing / designing works to avoid impacts. Users of the	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks is provided at ES Volume 9, 9.28 Outline Landfall HDD Method	N

	English Coast Path also need to be considered. The project will need to determine if protected species licences will be required.	Statement. An EPSL will be required in respect of GCN, and the DLL route is proposed. Volume 6, Part 6, Annex 4.20: GCN District Level Licencing Impact Assessment and Conservation Payment Certificate (unsigned) and associated documents are considered equivalent the draft licence application and LONI in this respect, and are pending. An EPSL may also be required for dormouse and/or bats. This is dependent on final scheme design and the outcome of pre-commencement surveys. A NE licence may be necessary for temporary impacts to water vole. This is dependent on final scheme design and the outcome of pre-commencement surveys. Further detail is provided in Section 4.10 and Table 4.15.	
Landscape and Visual Impact Assessment (document reference 6.3.2)	NE have reached the initial conclusion that the risk of significant adverse landscape visual impacts on the Dedham Vale and SCHAONB is low. NE advise a site visit should be undertaken to fully assess the intervisibility of the eastern and western substation sites from Dedham vale.	Site Survey has been carried out to test visibility of the onshore substations from within the Dedham Vale AONB and this has indicated the very limited potential for visibility to arise.	N
Cumulative Effects Assessment Methodology (document reference 6.1.3.1)	NE state that all impacts between VEs and North Falls need to be considered - MDS for shared and separate offshore infrastructure, including ECC and landfall. Consideration needs to be given to construction-related impacts on sensitive receptors and designated sites (e.g. Margate and Long Sands Special Area of Conservation, Annex I sandbanks, designated area along adjacent coastline at landfall) due to simultaneous operations undertaken by both projects. MDS for overlapping sediment plumes, increased suspended sediment loads, sediment deposition, impact footprints etc all need to be evaluated and quantified.	Impacts between VE and North Falls are considered throughout the ES, with cumulative methodology set out in Volume 6, Part 1, Annex 3.1: Cumulative Effects Assessment Methodology.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE advise that MLS SAC should be avoided, which is in line with their cabling advice. NE are concerned that existing pressures in the MLS SAC are already hindering the conservation objectives (CO) of the site. The construction, maintenance and decommissioning of VEs may move the site further from these CO. NE conclude whilst VEs impact may be considered small relative to the SAC as a whole, when all pressures are summed this may lead to an AEoI. NE quote the recent decision o Hornsea 3 and also North Fall's cable route which avoids MLS SAC and encourage sharing infrastructure.	The Applicant has considered the guiding principles of site selection using a proportionate approach taking into account all relevant constraints, see Volume 6, Part 1, Chapter 4: Site selection and Alternatives. The conservation objectives for all designated sites are referred to within Volume 5, Report 4: Report to Inform Appropriate Assessment (RIAA) however, due to the small footprint of VE, no adverse effect on integrity is predicted. VE has progressed compensation options for potential impact to the features of the Margate and Long Sand SAC in Volume 5, Report 5: Habitats Regulation Derogation.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE advise that Annex 1 Sandbanks within or adjacent to the Offshore ECC need to be fully considered and assessed across all phases of the project, including their extent and structure and function.	Potential impacts to Annex 1 Sandbanks within or adjacent to the Offshore ECC are considered for the construction phase (paragraph 2.10.22 et seq.) and operational phase (paragraph 2.11.87 et seq) of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical processes. (Any impacts during decommissioning are expected to be lesser than that associated with construction and/or operation). A full Habitats Regulation Assessment is set out in Volume 5, Report 4: Report to Inform Appropriate Assessment	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE note that there is a considerable amount of sand wave clearance taking place (99,750,000 m3). They advise that the MDS should be refined and all areas of sand waves should be avoided. In addition, wider disruption from sand wave levelling activities on prey availability for mobile features from designated sites should also be considered.	The project MDS has been refined considerably since PEIR: the volume of material that could potentially be disturbed is now considerably less. Updated values are provided in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes	Y
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Natural England advises that the MDS should be based on the assumption that 100% of sediment in the trench is disturbed during cable installation.	The project MDS is set out in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology and Physical Processes. It is noted here that, as for the PEIR, the ES Project Description assumes that up to 50% of material within the trench profile may become fully ejected. This is	N

		considered to be a realistic worst case assumption, that is consistent with numerous other OWF EIA studies and field evidence (e.g. BERR, 2008; Awel y Môr Offshore Wind Farm Ltd, 2022). For the ES, it is also confirmed that the combined envelope of results (for all sediment disturbance activity types) also accounts for up to 100% of material ejected from the trench during cable installation	
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE advises the existing slipway should be used for beach access. Need to consider beach lowering over the lifetime of the project, including climate change impacts.	The Cable Burial Risk Assessment (CBRA) will include consideration of the landfall and will incorporate information on inter-annual beach variability (see Volume 9, Report 9.9: Cable Burial Risk Assessment).	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE would like an indicative schematic showing the MDS of cable crossing cross-section and plan, and also a map showing potential cable crossing locations.	A map showing potential offshore cable crossings is shown in Figure 2.9. An indicative schematic showing the MDS for cable crossings (both in plan view and as a cross-section) is provided in Volume 6, Part 2, Chapter 1: Offshore Project Description.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE advise VEs to consider the MDS for shared and separate offshore infrastructure, including ECCs and landfall, and assess all potential associated impacts. NE also advise that consideration is given to construction related impacts on sensitive receptors and designated sites (e.g., MLS SAC, Annex I sandbanks, designated sites along adjacent coastline at landfall) due to simultaneous operations (SIMOPs) between VE and North Falls. Provide MDS for overlapping plumes, increased SSCs, subsequent sediment deposition, area of impact etc.	The potential for cumulative (overlapping) sediment plumes due to simultaneous operations between VE and North Falls is assessed in paragraph 2.13.4 et seq. of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical processes.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Table 1.1 - NE consider boulder clearance for 100 % of export cable and inter-array cable is extensive. Where will removed boulders be placed, minimum boulder size that requires clearance? NE advise that acoustic data should allow for identification of specific locations requiring boulder clearance and refinement of the MDS. Assessment should consider where the boulders are placed and where they are removed from.	The expected extent of boulder clearance has been refined, and the Offshore PD now sets out that 25% of the array cable and offshore export cable lengths will require boulder clearance using a SCAR plough or similar. Other parts of the route length may need isolated boulders cleared using a less impactful grab tool, and an estimated maximum number of isolated boulders needing cleared has been defined in the ES. The exact size of boulder needing cleared depends on the installation tools selected and extent to which micro-routing can avoid need for clearance, but boulders down to a size of 0.3-0.5m could need cleared. Boulders may need cleared at any location along the route as isolated instances do exist. However, there are specific areas of boulder fields were clearance is more likely. Boulders will generally be relocated as close as possible to the original location, considering environmental and construction requirements.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	1.4.15 - NE advise that the MDS should assume 100 % of the sediment in the trench is disturbed.	The project MDS is set out in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology and Physical Processes. It is noted here that, as for the PEIR, the ES Project Description assumes that up to 50% of material within the trench profile may become fully ejected. This is considered to be a realistic worst case assumption, that is consistent with numerous other OWF EIA studies and field evidence (e.g. BERR, 2008; Awel y Môr Offshore Wind Farm Ltd, 2022). For the ES, it is also confirmed that the combined envelope of results (for all sediment disturbance activity types) also accounts for up to 100% of material ejected from the trench during cable installation	N
Marine Geology, Oceanography and Physical processes	Table 1 - NE note that sand wave clearance of 99, 750,00 is substantially more than other plans or projects. They note the 70 m wide corridor is very wide. They ask if this is the width per cable, or for all four cables? They note	The project MDS has been refined considerably since PEIR. Updated values are provided in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes	N

(document reference 6.2.2)	in section 1.4.19 that width of clearance will vary between 25 - 700m - they comment this upper limit is very wide. NE note it would be useful to receive the Fugro (2022a & b) geophys reports but advise using project specific geophysical survey data to refine down this substantial MDS. NE note the extent and location of sediment disturbance should be provided for affected MPAs/ features (e.g. MLS SAC and Annex 1 sandbanks) and how the sediment will be retained in the system.		
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Table 1.22 - NE note it is not clear how the MDS for scour protection has been calculated for Array foundations.	The scour protection footprint for individual foundations has been calculated through consideration of the likely maximum extent of scour. The MDS for scour protection for the array area as a whole has been determined through consideration of the combination of turbine number, foundation size and type that results in the greatest footprint of scour protection.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Table 1.21 - The MDS total area of seabed disturbed for offshore export cable installation is 6,660,000m2, yet the MDS total volume is 2,156,175m3. NE question how this volume has been calculated, given the indicative maximum burial depth of 3.5m. In addition, NE queries if the 3.5m will be achieved given current cable installation using the proposed methods achieve a 1-2m cable burial depth on other North Sea projects.	The project MDS has been refined considerably since PEIR. Updated values are provided in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. It is noted that 3.5 m is a maximum burial depth, with average burial depths expected to be much less than this.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Table 1.26 - NE query if the width of cable protection on the seabed of 16 m is for all four cables.	The project MDS has been refined considerably since PEIR. Updated values are provided in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The width of cable protection for each cable is now (up to) 9.7m.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Table 1.34 - NE advise note that the MDS for O&M activities does not seem to include maintenance of external cable protection or remedial external cable protection. They advise that this should be considered.	The MDS (Table 2.8 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes) now also includes the number of anticipated cable repairs during the lifetime of the Project and associated additional lengths of cable protection (if required) as a separate item. Cable protection does not require ‘maintenance’, so this is not considered further. Remedial cable burial activities are very localised and of short duration, falling within the envelope of impacts considered in the construction phase.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE are broadly content with the quality and quantity of surveys for baseline characterisation and the survey methodology.	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE advise using more recent wave data in the wave data analysis.	The project is informed by the ABPmer SEASTATES wave hindcast database (seastates.net), which provides hourly timeseries and derivative climatic statistics for the period January 1979 to near-present. Typically, at least 30 years of hourly data are used to describe the long-term wind and wave climate. The hindcast model is validated using historical measured wave data from ~20 coastal and offshore locations around the UK. The validity of the model (and therefore the data it produces) is not affected by the age of the historical data used for validation – only the quality and quantity of that data, which is considered sufficient.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE advise that the assessment includes more recent examples of cable laying monitoring evidence and any recent lessons learnt.	Since publication of the PEIR, a literature search has been undertaken to identify more recent examples of cable laying and any lessons learnt. In particular, the work of TCE (2019) has been reviewed and incorporated into the assessments of potential morphological impacts of cable laying (and installation of protection measures during construction (para 2.10.22 et seq.) and operation (para 2.11.33 et seq.)	N

		of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes.	
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	NE would like to see the Fugro (2022 a & b) reports.	The Fugro 2022 a and b reports are presented in Annex 2.4: Main Array and Export Cable Route - Environmental Features Report.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	1.11 - Natural England advises that an indicative schematic is provided showing MDS cable crossing cross-section and plan, and also a map identifying potential cable crossing locations, if possible.	A map showing potential offshore cable crossings is shown in Figure 2.9. An indicative schematic showing the MDS for cable crossings (both in plan view and as a cross-section) is provided in Volume 6, Part 2, Chapter 1: Offshore Project Description.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Section 2 - NE are content with spreadsheet based numerical models, but advise the assessment should include lower flow speeds to calculate: SSCs due to release of sand and gravels; sediment deposition due to release of sand and gravels and dispersion of fine sediment.	In practice, any sediment that is disturbed will be dispersed by the local ambient current speed and direction conditions at the time and location of the activity. These conditions are variable in both space and time as the result of normal tidal processes, leading to a wide range of realistically possible outcomes. A relatively higher current speed might increase the distance or footprint of effect, however, because the total volume and the rate of sediment disturbance remains the same, the resulting patterns of suspended sediment concentration and thickness of deposition would be proportionally reduced, and vice versa. For this reason, a representative flow speed in the main ebb and/or flood direction is used to realistically inform the assessments around suspended sediment dispersion and re-settlement (para 2.10.6 et seq.), whilst noting the potential envelope of effect for relatively lower or higher current speeds. Detailed outputs from the spreadsheet models used to inform these assessments have previously been presented in a number of other PEIR and ES studies (references are provided), for a sufficiently similar range and type of activities in a similar environmental setting. The detailed results from all activity types are normally collated into the site specific summary of effects table and example plume extent figures that are presented in this ES. These site specific summary results are conservative for all activity types and have been developed and validated on the basis of detailed project specific calculations. However, not all details of the working stages up to the final result are shown as they are not relevant to the conclusions of the assessment.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Section 2.10.7 provides a general overview of SSC dispersion and sediment deposition thickness but the following modelling outputs should be provided: Drilling of monopile foundations/ pin piles for jackets; seabed prep by dredging prior to foundation and cable installation and cable burial.	Detailed outputs from the spreadsheet models used to inform these assessments have previously been presented in a number of other PEIR and ES studies - (references are provided in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes), for a sufficiently similar range and type of activities in a similar environmental setting. The detailed results from all activity types are normally collated into the site specific summary of effects table and example plume extent figures that are presented in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. These site specific summary results are conservative for all activity types and have been developed and validated on the basis of detailed project specific calculations. However, not all details of the working stages up to the final result are shown as they are not relevant to the conclusions of the assessment.	N
Marine Geology, Oceanography and Physical processes	2.10.4 - 2.10.9 - Maps have not been provided to show model output for the different construction activities listed in Section 2.10.4. It would be helpful if these could be provided to show increased SSCs due to the release of	Detailed outputs from the spreadsheet models used to inform these assessments have previously been presented in a number of other PEIR and ES studies - (references are provided in Volume 6, Part 2,	N

(document reference 6.2.2)	sands and gravels, and fines, along with fine sediment dispersion due to drilling for monopile foundations and seabed preparation in the arrays; and at specific locations along the ECC.	Chapter 2: Marine Geology, Oceanography and Physical Processes), for a sufficiently similar range and type of activities in a similar environmental setting. The detailed results from all activity types are normally collated into the site specific summary of effects table and example plume extent figures that are presented in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. These site specific summary results are conservative for all activity types and have been developed and validated on the basis of detailed project specific calculations.	
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.10 - NE are requesting additional maps showing release of all sediments and fines from concurrent drilling and dredging activities	The detailed results from all activity types are collated into the site specific summary of effects table and example plume extent figures that are presented in Figure 2.3 and Figure 2.4 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. These site specific summary results are conservative for all activity types and have been developed and validated on the basis of detailed project specific calculations.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.4.2 - There are several Annex 1 sandbank systems along the ECC. NE are requesting the MDS and maps showing spatial extent and magnitude of elevated SSCs due to sand wave clearance along the ECC at key locations such as MLS SAC and the Annex I sandbanks (e.g., Galloper, Outer Gabbard, Gunfleet Sand) that overlap the cable route.	Annex 1 sandbank systems are shown alongside mapped footprints of sediment plumes and associated sediment deposition in Figure 2.3 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical processes.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Table 1.26 - It is not stated whether cable protection is anticipated to affect any MPAs or sensitive features. We advise that this should be explained. Furthermore, if any MPAs or sensitive features are likely to be impacted by cable protection, then the extent of the impact and location should be stated.	The potential for morphological impacts to sandbanks and designated areas of seabed within MPAs arising from the use of cable protection is set out within the environmental assessment section in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography And Physical Processes	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	It Table 1.27 - is not stated whether any cable crossings are likely to effect any MPAS or features - NE advise that the extent of the impact and location should be stated in MPAs and Annex 1 habitats.	An assessment of the potential impact of cable crossings on hydrodynamics and sediment transport processes (with associated potential impacts to sandbank morphology and designated areas of seabed) is presented in the environmental assessment section in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography And Physical Processes	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	1.2.10 - 1.2.13 - NE would like clarification on how many HDD exit pits may be open at the same time, and the duration. Assess the presence of cofferdams in the nearshore.	The project MDS is set out in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. This section states how many HDD exit pits may be open at the same time and for how long.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.47 - NE advise information on inter-annual beach variability, including post winter surveys, should be used to inform the depth of burial infrastructure. Advise monitoring of beach level across the lifetime of the project.	The Cable Burial Risk Assessment (CBRA) will include consideration of the landfall and will incorporate information on inter-annual beach variability (see Volume 9, Report 9.9: Cable Burial Risk Assessment).	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.18 - NE welcome the return of cleared material to the system from which it was removed and advise that it should be intelligently placed so that excavated material quickly infills the excavated depression. This is particularly important within designated sites where we would not want to see removal of Annex I habitat from the site. Effort should be made to place material in areas of similar sediment/grain size to match the receiving environment and enable faster recovery.	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	1.9 - NE note that disposal site 3 includes the ECC route from arrays to landfall and are concerned the amount of sand to be levelled could impact designated sites or sensitive features. They advise that best practice should be followed to assess and minimise impacts, including an assessment	The project MDS has been refined considerably since PEIR: the volume of material the could potentially be disturbed is now considerably less. It is also noted that material will not be removed from the local sedimentary system as any disposal will be local to the	Y

	against the feature attributes.	point of disturbance.	
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.27 - 2.10.29- NE suggest that the Annex 1 sandbanks sensitivity / magnitude should be revisited. Given recovery timescales they suggest that magnitude of impacts might be greater than low, and the level of effect may be of greater significance than minor. They advise that the spatial extent of Annex 1 sandbank seabed that will be affected and the volume of sediment that is required to removed through sand wave levelling should be evaluated and used to inform the assessment of significance.	The conclusion of 'minor adverse' significance [to Annex I sandbanks] results from the combination of the 'medium' sensitivity and 'negligible' (neutral) or 'low' magnitude of impact, according to the significance matrix in Table 2.6 from Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The justification for each input to the assessment conclusion is provided. Raising the sensitivity to 'high' and the magnitude (of construction phase impacts) to 'low' would result in a 'moderate adverse' significance, but neither are justified in the authors opinion. Any lesser change would still result in a conclusion of 'minor adverse' (or lower) significance. We do not agree that a particular level of significance should be arbitrarily assigned if not supported by the assessment results. It is also noted that the project MDS has been refined considerably since PEIR: the volume of material that could potentially be disturbed is now considerably less.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.20 - 2.10.32 - NE disagree that the predicted magnitude of the impact upon the MLS SAC seabed would be negligible. They also disagree with the conclusion of minor adverse significance. They advise that the magnitude of impacts should be greater as the structure and function of the SAC has already been affected through a number of anthropogenic pressures.	The conclusion of 'minor adverse' significance (para 2.1.1 et seq. and 2.11.107 et seq in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes) results from the combination of the 'medium' sensitivity and 'negligible' (neutral) or 'low' magnitude of impact. The justification for each input to the assessment conclusion is provided. Raising the sensitivity to 'high' and the magnitude (of construction phase impacts) to 'low' would result in a 'moderate adverse' significance, but the professional judgement of the authors is that neither change is justified in this case. Any lesser change would still result in a conclusion of 'minor adverse' (or lower) significance. It is not accepted that a particular level of significance should be arbitrarily assigned if not supported by the assessment results. It is not appropriate to seek to assign sensitivity and magnitude categories in order to create a particular desired significance outcome.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.36 - NE advise that consideration is given to beach lowering over the lifetime of the project, including climate change impacts. This should be used to inform HDD operation.	The pre-construction Cable Burial Risk Assessment (CBRA) will include consideration of the landfall and incorporate information on inter-annual beach variability (see Volume 9, Report 9: Cable Burial Risk Assessment for the outline CBRA where this commitment is captured).	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.39 - NE would like further details on the ducts being rolled / pulled across the beach and how long these works would last and if consideration has been given to machinery across the intertidal. Have interactions with beach processes been considered here. Can environmental impacts be minimised by using existing slipways?	The option of ducts being rolled / pulled across the beach is considered to only be possible in the event of the intertidal HDD with shorter ducts. It is expected that the existing slipway could be used and the ducts laid along the track behind the seawall. Minimal machinery on the beach would be anticipated and the works would effectively be a "launching" of the ducts that would be expected to be complete within a day.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.44 - NE would like reference to be made to the project specific PSD data when describing the intertidal area.	Particle size distribution (PSD) information from samples collected at the landfall are described in paragraph 2.7.24. Beach sediments are typically highly heterogeneous and with high temporal and spatial variability. The assessment at the landfall is supported by an adequate description (para 2.7.21 et seq.) of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes of the beach type and sediments, based on information from documents such as the Shoreline Management Plan and other visual (e.g. aerial photographic) evidence.	N
Marine Geology, Oceanography and Physical processes	2.10.48 - NE would like further information on the anticipated extent, number, spacing and location of cable protection in the nearshore zone (shallow water). Also, need to consider how successful burial of cable	Full details regarding the use of cable protection in the nearshore zone at the landfall is set out in Table 2.8 'Maximum design scenario for the project alone' within Volume 6, Part 2, Chapter 2: Marine Geology,	N

(document reference 6.2.2)	protection and export cables will be achieved across the intertidal.	Oceanography and Physical Processes. Burial will be achieved using standard construction methods and informed by an assessment of variability in beach level (see Volume 9, Report 9: Cable Burial Risk Assessment)	
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.50 - NE do not agree with the assessment of the coastline as being of medium sensitivity/ importance on the basis that the coastline is of regional and national importance, functionally and strategically. They advise it should be assessed as being of high importance.	Using the criteria presented in Table 2.5 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes, although designated in places (for saltmarsh and freshwater marsh), the shoreline is typically a dynamic environment which is subject to natural change under baseline conditions. Accordingly, it is assessed to have some capacity to recover from disturbance and therefore medium sensitivity/ importance. We do not agree that a particular level of sensitivity should be arbitrarily assigned if not supported by the definitions applied to all receptors in this chapter.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	6.10.86 - NE recommend that chemicals and machinery should not be stored on the foreshore areas and advise there is a hard standing behind/ on top of the seawall, access to the beach is available via the slipways.	The intention is that chemicals and machinery would be stored in the temporary construction compound identified at the end of Manor Way. It is not intended to store anything on the beach itself.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.16 - NE advise that consideration is given to nearby Annex I sandbanks (e.g., Galloper and Outer Gabbard to the west and southwest of the arrays) as receptors as a result of changes to the wave regime.	Potential morphological impacts to sandbanks (including Galloper and Outer Gabbard) are considered within the assessment set out in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. This assessment considers potential changes to all pathways which may result in morphological impacts to banks, including to waves, tides and sediment transport.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.1.26 - MDS includes up to 84 cable crossings. NE would like a map highlighting potential cable crossing locations, including designated areas, Annex I sandbanks etc. What is the anticipated spatial extent and dimensions of the NeuConnect/Sea Link/VE cable crossing and its proximity to MLS SAC? Include these cable crossings in the Cumulative Effects Assessment.	Each cable crossing will require rock berm protection with crest height 1.4 m, crest width 4.5 m, side slopes 1:3.9 gradient (each 4.25 m) and total width: 13 m. Each crossing will require (up to) 300m of protection. Cable crossings are show in Volume 6, Part 2, Chapter 2: Marine Geology and Physical Processes Figure 2.9.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.31 - The maximum design envelope for export cable protection is up to 69km length x 16m wide across c. 20% of the export cable. It is not known where this may need to be placed, however, if external cable protection is anticipated to be required in/near MLS SAC, Annex I sandbanks, or nearshore shallow water, we would advise including them as receptors.	The project MDS has been refined considerably since PEIR. Annex I sandbanks (including Long Sand) have been considered as a receptor within the assessment.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.54 - 2nd Bullet Point states that the MDS for installation rock protection along the offshore ECC is up to 47.5km (plus eighty-four cable crossings)with a max height of 1.4m. However, in Volume 2, Chapter 1, Table 1.26, it states that the MDS is 69km. Please can this be clarified.	The project MDS has been refined considerably since PEIR. Updated values are provided in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The Indicative total length of offshore export cable that requires protection is 18.5 km.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.66 - Nearby Annex I sandbanks such as The Galloper, Inner Gabbard, Outer Gabbard and North Falls are, as stated here, 'internationally important.' They provide supporting habitat for the SAC. Therefore, they should be considered of high importance, rather than medium importance. NE advise these Annex 1 sandbanks are of high importance in relation to phys processes.	Whilst it is acknowledged that Annex I features (including The Galloper, Inner Gabbard, Outer Gabbard and North Falls) are internationally important and provide supporting habitat for the SAC, they have been shown to be dynamic and therefore have some capacity to recover from disturbance. On this basis, a judgment of medium sensitivity is considered appropriate.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.68 - NE advise that MLS SAC is of high importance. We advise against the placement of external cable protection within the SAC. Any rock protection within the SAC is likely to hinder the conservation objective for the site. We draw your attention to the recent Hornsea Project 3, Norfolk Vanguard and Norfolk Boreas decisions.	The conclusion of 'minor adverse' significance for impacts to Margate and Long Sands SAC results from the combination of the 'medium' sensitivity and 'negligible' (neutral) or 'low' magnitude of impact, according to the significance matrix in Table 2.6 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The justification for each input to the assessment conclusion is	N

		provided. Raising the sensitivity to ‘high’ and the magnitude (of construction phase impacts) to ‘low’ would result in a ‘moderate adverse’ significance, but the professional judgement of the authors is that neither change is justified in this case. Any lesser change would still result in a conclusion of ‘minor adverse’ (or lower) significance. It is not accepted that a particular level of significance should be arbitrarily assigned if not supported by the assessment results. It is not appropriate to seek to assign sensitivity and magnitude categories in order to create a particular desired significance outcome. The Applicant has considered the guiding principles of site selection using a proportionate approach taking into account all relevant constraints, see Volume 6, Part 1, Chapter 4: Site selection and Alternatives. The conservation objectives for all designated sites are referred to within Volume 5, Report 4: Report to Inform Appropriate Assessment (RIAA) however, due to the small footprint of VE, no adverse effect on integrity is predicted. VE has progressed compensation options for potential impact to the features of the Margate and Long Sand SAC in Volume 5, Report 5: Habitats Regulation Derogation. The Applicant has worked with Natural England's advice to develop a mitigation plan which aims to reduce pressures on benthic features of the MLS SAC, this can be found in Volume 9, Document 13: M&LS SAC Benthic Mitigation Plan. The ES will provide additional appraisal within the cumulative effects assessment of Volume 2, Chapter 5: Benthic and Intertidal Ecology to deliberate the existing pressures on the MLS SAC. Furthermore, a 'without prejudice' compensation case is being developed to support the application in the event AEoI is concluded.	
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.78- 2.11.79 - NE welcome the Project’s commitment to not use loose rock or gravel protection within subtidal areas of seabed closer than 1,600m seaward of MHWS. NE would like clarification on both the predicted profile and type(s) of potential cable protection. We are concerned with the suggestion of using rock berms of up to 1.4m height in shallow waters of only 5-6m depth. NE advise that any sensitive features are clearly identified in shallow water from landfall and beyond 1,600m to fully assess potential impacts of cable protection. Can the Project commit to no surface laid protection within the shallow subtidal closer than 1,600m seaward of MHWS? NE advise that the coast at landfall is of high importance.	The maximum design scenario for cable protection is set out in Table 2.8 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical processes. The maximum rock berm protection height has been reduced from PEIR and is now 1.1 m and a full impact assessment considering the potential for changes to waves, tides and sediment transport processes resulting from installation of any cable protection measures has been undertaken. At this stage, it is not possible for the Applicant to rule out the use of surface laid protection closer than 1,600m seaward of MHWS. Using the criteria presented in Table 2.5 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical processes, the coastline is assessed to be of medium sensitivity/ importance. Although designated in places (for saltmarsh and freshwater marsh), the shoreline is typically a dynamic environment which is subject to natural change under baseline conditions. Accordingly, it is assessed to have some capacity to recover from disturbance.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.13 - NE advise that consideration is given to construction related impacts on sensitive receptors and designated sites (e.g., MLS SAC, Annex I sandbanks, designated sites along adjacent coastline at landfall) due to simultaneous operations (SIMOPs) between VE and North Falls. Provide MDS for overlapping plumes, increased SSCs, subsequent sediment	The potential for cumulative (overlapping) sediment plumes due to simultaneous operations between VE and North Falls is assessed in paragraph 2.13.4 et seq of Volume 6, Part 2, Chapter 2: Marine Geology.	N

	deposition, area of impact etc.		
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	4.1.8 - NE advise that consideration is given to MDS for shared and separate offshore infrastructure with North Falls, including ECCs and landfall, and assess all potential associated impacts.	Consideration is given to MDS for shared and separate offshore infrastructure with North Falls in the cumulative effects section (Section 2.13) of Volume 6, Part 2, Chapter 2: Marine Geology and Physical Processes.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Section 2.13/ Table 2.12 - NE note that the tiered system used within the cumulative impact assessment is based on a three-tier approach. NE and JNCC (2022) has developed a tiered approach for scoping projects into cumulative/in-combination assessments, see NE Best Practice Guidance Phase 3.	The approach to the assessment of cumulative effects is set out in Volume 6, Part 1, Annex 3.1: Cumulative Effects Assessment Methodology. An established three tier system has been used for the majority of topics, in accordance with PINS Advice Note 17 (PINS, 2019). Topic specific assessments may adopt their own approach that differs from the methodology set out in Volume 6, Part 1, Annex 3.1: Cumulative Effects Assessment Methodology, and where this is the case it is explained in the cumulative effects assessment within the topic specific chapter.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	6.3, 6.4.3 & 6.4.4 - NE advise using more site-specific and recent data for the scour assessment as they quote that the Scroby Sands reference is old. They suggest using Galloper or Greater Gabbard.	Relevant monitoring data from Galloper and Gabbard has been referred to in the assessment of scour.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.7.24 / Table 2.4 - NE suggest include Holland Haven Marshes SSSI on this Physical Processes assessment and to consider impacts to buried infrastructure due to changes to physical processes such as tidal flooding, overtopping of the seawall, sea defence failure etc. Cross-reference with other relevant chapters.	Holland Haven Marshes SSSI has now been added to Table 2.7 in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes and is considered within the assessment	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	Typo - side label reads ‘Substrate,’ but this should read ‘Substructure.’	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.10.37, 2.10.41 & 2.10.49 - Typos which read ‘72ocalize’, ‘73ocalized’ and ‘74ocalized’, which should read ‘localized’	Noted.	N
Marine Geology, Oceanography and Physical processes (document reference 6.2.2)	2.11.80 This section refers to decommissioning, is this the correct text?	This should read 'operation'. The ES has been updated accordingly	N
Offshore Ornithology (document reference 6.2.4)	CRM was undertaken using the stochLAB package. NE have not tested this tool and do not currently advocate its use. Thus, NE recommend undertaking CRM using NE's best practice guidance and/ or present evidence to support he use of stochLAB package. This could be achieved by running test scenarios through both the stochLAB tool and the Shiny app or Band spreadsheet to demonstrate any discrepancies (or not) between outputs.	To address Natural England’s comments Annex 6.5.4.10: Collision Risk Modelling: Comparison of Model Results provides a comparison of collision risk model outputs as obtained from the following versions of the Band CRM: • Deterministic Band (implemented in R using stochLAB); • Stochastic Band (implemented in R using stochLAB); and • Stochastic Band implemented using the online shiny app tool. The comparison demonstrated that the different implementations of the Band CRM generate mean values that are very similar (differences < 1-2%), with variation due simply to chance. The deterministic collision estimates, and stochastic collision estimates using the stochLAB R Package were therefore used in this chapter for appropriate species (see Annexes 4.8a and 4.8b for details).	N
Offshore Ornithology (document reference 6.2.4)	NE note that the deterministic Band model has been used. NE recommend using the stochastic model to fully incorporate uncertainty and variability in input parameters. If deterministic model is used, advise that key input parameters such as: monthly bird density; flight height; avoidance rate and	As noted above, the stochastic CRM using stochLAB has been considered appropriate to use for the assessment of species where sufficient data are available. Details are provided in Annex 4.8b. Annex 6.5.4.10 demonstrates that variation in density accounts for the	N

	nocturnal activity factor should be considered on an individual parameter basis. This can be done using the Band (2012) spreadsheet or by running the sCRM model developed by McGregor (2018). NE agree that variation in density is likely to the most influential and welcome its inclusion her. However, NE advise we advise that the other sources of variability/uncertainty should also be fully considered. If other parameters (beside bird density) are not varied, Natural England advise that a worst case should be identified and used for all parameters. It is not clear if this has been the case or not, e.g. for flight height. More detail in the form of logfiles for models run would aid a more detailed review.	majority of variation in the stochastic outputs, since the upper 95% confidence interval collision estimates derived using just the seabird densities (deterministic) were approximately half the size of those obtained with variation in the other six (avoidance rate, flight height, flight speed, body length, wingspan, nocturnal activity).	
Offshore Ornithology (document reference 6.2.4)	The Cumulative Effect Assessment (CEA) indicates >1% change to the baseline mortality of the largest Biologically Defined Minimum Population Scales (BDMPS) for 7 species (including 3 species with scoped in SPA populations). However, in all cases the magnitude of the cumulative effect has been defined as negligible or low and the significance of the impacts, minor adverse. NE advises presenting the magnitude of effects and significance of impacts based on NE's guidance alongside the projects proposed impacts in all tables as well as the report text. i.e., using parameters reflecting NE guidance and not only those determined to be more realistic by the developer. Where >1% change to baseline mortality of a species relevant population is predicted using NE's advised parameters, NE would expect further investigation of these impacts further through Population Viability Analysis (PVA).	The predicted levels of significance for each species, based on VE judgement, and based on NE guidance, have been described for each impact. For impacts due to the VE project alone, there would be no difference of magnitude of impact and significance of effect when considering the two approaches. Any differences in significance of effect due to cumulative impacts, resulting from the differences in approach, are noted in Section 4.13, and presented in Section 4.17 Summary of Effects, Table 4.69. No predicted impact due to the VE project alone has resulted in a >1% change to baseline mortality of the species' BDMPS. Where this threshold has been met due to cumulative impacts, an assessment has taken into consideration outputs of modelling undertaken for relevant offshore wind projects such as East Anglia THREE (MacArthur Green, 2015), Norfolk Boreas (MacArthur Green, 2019c), Hornsea 4 (APEM, 2021, 2022), Rampion 2 Wind Farm (APEM, 2023) which are based on North Sea and Channel BDMPS and wider biogeographic population scales	N
Offshore Ornithology (document reference 6.2.4)	NE are concerned with the an arbitrary 500 km buffer to scope in other projects for consideration. They advise that NE best practice guidance should be followed re the following point: : "All plans and projects within the relevant spatial scale should be screened into the cumulative / in-combination assessments. The relevant spatial scale will vary between species and should be based on a suitable evidence base, such as the relevant BDMPS (Furness, 2015)."	NE guidance has been followed in the cumulative assessment (Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology), and projects within the relevant spatial scale (UK North Sea and Channel, equivalent to the BDMPS scale) have now been included.	N
Offshore Ornithology (document reference 6.2.4)	1.1 - 1.4 - NE would like clarification on the location of the two OSP, with the ES showing their location in relation to MPAs. NE would have concerns if the OSP would be located in the OTE SPA.	The two proposed OSPs would be located >10km from the Outer Thames Estuary SPA, and therefore based on SNCB (2017; updated 2022) guidance, would be at distances unlikely to affect red-throated divers (or any other species) within the SPA.	N
Offshore Ornithology (document reference 6.2.4)	4.13.5- 4.13.8 - Only OWF are considered in CEA. Marine aggregates, O&G, cabling and commercial shipping are all considered part of the baseline characterisation of the site and not considered in the orni assessment. NE advise the ES should provide more evidence that these activities are not likely to cause cumulative / in-combination impacts.	Information is presented in Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology Parker et al. (2022c) advises that "Built and operational projects should be included within the cumulative assessment where they have not been included within the environmental characterisation survey, i.e. they were not operational when baseline surveys were undertaken, and/or any residual impact may not have yet fed through to and been captured in estimates of 'baseline; conditions, such as 'background' distribution or mortality rate for birds." All of the considered non-OWF activities are long-established, and their impacts would therefore have been accounted for within the environmental characterisation data.	N
Offshore Ornithology	4.7.12 - 4.7.17 & 4.10 - Offshore ECC were not specifically surveyed for	The limitations of the Irwin et al. (2019) data usage for the offshore	N

(document reference 6.2.4)	birds, with impacts assessed using data from latest OTE SPA survey undertaken in winter 2017/18. NE acknowledges that this data is the best available, but consider results should be considered with caution considered the age of the data. NE advise that work on the ECC in the OTE SPA is not undertaken during sensitive period for RTD, in particular between 1st November and 1st March. As a minimum standard, NEs best practice protocol should be adopted for this period.	ECC have been acknowledged in section 4.6 Uncertainty and Technical Difficulties Encountered, and a precautionary approach has been applied in the assessment. The overlap with the Outer Thames SPA is a relatively small proportion of the offshore ECC, at 16 km (c. 17% of the total length). A Best Practice Protocol for Red-throated Divers would be implemented during construction (see Section 4.9 Embedded Mitigation). This would involve avoiding works within the SPA during the winter period from 1 November to 1 March as much as possible. Where such works are unavoidable, restrictions to vessel movements and activities within the SPA would be applied where appropriate. See Volume 9, Report 9.18: Outline Project Environmental Management Plan (PEMP) for further information.	
Offshore Ornithology (document reference 6.2.4)	NE noted that NF baseline characterisation has not been included in the EIA. NE advise that this data should be added to the CEA.	North Falls baseline characterisation has been added to the CEA in Volume 6, Part 2, Chapter 4: Offshore Ornithology.	N
Offshore Ornithology (document reference 6.2.4)	See point 2.3 above.	The predicted levels of significance for each species, based on VE judgement, and based on NE guidance, have been described for each impact. For impacts due to the VE project alone, there would be no difference of magnitude of impact and significance of effect when considering the two approaches. Any differences in significance of effect due to cumulative impacts, resulting from the differences in approach, are noted in Section 4.13, and presented in Section 4.17 Summary of Effects, Table 4.69. No predicted impact due to the VE project alone has resulted in a >1% change to baseline mortality of the species' BDMPS. Where this threshold has been met due to cumulative impacts, an assessment has taken into consideration outputs of modelling undertaken for relevant offshore wind projects such as East Anglia THREE (MacArthur Green, 2015), Norfolk Boreas (MacArthur Green, 2019c), Hornsea 4 (APEM, 2021, 2022), Rampion 2 Wind Farm (APEM, 2023) which are based on North Sea and Channel BDMPS and wider biogeographic population scales	N
Offshore Ornithology (document reference 6.2.4)	2.5 and Table 4.2 in Offshore Ornithology Chapter - A design-based approach is used to estimate bird abundance and density. Variations in the seabird abundancies and densities are estimated using a novel approach to improve the precision of the estimates. Natural England are broadly supportive of the novel approach taken to calculating design-based estimates. However, we reiterate our request that a comparison is presented against data derived from a standard design-based approach (i.e. using the entire transect as the smallest independent unit for resampling). This would evidence the claimed improvement in precision, increase confidence that suitable estimates have been generated, and allow SNCBs to properly consider more general application of the method at other appropriate projects. Note this was requested by NE at an ETG on 20/05/22.	Volume 6, Part 5, Annex 4.11: Design based bootstrap variance estimates: Comparison of transect level results with auto-correlation based time-series method provides a comparison of the abundance estimates obtained when the data are resampled at the level of the transect (as per the NE guidance) and using the auto-correlation corrected sampling block approach used for the VE analysis. This provides more details on the methodology and demonstrates the advantages of the latter approach with respect to improved precision around estimates	N
Offshore Ornithology (document reference 6.2.4)	Annex 4.6 and 4.7 - Monthly abundance and density estimates are tabulated with means, upper and lower Confidence Intervals (CIs) but Coefficient of Variation (CVs) are not shown. If feasible, the submitted ES should show coefficient of variations with the SDs and CIs for each estimate as per NE's best practice advice.	The CVs and standard deviations for each density and abundance estimate are presented within the output tables of Volume 6, Part 5, Annexes 4.2 to 4.7.	N
Offshore Ornithology (document reference 6.2.4)	4.11 - NE would like further justification for using stochLAB and fully evidence its efficacy by running a number of scenarios through both the stochLAB package and the NE recommended shiny app or Band spreadsheet and present outputs for comparison. Or alternatively, undertake	To address Natural England's comments Annex 6.5.4.10: Collision Risk Modelling: Comparison of Model Results provides a comparison of collision risk model outputs as obtained from the following versions of the Band CRM:	N

	CRM following NE guidance.	• Deterministic Band (implemented in R using stochLAB); • Stochastic Band (implemented in R using stochLAB); and • Stochastic Band implemented using the online shiny app tool. The comparison demonstrated that the different implementations of the Band CRM generate mean values that are very similar (differences < 1-2%), with variation due simply to chance. The deterministic collision estimates, and stochastic collision estimates using the stochLAB R Package were therefore used in this chapter for appropriate species (see Annexes 4.8a and 4.8b for details).	
Offshore Ornithology (document reference 6.2.4)	4.13.5 to 4.13.8 - Only OWF are considered in CEA. Marine aggregates, O&G, cabling and commercial shipping are all considered part of the baseline characterisation of the site and not considered in the orni assessment. NE advise the ES should provide more evidence that these activities are not likely to cause cumulative / in-combination impacts.	Information is presented in Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology. Parker et al. (2022c) advises that “Built and operational projects should be included within the cumulative assessment where they have not been included within the environmental characterisation survey, i.e. they were not operational when baseline surveys were undertaken, and/or any residual impact may not have yet fed through to and been captured in estimates of ‘baseline; conditions, such as ‘background’ distribution or mortality rate for birds.” All of the considered non-OWF activities are long-established, and their impacts would therefore have been accounted for within the environmental characterisation data.	N
Offshore Ornithology (document reference 6.2.4)	Table 4.2 & 4.6 - The CEA considers a 500 km zone of influence for offshore ornithology. NE advise that the spatial scale for scoping in other projects for consideration in the CEA should be based on a suitable evidence base (e.g. relevant BDMPS).	NE guidance has been followed in the cumulative assessment (Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology), and projects within the relevant spatial scale (UK North Sea and Channel, equivalent to the BDMPS scale) have been included.	N
Offshore Ornithology (document reference 6.2.4)	4.10 to 4.13 and Table 4.66 - NE note Impacts for the WCS are derived following NE best practice using displacement figures assessed against BDMPS and biogeographic regional populations. However, the magnitude and significance of the WCS are downgraded to lower scales based on qualitative assessments of these results, notably for the CEA. NE advise the ES should draw conclusions based on a range of predicted effects, drawing on outputs derived from NE best practice guidance alongside the project’s proposed impact estimates.	The predicted levels of significance for each impact, based on VE judgement, and based on NE guidance, have been described for each impact and presented in 4.17 Summary of Effects, Table 4.68 and Table 4.69 of Volume 6, Part 2, Chapter 4: Offshore Ornithology.	N
Offshore Ornithology (document reference 6.2.4)	4.10 to 4.13 - Breeding kittiwake population from Lowestoft is not included in the EIA, but VE array lies within the mean-max foraging range of the species. NE advise adding this population to the list IOFs and include it in the CEA.	This is relevant to the Volume 5, Report 4: RIAA and is addressed there. For EIA the appropriate population scale is the BDMPS which has been used in this assessment. Parker et al. (2022c) states that “All plans and projects within the relevant spatial scale should be screened into the cumulative / in-combination assessments. The relevant spatial scale will vary between species and should be based on a suitable evidence base, such as the relevant BDMPS”.	N
Offshore Ornithology (document reference 6.2.4)	No population modelling was undertaken as all impacts were determined to be negligible or low for all species except lesser black-backed gull (in the breeding season). A PVA for this species will be presented in the Report to Inform Appropriate Assessment (RIAA) for the Habitats Regulations Assessment (HRA). However, cumulative effects causing >1% change to baseline mortality of the largest BDMPS were reported for red-throated diver, razorbill, guillemot, gannet, great black-backed gull, lesser black-backed gull, and kittiwake. All are discounted in the PEIR as the VE contribution is considered very small and those impacts from other OWFs likely too precautionary due to various reasons (see comment below). Natural England does not support this approach.	The predicted levels of significance for each impact, based on VE judgement, and based on NE guidance, have been described for each impact. For impacts due to the VE project alone, there would be no difference of magnitude of impact and significance of effect. Any differences in significance of effect due to cumulative impacts are noted in Section 4.13, and presented in Section 4.17 Summary of Effects, Table 4.6 of Volume 6, Part 2, Chapter 4: Offshore Ornithology. No predicted impact due to the VE project alone has resulted in a >1% change to baseline mortality of the species’ BDMPS. Where this threshold has been met due to cumulative impacts, analysis undertaken within Volume 5, Report 4, RIAA has been referenced.	N

	For those species that cumulative effects will likely cause >1% change to the baseline mortality, undertake a PVA in the EPP and for those designated species from the scoped in SPA populations assess Likely Significant Effect (LSE)and any Adverse Effects on Integrity (AEoIs) in the HRA.		
Offshore Ornithology (document reference 6.2.4)	4.13.73, 4.13.82, 4.13.93, and 4.13.107 - Natural England are actively engaged with industry considering ways that 'as-built' parameters can be used within assessments. However, at present we do not consider it appropriate to reduce impact estimates by considering as-built parameters, unless legally secured through the DCO licence. Natural England advises that the ES should present cumulative/in-combination totals based on 'as consented' parameters within all relevant assessments.	Noted. The NE guidance on cumulative assessment (Parker et al. 2022c) has been followed in this respect.	N
Offshore Ornithology (document reference 6.2.4)	4.11.111 - NE highlight that there is not citation for tracking studies of LBBG crossing the North Sea is given, although the PEIR suggests they provide evidence of low interconnectivity and help indicate likely insignificant transboundary effects. NE recommend a follow up discussion in the EPP, citing the studies used as evidence.	The results of studies of tagged breeding lesser black-backed gulls in the Netherlands (e.g., Vanermen et al. 2022; van Bemmelen et al. 2023) have shown that birds normally remain on the continental side of the North Sea.	N
Offshore Ornithology (document reference 6.2.4)	NE note that CRM has been undertaken using the deterministic Band model. Uncertainty in flight density has been incorporated by estimating collisions using mean, UCI & LCI density estimates. However, other model parameters have not been varied. If deterministic model is used, advise that key input parameters such as: monthly bird density; flight height; avoidance rate and nocturnal activity factor should be considered on an individual parameter basis. This can be done using the Band (2012) spreadsheet or by running the sCRM model developed by McGregor (2018). by having no variability (i.e. SDs) set for any input parameter, and then undertaking multiple runs of the model to account for individual variation in each relevant input parameter. This gives an indication of which parameters might have the most influence on the prediction of collision risk, recognising that individually these will not reflect the effect of uncertainty across all parameters.	To address Natural England's comments Annex 6.5.4.10: Collision Risk Modelling: Comparison of Model Results provides a comparison of collision risk model outputs as obtained from the following versions of the Band CRM: • Deterministic Band (implemented in R using stochLAB); • Stochastic Band (implemented in R using stochLAB); and • Stochastic Band implemented using the online shiny app tool. The comparison demonstrated that the different implementations of the Band CRM generate mean values that are very similar (differences < 1-2%), with variation due simply to chance. The deterministic collision estimates, and stochastic collision estimates using the stochLAB R Package were therefore used in this chapter for appropriate species (see Annexes 4.8a and 4.8b for details).	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Consideration of MLS SAC - existing pressures on the interest features of Margate and Long Sands SAC are likely to be hindering the conservation objectives for the site. Accordingly, every effort must be made to mitigate project impacts to not only reduce the project alone effects, but also the contribution made to existing pressures/cumulative impacts. Otherwise, the site is likely to be taken further away from meeting those conservation objectives. NE draw the Project's attention to the many anthropogenic pressures already operating across a considerable proportion of MLS SAC (e.g. London Array OWF, BritNed, marine aggregates etc), in addition to several planned activities (e.g. NeuConnect, Sea Link), which will further add to the pressures on the interest features of the SAC. Thus, whilst the spatial extent of the area impacted by the VE ECC may be small relative to the SAC as a whole, when all pressures are summed, it may lead to an adverse effect on the site integrity. We advise that these pressures should be fully considered in the cumulative impacts assessment. NE draw attention to:	The Applicant has worked with Natural England's advice to develop a mitigation plan which aims to reduce pressures on benthic features of the MLS SAC, this can be found in Volume 9, Document 13: M&LS SAC Benthic Mitigation Plan. The ES will provide additional appraisal within the cumulative effects assessment of Volume 2, Chapter 5: Benthic and Intertidal Ecology to deliberate the existing pressures on the MLS SAC. Furthermore, a 'without prejudice' compensation case is being developed to support the application in the event AEoI is concluded.	Y

	- Recent Hornsea 3 decision - concluded cable protection within 0.0026 % of the Wash and North Norfolk SAC was an AEoI due to site having a restore objective. Advise that impacts to MLS SAC are thoroughly considered and an in-principle compensation package is provided.		
Benthic and Intertidal Ecology (document reference 6.2.5)	Cable Protection - remains unclear if cable protection will be required with MLS SAC, and therefore we advise that a cable burial risk assessment is provided as part of the Application. Please note that for other projects within this designated site external protection has been required. If cable protection required within the site, NE advise that this constitutes a lasting impact over the lifetime of the project which is potentially irreversible. Unless demonstrated otherwise, scale of impacts likely to hinder the "maintain" habitat feature of the site which cannot be restored whilst the protection is in situ. All options should be explored by VE to avoid, reduce and mitigate the impacts from the placement of cable protection including (but not exclusively), reducing the number of cables, reducing cable crossings within designated sites, minimising the cable protection requirement along the cable length within the SAC, modifying cable installation, avoiding placing cable in fisheries byelaw areas, adoption of the reburial hierarchy and using cable protection which has the greatest likelihood of successful removal. Experience from projects to date is demonstrating that mitigation measures are unlikely to completely remove the need for cable protection over the lifetime of the project. Presently, the post installation evidence is not sufficient to remove all reasonable scientific doubt as to the absence of adverse effects on the integrity on the protected Annex I Sandbanks and Reefs as a result of the installation of cable protection over the lifetime of the project. The Secretary of State decision for Hornsea Project Three, Norfolk Boreas and Norfolk Vanguard supports this position with a requirement to provide compensation measures.	The Applicant has worked with Natural England's advice to develop a mitigation plan, Volume 9, Document 13: M&LS SAC Benthic Mitigation Plan which aims to reduce pressures on benthic features of the MLS SAC. The results of the CBRA will be presented with the final application and results applied to reports it can support. Furthermore, a 'without prejudice' compensation case is being developed to support the application in the event AEoI is concluded.	Y
Benthic and Intertidal Ecology (document reference 6.2.5)	Sand wave Levelling - Larsen et al., 2019 paper provides useful evidence from Race Bank OWF which indicates complete natural generation of different types of sandbanks will be achieved within 3 years after levelling if sediment is retained within the system. From NE's experience complete regeneration is likely to occur on dynamic sandbank systems if appropriate measures are implemented to retain sediment in the system. Lack of evidence to support this in more static sandbank systems e.g. Dogger Bank. Natural England advises that mitigation measures are adopted and monitoring similar in scope to the Larsen et al., 2019 surveys is undertaken of all areas where sand wave sweeping/levelling occurs within MLS SAC and is secured in the In Principle Monitoring Plan. The initial survey of the impacts should be repeated until such time that the sandbanks are considered by the regulator, in consultation with Natural England, to have satisfactorily regenerated and are providing the same structure and function as to the surrounding sandbanks.	The Applicant has worked with Natural England's advice to develop a mitigation plan which aims to reduce pressures on benthic features of the MLS SAC. Furthermore, the Applicant will develop a monitoring scope in line with Larsen et al., 2019 for all areas where sand wave sweeping/levelling occurs within MLS SAC. It is proposed this will be secured in the In Principle Monitoring Plan. The Applicant has worked with Natural England's advice to develop a mitigation plan which aims to reduce pressures on benthic features of the MLS SAC, this can be found in Volume 9, Document 13: M&LS SAC Benthic Mitigation Plan. The ES will provide additional appraisal within the cumulative effects assessment of Volume 2, Chapter 5: Benthic and Intertidal Ecology to deliberate the existing pressures on the MLS SAC. Furthermore, a 'without prejudice' compensation case is being developed to support the application in the event AEoI is concluded.	Y
Benthic and Intertidal Ecology (document	Benthic Mitigation measures - • Avoid Designated Site – e.g., HP3 removed infrastructure from Markham’s	The Applicant has worked with Natural England's advice to develop a mitigation plan which aims to reduce pressures on benthic features of	Y

reference 6.2.5)	Triangle MCZ • Reduce number of export cables though use of HV/DC system or coordinated approach with other projects – e.g., Norfolk Projects • Reduce the number of cable crossing within a designed site to avoid the requirement for cable protection – e.g., Hornsea Project Three • Cutting and removing sections of disused cables to avoid cable crossings – e.g., Norfolk Projects • Micro siting cables around reef and other features of ecological importance – All projects post Lincs OWF consent 2008 • Sand wave levelling to reduce risk of free spanning cables and requirement for external cable protection –All projects since 2016 have included an element of this • Adoption of the reburial hierarchy with external cable protection being last resort – all projects • Pre-consent – finalise cable burial risk assessment using Geotech. data to focus cable protection requirements to areas where cables are likely to be sub-optimally buried e.g., mixed sediment – All projects since Vanguard • Use of guard vessels and/or advance mapping to avoid sub-optimally buried/surface laid cables negating the need for physical cable protection e.g., Lincs cable in the Wash • Requirement to install cable protection with the minimal footprint e.g., pinning – TWT cable corridors work • Requirement to install cable protection with the greatest likely of removal e.g., rock bags. Example Norfolk Projects • No use of jack up barges along export cable routes through benthic SACs – e.g., Norfolk OWF projects • No cable protection in fisheries byelaw areas to avoid hindering reef recovery, noting that cable may still go through the outskirts of these areas – e.g., Norfolk Projects • Designing rock armouring to mirror the structure and function of geogenic reef – advised for Viking Link interconnector • Detonation of UXO outside of designated sites to avoid the creation of a crater – suggested for DEP and SEP	the MLS SAC, this can be found in Volume 9, Document 13: M&LS SAC Benthic Mitigation Plan. The ES will provide additional appraisal within the cumulative effects assessment of Volume 2, Chapter 5: Benthic and Intertidal Ecology to deliberate the existing pressures on the MLS SAC. Furthermore, a 'without prejudice' compensation case is being developed to support the application in the event AEoI is concluded.	
Benthic and Intertidal Ecology (document reference 6.2.5)	1) The terms of the EIA methodology need to be refined with more standardised definitions. This is particularly relevant when using the term “significance” which should be in accordance with standard terminology. Where significance is determined by statistical power (significance = <0.05 P-Value).A standardised evidence-based approach should be used to allow for clear scientific understanding of evaluated impacts and parameters. 2) Clearly defining variables/ categories of Impact. The categories are clearly set out in Sections 1.6.7 and 1.6.10, but there is no definition of what these categories refer to, or mean, for example, what determines ‘Negligible’? Is it when a statistical significance is <0.005? 3) The matrix used in Table 1.2 is confusing. When using a matrix approach, it is important to make a distinction between evidence-based and value-based judgements (CIEEM, 2018). 4) The explanations given for “Determining the significance of effects” in Section 1.6.13 do not have any statistical basis, which makes it difficult to compare findings across different topics. Furthermore, it is not easy to	The magnitude criteria follows the guidance for EIA, as detailed within Volume 6, Part 1, Chapter 3: EIA Methodology. The Applicant notes Natural England’s concerns regarding subjective understanding however, it would be unachievable to have an overall result-driven magnitude for pressure. For each individual pressure, the magnitude is parameterised in relation to the defined benchmarks in the MarESA sensitivity assessments. The justification for each pressure magnitude is further discussed and assessed within Section 5.11 providing robust evidence for the final magnitude conclusion. Furthermore, the sensitivity assessment is parametrised based on resilience and resistance quantification. This follows the same process as other OWF DCO Applications to date.	N

	compare EIA conclusions based on quantitative assessments with those based on qualitative assessments.		
Benthic and Intertidal Ecology (document reference 6.2.5)	1) Provide the full detailed results of pre-construction surveys to allow for evaluation of optimal sites, EIA evaluation and to inform mitigation measures where required. 2) Uncertainty regarding final array layout and cable configuration makes it difficult to assess impacts as written. It is also not clear where some of the values have come from. 3) Need more clarity on how the total area of impact has been determined given that the final design layout is not known (e.g. type of turbine foundation, number of turbines, their location, orientation, and distribution across the array).	Pre-construction surveys will be undertaken to determine the location, extent and composition of any habitats of principal importance and/or Annex I and impacts to the features will be avoided as far as reasonably practicable.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	NE would like more clarity on the project plans to help evaluate a more accurate impact on the marine environment as there is no certainty in the information given.	Noted.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	NE note there needs to be a substantial quantifiable and comparable evaluation of the impacts otherwise it is difficult to evaluate the impacts impartially. Furthermore, the limited data and analytical results in the report, makes it difficult to assess the validity of the conclusions as written.	Noted.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	NE state more information is needed on the rationale behind the analysis and experimental design re benthic communities, in particular the rationale around the number of sampling sites selected. Appropriate power analysis showing the minimum number of surveys needed to produce an appropriate confidence of statistical representation.	The ES details the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	NE are concerned that only 17 benthic sampling data points were collected / used to represent the array areas. They consider this is a low number for ground truthing purposes and habitat / biotope analysis. NE point toward their earlier comments on the VE sampling density (29 March 2021 and 05 October 2022) Natural England queries how this will be addressed in pre-construction surveys and any implications that may arise from a more detailed pre-construction survey i.e., will any mitigation measures be sufficient?	The ES details the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Overall reporting of data is good and clearly presented. However, please see our comments above on the low sample density across the arrays, power analysis and need for additional replicates.	The ES and associated documents detail the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are	N

		relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation. Furthermore, whilst replicate samples would provide additional statistical confidence, this strategy has not been applied to any recent OWF applications (Norfolk Vanguard, Hornsea Four, SEP, DEP, East Anglia 3 and many more) and is not deemed proportionate for the aims of the investigation. Pre-construction surveys will be developed and assumptions presented with the final ES.	
Benthic and Intertidal Ecology (document reference 6.2.5)	As above.	The ES and associated documents detail the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation. Furthermore, whilst replicate samples would provide additional statistical confidence, this strategy has not been applied to any recent OWF applications (Norfolk Vanguard, Hornsea Four, SEP, DEP, East Anglia 3 and many more) and is not deemed proportionate for the aims of the investigation. Pre-construction surveys will be developed and assumptions presented with the final ES.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Natural England notes that there appears to be no monitoring schedule for benthic communities or fisheries in pre and post construction. This needs to be addressed as long-term ecological monitoring is critical in particular within designated sites and where there are supporting habitats. We query if this will be covered in the Outline Monitoring Plan?	An Offshore In Principle Monitoring Plan is included in Volume 9, Report 32 of the DCO Application.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	NE note the project has been described well with information presented clearly.	Noted	N
Benthic and Intertidal Ecology (document reference 6.2.5)	1.6.6 - NE advise there needs to be clearly defined parameters for a given variable categorisation. Typically, this would be derived from the level of statistical significance. For example, negligible is <0.005 P-Value, High is >0.5 P-Value. If statistical evaluation is not appropriate, then clear descriptive context should be provided.	The Applicant can confirm that robust univariate and multivariate statistical testing was applied during the characterisation of the baseline and determining macrofaunal assemblages, as presented within Volume 6, Part 5, Annex 5.1: Main Array: Benthic Ecology Monitoring Report,; Volume 6, Part 5, Annex 5.2: Export Cable Route and Intertidal Benthic Ecology Monitoring Report. As detailed within these technical appendices the following multivariate analyses were	N

		applied to the data: Hierarchical clustering, 'Cluster' analysis, dendrogram and non-metric multidimensional scaling ordinations, SIMPER and SIMPROF analyses as well as principal component analysis. The outputs of these statistics are not presented within this Chapter as this would duplicate effort, however, the analyses forms the basis of the characterisation and subsequent EIA.	
Benthic and Intertidal Ecology (document reference 6.2.5)	Table 1.2 - "Deriving the level of significance of an effect" is not clear and does not provide any indication on what constitutes what category.	The significance criteria follows the methodology outlined in Volume 6, Part 1, Chapter 3: EIA Methodology.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	1.4.6 - "The total area of seabed which may be disturbed by boulder clearance is 10,260,000 m2 (10.26 km2), however this is expected to be greatly reduced once the results of preconstruction surveys are known." This represents a potentially significant area of seabed. Full detailed results of pre-construction surveys should be provided to allow evaluation of specific boulder clearance requirements and EIA. Including relocation locations.	The Applicant has provided full details of pre-construction surveys within the In Principle Monitoring Plan (Volume 5, Report 5.2: Benthic In Principle Monitoring Plan). Boulder clearance activities have also been refined in the Offshore Project Description (document reference 6.2.1) since PEIR.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Table 1.4 - "Assuming a V-shaped trench in which 50% of sediment is fluidised and the remaining 50% re-suspended in the water column." What evaluation/ pilot study has been conducted to assume the percentages of sediment distribution? Also has this assumption of homogenous sediment types? As different sediment types will impact the percentage ratio and disturbance area. We advise that more clarity is required on where these values have come from, as different ratios will have different impacts on benthic communities, both in the immediate and the surrounding area down flow from mean currents. Please also see physical processes comments.	The project MDS is set out in Section 2.8 of Volume 6, Part 2, Chapter 2: Marine Geology and Physical Processes. It is noted here that, as for the PEIR, the ES Project Description assumes that up to 50% of material within the trench profile may become fully ejected. This is considered to be a realistic worst case assumption, that is consistent with numerous other OWF EIA studies and field evidence (e.g. BERR, 2008; Awel y Môr Offshore Wind Farm Ltd, 2022). For the ES, it is also confirmed that the combined envelope of results (for all sediment disturbance activity types) also accounts for up to 100% of material ejected from the trench during cable installation	N
Benthic and Intertidal Ecology (document reference 6.2.5)	1.5.2 & 1.5.4 - The impact can be direct disturbance and/or secondary because of changes to community composition due to artificial structures as well as impacts on natural sediment transport. Depending on the biotopes impacted, some turbines may need to be spaced out more/ not suitable for placement. We advise that that more detail on the anticipated locations of turbines and their type of foundation is required in order to more accurately assess the impacts on benthic ecology. We advise that more detail on the type of foundation, orientation, and distribution pattern of the turbines relative to mean currents and tidal patterns is required because the cumulative impacts could have adverse effects on benthic communities as a result of changes in sediment transport processes.	The maximum design scenario in line with Rochdale Envelope approach has been assessed.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	1.5.23 - As above - NE requesting location of OSPs.	The OSP locations are covered in Volume 6, Part 2, Chapter 1: Offshore Project Description.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Table 1.24 - NE are requesting how the values associated with seabed disturbance were derived.	The values associated with seabed disturbance were derived from parameters outlined in Volume 6, Part 2, Chapter 1: Offshore Project Description.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	3.2.3 - NE advise that more clarity on these definitions is required, and what constitutes the given statuses, i.e. what is high defined as.	WFD waterbodies are assessed in Volume 9, Document 7: WFD Assessment - Offshore.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Section 5.5 and Table 5.3 - A clear set of statistical result driven parameters should be used. This would eliminate any subjective understanding of the definitions and allow for long term comparisons. MarESA four-point classification scale has been taken into account, but the additional data/	The magnitude criteria follows the guidance for EIA, as detailed within Volume 6, Part 1, Chapter 3: EIA Methodology. The Applicant notes Natural England's concerns regarding subjective understanding however, it would be unachievable to have an overall result-driven	N

	result driven categorisation would be appreciated.	magnitude for pressure. For each individual pressure, the magnitude is parameterised in relation to the defined benchmarks in the MarESA sensitivity assessments. The justification for each pressure magnitude is further deliberated and assessed within Section 5.10 in Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology, providing robust evidence for the final magnitude conclusion. Furthermore, the sensitivity assessment is parametrised based on resilience and resistance quantification.	
Benthic and Intertidal Ecology (document reference 6.2.5)	5.7.33 - Use of multivariate analysis would have allowed for better representation of community dynamics. Additionally, there is no mention of what type of statistical test was used.	The Applicant can confirm that robust univariate and multivariate statistical testing was applied during the characterisation of baseline and determining macrofaunal assemblages. The Applicant will ensure that reference to the technical appendices (where this robust testing was completed) is clear and present relevant information with regards to statistical testing in the EIA, where appropriate.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	5.7 - Was a power analysis conducted to determine the optimum minimum survey/sample sites? More clarity is needed on the rationale for the level of survey effort, as there seems to be a relatively low number of samples sites within the Arrays. Can the project provide assurance that the acoustic data provides sufficient supporting evidence to show that all habitats were identified and ground truthed?	The EIA details the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	5.7.53 - Missing reference.	The missing reference has been updated in Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	5.7.53 - NE strongly disagree with the premises and assumptions used in this section. To assess wider variability a control/reference sites will need to be included within the preconstruction baseline surveys in conjunction with the affected designated sites. This will need to be included in the In Principle Monitoring Plan.	The Applicant has prepared a pre-construction monitoring plan, which is included within the Offshore In Principle Monitoring Plan (document reference 9.32).	N
Benthic and Intertidal Ecology (document reference 6.2.5)	2.2.2 - NE note that the number of samples within the array area seems to be comparatively low, with the addition of only one sample taken from each site. They question whether power analysis was used to justify the number of selected sites, noting there is no mention of the statistical confidence. They state that JNCC advise states that three replicates should be undertake, highlighting there is no justification as to why one replicate was taken. Overall, they have low / no confidence to demonstrate that an appropriate statistical and evidence survey has been carried out. NE recommend that an appropriate power analysis be carried out to ensure adequate survey effort encompassing a minimum of 80% confidence in data representation. Additionally, they advise that more replicates are needed for appropriate evaluation of background data for survey sites. A minimum of three replicates per site should be used as standard where there is no biogenic reef.	The ES details the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation. Furthermore, whilst replicate samples would provide additional statistical confidence, this strategy has not been applied to any recent OWF applications (Norfolk Vanguard,	N

		Hornsea Four, SEP, DEP, East Anglia 3 and many more) and is not deemed proportionate for the aims of the investigation.	
Benthic and Intertidal Ecology (document reference 6.2.5)	3.1 - As above, lack of confidence in sufficient sampling number. NE advise that more sampling is needed and/or adequate justification for small sample size and lack of replicates.	The ES details the wealth of data available from existing literature, data sources and site-specific surveys. The regional habitat mapping demonstrates that seabed substrates are relatively homogenous across the array areas and the further offshore on the ECC. The site-specific surveys were designed to allow a representative number across habitats identified across the study area; noting that there are full coverage geophysical data to complement ground-truthing (the value and robustness of a characterisation survey is greatly improved where acoustic data of sufficient resolution and quality has been collected to inform and contribute to habitat mapping and characterisation). The Applicant believes that the survey strategy is sufficient spatial resolution to allow confidence in identifying the presence and extent of benthic habitats and species for the purposes of baseline characterisation. Furthermore, whilst replicate samples would provide additional statistical confidence, this strategy has not been applied to any recent OWF applications (Norfolk Vanguard, Hornsea Four, SEP, DEP, East Anglia 3 and many more) and is not deemed proportionate for the aims of the investigation.	N
Benthic and Intertidal Ecology (document reference 6.2.5)	Whole document - NE advise that a long-term monitoring plan needs to be included in the In Principle Monitoring Plan. Typically, for designated sites the stages of monitoring are Pre-construction, 1 year post construction, 3 years, 5 years, 10 years post construction, with the scope of longer monitoring if required. A detailed monitoring methodology should be constructed to allow for long term standardised data. This methodology should be optimised to cover between 10 - 30% of turbine and other infrastructure across the project. The methodology should be evaluated with efficient power analyse to detect a minimum 80% change in variance. Furthermore, the survey methodology should be standardised to other offshore wind projects. If required, further consultation with Natural England is advised.	The Applicant has prepared a benthic monitoring plan, which is included within the Offshore In Principle Monitoring Plan (document reference 9.32).	N
Marine Mammal Ecology (document reference 6.2.7)	Summary of Key Issues - NE's mains concern is related to the assigned magnitude and sensitivity for harbour porpoise throughout the assessment of underwater noise impacts. The current assessment with assigned ‘negligible’ or ‘low’ sensitivity/magnitude does not fully reflect the sensitivity of this species to underwater noise. Additionally, there does not seem to be a ‘hierarchy’ of assigned scores between high and low impact activities. For example, sensitivity score ‘Low’ is assigned both for PTS from UXO clearance and piling as well as for disturbance from other construction activities. There are other examples (see detailed comments) where we feel that the assigned scores should be amended. NE recommend that the assigned sensitivity/magnitude scores are revised to take into account the sensitivity of harbour porpoise to underwater noise, especially when it comes to impacts of UXO clearance and piling.	Sensitivity is defined by the biology of the species and the Applicant is not aware of any additional literature to support a change in the sensitivity of harbour porpoise from underwater noise. The sensitivity definitions align with those presented in other projects’ EIAs. The four levels of sensitivity have been changed from: Negligible/Low/Medium/High to Low/Medium/High/Very High in line with Natural England’s recommendations.	N
Marine Mammal Ecology (document reference 6.2.7)	Natural England provided detailed comments on the Survey Reports on 12 November 2021 and 01 February 2023. The comments provided remain relevant.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	The survey methodology is appropriate, and it follows the standard practice for digital aerial surveys for seabirds and marine mammals, occurring every	Noted.	N

	month over a period of two years.		
Marine Mammal Ecology (document reference 6.2.7)	Natural England agrees with the Management Units (MUs) for three key marine mammal species as a basis for the appropriate reference populations for the assessment.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	Natural England agrees that the adjusted average density estimate for harbour porpoises derived from the site-specific surveys is suitable density for further quantities impact assessment and that Carter et al, 2020,2022 are the appropriate references for estimating grid-cell specific seal densities.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	NE state that the data sources used to characterise the baseline are appropriate and up to date.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	The data analysis and rational provided are satisfactory and in line with Natural England's Best Practice Guidelines.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	Natural England is satisfied that all the key potential pressures/impacts and receptors have been identified.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	7.4 & 7.4.1 -Natural England notes that an indicative assessment has been provided for UXO clearance within this document and that a separate Marine Licence will be submitted when more information on the number and size of UXOs in the area become available.	This is noted by the Applicant. As agreed a separate assessment of UXO will be undertaken at the post-consent stage when more information is known and geophysical surveys have taken place. As part of the ML an EPS licence will be applied for, MMMP submitted and an assessment of impacts on the Southern North Sea SAC will be presented in a SIP and RIAA.	N
Marine Mammal Ecology (document reference 6.2.7)	7.5 - Natural England broadly agrees with the approach taken for the underwater noise modelling and the assessment.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	Table 7.6 - Table 7.8 refers to 'Neutral' magnitude, but this is not defined within Table 7.6.	Neutral is not defined in any other chapter, this is an error in underwater noise sections and will be amended from Negligible (neutral) to Negligible in line with chapter 3 EIA methodology and other impacts assessed in marine mammals/other technical chapters.	N
Marine Mammal Ecology (document reference 6.2.7)	7.7.11 - Natural England notes that the newest version of INSPIRE programme has been used to reduce 'unnecessary conservatism' in modelling. This being the case, we do not agree with the conclusion that the SELcum PTS predictions are 'highly precautionary' and 'very unlikely'. NE note that this comment is for awareness.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	7.11.11 - Natural England does not agree with the assigned 'Low' magnitude for Permanent Threshold Shift (PTS) from UXO clearance. Considering that the PTS constitutes irreversible hearing damage, more appropriate magnitude would be 'Medium', as per the definition provided in Table 7.6: "Permanent effects on individuals that may influence individual survival but not at a level that would alter population trajectory over a generational scale (Negative)." With the implementation of appropriate mitigation measures the magnitude could be reduced to Low.	The magnitude scores presented in PEIR were assigned after the consideration of a UXO MMMP which will reduce the risk to negligible levels. Section 7.10 has been amended to state the magnitude score for UXO clearance before and after mitigation. This approach was discussed in the ETG dated 5 September 2023.	N
Marine Mammal Ecology (document reference 6.2.7)	7.11 - In general NE feel that the assigned magnitude and sensitivity has been downplayed throughout the assessment, particularly for harbour porpoise. NE recommend that the assigned scores are revised to take into account the sensitivity of harbour porpoise to UWN, especially concerning UXO. Also, there does not seem to be a 'hierarchy' of assigned scores between high and low impact activities. For example, sensitivity score 'Low' is assigned for PTS from UXO clearance and piling as well as for disturbance from other construction activities. This requires revisiting.	The magnitude scores have been revisited in Sections 7.10, 7.11 and 7.12 of Volume 6, Part 2, Chapter 7: Marine Mammal Ecology to present scores both before and after the application of mitigation measures. The four levels of sensitivity have been changed from: Negligible/Low/Medium/High to Low/Medium/High/Very High in line with Natural England's recommendations	N
Marine Mammal Ecology (document reference 6.2.7)	7.11.107 - There seems to be an error in this paragraph whereby a sentence from the section 7.11.102 is copied here, while there is a missing information on the assigned magnitude.	The Applicant has addressed this typo.	N

Marine Mammal Ecology (document reference 6.2.7)	7.11.120 - The statement in this paragraph on the presence of the novel vessels on site ("The introduction of additional vessels during construction of VE is not a novel impact for marine mammals present in the area") contradicts the statement made in paragraph 7.11.51. This states that "In addition to this mitigation, it is also likely that the presence of novel vessels and associated construction activity will ensure that the vicinity of the pile is free of harbour porpoise by the time that piling begins". Thus, the former statement suggests that harbour porpoises are habituated to the presence of vessels, while the latter suggests that the vessels on site do disturb and deter the animals prior to the construction activities.	The text has been revised for better clarification.	N
Marine Mammal Ecology (document reference 6.2.7)	7.11.123 - It is unclear whether the documents mentioned here (i.e., the Codes of Conduct provided by the WiSe Scheme, Scottish Marine Wildlife Watching Code or Guide to Best Practice for Watching Marine Wildlife) be included within the Vessel Management Plan.	Volume 9, Report: 34 Working in Proximity to Wildlife will be submitted at ES. This document will be developed upon during the pre-construction phase and will determine vessel routing to minimise, as far as possible, encounters with marine mammals. It will also consider codes of conduct provided by WiSe, Marine Wildlife Watching Code and Guide to Best Practice.	Y
Marine Mammal Ecology (document reference 6.2.7)	7.11.142 - NE believe the assigned magnitude of 'Negligible' is not sufficiently precautionary given the importance of prey to marine mammals, thus they advise that this is revised to 'Low'.	The magnitude text has been amended to low based on Natural England's advice, as a result the significance has been amended from negligible to minor. This has not impacted the significance under the EIA Regulations 2017, therefore the conclusion for change in fish abundance/distribution (prey) from construction activities remains as not significant.	N
Marine Mammal Ecology (document reference 6.2.7)	7.12.8 - NE believe given the uncertainty around the noise emitted by larger turbines, it would be more precautionary to assign "Low" magnitude for disturbance instead of "Negligible."	The magnitude text has not been amended and is assigned Negligible. This does not impact the significance under the EIA Regulations 2017 therefore the conclusion for change in fish abundance/distribution (prey) from decommissioning activities remains not significant.	N
Marine Mammal Ecology (document reference 6.2.7)	7.12.10 - It is stated here that the total number of vessels and peak number of vessels on site will be 25 while the Volume 2, Chapter 1: Offshore Project Description (Table 1.40) states that there will be 27 vessels. Please clarify which number of vessels is correct.	The number of vessels has been amended in the ES chapter to align with the number stated in the PD chapter.	N
Marine Mammal Ecology (document reference 6.2.7)	7.12.22 - This paragraph states that the change in fish abundance/distribution from operation will be "highly localised". We disagree that the effects will be 'highly localised' as there is no evidence to support this. The spatial extent of changes to fish abundance/distribution due to increased fishing pressure outside of the array area is unknown. Therefore, when we combine the spatial footprint of the OWF and unknown spatial extent of this impact around the OWF, the resulting effect cannot be 'highly localised. Thus, it would be precautionary to amend the assigned magnitude from 'Negligible' to 'Low'.	The magnitude text has been amended to low based on Natural England's advice, as a result the significance has been amended from Negligible to minor. This does not impact the significance under the EIA Regulations 2017, therefore the conclusion for change in fish abundance/distribution (prey) from decommissioning activities remains as not significant.	N
Marine Mammal Ecology (document reference 6.2.7)	7.14 - Natural England broadly agrees with the cumulative assessment methodology. Any changes in the assessment score for individual activities (as per the above comments) should be reflected in cumulative assessment and amended accordingly.	The Cumulative Effect Assessment presented at ES has been updated to include any new projects in the marine mammal study area that are planning to construct in the same time period as the Project, that have not already been included in PEIR. The information presented regarding timelines and development stages of projects included for the ES will be based on publicly available knowledge and will be reviewed and updated as necessary. The information presented in the ES CEA is correct as of time of submission.	N
Marine Mammal Ecology (document reference 6.2.7)	1.3.6 - The report states 'A simple modelling approach has been used for noise sources other than piling that may be present during construction and operation of VE, and these are discussed in section 0'. However, there is no section 0 included in this report.	Typo has been amended.	N
Marine Mammal Ecology	1.3.21 - Justification should be given for why a minimum of 950m was	A spacing of between 830m and 1390m has been considered.	N

(document reference 6.2.7)	assumed.	Distances are partly dictated on turbine rotor diameter.	
Marine Mammal Ecology (document reference 6.2.7)	1.4.4 - The largest VHF cetacean PTS impact ranges are predicted at the 'Northern Array N edge' not the 'Northern Array E edge' as stated here.	Typo has been amended.	N
Marine Mammal Ecology (document reference 6.2.7)	1.4.12 - 'In addition to the four sequential pin pile installations explored earlier, there is a possibility that two vessels could potentially install four sequential pin piles in 0'. What is 0?	This should say "...pin piles in a day."	N
Marine Mammal Ecology (document reference 6.2.7)	1.4.12 - It is unclear to NE why the impact ranges have not been modelled for the Northern Array NE corner for the eight sequential pin piles modelling scenario, as this would represent a worse-case scenario.	It is considered highly unlikely that two piling rigs would operate close to one another for safety reasons. However, it would be more likely that if they did, it would not be in the 'tight' NE corner. Therefore the N edge was considered to be a more reasonable position to model.	N
Marine Mammal Ecology (document reference 6.2.7)	1.4.14 - It is unclear to NE why the Northern Array NE corner has not also been considered in the concurrent modelling, especially since the highest impact ranges (for LF) for monopiles are predicted at this site (as stated in section 1.4.4). Natural England understand these two locations have been used to show 'geographic spread', but the largest impact ranges (for LF) have been modelled at the NE corner location.	As above	N
Marine Mammal Ecology (document reference 6.2.7)	1.5.25 - Justification should be given for the estimated maximum charge weight of 698kg.	698 kg is the quantity of explosive in a German ground mine, understood to be the largest UXO that could be found in the area.	N
Marine Mammal Ecology (document reference 6.2.7)	1.6.7 - It is stated here that the maximum PTS range for LF cetaceans was up to 13 km for the monopile scenario; however, the maximum range presented in the report was 14km for LF cetaceans (Table 1.21).	Changed to 14 km.	N
Marine Mammal Ecology (document reference 6.2.7)	Page 83 - 89 - Natural England defer to Cefas (as the underwater specialists) regarding the suitability of the UXO modelling/ methodology presented in the report, and if the impact ranges presented seem plausible.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	Table 1.1 - The summary information has only been provided for one monopile. If the worst-case scenario is up to four monopiles a day, does this assume a total of 7.5 hours X 4 (which is greater than 24 hours)?	There is the potential to install 4 monopiles in a day, and the worst case individual monopile installation time is 7.5 hrs. This is a layering of worst case and highly unlikely to both occur together, in practice. However it remains precautionary and consistent across the assessment.	N
Marine Mammal Ecology (document reference 6.2.7)	Page 58 - With regards to the modelling for four sequential monopiles, clarity is required on how the 24hr SELcum injury threshold is being used if the worst-case scenario of four sequential monopiles is being modelled.	Although 4x7.5hrs does exceed 24 hours, the threshold is retained as precautionary. In practice, if 4 piles were installed in a day, they would (necessarily) be driven faster than 7.5 hrs each.	N
Marine Mammal Ecology (document reference 6.2.7)	Table 1.11 and Table 1.12 - Clarification is needed on what the difference between ramp up and soft start is and why these durations have been chosen. JNCC (2010) guidance states that the minimum soft-start duration should be 20 minutes.	The JNCC Guidance 2010 states: "The soft-start is the gradual ramping up of piling power, incrementally over a set time period, until full operational power is achieved. The soft-start duration should be a period of not less than 20 minutes." The schedule used here is 10 minutes slower.	N
Marine Mammal Ecology (document reference 6.2.7)	Natural England broadly agrees with the mitigation measures for piling activities presented within the Outline Marine Mammal Mitigation Protocol (MMMP). We will provide detailed comments on the suitability of the specific mitigation measures when final MMMP is issued. Natural England understands that a separate MMMP will be produced for UXO clearance and that this Outline MMMP provides only a brief introduction to mitigation measures available for UXO clearance.	Noted.	N
Marine Mammal Ecology (document reference 6.2.7)	Table 2.1 - This table indicates soft start duration of 10 min and ramp up of 20 min. According to JNCC Piling guidelines (2010), soft start duration should be 20 min. Can applicant provide definition of ramp up and soft start as well as justification for the times allocated for each?	The JNCC Guidance 2010 states: "The soft-start duration should be a period of not less than 20 minutes". The schedule used here is 10 minutes slower.	N
Marine Mammal Ecology (document reference 6.2.7)	8.5.1 - Noise abatement (i.e., bubble curtains) should be included in the list of mitigation measures for piling activity.	Noise abatement has been added as a potential mitigation measure in the MMMPs (document reference 9.14.1 and 9.14.2).	Y
Marine Mammal Ecology (document reference 6.2.7)	8.5.4 - Natural England notes that the mitigation zone for piling will be confirmed in the final MMMP, and will be determined based on the final	The text has been amended to reflect any additional underwater noise modelling that took place during the ES stage. The PTS-onset impact	N

	confirmed foundation options and hammer energies etc. Considering that the mitigation zone will be defined based on the maximum potential PTS-onset impact range, it should be acknowledged that the current underwater noise modelling predicts the largest instantaneous PTS-onset impact range for harbour porpoise at 740 m. Thus, exceeding the recommended range of 500m suggested in the JNCC piling guidance. Acknowledgment of the largest instantaneous PTS-onset impact range in relation to size of the mitigation zone would be appropriate.	ranges are presented in the Outline MMMP and the largest impact range will be the mitigation zone for marine mammals.	
Marine Mammal Ecology (document reference 6.2.7)	To aid data collection in relation to any obvious responses of animals to the ADD activation, it would be helpful to include definitions of different behavioural states in the final version of the MMMP.	The text has been amended to include clarifications.	N
Marine Mammal Ecology (document reference 6.2.7)	Natural England will comment on the appropriateness of the ADD duration when it is proposed within the final MMMP.	This is noted by the Applicant and we welcome Natural England's continued engagement on this.	N
Marine Mammal Ecology (document reference 6.2.7)	7.2.2 - There is an error in this sentence: “The following section provides information regarding the legislative context surrounding the assessment of potential effects in relation to fish and shellfish ecology.”. The sentence should refer to marine mammals not fish and shellfish.	The text has been amended to remove the error.	N
Marine Mammal Ecology (document reference 6.2.7)	Table 7.1 - Please note that Special Protection Areas (SPA) are not relevant to marine mammals.	The text has been amended to remove the error.	N
Seascape, Landscape and Visual (document reference 6.2.10)	Key Points: 1) NE note their advice is offered without prejudice and relates only to seascape and visual effects with statutory purposes of the SCHAONB and SHC and their seascape settings. 2) NE advise close attention is paid to comment / advice from SCHAONB partnership, Suffolk CC and East Suffolk District Council. 3) Critically, the statutory purpose of a designated landscape extends beyond its boundaries to include its setting. The seascape component is fundamental to the character and natural beauty of the SCHAONB and the SHC. 4) Within the SCHAONB, the presence and special character of the SHC serves to highlight the stretch of coastal edge most sensitive to the potential seascape and visual effects from VE. We note that the SVIA also considers this in paragraph 10.7.29. 5) NE considers that the VE proposed development area sits within the seascape setting of the SCHAONB and the SHC. We note that the SVIA acknowledges that VE is located within the seascape setting of the SCHAONB and the SHC, for example, in paragraphs 10.11.190 and 10.11.237. However, the emphasis of the assessment (for example at paragraph 10.11.181) is that VE is not in the ‘immediate setting’ and is a ‘horizon development’. NE disagrees with the first of these statements. We consider that the special qualities of the SCHAONB are highly sensitive to changes in views out to sea and will be affected by the proposed VE development. 6) we have provided additional evidence on the apparent heights (expressed in degrees) at which the proposed Wind Turbine Generators (WTGs) will be perceived from key viewpoints sited within the	The SLVIA recognises that the statutory purpose of a designated landscape extends beyond its boundary to include its setting and that the geographic extent of the Suffolk Heritage Coast highlights the stretch of coastal edge most sensitive to the potential seascape and visual effects from the VE array areas. The assessment describes the ‘immediate setting’ of the SCHAONB and ‘horizon development’ as a way of distinguishing between the effects of development on the distant visual horizon/open seascape compared to development at close range in the foreground seascape (immediate setting). Where WTGs are visible closer to shore, in the foreground seascape or visible next to coastal focal points or complex and enclosed coastal landscapes (immediate setting), there is potential for adverse effects of higher magnitude on setting, whereas offshore wind farm developments tend to have lower levels of effect, of less adversity, when located in the seascape backdrop away from the seascapes visible at the coast, in locations on or beyond the horizon (‘horizon development’). It is accepted that the VE array areas are within the seascape setting of the SCHAONB and may be visible in views out of the SCHAONB, and by virtue of its nature, siting and size/scale is likely to have an impact on the setting and special qualities of the SCHAONB, however these are assessed in the SLVIA (Section 10.11 of Volume 6, Part 2, Chapter 10: SLVIA) and found to be not significant. The minimum distance to the VE array area is 37.3km from the SCHAONB and a minimum separation between the Galloper and VE WTGs has been applied to the design of the MDS layout assessed in the SLVIA, which ensures that no WTG within the VE array areas will be located closer than 38.7 km from the SCHAONB. a. The maximum height of the VE WTGs has been reduced from 424m blade tip height to 399m blade tip height above LAT (395m above MHWS), as described in Table 10.18. This will reduce the apparent	N

	SCHAONB and the SHC. These apparent heights values and the lateral spread values (also expressed in degrees) of the WTGs (as reported in Table 10.26) across the perceived horizon should be used to inform judgements on the significance of effects, rather than a simple reliance on separation distance. We understand that the minimum distances to the VE array area are 37.3km from the SCHAONB, and 35.8km from the SHC (Table 2.4). However, these distances cannot be used to justify 'negligible harm' to the SCHAONB and SHC, since distance does not negate the following: - The VE WTGs, even the ~320m blade tip height design option, will appear significantly taller than the Greater Gabbard Offshore Wind Farm (OWF) and Galloper OWF turbines. - The VE WTGs, especially the ~320m design option, will increase the lateral spread of turbines across the horizon, and introduce the presence of a new object on the horizon (the most northerly 8 WTGs) from key viewpoints. - The VE WTGs, especially the ~320m design option, will create a densification effect across the horizon when seen in conjunction with the Greater Gabbard and Galloper array turbines. 7) Based on the information presented within the PEIR, and with awareness of typical visibility conditions along the Suffolk Coast, Natural England disagrees with the conclusion of 'some not significant effects' on the SCHAONB special qualities and that this would 'not compromise the purposes of designation' (paragraph 10.16.27).	(vertical) scale of the VE WTGs and their comparative scale with Greater Gabbard and Galloper WTGs. Due to the position of the VE array areas behind and to the east of Greater Gabbard and Galloper, at greater distance offshore, it is evident from the visualisations in Figures 10.23 – 10.46 that there is little difference in the apparent scale of the VE WTGs within the southern array. It is recognised that the WTGs within the northern VE array are likely to appear taller than the Greater Gabbard and Galloper WTGs, both in terms of their height to blade tip and larger rotors. Their scale would be more comparable to the closest of the consented East Anglia TWO WTGs to the north. b. The lateral spread of the VE array areas will occupy between 22° to 32° of the horizontal field of view (HFoV) in total, however the majority of the WTG array will be viewed behind and in the same section of the view as the existing Greater Gabbard and Galloper offshore wind farms, thereby minimising the additional horizontal spread of WTGs. The VE array areas will only result in WTGs occupying an additional lateral spread of up to approximately 8° of the HFoV to the north of Galloper, in views from the northern part of the SCHAONB, which is considered a relatively narrow addition as a portion of the 180° sea view available to the observer. The additional HFoV of VE WTGs reduces when moving south along the SCHAONB coastline, to the point where at Shingle Street (Viewpoint 10) it is almost entirely behind Galloper and Greater Gabbard and adds little spread of WTGs. c. It is accepted that the VE WTGs will contribute to the densification of WTGs on the sea skyline together with the operational Greater Gabbard and Galloper WTGs, although this effect is less with the 41 WTG MDS layout. This effect is considered preferable to the above lateral spread effect (b), and results in lower levels of effect, as it concentrates development into part of the view that is already affected by WTG arrays and has a 'cluttered horizon' (EDF Energy, SCHAONB Partnership at all, 2016), when the operational WTGs are visible. The conclusion of the SLVIA (Section 10.18 of Volume 6, Part 2, Chapter 10: SLVIA) is that the VE array areas will not result in significant effects on the special qualities of the SCHAONB and would 'not compromise the purposes of designation'. These conclusions are based on the assessments in Section 10.11 of the visual effects of the VE array areas from representative viewpoints in the SCHAONB	
Seascape, Landscape and Visual (document reference 6.2.10)	Natural England does not agree that the potential seascape and visual effects of the 16 WTGs, that form the northern array of VE, on the SCHAONB and the SHC, are insignificant in EIA terms. Within the northern array area of VE, the most northerly 8 WTGs have the greatest potential to affect the special qualities of the SCHAONB and the special character of the SHC. This relates to their lateral spread, combined with their apparent height, which from some viewpoints will bridge the gap between Galloper OWF and the consented East Anglia TWO (EA2) array. We advise that this 'curtaining' effect' is likely to be significant. While the remaining 8 WTGs are, from most views, partially masked by the Galloper WTGs, their sheer size will create a harsh juxtaposition on the horizon with the existing arrays. Natural England advises that further embedded mitigation is required. Below we propose 3 design principles which we believe will assist in fulfilling the need for Good Design as outlined in the Overarching National Policy	The conclusion of the SLVIA (Section 10.18 of Volume 6, Part 2, Chapter 10: SLVIA) is that the VE array areas will not result in significant effects on views from the SCHAONB or its special qualities. These conclusions are based on the assessments in Section 10.11 of the visual effects of the VE array areas from representative viewpoints in the SCHAONB and the full assessment of effects on SCHAONB special qualities in section 10.11. The SLVIA considers the cumulative effect of the grouping of WTGs in the northern part of the VE array areas in the gap between Galloper / Greater Gabbard and East Anglia TWO in the CEA in Section 10.13. On balance, while noting some differences in apparent scale of the WTGs within the northern VE array, the effect is considered not significant given the retention of some gap between VE and East Anglia TWO in the majority of views; the relatively narrow additional increase in lateral spread of the VE WTGs;	N

	Statement for Energy (EN-1).	their introduction as elements that are similar to those that are present or consented; and their very long distances from the SCHAONB on the sea skyline, all of which diminishes the potential 'curtaining' effect, and limits the cumulative effect to occurring in only the most optimum, infrequent, visibility conditions. The need for Good Design outlined in the Overarching National Policy Statement for Energy (EN-1) is recognised. Embedded design mitigation has been included in the project design as described in Table 10.18. This is summarised as follows: - The spatial extent of the VE array area was reduced between Scoping and PEIR, providing in a reduction in the lateral spread of WTGs when viewed from the coast, with a section of the northern array removed to help maintain a visual gap between existing wind farms and the consented East Anglia TWO windfarm, as seen from the Suffolk coast. - A minimum separation between the Galloper and VE WTGs has been applied to the design of the MDS layout assessed in the SLVIA, which ensures that no WTG within the VE array areas will be located closer than 38.7 km from the SCHAONB. - The maximum height of the VE WTGs has been reduced from 424m blade tip height to 399m blade tip height above LAT (395m above MHWS), leading to a reduction in the ZTV and apparent scale of the WTGs.	
Seascape, Landscape and Visual (document reference 6.2.10)	Natural England consider the ~420m blade tip height design option to be the worst-case based on the apparent heights of the WTGs and an increase in the lateral spread of WTGs northwards across the horizon towards the EA2 consented array.	The maximum height of the VE WTGs has been reduced from 424m blade tip height to 399m blade tip height (above LAT) as described in Table 10.18 of Volume 6, Part 2, Chapter 10: SLVIA.	Y
Seascape, Landscape and Visual (document reference 6.2.10)	Natural England consider that the ~320m blade tip height design is more acceptable, although the apparent heights of the WTGs do not become completely insignificant. The greater northward lateral spread of WTGs combined the densification effects associated with the greater number of WTGs would also result in some significant effects. The ~320m turbines will still appear to be significantly taller than the existing turbines (Galloper and Greater Gabbard arrays), albeit partially obscured.	It is noted that Natural England consider that the parameters for maximum number of WTGs at the smaller blade tip height (324m blade tip height above LAT) is more acceptable and more likely to result in good design. The SLVIA assesses the effect of the maximum design scenario, which consists of 41 WTGs at 399m blade tip height (above LAT) as described in Table 10.17 of Volume 6, Part 2, Chapter 10: SLVIA.	N
Seascape, Landscape and Visual (document reference 6.2.10)	The ~320m scheme is more likely to result in good design provided that additional design principals are adhered to, as described below.	It is noted that Natural England consider that the parameters for maximum number of WTGs at the smaller blade tip height (324m blade tip height above LAT) is more acceptable and more likely to result in good design. The SLVIA assesses the effect of the maximum design scenario, which consists of 41 WTGs at 399m blade tip height (above LAT) as described in Table 10.17 of Volume 6, Part 2, Chapter 10: SLVIA.	N
Seascape, Landscape and Visual (document reference 6.2.10)	NE's advise the following design principles should be followed: Design Principle 1: Maintain a clear visual gap between VE and the consented EA2 by limiting northward lateral spread of the array. Design Principle 2: Locate as many turbines as possible on the eastern side of the Northern Development Area in order to increase the separation distance and therefore reduce the apparent height of the WTGs when seen from the SCHAONB and SHC.	The need for Good Design outlined in the Overarching National Policy Statement for Energy (EN-1) is recognised. Embedded design mitigation has been included in the project design as described in Table 10.18 of Volume 6, Part 2, Chapter 10: SLVIA. This is summarised as follows: - The spatial extent of the VE array area was reduced between Scoping and PEIR, providing in a reduction in the lateral spread of WTGs when viewed from the coast, with a section of the northern array removed to help maintain a visual gap between existing wind farms and the consented East Anglia TWO windfarm, as seen from the	Y

	Design Principles 3: Ensure that the layout does not create a new distinct object on the far horizon visible from the SCHAONB and SHC (see Figure 10.29e with respect to the most northerly 8 WTGs).	Suffolk coast. - A minimum separation between the Galloper and VE WTGs has been applied to the design of the MDS layout assessed in the SLVIA, which ensures that no WTG within the VE array areas will be located closer than 38.7 km from the SCHAONB. - The maximum height of the VE WTGs has been reduced from 424m blade tip height to 399m blade tip height above LAT (395m above MHWS), leading to a reduction in the ZTV and apparent scale of the WTGs.	
Seascape, Landscape and Visual (document reference 6.2.10)	Natural England agrees with the assessment that the most sensitive views are from Orford Ness (10.7.44), principally in terms of potential for significant adverse effects to the SCHAONB wildness and tranquillity special qualities.	The visual effect of the VE array areas on the view from Orford Ness is assessed in Section 10.11 of Volume 6, Part 2, Chapter 10: SLVIA (Viewpoint 9, Figure 10.34) and effects on the SCHAONB wildness and tranquillity special qualities are assessed in Section 10.11. Galloper and Greater Gabbard windfarms have a more notable influence on the view from Orford Ness, as they are more visible in this view from Orford Ness than other parts of the SCHAONB further north. The austere simplicity, bleak and foreboding qualities afforded by this location would still be appreciated by visitors, despite the addition of the VE array areas on the seaward horizon. Wider views of Orford Ness include other development influences, including structures associated with the military use of Orford Ness, structures associated with the 50+ years of former military testing and bombing; and the tall communications masts at Orford Ness Transmitting Station. Bleak, derelict, foreboding, skeletal	N
Seascape, Landscape and Visual (document reference 6.2.10)	In response to statement at para.10.7.51; based on the visualisations supplied by the Applicant, we request further clarification as to how views past each turbine are possible. Or in respect of the sense of enclosure and isolation special quality; how the VE array can be considered permeable?	The VE array areas are considered relatively 'permeable' and do not create 'enclosure', partly due to their relatively small vertical scale at long distance and partially due to the space between WTGs, which means that there will still be views to the sky beyond (varying with the density of the turbine array). This is evident in the ES photomontage visualisations, such as Viewpoint 4 (Figure 10.29) Volume 6, Part 2, Chapter 10: SLVIA for example, where the WTG are seen as a simple line on the horizon with space between each WTG.	N
Seascape, Landscape and Visual (document reference 6.2.10)	NE could not find the visualisations of the ~320m design scenario (as indicated in paragraph 10.8.4).	Visualisations of the ~320m design scenario (79 turbines) are shown in Volume 6, Part 2, Chapter 10: SLVIA.	N
Seascape, Landscape and Visual (document reference 6.2.10)	NE disagree with para. 10.11.186 which states that VE 'will entirely occur in the context of existing built developments'. There is a distinct grouping of 8 WTGs in the remaining gap between Galloper / Greater Gabbard OWF arrays and VE. We cannot see where the SVIA considers the effect of this. We also disagree that the VE WTGs are 'generally in keeping' with existing arrays given the starkly differing apparent heights between Galloper / Greater Gabbard arrays and VE (see table 1 below).	The grouping of eight VE WTGs in the northern part of the northern VE array area is noted in the SLVIA, however these will occur as a northern extension of the Galloper / Greater Gabbard OWF arrays and will therefore be seen in the context of these operational wind farms. The height of the VE WTGs is considered to be 'generally in keeping' with these existing arrays, particularly the WTGs located to the south and east of the VE array areas, while noting that those WTGs to the north of the VE array area are likely to viewed with a higher apparent height in certain views, which may be more akin to the apparent scale of those consented at East Anglia TWO. The SLVIA considers the cumulative effect of the grouping of WTGs in the northern part of the VE array areas in the gap between Galloper / Greater Gabbard and East Anglia TWO in the CEA in Section 10.13 of Volume 6, Part 2, Chapter 10: SLVIA.	N
Seascape, Landscape and Visual (document reference 6.2.10)	Para. 10.11.188 acknowledges that VE adds to an already 'cluttered landscape', but the assessment does not quantify this. With respect of para. 10.11.222; although the VE development is not being introduced into an	The contribution of the VE array areas in terms of the 'cluttering' effect identified is assessed further in the CEA in Section 10.13 and conclusions are drawn in Section 10.18 Volume 6, Part 2, Chapter 10:	N

	undeveloped coastline and accompanying seascape, a new development is still being introduced into the seascape setting of the SCHAONB and SHC. What is the additional impact of VE in terms of the 'cluttering' effect identified?	SLVIA.	
Seascape, Landscape and Visual (document reference 6.2.10)	Para. 10.11.199 states that VE will not present 'eye-catching features'. However, the statement at para. 10.11.200 suggests that VE will be an 'additional focal point'. NE advises that the most northerly 8 WTGs will create a new-distinct object on the horizon and the resulting harm from this new object on the statutory purpose of the SCHAONB.	The grouping of eight VE WTGs in the northern part of the VE array areas will occur as a northern extension of the Galloper / Greater Gabbard OWF arrays and will therefore be seen in the context of these operational WTGs. While noting some differences in apparent scale varying according to the viewpoint, the SLVIA considers that the VE WTGs are not separate or fundamentally dissimilar to the operational WTGs, or those that have recently been consented in the setting of the SCHAONB. The conclusion of the SLVIA (Section 10.18) is that the assessed effects to the special qualities of the SCHAONB would not undermine the statutory purpose of the SCHAONB and would not compromise the purposes of the SCHAONB designation. The full reasoning for this conclusion is set out fully in Section 10.18 of Volume 6, Part 2, Chapter 10: SLVIA.	N
Seascape, Landscape and Visual (document reference 6.2.10)	The assessment of the sense of openness and exposure special quality has not considered the effect of VE closing the gap between the existing Galloper and Greater Gabbard OWF arrays and the to be built EA2 array. Based upon the evidence provided by the Applicant there is a likelihood that VE would close the last 'gap without turbines' in direct views out to sea along a ~20km stretch of SCHAONB and SHC coastline (Orford Ness to Dunwich).	The contribution of the VE array areas to the closing of the gap between the existing Galloper and Greater Gabbard and consented East Anglia TWO array is assessed as part of the CEA in Section 10.13 of Volume 6, Part 2, Chapter 10: SLVIA. On balance the effect is considered not significant given the retention of some gap between VE and East Anglia TWO in the majority of views; the relatively narrow additional increase in lateral spread of the VE WTGs; their introduction as elements that are similar to those that are present or consented; and their very long distances from the SCHAONB on the sea skyline, all of which diminishes the potential 'curtaining' effect, and limits the cumulative effect to occurring in only the most optimum, infrequent, visibility conditions.	N
Seascape, Landscape and Visual (document reference 6.2.10)	NE have provided additional information re apparent heights from selected viewpoints - NE consider apparent heights of above 0.4 degrees as being potentially significant - see table 4 for selected viewpoints.	The maximum height of the VE WTGs has been reduced from 424m to 399m blade tip height (above LAT) (395m above MHWS) as described in Table 10.18 Volume 6, Part 2, Chapter 10: SLVIA.	Y
Landscape and Visual Impact Assessment (document reference 6.3.2)	NE's advice is focussed on the potential of the development to affect the SCHAONB and Dedham Vale AONB.	The potential effect on the Dedham Vale AONB and Suffolk Coast and Heaths AONB is very limited owing to the separation distance between the onshore substations and the AONBs which means that even if open views occurred, the onshore substations would appear as relatively distant and small scale features. Site work has confirmed that the screening effect of intervening tree cover and buildings will notably limit the extent to which the onshore substations will be visible from the AONBs, with the conclusion that significant effects will not arise.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	NE noted that the potential for visibility from the AONBs appears to be restricted to: Western substation option: - A small, localised area of Dedham Vale AONB, north of the Foxash Estate and Lower Farm between the railway line & Harwich Road A137, with the potential for long distance views at a range of 2-3km from the proposed western substation site - There appears to be no significant visibility indicated on the screened ZTV for the Suffolk Coasts and Heaths. Eastern Substation Option:	Noted. While the ZTV in Figure 2.10b shows localised patches of visibility along the southern edge of the Dedham Vale AONB at 2km, site work has shown that actual visibility of the onshore substations will be very limited from this area. Furthermore, the separation distance of a minimum of 2km will ensure that if visibility does arise, the effect will not be significant as the onshore substations will be seen as relatively distant and small scale features in a landscape where overhead electricity transmission lines already have an influence.	N

	- A small, localised area of Dedham Vale AONB, north of the Foxash Estate and Lower Farm between the railway line & Harwich Road A137, with the potential for long distance views at a range of 4-5 km from the proposed eastern substation site - A very small, localised area of Suffolk Coats and Heaths AONB, close to the remains of St Marys Church, with the potential for long distance views at a range of 3-4 km from the proposed eastern substation site		
Landscape and Visual Impact Assessment (document reference 6.3.2)	As a result of the above and the lack of information re the potential for cumulative effects with North Falls and East Anglia Green NSIPs, NE have concluded that the risk of sig. effects occurring with the Dedham Vale and SCHAONB is low.	Noted.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	NE are disappointed that a site visit has not been carried out however to check intervisibility on the ground with the eastern and western substation sites from within Dedham Vale AONB where the screened ZTVs show the potential for intervisibility. As a result, NE are relying on assumptions given in para 2.7.21 being correct as a basis for ruling out sig. effects on the Dedham Vale AONB.	Site work was carried out on the 4th and 5th September 2023 in response to the consultation feedback. This involved testing the potential extents to which the onshore substations will be visible from the Dedham Vale AONB with the conclusion that visibility will be very limited and significant effects will not arise.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	Natural England reiterate that a site visit is carried out by the Applicant's landscape consultant as part of pre- application LVIA work to confirm the presence or absence of intervisibility of the proposed substation sites site from Dedham Vale AONB at the locations previously mentioned. A site visit would provide a much greater degree of certainty around whether significant adverse impacts on the AONB could be ruled out entirely.	Site work was carried out on the 4th and 5th September 2023 in response to consultation feedback. This involved testing the potential extents to which the onshore substations will be visible from the Dedham Vale AONB with the conclusion that visibility will be very limited and significant effects will not arise.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Landfall at HHM SSSI - NE would like confirmation that direct impacts would be avoided by using HDD. They state where possible prep and HDD works should avoid breeding and overwintering birds, if this cannot be avoided: - Location of exit pits should be made unsuitable for nesting birds - through bird scarers or vegetation clearance. - ECOW should undertake walk over surveys prior to and during construction to ID any nesting birds plus screening / fencing of HDD pits and other working areas.	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement. Mitigation for breeding and wintering birds is set out in Table 4-15 of the ES Chapter, and at Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) and draft CoCP (ES Volume 9, 9.21: Draft Code of Construction Practice). This includes ECOW checks, buffer zones and/ or fencing/ hoarding as appropriate.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE require clarification if HDD will be occurring within the SSSI, they advise avoid locating HDD within or immediately adjacent to HHM SSSI. Mitigation measures should be adopted to avoid/ minimise, visual disturbance, lighting, hydrological impacts etc.	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE are concerned with frack outs from the HDD at HHM SSSI and potential effects upon notified features of the site. They recommend a HDD risk assessment is carried and provided as part of the ES.	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks such as frac-outs (and how this would be managed) is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement.	N

Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE are concerned with the requirements for works across the foreshore in proximity to the SSSI and possible implications to ECP users. NE recommend scheme design / timing to avoid impacts as far as possible. They expect full confirmation of the ECP by summer 2025 at the earliest.	Comments in respect of amenity users at ECP are not addressed in onshore ecology chapter. Implications to ECP users is covered in Volume 9, Report 25: Outline Public Access Management Plan.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note we need to provide information to inform a HRA, particularly to SPA birds using functionally linked land. Where required, implement mitigation measures to reduce impacts including timing of works, measures to minimise disturbance, to avoid hydrological impacts and potential pollution incidents etc	Effects on qualifying species for European sites, including species using functionally linked habitats, have been specifically considered within Sections 4.11 to 4.14 of this chapter and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment). All SSSI features that could be impacted by the scheme have been specifically considered. Details are provided in Sections 4.11-4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note we need to identify SSSI features not already covered by the HRA and carry out full assessment for ES.	Effects on qualifying species for European sites, including species using functionally linked habitats, have been specifically considered within Sections 4.11 to 4.14 of this chapter and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment). All SSSI features that could be impacted by the scheme have been specifically considered. Details are provided in Sections 4.11-4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note we need to carry out further ecological surveys e.g. wintering and breeding birds, bats, badger etc. This should be according to NE standing advice and industry standard guidance.	Surveys and assessment have been undertaken in accordance with NE standing advice. For survey scopes refer to VE PEIR Annex 4.1 – 4.13 and VE ES Volume 6 Part 6 Annex 4.1 – 4.20. Assessment is detailed within Section 4.11 – 4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note we need to determine whether any protected species licences will be required - based on finding of species surveys submit a draft licence application where necessary.	An EPSL will be required in respect of GCN, and the DLL route is proposed. Volume 6, Part 6, Annex 4.20: GCN District Level Licencing Impact Assessment and Conservation Payment Certificate (unsigned) and associated documents are considered equivalent the draft licence application and LONI in this respect. An EPSL may also be required for dormouse and/or bats. An NE licence may be necessary for temporary impacts to water vole. This is dependent on final scheme design and the outcome of pre-commencement surveys. Further detail is provided in Section 4.10 and Table 4.15.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.1.1 - Project parameters are clearly defined.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.5 - Study area is clearly defined.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.7 - Terms to distinguish between study area, survey area etc. are clearly defined	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.9 - 4.5.11 - Desk-based data search is satisfactory	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.13 - NE note that some surveys are outstanding and request the surveys are completed prior to submission.	Surveys and assessment have been undertaken in accordance with NE standing advice. For survey scopes refer to VE PEIR Annex 4.1 – 4.13 and VE ES Volume 6 Part 6 Annex 4.1 – 4.20. Assessment is detailed within Section 4.11 – 4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.15 - 4.5.19 - NE advise that where aerial photography has been used to inform habitat mapping, this should be ground truthed prior to application submission.	All accessible areas have been subject to ground truthing and/ or detailed survey. Any areas where this is not the case are indicated in Figure 4.2, and a precautionary approach has been applied when assessing potential impacts as described in Section 4.7.	N
Onshore Biodiversity and Nature Conservation	4.5.21 - We advise following our standing advice for protected species; any departures should be fully justified and the implications for departure need to	Surveys and assessment have been undertaken in accordance with NE standing advice. For survey scopes refer to VE PEIR Annex 4.1 –	N

(document reference 6.3.4)	be fully assessed.	4.13 and VE ES Volume 6 Part 6 Annex 4.1 – 4.20. Assessment is detailed within Section 4.11 – 4.14.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.23 - NE note that for wintering birds, there is two years worth of data, however no nocturnal surveys have been carried out. NE advise that nocturnal surveys using thermal imaging is likely to be required if night-time working is to be undertaken. NE's default is to avoid night time working.	Nocturnal surveys have not been undertaken (for the reasons described in section 4.7.12). Nocturnal working during the winter will be minimised and mitigation measures applied where it is unavoidable and golden plover/ lapwing could be affected (as set out in Table 4.15).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.24 - NE note that for wintering birds the landfall intertidal zone has one winter survey rather than 2 and no nocturnal surveys. NE advise a further years worth of surveys are required and as above re nocturnal surveys.	Two years of survey data for wintering birds are available for all areas (see Figure 4.2). Small gaps in coverage during the wintering bird surveys for the onshore ECC are shown in Figure 4.2 and survey limitations are discussed in Section 4.7. Nocturnal surveys have not been undertaken (for the reasons described in section 4.7.12). Nocturnal working during the winter will be minimised and mitigation measures applied where it is unavoidable and golden plover/ lapwing could be affected (as set out in Table 4.15).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.25 - NE note that for wintering birds the cable route and substation search area has one winter survey rather than 2 and no nocturnal surveys. NE advise a further years worth of surveys are required and as above re nocturnal surveys.	Two years of survey data for wintering birds are available for all areas (see Figure 4.2). Small gaps in coverage during the wintering bird surveys for the onshore ECC are shown in Figure 4.2 and survey limitations are discussed in Section 4.7. Nocturnal surveys have not been undertaken (for the reasons described in section 4.7.12). Nocturnal working during the winter will be minimised and mitigation measures applied where it is unavoidable and golden plover/ lapwing could be affected (as set out in Table 4.15).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.5.27 - NE note that for breeding bird surveys – landfall area only – 1 year of surveys carried out. They also note further surveys have been carried out for the cable route and OnSS in spring/summer 2022, but are yet to be reported.	Two years of survey data for wintering birds are available for all areas (see Figure 4.2). Small gaps in coverage during the wintering bird surveys for the onshore ECC are shown in Figure 4.2 and survey limitations are discussed in Section 4.7. Nocturnal surveys have not been undertaken (for the reasons described in section 4.7.12). Nocturnal working during the winter will be minimised and mitigation measures applied where it is unavoidable and golden plover/ lapwing could be affected (as set out in Table 4.15).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note that they are awaiting data for otter, water vole, bats, badger, reptiles etc.	Surveys and assessment for the species listed have been undertaken in accordance with NE standing advice. Refer to ES Volume 6 Part 6 Annex 4.1 – 4.17. Assessment is detailed within Section 4.11 – 4.14 of the ES Chapter.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.6.21 - NE note that for BNG there is insufficient detail currently available in PEIR to inform metric calculation.	The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. This approach has been informed by discussions with NE and other recently submitted NSIP projects.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Table 4.3 - NE agree with statutory designated sites scoped into the assessment.	Noted.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.24 - NE note that Fisher’s estuarine moth food plant, hog’s fennel, has been found at Holland Haven Marshes SSSI. The impact assessment should consider impacts on Fisher's moth at HHM SSSI and whether this species could be found outside of designated site.	Effects on qualifying species for European sites, including species using functionally linked habitats, have been specifically considered within Sections 4.11 to 4.14 of this chapter and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment). All SSSI features that could be impacted by the scheme have been specifically considered. Details are provided in Sections 4.11-4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.61 - 4.8.68 - NE note bat survey results have not been reported. Any trees/buildings to be removed will need bat assessment. Habitat which may be foraging/commuting habitat will need assessment. Consider surveys for Nathusius’ pipistrelle which migrates across North Sea –surveys need to be	Bat activity survey has been undertaken for all species of bat, including Nathusius’ pipistrelle Pipistrellus nathusii; summary details of the bat survey scope and baseline data used to inform the assessment are included at Section 4.5, with further details at Volume 6, Part 6, Annex	N

	carried out at appropriate time and locations.	4.7: Bat Survey Report: North of A120, Volume 4, Annex 4.8: Roosting Bats Tree Survey Report: South of A120, Volume 4, Annex 4.9: Bat Activity Survey Report: South of A120, Volume 4, Annex 4.10: Bat Survey Report: Additional Tree Survey. Effects on bats are assessed in Sections 4.11-4.14. Mitigation measures are set out in Section 4.10. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity and provide habitat for foraging and commuting bats	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.69 - NE note that Badger survey information is to be provided. Badger data / survey findings should be reported, and assessment of impacts and any mitigation requirements presented in the ES.	Badger survey results are reported at Volume 6, Part 6, Annex 4.21: CONFIDENTIAL Protected Species Reports and Figures and at section 4.8.76 - 4.8.79 of the ES.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.70 - 4.8.73 - NE note that otter surveys are to be provided. Otter data / survey findings should be reported, and assessment of impacts and any mitigation requirements presented in the ES.	Otter and water vole survey is reported at Volume 6, Part 6, Annex 4.14: Otter and Water Vole Survey Report: North of A120 and Volume 6, Part 6, Annex 4.15: Otter and Water Vole Survey Report: South of A120. It is also summarised within the ES chapter at sections 4.8.80 - 4.8.86.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.74 - 4.8.77 - NE note that water vole surveys are to be provided. Water vole data / survey findings should be reported, and assessment of impacts and any mitigation requirements presented in the ES.	Otter and water vole survey is reported at Volume 6, Part 6, Annex 4.14: Otter and Water Vole Survey Report: North of A120 and Volume 6, Part 6, Annex 4.15: Otter and Water Vole Survey Report: South of A120. It is also summarised within the ES chapter at sections 4.8.80 - 4.8.86.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.8.78 - 4.8.80 - Ne note that Dormouse information is to be reported. Dormouse data / survey findings should be reported, and assessment of impacts and any mitigation requirements presented in the ES.	Dormouse survey results are reported at Volume 6, Part 6, Annex 4.12: Dormouse Survey Report: North of A120 and Volume 6, Part 6, Annex 4.13: Dormouse Survey Report: South of A120. They are also summarised within the ES chapter at sections 4.8.87 - 4.8.91	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note that no HRA document has been provided. However, we note that impacts to international site features have been discussed in sections 4.11.6 – 4.11.58, but these also need to be presented in an HRA 'format.' HRA findings will need to inform the ES. Natural England have now received the RIAA (Report to Inform Appropriate Assessment and will provide comments on this in due course.	Effects on qualifying features for European sites have been specifically considered within Sections 4.11 to 4.14 of this chapter and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note that temporary habitat loss cannot be determined at present in terms of potential impact on SPA features. All potential impacts pathways to SPA birds using functionally linked land need to be determined.	Effects on qualifying features for European sites have been specifically considered within Sections 4.11 to 4.14 of Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation and in the RIAA (Volume 5, Report 4: Report to Inform an Appropriate Assessment).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Full detailed impact assessment is to be carried out with progression of significant effects to appropriate assessment where required following the precautionary principle. Natural England will advise further once these assessments are available.	Effects on qualifying features for European sites have been specifically considered within Sections 4.11 to 4.14 of the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4) and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment).	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Full impact assessment is to be carried out. Mitigation hierarchy to be followed to reduce significant impacts to acceptable level.	This is provided in the Onshore Biodiversity and Nature Conservation Chapter (document reference 6.3.4) and its annexes.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	All appropriate plans and projects to be identified for in-combination assessment. Contact relevant regulators to identify appropriate set of in-combination projects.	Publicly available data was used for the in combination assessment. Assessment of cumulative effects is provided in Section 4.14.	N
Onshore Biodiversity and Nature Conservation	Table 4.9 - It is not clear if all SSSIs underlying international sites have been included in the assessment. Impacts to all SSSIs and their notified features	Effects on qualifying species for European sites, including species using functionally linked habitats, have been specifically considered	N

(document reference 6.3.4)	should be assessed in the ES. For SSSIs underpinning international designations this is separate to any assessment of impacts to qualifying features of SPAs, SACs and Ramsar sites.	within Sections 4.11 to 4.14 of this chapter and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment). All SSSI features that could be impacted by the scheme have been specifically considered. Details are provided in Sections 4.11-4.14.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Relevant SSSI features for all SSSIs apart from HHM SSSI e.g. Hamford Water SSSI have not been specifically identified. Notified features for all SSSIs should be detailed in the ES.	Effects on qualifying species for European sites, including species using functionally linked habitats, have been specifically considered within Sections 4.11 to 4.14 of this chapter and in the RIAA (Volume 5, 5.4, Report to Inform an Appropriate Assessment). All SSSI features that could be impacted by the scheme have been specifically considered. Details are provided in Sections 4.11-4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.11.61 - NE note that the extent of temporary habitat loss at the landfall area cannot yet be determined. Need to clarify that there will be no temporary or permanent habitat loss within HHM SSSI as Fig 1.3 indicates that a possible location for HDD is situated within the SSSI.	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. Further detail on HDD risk is provided in the Outline Landfall HDD Method Statement (document reference 9.28)	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.11.5 - NE note it mentions that no loss of habitat within any statutory site – but Fig 1.3 shows location of HDD within Holland Haven Marshes SSSI. NE would like clarification of whether HDD will be located within HHM SSSI and whether there will be any temporary or permanent loss of habitat.	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. There will be no loss of SSSI habitat. An outline HDD methodology which includes a consideration of risks is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE understand that direct impacts on the SSSI will be avoided by using Horizontal Directional Drilling (HDD), though we would welcome confirmation that this is indeed the case. Where possible preparation and HDD works should avoid sensitive periods for breeding and overwintering birds, if these cannot be avoided: - Location of exit pits should be made unsuitable for nesting birds - through bird scarers or vegetation clearance. - ECOW should undertake walk over surveys prior to and during construction to ID any nesting birds plus screening / fencing of HDD pits and other working areas.	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement. Mitigation for breeding and wintering birds is set out in Table 4-15 of the ES Chapter, and at Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) and draft CoCP (ES Volume 9, 9.21: Draft Code of Construction Practice). This includes ECOW checks, buffer zones and/ or fencing/ hoarding as appropriate.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	NE note that HDD will be carried out under the sea defences in from of HHM SSSI. NE queries if an engineering assessment has been undertaken to ensure that the defences can be drilled under or through without necessitating the lowering of the defences, including the provision of temporary defence mechanisms in the intertidal and/or the shortening of the HDD as a result of increased depth. Both of these scenarios could potentially lead to negative environmental implications because: - the locations of the exit pits terrestrially are paramount to determining no significant impacts to the SSSI by ensuring that they are within adjacent arable land and all relevant infrastructure and construction activities remain outside of the notified site. - Any sea defence work has the potential to impact upon the SSSI and wider	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement.	N

	environment NE recommend that if an HDD risk assessment is not available, then this should be provided alongside the submitted ES and evidence provided to address NE's concerns.		
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	4.11.69 - NE raises the point re direct impacts to waterbodies due to HDD frack out to HHM SSSI. In relation to the HDD risk assessment, Natural England notes that whilst the upper layers of the marsh habitat are more consolidated than saltmarshes (which are regularly tidally inundated), there is limited evidence presented on the structure of the underlying sediment. Due to their formation, sediments associated with marsh habitats have unconsolidated layers which often include water filled air pockets, thus resulting in a 'squidgy' consistency. If, as has been found in other areas along the East Coast of England, these layers interact with the HDD, there is an increased risk of the drilling holes not being maintained and bentonite (drilling mud) frack outs and, in some worst-case scenarios, considerable sinkholes occurring. Both of which would be a concern to the notified vascular plant and aquatic invertebrate communities within Holland Haven Marshes SSSI. Therefore, further geotechnical data is required within an HDD risk assessment to provide certainty that these issues will not occur. We advise that remediation options are unlikely to be feasible due the associated significant impacts. Also need to consider trenching/HDD impacts to the integrity of the hydrology in areas where habitat has been created for breeding waders (e.g., under Higher Tier Countryside Stewardship agreements).	A full project description, including details of trenchless technologies that may be used, is included in Volume 6, Part 3, Chapter 1: Onshore Project Description. HDD will be used under Holland Haven Marshes SSSI, with entry/exit pits located outside of the SSSI. An outline HDD methodology which includes a consideration of risks including frac-outs (and mitigation of this) is provided at ES Volume 9, 9.28 Outline Landfall HDD Method Statement. The hydrology assessment contained in Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk finds that there is no significant effect to watercourses.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Onshore protected species - Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. The ES should assess impacts on protected species in line with Natural England's standing advice.	Surveys and assessment have been undertaken in accordance with NE standing advice. For survey scopes refer to VE PEIR Annex 4.1 – 4.13 and VE ES Volume 6 Part 6 Annex 4.1 – 4.20. Assessment is detailed within Section 4.11 – 4.14.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	BNG - Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120,174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include: - Restoring a neglected hedgerow. - Creating a new pond as an attractive feature on the site. - Planting trees characteristic to the local area to make a positive contribution to the local landscape. - Using native plants in landscaping schemes for better nectar and seed sources for bees and birds. - Incorporating swift boxes or bat boxes into the design of new buildings. - Designing lighting to encourage wildlife. - Adding a green roof to new buildings.	The VE approach to BNG is set out in Section 4.6 and Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. This approach has been discussed and agreed with NE.	N

	Natural England's Biodiversity Metric 4.0 maybe used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the Small Sites Metric may be used. This is a simplified version of Biodiversity Metric 4.0 and is designed for use where certain criteria are met. Natural England's Environmental Benefits from Nature tool may be used to identify nature and to avoid and minimise any negative impacts. It is designed to work alongside Biodiversity Metric 4.0 and is available as a beta test version.		
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Soils and Best and Most Versatile Agricultural Land - Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 174 and 175). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further. Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site.	Effects on BMV is not covered in the onshore biodiversity and nature conservation chapter. However, they are covered in Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Ancient Woodland and Ancient/ Veteran Trees - You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account by planning authorities when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances.	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10. This includes installation of protective fencing around retained habitats of importance and retained trees including root protection zones. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Connecting people with nature - Paragraphs 100 and 174 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse	Effects on PROW are not covered in the onshore biodiversity and nature conservation chapter but they are covered in Volume 6, Part 3, Chapter 3: Socio-economics, Tourism and Recreation.	N

	impacts.		
Fish and Shellfish Ecology (document reference 6.2.6)	The use of a fleeing receptor continues to be used in modelling of underwater noise impacts on fish. Natural England do not agree with the use of this, as there is insufficient evidence in the literature presented to back this up in a real-world scenario. Natural England advise that fish are treated as a stationary rather than fleeing receptor throughout the submitted ES.	Underwater noise modelling has been carried out on fish as both stationary and fleeing receptors to ensure a range of responses are modelled. The outputs of the modelling are detailed in Section 6.11 Impact 1, 6.12 Impact 8, and 6.13 Impact 17 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Impacts to the Downs herring stock due to construction related activities due to the Project alone and in combination with other developments. As well as being a receptor in their own right, herring are important prey components for many designated SAC and SPA species and the potential for impacts to them due to the Five Estuaries (VE) project alone and in-combination need to be fully considered and assessed further.	The Applicant acknowledges the importance of herring as a key prey species of many SPA and SAC features. A comprehensive assessment of the potential impacts from the development on spawning herring from both the Downs and the Blackwater stocks has been undertaken and its detailed in Sections 6.11, 6.12 and 6.13 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. Significant effects on spawning Downs stock herring from underwater noise and increased SSC and sediment deposition have been concluded, and subsequently additional mitigation measures have been proposed. These are summarised in Table 6.12 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Please note that for advice on underwater noise impacts to fish, Natural England defer to Cefas.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The relevant fish receptors have been identified for the study area (however, we note albacore tuna has been included but not bluefin tuna which is more likely to be present).	This is noted by the Applicant. Bluefin tuna have been incorporated as a VER into Volume 6, Annex 6.1: Fish and Shellfish Ecology Technical Baseline Report and the assessment as a VER (Table 6.9),	N
Fish and Shellfish Ecology (document reference 6.2.6)	The worst case scenario is largely suitable, with the exception of impacts to the Downs herring stock.	The Applicant welcomes Natural England's agreement of the suitability of the worst case scenario presented. The Applicant confirms that a comprehensive assessment of the potential impacts from the development on spawning herring has been undertaken, and is detailed in Sections 6.11, 6.12 and 6.13. Significant effects on spawning herring from underwater noise and increased SSC and sediment deposition have been concluded, and subsequently additional mitigation measures have been proposed. These are summarised in Table 6.12 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	6.4.5 We understand that project-specific benthic ecology surveys (including Particle Size Analysis) will be undertaken across the arrays and within the offshore export cable corridor (ECC). It is intended that these will be used to inform on spawning habitat suitability for demersal spawning fish (e.g. spawning herring and sandeel). We advise that this assessment should be updated when the information is available. We may have further comments following review of this information.	The Applicant confirms that site specific benthic and geophysical survey data from across the array areas and offshore ECC have been used to inform spawning habitat suitability assessment for spawning herring and sand eel. These data have been incorporated into a heatmapping exercise, undertaken in accordance with the MarineSpace (2013a and 2013b) methodologies (as advised by the MMO) (see Volume 6, Part 5, Annex 6.1: Fish and Shellfish Ecology Technical Baseline Report for the updated fish and shellfish baseline, and Section 6.7 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology for a summary of the existing environment).	N
Fish and Shellfish Ecology (document reference 6.2.6)	6.4.6 We note that the Applicant has suggested existing literature/survey data is sufficient to provide a baseline for EIA, and that additional site specific surveys are not proposed. Natural England defer to Cefas on this matter.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Table 6.3 We note that data sources used to inform the fish baseline characterisation and assessment include those from existing OWFs such as Gunfleet Sands, Galloper, Greater Gabbard and London Array. In line with our earlier Scoping Response (02 November 2021), we advise that supporting information relating to the suitability of survey data from relevant existing OWFs should be provided in	The Applicant confirms that limitations relating to the use of survey data from relevant existing OWFs to inform the baseline characterisation and assessment are detailed in Section 6.6 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. The Applicant confirms that these data sources represent snapshots of the fish and shellfish assemblage within the study area at the time of sampling, and the fish	N

	the ES. For example, the suitability and similarity of timing of survey data from the existing OWFs compared to the proposed Five Estuaries OWF construction period, so that the applicability and relevance of their data can be determined.	and shellfish assemblages may vary considerably both seasonally and annually. However, should species be absent from the OWF surveys, the outcome is not to exclude consideration of these species from the baseline characterisation. Rather, the baseline description draws upon (or defaults to) wider scientific literature, as this provides a more thorough, robust, and longer time series evidence base.	
Fish and Shellfish Ecology (document reference 6.2.6)	The data sources used by the Project are generally appropriate. However, we defer to Cefas for recommendations of further data sources to complement these data and any potential requirement for additional data.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Currently, there is contradictory evidence regarding the potential importance of the VE study area to the Downs herring stock. Please provide clarity and further supporting information.	The Applicant has undertaken a spawning habitat suitability assessment for spawning herring to identify areas of importance to the Downs herring spawning stock within the study area. This assessment has consisted of a heatmapping exercise, undertaken in accordance with the MarineSpace (2013a and 2013b) methodologies (as advised by the MMO) (see Volume 6, Part 5, Annex 6.1: Fish and Shellfish Ecology Technical Baseline Report for the updated fish and shellfish baseline, and Section 6.7 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology for a summary of the existing environment).	N
Fish and Shellfish Ecology (document reference 6.2.6)	Fleeing scenarios are used in justifications of impact, resulting in a potential harmful conclusion of risk. As above, we do not agree with the use of fleeing scenarios.	Underwater noise modelling has been carried out on fish as both stationary and fleeing receptors to ensure a range of responses are modelled. The outputs of the modelling are detailed in Section 6.11 Impact 1, 6.12 Impact 8, and 6.13 Impact 17 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Spawning Herring We do not agree that the sensitivity of spawning herring to noise impacts would be medium during the construction phase of the Project. We would advise that the sensitivity of spawning herring to underwater noise impacts should be assessed as greater than medium.	The Applicant concludes medium sensitivity for spawning herring due their regional importance, and their possession of a swim bladder that is involved in hearing. This is in accordance with the sensitivity criteria outlined in Table 6.5 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	With piling predicted to last for a period of 12 months, this means that potentially 100% of the spawning period for all species within the impact zone will be impacted by noise. The submitted ES should clarify whether this is indeed the WCS.	To ensure a precautionary temporal assessment, the Applicant has assumed that all piling will occur within the entirety of the spawning periods for all receptors. However, piling activities are considered temporary and intermittent, therefore, the actual temporal impact on the receptors will be significantly less than 12 months. See Volume 6, Part 5, Annex 6.2: Underwater Noise Report, which describes the length of time taken for the MDS for monopiling and pin piling.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The potential for mortality does not equate to a low magnitude of impact, especially with regard to the current condition of the fishery – see Section 6.7.25. We do not agree with this rationale and recommend this assessment is revised.	The Applicant has presented the impact range underwater noise contours for mortality and potential mortal injury for the worst-case piling scenarios in relation the Downs herring stock spawning ground, and larval densities as recorded in annual IHLS. Due to the localised nature of the impact ranges, and the low densities of herring larvae located within the impact contours (high intensity spawning activity for the Downs herring stock occurs consistently in the English Channel as indicated by high densities of herring larvae recorded in annual IHLSs) the Applicant is confident that the assessment of low magnitude impacts for the potential for mortality and potential mortal injury is appropriate.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The impact of mortality and potential mortal injury on the Downs herring stock is considered to be of low magnitude. However, we advise that considering the Downs Herring is a separate stock, the assessment should take that into account. If there is potential for mortality and permanent threshold shifts, then we advise that this would not be of low magnitude. We advise that the submitted assessment should be updated to reflect the	A comprehensive assessment from the impacts of underwater noise on both Downs and Blackwater herring as discrete stocks has been undertaken. This is detailed in Section 6.11 Impact 1, 6.12 Impact 8, and 6.13 Impact 17 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. The Applicant is confident that due to the localised nature of the	N

	impacts of potential mortality and threshold shifts on a distinct stock.	mortality and potential mortal injury impact ranges, and the low densities of herring larvae located within the impact contours (high intensity spawning activity for the Downs herring stock occurs consistently in the English Channel as indicated by high densities of herring larvae recorded in annual IHLSs), there will be no population level effects on the Downs or the Blackwater herring spawning stocks. Therefore, a conclusion of a low magnitude of impact is considered appropriate.	
Fish and Shellfish Ecology (document reference 6.2.6)	A maximum area for in combination effects of 5300 km2 and 4800 km2 are large areas. Even though the distribution of receptors is fairly broadscale this still equates to a large area that will be impacted. Therefore, we would not conclude that this is negligible. We would advise that this is not negligible and consider the conclusions of the submitted ES should reflect the size of the impacted areas.	The Applicant has presented the impact range underwater noise contours for the worst case piling scenarios from concurrent piling in relation key fish and shellfish receptors in Figure 6.12 to Figure 6.21 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. Spawning grounds of Group 1 receptors typically span much of the North Sea and English Channel, with some also extending into the Irish Sea (Coull et al.,1998). Therefore, the range of impact from concurrent piling activities relative to the broadscale distribution of the receptors, is considered a negligible magnitude of impacts.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Behavioural Impacts of Group 3 Receptors – Magnitude of Impact We disagree with the assessment of magnitude of impact as low. DeJong et al (2020) has documented the opposite, see https://link.springer.com/article/10.1007/s11160-020-09598-9. Disturbances during spawning (such as from noise) may hamper a larger proportion of the population than during other times of the year. Fish are also more likely to be more vulnerable to additional stressors as body condition of the fish during spawning is often poor. 'For many fish species, the spawning period may be highly sensitive to impacts from noise if individuals gather in dense, localized spawning aggregations (Colin et al. 2003). A disturbance during spawning may thus hamper a much larger fraction of the population compared to other periods of the year. Additionally, during this critical period, fish may also be most vulnerable to external stressors (Pörtner and Farrel 2008), because fish are often in their poorest body condition during the spawning period (Holst 2004; Rose et al. 2008). We are concerned that disturbances during spawning (e.g. due to underwater noise) may have a significant impact on behavioural effects of spawning herring. This should be further considered and assessed in the submitted ES, with mitigation brought forward to address any significant impacts identified.	The Applicant confirms that a comprehensive assessment of the potential for behavioural effects from underwater noise on spawning herring has been undertaken and is detailed in Section 6.11 Impact 1, 6.12 Impact 8, and 6.13 Impact 17 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. Significant effects on spawning Downs stock herring from behavioural effects from underwater noise have been concluded, and subsequently an additional mitigation measures has been proposed in the form of a seasonal piling restriction. This is summarised in Table 6.12 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	VE is a significantly larger development than those projects referred to here, with turbines of up to 420m and a diameter of up to 15m. The hammer energy of up to 7,000 kJ is predicted to install the large monopiles which is significantly higher than the energy level reached in the identified sites. The duration of piling is longer too – with 7.5 hours required per monopile for VE. This will create significantly more noise impact during construction and operation than the smaller sized OWF, and means that comparisons across smaller turbines are less valid. The submitted ES should present information to demonstrate the comparison is a valid one, including any evidence that the predicted impacts from the projects referred to were validated by monitoring.	The Applicant acknowledges that the proposed development is a larger development than those referred to in the cumulative assessment of underwater noise impacts on fish and shellfish receptors. The Applicant confirms that the objective of the cumulative assessment is not to make comparisons across projects, but instead to review information and assessments, where available, as presented in the respective Environmental Statements of OWFs screened into the cumulative assessment, to determine the potential for cumulative effects on fish and shellfish receptors.	N
Fish and Shellfish Ecology (document reference 6.2.6)	"The cumulative impact of underwater noise on fish and shellfish is predicted to be of regional spatial extent, medium term duration(i.e. cumulatively over approximately seven years), intermittent and reversible… The magnitude is, therefore, considered to be low." However, we would advise that a direct impact over seven years and on a regional scale is not of low magnitude.	The assessment of cumulative impacts from underwater noise on sensitive receptors have been assessed in Section 6.14 Impact 24 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology, and not significant effects on fish and shellfish receptors have been concluded. Significant effects from underwater noise on spawning Downs stock	N

	We would advise that the magnitude of this impact would be greater than low – this assessment should be reconsidered for the submitted ES.	herring have been concluded from the project alone, and an additional mitigation measure in the form of a seasonal piling restriction has been proposed. This is summarised in Table 6.12 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. The Applicant is confident that with the implementation of this restriction during piling activities for VE, there will be no significant cumulative impacts from underwater noise.	
Fish and Shellfish Ecology (document reference 6.2.6)	Fish behavioural responses are likely to be different when exposed to a period of airgun firing compared to prolonged exposure to piling noise over a long period of time. The distribution patterns of fish within the area are also likely to change, with all seasons potentially impacted by piling activities. The submitted ES should be clear about the limitations of the comparison made.	This is noted by the Applicant, and the text in paragraph 6.14.29 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. has been amended accordingly to acknowledge that there are some uncertainties over the response of fish to intermittent piling over a prolonged period and the extent that behavioural reactions will cause a negative effect in individuals.	N
Fish and Shellfish Ecology (document reference 6.2.6)	“The impact of cumulative mortality, injury, behavioural changes and auditory masking arising from noise and vibration is considered to be of low adverse magnitude, …maximum sensitivity… and significance is minor adverse.” It is unclear how an assessment of low adverse magnitude been made. We would advise that this assessment would result in a moderate significance when looking at Table 1.2 of the EIA methodology document. We would advise that, without appropriate mitigation, the cumulative impacts to fish species (in particular, spawning herring and sandeel) due to the Project and relevant developments identified in the assessment, could result in a significance greater than minor adverse. Therefore this assessment should be reconsidered in the submitted ES.	The assessment of cumulative impacts from underwater noise on sensitive receptors have been assessed in Section 6.14 Impact 24 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology, and not significant effects on fish and shellfish receptors have been concluded. Significant effects from underwater noise on spawning Downs stock herring have been concluded from the project alone, and an additional mitigation measure in the form of a seasonal piling restriction has been proposed. This is summarised in Table 6.12 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. The Applicant is confident that with the implementation of this restriction during piling activities for VE, there will be no significant cumulative impacts from underwater noise.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Section 6.17.4 states that ‘Mortality, injury, behavioural impacts and auditory masking from underwater noise and vibration have the potential for a significance effect, in EIA terms, during the construction phase of development. In addition, significant effects also have the potential to occur on fish and shellfish receptors from cumulative mortality, injury, behavioural impacts and auditory masking from underwater noise and vibration.’ However, Table 6.33 states otherwise. If there is a potential for a significant effect then what is the mitigation proposed? Please clarify the significance of the effect and whether mitigation is being applied to address the impact.	The Applicant confirms that a comprehensive assessment of the potential for impacts from underwater noise on fish and shellfish receptors has been undertaken and is detailed in Section 6.11 Impact 1, 6.12 Impact 8, and 6.13 Impact 17.The assessment of cumulative impacts from underwater noise on sensitive receptors have been assessed in Section 6.14, Impact 24 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. Significant effects from underwater noise on spawning Downs stock herring have been concluded from the project alone, and an additional mitigation measure in the form of a seasonal piling restriction has been proposed. This is summarised in Table 6.12 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Underwater noise modelling . We defer to Cefas regarding all aspects of underwater noise modelling due to their expertise in this matter.	Noted.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Table 6.7 identifies “Downs stock spawning ground to the west of VE study area, and a spawning ground in Blackwater Estuary, south off the nearshore section of the offshore ECC.,” and “High intensity herring nursery ground overlaps the nearshore section of the offshore ECC.” This would suggest a potentially significant overlap between the Downs herring spawning habitat and the VE study area. However, in Section 6.7.18, it states that “Whilst these data indicate the potential for herring spawning habitats within the northern array area, and the mid-section of the ECC, there are also suitable spawning substrates present across the wider region, with areas of active spawning located within the English Channel (as indicated by IHLS data (ICES, 2007-2020) (Figure 6.7)”.Furthermore, Table 6.22 states that “the main spawning activity …is in the eastern English Channel and that spawning intensity on the Downs spawning grounds that overlap with VE are much less intense; long time series data confirm this has been the case since the 1970’s (see –	The Applicant has undertaken a herring spawning habitat suitability assessment to take into account the availability of suitable herring spawning habitat within the array areas and Offshore ECC in accordance with the MarineSpace (2013a and 2013b) methodologies Volume 6, Part 5, Annex 6.1: Fish and Shellfish Ecology Technical Baseline Report). This includes consideration of historic datasets, broadscale marine habitat mapping, and site-specific data. A comprehensive assessment, as informed by the spawning habitat suitability assessment, of the potential impacts from the development on spawning herring is detailed in Sections 6.11, 6.12 and 6.13 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. The conclusions of the assessments are summarised in Table 6.44, and any additional mitigation proposed are detailed in Section 6.10 Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.	N

	Collas et al., 2009 and Pawson, 1995)..Firstly, these two references do not appear to have been included in the reference list. Secondly, they are also now quite old. Thirdly, there is some contradiction between the project-specific evidence and these older data with regards to the importance of the potential Down herring spawning area that overlaps the VE study area. Owing to the lack of clarity regarding the importance of the VE study area as Downs herring spawning habitat and the potential for significant impacts, we advise that this should be further considered and assessed in the submitted ES, with mitigation identified and committed to, in order to reduce the potential impacts to an acceptable level.		

NETWORK RAIL

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Network Rail strongly recommends the developer complies with the following comments and requirements to maintain the safe operation of the railway and protect Network Rail's infrastructure. The developer must ensure that their proposal, both during construction and after completion does not: - encroach onto Network Rail land - affect the safety, operation or integrity of the company's railway and its infrastructure - undermine its support zone - damage the company's infrastructure - place additional load on cuttings - adversely affect any railway land or structure - over-sail or encroach upon the air-space of any Network Rail land - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future	Noted. The Applicant is engaging with Network Rail to protect their assets.	N

NORWICH AIRPORT

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Military and Civil Aviation (document reference 6.2.13)	The proposed application has been considered, and we find that any impact to primary search radar would be outside of Norwich Airport's radar service area. Therefore, provided the proposal is in accordance with the plans provided, Norwich Airport would offer no objections.	Noted. Impacts scoped out of the assessment are detailed in paragraph 13.4.1 of Volume 6, Part 2, Chapter 13: Military and Civil Aviation.	N

PORT OF LONDON AUTHORITY

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Shipping and Navigation (document reference 6.2.9)	The proposed five estuaries offshore wind farm lies outside the PLAs statutory limits under the 1968 Act. However, the PLAs functions include the promotion of the use of the River for freight and passengers as an important and sustainable transport corridor for London. The Port of London is the country's biggest port, 55m tonnes of goods were handled in the Port in 2022 - and its contribution to international trade is critical. Over 48,000 jobs depend on the Port, which generates more than £4.5 billion in economic	Noted.	N

	value added annually, and there is significant ongoing investment taking place within the Port. It is therefore imperative that the existing and future capacity and operation of the Port of London are not compromised during construction and operation of the wind farm.		
Shipping and Navigation (document reference 6.2.9)	The PEIR seems to accept that there may be reductions in water depth. This would not be acceptable given the importance of the Port of London and the acknowledgement in the Navigational Risk Assessment that this is no alternative approach available for larger vessels to access the Port of London. Through detailed analysis of the routing of the cabling it must be ensured that the cable and any cable protection maintains at least 20m CD access where cables cross the deep water route into the Port.	A realistic future worst case vessel draught of 20m is considered in the evolution of the baseline in Section 9.7 and in the environmental assessment in Section 9.11 in Volume 6, Part 2, Chapter 9: Shipping and Navigation.	N
Shipping and Navigation (document reference 6.2.9)	The PLA would request that it is consulted on the CSIP plan when it is produced however at this stage of the DCO the general approach to burial depths should be clear and at least 20m CD access should be maintained where cables cross the deep water route into the Port.	PLA have been consulted on the CSIP and have been identified as an Interested Party for the creation of the NIP which is included as mitigation in Section 9.9 Volume 6, Part 2, Chapter 9: Shipping and Navigation.	N
Shipping and Navigation (document reference 6.2.9)	As the project will be aware, targeted burial depths are not always achieved. There is a small part of where the cable corridor crosses the Sunk Deep Water Route which is already at or deeper than 20m. If all the export cables were routed through this 250m depression (see chart extract below) then there is a workable solution if full cable burial is not achieved. Targeting the already deep area would significantly reduce risks to both the project and the Port. Likewise there are areas of >20m water at the crossing of the Trinity Deep Water Route that should be targeted.	The Applicant plans to utilise the suggested locations where feasible with the refinements to the offshore ECC taking account of these more favourable locations. Details pertaining to the refinement of the offshore ECC are provided in Section 6 of Volume 9, Report 10: Navigational Risk Assessment.	Y
Shipping and Navigation (document reference 6.2.9)	The NRA states the construction phase could last up to 5 years, in the areas of the deep water routes, the quickest methods of cable laying should be employed to minimise disruption to traffic.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	There are various references in the NRA (see for example paragraph 528) to an additional embedded mitigation measure has been identified relevant to this hazard: a traffic management strategy should be developed and implemented by VE OWFL (including cumulative considerations) and will be discussed with local ports and the Sunk VTS. The term ˜Local Ports" is not defined and the PLA would request that it is consulted when the traffic management strategy is being developed.	Since the publication of the PEIR, the Applicant have consulted with PLA on Volume 9, Report 20: Outline Navigation and Installation Plan.	N
Shipping and Navigation (document reference 6.2.9)	The traffic management strategy is referred to as an embedded mitigation measure. It should be clarified what is meant by an embedded mitigation measure because this mitigation is not something which is usually in place or currently agreed so it may be more accurately described as an additional mitigation.	A Traffic Management Plan is no longer referred to as embedded mitigation within the assessment. An Outline Navigation and Installation Plan (document reference 9.20) has been developed, designed primarily to address issues around the pilot boarding station and is considered and assessed within the ES. A full Traffic Management Plan will be developed post consent.	Y

RSPB

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Offshore Ornithology (document reference 6.2.4)	Red-throated Diver: the RSPB disagree with the definitions as taken from Furness (2015) stating that February is spring migration for Red-throated Diver. Although some birds may start to move in late February, the main spring passage is from March, as evidenced by observations at Bird Observatories of spring movements up the English Channel, for example Sandwich Bay and Dungeness Bird Observatories. In our opinion the PEIR misuses Furness (2015) to inaccurately extend the migration season and minimise the wintering period for this species, with knock on effects in the	The best available abundance data for the offshore ECC area is from Irwin et al. (2019) which states "Surveys were originally programmed for the months of January and February when red-throated diver density in the SPA is known to be highest". The two surveys for that Irwin study were eventually undertaken in February 2018. The assessment of construction impacts in the offshore ECC area is considered to be sufficiently precautionary because it uses recorded densities at likely peak times to determine impacts and compares it	N

	impact assessment for the species at that time.	with the BDMPS for winter (which is lower in size than during spring migration).	
Offshore Ornithology (document reference 6.2.4)	In the treatment of Red-throated Diver, given the known sensitivity of the species to disturbance and displacement, the RSPB do have some concerns regarding the assessment of the construction impacts of the offshore export cable corridor (ECC). They will return to this issue in presenting our comments on the RIAA.	RSPB's comments on the RIAA have been addressed in Volume 5, Report 4: RIAA.	N
Offshore Ornithology (document reference 6.2.4)	Lesser Black-backed Gull: The nearest breeding colonies to the project are on the Suffolk coast. The RSPB is concerned about the project's impacts on Lesser Black-backed Gulls within the Alde-Ore Estuary SPA. Recent tracking studies have confirmed this species forages into the area of the proposed Five Estuaries array/offshore cable corridor. The Conservation Objectives and Supplementary Advice from Natural England for the Alde-Ore Estuary SPA include objectives to restore its population, which has seen very significant declines and to maintain safe passage of birds moving between nesting and feeding areas. The RSPB disagrees with the PEIR conclusions drawn within paragraphs 4.13.89 to 4.13.96 which argue the adoption of precautionary calculation methods and a conclusion of 'minor adverse' (paragraph 4.13.96). The RSPB will revisit the issue regarding Lesser Black backed Gulls in our comments on the RIAA and associated documents.	The conclusion of minor adverse refers to lesser black-backed gull impacts at a regional/national level rather than Alde-Ore Estuary SPA impacts which form part of the Volume 5, Report 4: RIAA.	Y
Offshore Ornithology (document reference 6.2.4)	In Table 4.16 it is claimed that "use of larger and more widely spaced WTGs with higher rotor tip clearance above mean sea level (28m) than previous developments … typically reduces collision risks, and is also likely to reduce displacement effects." The RSPB would welcome evidence of these expressed project design benefits.	The study by Johnston et al. (2014) on seabird flight heights produced information to suggest that a higher rotor tip clearance above mean sea level would generally reduce predicted collision rates. In a study of responses of birds to Dutch offshore wind farms, Leopold et al. (2013) concluded that "In the present, first inter-wind farm comparison, admittedly based on only two wind farms, a lay-out with larger, but more spaced-out turbines, disturbed the birds to a lesser extent than a wind farm with smaller but more densely packed turbines."	N
Offshore Ornithology (document reference 6.2.4)	The RSPB have concerns about the narrative regarding in-combination impacts with other offshore wind farm projects, for example that other wind farms may not build to their full (consented) potential, and that the in-combination project risks may hence be being overstated and are consequently highly precautionary. We question reliance on this position. This is linked in the discussion on Lesser Black backed Gulls (paragraph 4.13.95) with comment on nocturnal activity parameters and impacts on gull species. They will revisit this issue in their comments on the RIAA and associated documents.	The cumulative assessment in Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology follows the NE guidance on cumulative assessment (Parker et al. 2022c), which uses 'worst-case' turbine parameters for each project. The possible over-precautionary assumptions built into cumulative assessments of particular impacts on species are highlighted, although not relied on to determine overall level of significance.	N
Onshore Project Description (document reference 6.2.1)	The RSPB have also reviewed the proposed onshore works and note the ambition for collaboration with the North Falls Offshore Wind Farm Project. This has resulted in a wider Red Line Boundary. Of the two landfall options presented, the RSPB do not favour the southern option, given the predicted higher likelihood of disturbance and temporary habitat loss associated with this route (Volume 3, Chapter 4: Onshore Biodiversity and Nature Conservation).	Noted. The Applicant has selected the northern landfall option. The RSPB's feedback contributed to this decision.	Y
Onshore Project Description (document reference 6.2.1)	The RSPB may comment further on the onshore works when more detail is available and especially on the project's approach to Biodiversity Net Gain which awaits more detail on the onshore elements (Volume 5, Annex 4.14)	Noted.	N

SOUTHEND AIRPORT

Topic	Issue from feedback	Project response and consideration	Project

			change? Y/N
Military and Civil Aviation (document reference 6.2.13)	Following a review, I am pleased to confirm that we do not anticipate the proposed development to have an impact upon the operation at London Southend Airport. Thank you for considering us as part of the engagement.	Noted. Impacts scoped out of the assessment are detailed in paragraph 13.4.1 of Volume 6, Part 2, Chapter 13: Military and Civil Aviation.	N

SUFFOLK COAST & HEATHS AONB PARTNERSHIP

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	The AONB Partnership acknowledges the important part that renewable energy can provide in the nation's energy mix and the aspiration to move to net zero.	Noted.	N
Seascape, Landscape and Visual (document reference 6.2.10)	It notes the scheme's proposer considers there will be no significant effects on seascape, landscape and visual amenity from the project. However, the AONB Partnership consider that the updated Suffolk Seascape Sensitivity Study commissioned by Suffolk County Council, East Suffolk Council and the AONB Partnership should be used to inform the assessment of impacts on the nationally designated landscape. This report is not available in time to inform this response but will be used to update any further response from the AONB Partnership.	This has now been taken into account in the Seascape, Landscape and Visual Impact Assessment.	N
Seascape, Landscape and Visual (document reference 6.2.10)	The AONB Partnership requests that an assessment of the offshore element of the proposals be undertaken against the defined natural beauty and special qualities of the Suffolk Coast & Heaths AONB. In particular an assessment of the proposals on the defined features of landscape quality, scenic quality, relative wildness and relative tranquillity. The AONB Partnership considers the impacts on the nationally designated landscape will be more fully understood following the publication of an update of the Suffolk Seascape Sensitivity Study (2020), commissioned by Suffolk County Council, East Suffolk Council and the AONB Partnership. It is not available in the timeframe available for this consultation. The findings of that study will inform the view of the AONB Partnership and communicated to the project proposers soon as reasonably possible. It considers that a further assessment of the proposed offshore development on the ability of the AONB to deliver statutory purpose should be undertaken. This should include any cumulative impacts of the proposals from existing offshore wind and other proposals in development. Until assessments are undertaken of impacts on the AONBs defined qualities, and not just the viewpoint assessment, the AONB Partnership will reserve its judgement on the impacts on the AONB.	A detailed assessment of the impacts on the project on the SCHAONBs defined special qualities was undertaken in the PEIR. See Section 10.11 of the PEIR pages 169 to 192 (paragraphs 10.11.171 to 10.11.280). Follow up engagement with the SC&H AONB Partnership confirmed this. This is also included in the Seascape, Landscape and Visual chapter of the ES (document reference 6.2.10).	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	It welcomes that Five Estuaries Offshore Wind Farm Ltd have appeared to recognise the nationally designated landscapes in identifying potential sites outside any AONB for these major developments as policy dictates.	Noted.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	The AONB Partnership note that the Onshore Sub Station will be visible, (albeit very limited) during operation in the Dedham Vale AONB (Paragraph 2.7.21 Preliminary Environmental Information Report: Volume 3, Chapter 2 Landscape and Visual Impact Assessment, para 2.7.21. The AONB	Very limited theoretical visibility of the onshore substation is shown in the ES in Volume 6, Part 7, Annex 2.1: LVIA Figures - Figure 2.10b Landscape Designations and Screened ZTV, where small patches of low level theoretical visibility are shown along the southern boundary of	N

	Partnership seeks to understand how this visual intrusion will be avoided, minimised and mitigated for.	the Dedham Vale AONB. Site work has shown that actual visibility will be even further reduced owing to the additional screening effect of built form which is not factored into the screened ZTV. This proves that the onshore substation will not form a 'visual intrusion' in views from the Dedham Vale AONB. In localised parts where actual visibility of the onshore substation may arise, the visual impacts will be limited by the separation distance and the limited extent of the onshore substation that will be visible. Furthermore, over time these limited effects will be reduced as the mitigation planting grows to further screen the limited extent of the onshore substation that may be visible.	
Landscape and Visual Impact Assessment (document reference 6.3.2)	The AONB Partnership recognises the proposals to have landfall outside the nationally designated AONBs and that the necessary cables from landfall to the substation will be placed underground. It considers this will minimise any negative impacts on the nationally designated Suffolk Coast & Heaths and Dedham Vale AONBs.	Noted.	N
Landscape and Visual Impact Assessment (document reference 6.3.2)	The AONB Partnership consider to minimise the negative impacts on the nationally designated landscape from the construction and operation of the underground cable routes the scheme's proposer should: • Ensure maintenance and inspection infrastructure should be kept to a minimum and located and designed to minimise any adverse impacts on the AONB, including any development that is in the setting of the AONB. • Ensure that systems of work during construction should include measures to minimise the impacts on the AONB characteristics. This should include, but not be limited to, measures to reduce the adverse impacts of light, dust, noise on the visual amenity and tranquillity of the AONB. • Ensure the works minimise impacts on wildlife, particularly those habitats that provide a refuge for species that move in and out of the AONB and for individual species that may be transient populations that move in and out of the AONB.	The onshore substation and the associated underground cables will be located a minimum of 1.8km from the closest edge of the Dedham Vale AONB such that there will only be indirect effects on the AONB and no indirect effects and that the separation distance will limit the potential for effects to arise. In the ES, Volume 9, Report 21: The Code of Construction Practice (CoCP) sets out measures to minimise adverse effects associated with the construction of the onshore substation and associated underground cables, including consideration of maintenance and inspection infrastructure, light, dust and noise, and effects on wildlife and habitats.	N
Socio-Economic, Tourism and Recreation (document reference 6.3.3)	The AONB Partnership notes that there does not appear to be an assessment of impacts from the proposals on the tourism industry within the AONBs in the Preliminary Environmental Impact Report: Volume 3, Chapter 3: Socioeconomic, Tourism and Recreation. The AONB Partnership consider that the introduction of industrial development impacting the AONBs is likely to have an impact on the tourism industry and should be assessed.	The ES considers the effect of tourism at the scale of the regional economy (document reference 6.3.3), recognising that tourism is driven by the range, location and type of visitor attractions including the AONB and facilities / locations within and around them. The assessment considers the individual environmental effects on each receptor at a level identified as appropriate by each topic area.	N

SUFFOLK COAST AND EAST ESSEX INTEGRATED CARE BOARD

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Suffolk Coast and East Essex Integrated Care Board response is referenced and embedded in the ICB's overall response.	Noted.	N

THE NATIONAL FEDERATION OF FISHERMEN'S ORGANISATIONS

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Commercial Fisheries (document reference 6.2.8)	Further displacement of commercial fishing in the region will result in local economic harm, through lost earnings and additional operating costs due to increased steaming times during construction and operation of the project.	In the Scoping Opinion, the Inspectorate agreed that the potential impact of additional steaming could be scoped out of further assessment in the ES. Acknowledging NFFO feedback, the potential impact has been scoped back into assessment within the ES.	N

Fish and Shellfish Ecology (document reference 6.2.6)	We note with concern the response given in 2.1.3 to Natural England, regarding site specific surveys to provide data to advise the baseline characterisation. The argument that conducting these would provide only a 'temporal snapshot' of data specific to the species sampled, calls into question this entire assessment. The PEIR uses data from studies that are temporally and spatially limited, mostly to areas that are beyond the boundaries of the development area and makes assessments of impacts from such data. This too is only a 'temporarily snapshot' of data, specific to the studies cited and their spatial limits - a fundamental flaw in impact assessments.	Five Estuaries consider the data available from existing literature and relevant surveys provide an appropriate evidence base (both spatially and temporally) for fish and shellfish populations within the study area. Furthermore, Five Estuaries confirms that the fish and shellfish baseline has been deemed sufficient for the purpose of EIA by the MMO, Natural England and Cefas. It is considered that there is very limited value in undertaking additional surveys for the purposes of informing the baseline or the subsequent assessment as such surveys are limited to those species that have been successfully sampled by the trawl at a distinct point in time; the utility of such data principally being to confirm that the survey data aligns with the wider regional data drawn from the existing datasets. It is also worth highlighting that should species not be recorded in a site specific survey, the outcome is not then to exclude consideration of these species from the characterisation of assessment process – rather, the baseline description and EIA draws upon (or defaults to) the wider literature, as this provides a more thorough, robust, and longer time series evidence base, which therefore ensures a more comprehensive and indeed precautionary baseline to be derived for the purposes of EIA. The species list derived from such data provides a broader list of receptors for assessment with greater certainty that all species present have been captured compared with a series of snapshot surveys. Additionally, it is also notable that site-specific survey would be highly unlikely to identify any additional receptor species that are not already recorded in the extensive (both spatially and temporally) data that is available and which will be used for the EIA of the proposed Five Estuaries project.	N
Fish and Shellfish Ecology (document reference 6.2.6)	The reliance of offshore wind impact assessments on Coull et al., (1998) and Ellis et al., (2012) has been called into question in several of our responses to offshore developments. These data are over a decade old but seem to be given undue weight in assessing impacts on spawning and nursery grounds. A more precautionary use of these data within the assessments would be appropriate.	The Applicant confirms that the limitations of these datasets have been acknowledged in Section 6.6 of the fish and shellfish ecology chapter. The Coull et al, (1998) and Ellis et al, (2012) data sources are widely accepted across the offshore wind industry. Furthermore, to substitute these data sources, site specific PSA data have been used to inform the locations of suitable spawning substrates for demersal spawning receptors such as herring and sand eel, and additional research publications have also been reviewed to provide site-specific information.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Section 2.4.9 states: “Despite the data limitations detailed within this section of the report, the data as detailed in Table 2.2 provides a robust and sufficient evidence base to inform the fish and shellfish baseline characterisation and underpin the assessment.” We cannot agree. Site-specific and contemporary data to support such a sweeping statement is minimal.	Five Estuaries consider the data available from existing literature and relevant surveys provide an appropriate evidence base for fish and shellfish populations within the study area. Furthermore, Five Estuaries confirms that the fish and shellfish baseline has been deemed sufficient for the purpose of EIA by the MMO, Natural England and Cefas. It is considered that there is very limited value in undertaking additional surveys for the purposes of informing the baseline or the subsequent assessment as such surveys are limited to those species that have been successfully sampled by the trawl at a distinct point in time; the utility of such data principally being to confirm that the survey data aligns with the wider regional data drawn from the existing datasets. It is also worth highlighting that should species not be recorded in a site specific survey, the outcome is not then to exclude consideration of these species from the characterisation of assessment process – rather, the baseline description and EIA draws upon (or defaults to) the wider literature, as this provides a more thorough, robust, and longer	N

		time series evidence base, which therefore ensures a more comprehensive and indeed precautionary baseline to be derived for the purposes of EIA. The species list derived from such data provides a broader list of receptors for assessment with greater certainty that all species present have been captured compared with a series of snapshot surveys. Additionally, it is also notable that site-specific survey would be highly unlikely to identify any additional receptor species that are not already recorded in the extensive (both spatially and temporally) data that is available and which will be used for the EIA of the proposed Five Estuaries project.	
Commercial Fisheries (document reference 6.2.8)	The approach to assessing impacts in Chapter 2 is insufficiently precautionary and cannot be considered robust. The spatial distribution of the fishing fleet over the reference period presented in Annex 8.1 demonstrates how the stocks move, even at a regional scale, over a four-year period. The use of data that is over a decade old in some cases, or from other developments beyond the assessment area, is not acceptable when characterising a site-specific baseline.	The commercial fisheries baseline has been developed using a variety of data sources and supported by the findings of stakeholder engagement. Latest baseline datasets, up to 2020/21, are utilised and trends over a 5-year or 6-year series are presented, demonstrating the variability in fisheries activity in the region spatially and temporally. Annex 8.1 of the Environmental Statement has been further updated to include reference where appropriate to longer-term datasets to further consider and validate this variability, though this is not expected to influence the outcome of impact assessment.	N
Fish and Shellfish Ecology (document reference 6.2.6)	Data was analysed from monitoring projects of other OWF developments, however the methodology used for these monitoring projects (e.g. otter trawl) is incorrect for sampling receptors that the data have been used to assess (e.g. shellfish). This incorrect use of data, from inappropriate methodologies, should be accounted for when assessing impacts to receptors. Acknowledging the limitations in the data but ignoring them – and treating them instead as conclusive evidence – misinforms the assessment of the impacts. This occurs throughout the chapter and brings into question the validity of the impact assessments.	Data from monitoring projects of other offshore windfarm developments have been used purely as an indication of the presence of species across the region. It is also worth highlighting that should species not be recorded in the surveys, the outcome is not then to exclude consideration of these species from the characterisation of the baseline. The species list derived from such data provides a broader list of receptors for assessment with greater certainty that all species present have been captured.	N
Commercial Fisheries (document reference 6.2.8)	We agree with the inclusion of the impacts that have been scoped in for the assessment but disagree with the decision to scope out the impact of having to steam to new fishing areas. The justification given is that the impacts will be limited to the areas immediately surrounding structures and their associated safety zones. Whilst this is technically correct, it ignores the fact that fishing activity within the array area (as defined in Annex 8.1) predominantly employs mobile gear. There is minimal evidence to suggest that such gear can safely and economically be operated within wind turbine arrays. We can assume, therefore, that mobile gear fishing vessels will have to steam to new fishing grounds: a potentially significant impact which must be assessed as part of the EIA.	In the Scoping Opinion, the Inspectorate agreed that the potential impact of additional steaming could be scoped out of further assessment in the ES. Acknowledging NFFO feedback, the potential impact has been scoped back into assessment within the ES.	N
Commercial Fisheries (document reference 6.2.8)	It is unclear what level of fisheries exclusion is envisaged in Section 8.10.2, which refers to "…. where construction activities are taking place."? Does this equate to the whole site, or to individual turbine locations? Clarity on this matter is essential to ensure the impact on the receptors is accurately assessed.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	We feel that the assumption that the mobile gear fishing fleet will experience no displacement effects during construction (8.10.73 – 8.10.80) vastly underestimates the probably impact. The conclusion is justified by the belief that these vessels can freely disperse into other areas. This is demonstrably incorrect, especially in regions such as this, with extensive existing offshore developments, alongside regulatory and conservation-based restrictions. This was supported by evidence presented in 8.11.10 but appears not to be accounted for within the displacement impact assessments. It is	ES text has been updated in response to the comment to provide further clarity.	N

	disappointing to see that displacement of all gear types is assessed as having no significant effects. It should be self evidence that this is highly unlikely when a diverse fishing fleet is dispersed into an already crowded marine space.		
Commercial Fisheries (document reference 6.2.8)	Non-site-specific studies (8.11.7 – 8.11.10) should be used only with caution. The study presented here related to a particular site, in a region characterised by a very different benthic environment and regional fishery.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	We welcome the commitment to the development of a Fisheries Liaison and Co-Existence Plan and the suite of mitigation measures identified. Mitigation measures should be designed to benefit all affected fishers and the FLCP should be developed in cooperation with all relevant regional stakeholders, through continued and meaningful engagement throughout the lifetime of the project.	An Outline Fisheries Liaison and Co-existence Plan has been developed in collaboration with fisheries stakeholders.	N
Commercial Fisheries (document reference 6.2.8)	The commercial fisheries in the region can expect to see a vastly changing landscape through the lifespan of the Five Estuaries project. The spatial squeeze on fisheries due to offshore developments in the region is already extensive (as identified in Table 8.13) and it is possible that further restrictions will follow, if the proposed exclusion of mobile gear fisheries from MCZs is enacted. The uncertain outcome of the renegotiation of the UK-EU Trade and Cooperation Agreement will also affect opportunities in the region. Whilst these elements are acknowledged in the PEIR as possible factors, they are not accounted for in the assessments.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	It is recognised that the PEIR attempts to characterise a commercial fisheries baseline and to assess likely impacts by analysing many different data sources, including stakeholder expertise. The limitations of the data are well understood and described, with confidence levels assigned to the different data sources. The assumptions made and impact assessments subsequently based on these data, do not seem to be influenced by their pedigree or confidence levels used, however. As a result, impacts are adjudge to have “minor/possibly adverse” or “no significant effect” in all cases. It is submitted that this is unduly optimistic.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	In fisheries management, a precautionary principle is applied where there is a paucity of data, or where the outcome of decisions is uncertain. This does not seem to be the case for offshore development impact assessments. Limitations of data are acknowledged but do not seem to influence the outcomes of assessed impacts: a flaw in the methodological design and interpretation.	ES text has been updated in response to the comment to provide further clarity.	N
Commercial Fisheries (document reference 6.2.8)	While we appreciate the difficulties in conducting evaluations on the basis of limited data sources, we feel that this introduces uncertainty that should be accounted for in the methodology by adopting a more precautionary approach to the impact assessment.	ES text has been updated in response to the comment to provide further clarity.	N

THE WOODLAND TRUST

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	The corridor boundary is also sited adjacent to our Holland Mill Wood site. We are specifically concerned about the following impacts to the ancient woodland/ Woodland Trust Site: - Permanent fragmentation due to the removal of adjacent semi-natural habitats, such as small wooded areas, hedgerows, individual trees and wetland habitats if continued access to the cable once constructed is	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated. Mitigation measures are set out in Section 4.10. Outline proposals for	N

	required - Noise and dust pollution impact to woodlands within close proximity of the cable installation area - Root damage to woodland boundary trees during installation of the cable - The potential for trampling of sensitive ancient woodland flora and soils if access is required within any ancient woodland.	mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. Please also see information in the Arboricultural Report 9.22.1.	
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Natural England and Forestry Commission have identified impacts of development on ancient woodland within their standing advice. This guidance should be considered Government's position with regards to development impacting ancient woodland, although Natural England and Forestry Commission should still be consulted for specific comment on this application.	This guidance has been followed in the preparation of the ES. Natural England and the Forestry Commission have been consulted as of this process.	N
Onshore Biodiversity and Nature Conservation (document reference 6.3.4)	Buffering ancient woodland can be an ideal mitigation measure as buffer zones can be used to establish distance between the development and habitat, which helps to alleviate harmful impacts, while also creating new areas of habitat around the woodland. This development should allow for a buffer zone of at least 30m to prevent adverse impacts such as pollution and disturbance and ensure avoidance of root damage. Although not ancient, we would also request that a 30m buffer is afforded to Holland Mil Wood to ensure detrimental impacts to our site are avoided.	Effects on woodland habitats and trees as well as other features identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14. No direct impacts to ASNW or to veteran trees are anticipated. Embedded mitigation measures are set out in Section 4.10. Outline proposals for mitigation and compensation, along with proposals for biodiversity enhancement, are included in the OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan). These include woodland and hedgerow planting proposals that whilst not including blocks of 5ha in extent, seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network/ habitat connectivity. Please also see information in the Arboricultural Report 9.22.1.	N
General	Natural England and Forestry Commission standing advice.	Noted.	N

TOLLGATE PARTNERSHIP/ DECANT

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6)	Closer engagement with Anglian Water doesn't seem to have taken place. Given the second consultation is imminent Decant are disappointed that their suggestion of engaging with them about the lifespan of their water main asset (which causes problems with induction as it is metal rather than MDPE) hasn’t taken place as the scoping process started in 2021 and the first consultation was last summer giving plenty of time to investigate. As the main is over 60 years old, and a similar aged section has already been replaced with MDPE some years ago, this seems short sighted. A proactive approach would be to replace the cast iron main with MDPE to enable the route for your cables to cross land which would not require such expensive excavation techniques as you are considering on Bradley Hall Farm and our precious ecology habitat would be spared considerable damage.	Noted. The Applicant is continuing to engage with Anglian Water to establish bespoke protective provisions and we are discussing the potential for a statement of common ground.	N

TRINITY HOUSE

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Offshore Project Description (document reference 6.2.1)	Trinity House would welcome VE's earliest possible consultation regarding proposed layouts, as this matter may well require significant work to reach agreement.	Noted.	N
Shipping and Navigation (document reference 6.2.9)	Provide Trinity House navigation conditions within VE DCO/ DML.	Noted. This has been provided.	N
Offshore Project Description (document reference 6.2.1)	Trinity House would like VE to provide them with the most recent shape files for the project.	Noted. This has been provided.	N

UK CHAMBER OF SHIPPING

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
Shipping and Navigation (document reference 6.2.9)	The Chamber fully supports the Government's targets for offshore renewable energy, whilst recognising the vital role the ports and shipping industries play in enabling those targets to be achieved by providing bases and vessels for construction, operation & maintenance, and decommissioning. The Chamber asserts the planning and consultation system must support both the UK's offshore renewable goals and the shipping industry to ensure that navigational safety is not compromised nor economic contribution from the shipping industry jeopardised, as stated within Paragraph 2.6.162 of NPS EN-3.	The Applicant notes the Chamber of Shipping's position.	N
Shipping and Navigation (document reference 6.2.9)	The Chamber strongly welcomes the proactive approach taken by the applicant in addressing the concerns of navigational safety in reducing the red line boundary of the northern array area from 149km2 to 128km2. This reduction will significantly reduce the navigational risk for east west traffic, in particular when viewed in combination with the consented but not yet constructed East Anglia Two development to the north.	The Applicant welcomes the Chamber of Shipping's comments in relation to the reduction of the northern array following scoping.	N
Shipping and Navigation (document reference 6.2.9)	The Chamber has residual safety concerns regarding the new shape of the RLB and navigational corridor as presented. The new array area shape tapers to a point at the north where the navigational corridor is at its narrowest at 2.86nm. This northerly taper has the potential to lead to isolated structures protruding into the channel and the Chamber urges the boundary be further drawn south. The shape of the corridor, with the northerly protrusion will also lead to a convergence of vessel traffic at that point increasing the risk of collision between vessels and allision with turbines. This is exhibited in Figure 15.2 by the "hour glass" closest point of approach of Route 3 at this narrow point.	Post PEIR the Project has consulted further with the UK Chamber of Shipping on the layout noting that extensive consultation relating to the array area boundary was undertaken prior to PEIR including with the UK Chamber of Shipping.	N
Shipping and Navigation (document reference 6.2.9)	The analysis of vessel traffic movements in the draft NRA as presented for example Figures 10.1-10.4 of the NRA show data from 2022 and the resulting analysis is all based on a scenario where East Anglia Two OWF does not exist. This is unrealistic and the Chamber would like to see greater analysis than that in Section 17. Figure 16.2 Post WF Simulated AIS Tracks (28 days) would be of greater use to stakeholders should it display EA2 as built, a fair assumption, and the Chamber requests to see such figures showcasing both developments post PEIR. The Chamber also requests illustrations of potential radar interference of	Section 17 of the NRA (document reference 9.10) has been updated to incorporate additional future case analysis including simulated track data as suggested by the UK Chamber of Shipping.	N

	Five Estuaries in combination with East Anglia Two, and the potential for radar interference overlap between the two developments.		
Shipping and Navigation (document reference 6.2.9)	The NRA in Section 19.7 does not consider is the elevated allision risk for East Anglia Two, which while not a risk to the applicant's development is to East Anglia Two. This the Chamber requests be examined at the ES stage as for the navigational safety of commercial traffic there is not a distinction whether the vessel allides with a turbine from either development.	While the EIA process requires assessment following a 'building block' approach, the Project has update Section 17 of the NRA (document reference 9.10) to incorporate additional future case analysis including further allision risk analysis associated with the additional presence of East Anglia Two.	N
Shipping and Navigation (document reference 6.2.9)	The navigation corridor safety case presented in the NRA is accepted, however the Chamber recognises that the applicant is only proposing to provide the minimum accepted distance 2.86nm under MGN 654 guidance between the two wind farms, and considers this unnecessarily restrictive when the array area has surplus area to build out to the generating capacity intended. The Chamber therefore requests serious consideration be given to a further amendment to the RLB of the northern array area to reduce the conical shape of the resulting channel for navigational safety purposes. This position has been reached in direct consultation with Stena Line and DFDS Seaways who are two the most frequent users of Route 3 which sees an average of 11 vessels per day.	Post PEIR the Project has consulted further with the UK Chamber of Shipping on the navigation corridor alongside regular users, particularly DFDS Seaways and Stena Line as noted by the UK Chamber of Shipping.	N
Shipping and Navigation (document reference 6.2.9)	The Chamber recommends examination of set entry/exit points into the array areas for project vessels in particular for those entering from the Sunk East TSS area as an additional risk mitigation and means to reduce collision risk between project vessels and third party. Whilst all vessels should be abiding by Collision Regulations, such an additional mitigation would provide assistance to commercial shipping in recognising where project vessels may be entering the TSS.	An Outline Navigation and Installation Plan (document reference 9.20) has been developed and the Applicant have undertaken consultation with relevant stakeholders.	N
Shipping and Navigation (document reference 6.2.9)	The Chamber along with other maritime stakeholders, MCA, TH, HHA raised these concerns with the developer and Anatec and gave clear indication to the increasing depth of vessel draught over the last 20 years, and how it was expected to further increase. As such, the Chamber would not recommend permitting a development which has the potential to restrict future access to the UK's largest and most important container and goods ports. In this instance, where the developer has chosen a cable route which crosses IMO traffic routeing measures and designated deep water routes specifically designed for deep draught vessels with restricted manoeuvrability there must be very careful consideration to cable burial depth so as not to impinge on navigational safety, restrict future access to ports and hamper the UK's economic prosperity. The Chamber would fully align with the comments and views expressed by Harwich Haven Authority in 9.11.191 that burial depth of 0.5 m would likely be insufficient in some areas, and may need to be substantially more.	The Applicant notes the Chamber of Shipping's position.	N
Shipping and Navigation (document reference 6.2.9)	Noting the concerns raised by stakeholders during consultation regarding vessel draught, especially along the ECC, the Chamber recommends that fuller analysis of vessels with draught over 12 metres be carried out. Figure 10.38 of the NRA includes an upper category of 12m draught which mistakenly omits necessary granularity when it comes to UKC with and cable allision risk with deeper draught vessels. The Chamber therefore suggests that analysis be carried out with additional categorisation for aid granularity, and proposes a 12-15m category, a 15-18m category and a 18m+ category.	The Project is aware of the sensitivities surrounding changes in water depth and vessel draughts and has therefore carried out further assessment on identifying the impacts on DWRs and other areas sensitive to safe navigation.	N
Shipping and Navigation	The Chamber acknowledges that the cable burial risk assessment will be	The Cable Burial Risk Assessment (document reference 9.9) takes	N

(document reference 6.2.9)	examined in detail at the ES stage and welcomes that closer examination. The Chamber wishes this to include careful consideration of interaction with other cables in the area in particular North Falls, NeuConnect, and Sea Link, and how cumulatively these may significantly reduce the ability for vessels to undertake emergency anchoring. Limiting the options for the prudent mariner between a drifting allision with a turbine, collision with another vessel or anchor drag with a cable, presents a cumulative increase in navigational risk with significant consequences.	account of the cumulative impacts.	
Shipping and Navigation (document reference 6.2.9)	The Chamber has not reviewed the Hazard Log in detail and does not provide specific comment on it. However. it would suggest that to date, there have not been sufficient figures showing analysis of corridor between Five Estuaries and East Anglia Two for detailed comments. The Chamber looks forward to seeing additional analysis post PEIR and provide detailed view.	An additional Hazard Workshop has been undertaken in which additional information on the navigation corridor with East Anglia Two was included to allow the UK Chamber of Shipping to revisit the comments previously provided on the hazard log.	N
Shipping and Navigation (document reference 6.2.9)	Section 15.2 of the NRA discusses Commercial Vessel Activity and has concluded following consultation that increases of 10% and 20% are estimated over the period of the wind farm operation. The Chamber was party to these discussions at the Hazard Workshop but upon further consideration would like to make a case for an additional scenario of 30% increase in overall vessel numbers. As detailed in Paragraph 357 of the NRA, London Gateway is only 50% constructed and that there is also further expansion to Felixstowe in terms of port development. It is also stated within Volume 2 Chapter 9 states that there may be nearly 1,800 annual round trips due to the presence of Five Estuaries OWF. It may be fair to expect a similar number for North Falls and East Anglia Two. Accordingly, an additional 3,800 annual round trips of vessels in the area singularly due to OWFs is a significant increase. Looking broadly at global figures for the size of the commercial shipping fleet. The world fleet above 100gt has increased from 68,000 vessels in 2005 and 105,500 vessels in 2023, a 55% increase in 18 years. Whilst these are global figures and not specific to the UK EEZ they nevertheless indicate the expansion of the shipping fleet. Hence the expansion of major ports within the area, in combination with the proximity of several other new wind farm projects in the area, for example North Falls and East Anglia Two, leads the Chamber to suggest that 20% may be too low a figure.	To suitably qualify and quantify future case vessel traffic the Project has developed a detailed methodology for future case vessel traffic post PEIR in consultation with the relevant stakeholders which has been used to further inform the risk assessment in the ES. Project vessels will be managed through marine coordination.	N
Shipping and Navigation (document reference 6.2.9)	The Chamber objects to the preferred decommissioning assumption of leaving the cables in situ as stated in Paragraph 92 or the Navigational Risk Assessment. Where the OWF is to be fully decommissioned, the Chamber strongly advocates for the full removal of all infrastructure above and below the seabed, acknowledging BATNEEC when it comes to turbine foundations which penetrate deep into the seabed. The Chamber has concerns that buried cables left in situ may become exposed and therefore pose a hazard to anchoring activity, especially in an emergency when such activity is most likely to take place. Such risk is minimised during the economic life of the wind farm, as navigational traffic through the development will be reduced and it is expected that regular monitoring of the cabling and its protection will be carried out with any necessary remedial works. However once decommissioned, the site will be open to a greater extent to surface navigation and other activity. The Chamber is not aware of commitments by developers post commissioning to regularly monitor and rebury or remove cabling which has become exposed.	Noted.	N
Shipping and Navigation	It is widely recognised that ships' anchors pose a significant hazard to	Noted.	N

(document reference 6.2.9)	submarine cables as they are designed to penetrate the seabed. The depth of penetration will depend on the size and type of anchor and the nature of the seabed. Hence, the Chamber is concerned that cable burial at typical depths does not fully safeguard against anchor fouling and entanglement. This was exemplified through the incident of the Stema Barge II incident in the English Channel when emergency anchoring led to the IFA interconnector being fouled and cut though. Passing the cost of potential fouling and disentanglement to the shipping company, authorities, insurers and any Search and Rescue (SAR) services required is not desirable.		
Shipping and Navigation (document reference 6.2.9)	Through the leaving of cabling in situ, future seabed activity in the area is significantly constrained, either rendered unfeasible, or costly for the next seabed user to remove or work around such cabling.	The Applicant notes the Chamber of Shipping's position.	N

UK HEALTH SECURITY AGENCY

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
EIA Methodology (document reference 6.1.3)	Environmental Public Health: We have considered the submitted documentation and can confirm that we are satisfied with the approach taken in preparing the PEIR and conclusions drawn. We wish to make no further comment at this time.	Noted.	N
Human Health and Major Disasters (document reference 6.4.2)	The Office for Health Improvement and Disparities (OHID) notes that further work will be required before final conclusions regarding any significant effects in relation to population and human health as a result of being reliant on findings from other chapters. The PEIR does not, however, outline the methodological approach to be used to assess significance specifically for population and human health. Guidance on determining significance for human health in EIA (Pyper et al., 2022) published by IEMA should be used as the basis for the assessment of significance.	Noted. 2022 EIA guidelines have been followed. More information is included in the Human Health and Major Disaster chapter of the ES (document reference 6.4.2).	N
Human Health and Major Disasters (document reference 6.4.2)	Determining significance for human health should follow guidance within Pyper et al. 2022, published by IEMA. The final ES should provide suitable justification for any assessment of significance. If you require any clarification on the above points or wish to discuss any particular issues please do not hesitate to contact us.	Noted. 2022 EIA guidelines have been followed. More information is included in the Human Health and Major Disaster chapter of the ES (document reference 6.4.2).	N

WHALE AND DOLPHIN CONSERVATION

Topic	Issue from feedback	Project response and consideration	Project change? Y/N
General	Thank you for the opportunity to respond, but we won’t be engaging at this stage as we don’t have the capacity to respond.	Noted.	N

8.2 Section 42 issues and consideration (PILs)

This appendix sets out the responses to the consultation from section 42(1)(d) consultees - PILs, how the Applicant has considered them and whether they have led to a change in the proposals. Issues raised from feedback have been summarised in line with the approach set out in Chapter 5.5 of the Consultation Report (document reference 5.1). Care has been taken to retain the meaning and context of responses summarised.

- The 'Number of times raised' column is an indication of the number of consultation responses that raised this general issue.
- Application document reference numbers are included in parenthesis after the name of the document.

Summary of issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Access - Landowner Specific Specific concerns about access over land owned and potentially affected by the Project.	4	Access arrangements with individual landowners are being discussed on a site specific basis as part of commercial negotiations.	Y
Access - Public Access Concern regarding the impact on public rights of way included in the landowner's interests or related to activities.	2	The construction of Five Estuaries will interact with a number of walking, cycling and horse rider routes within the onshore Export Cable Corridor. The Outline Public Access Management Plan (document reference 9.25) sets out the approach that will be taken to manage public access and should be read in conjunction with the draft Code of Construction Practice (document reference 9.21), the Outline Construction Traffic Management Plan (document reference 9.24) which sets out how walking, cycling and horse rider users of the public highway would be considered and the assessment of VE construction traffic. The Applicant plans to maintain access through diversions.	N
Access - Other Users Concern regarding about impact on access for farm business and related activities.	4	The Outline Public Access Management Plan (document reference 9.25) sets out the approach that will be taken by the Project to manage public access. Access will be mindful of other users. The Agricultural Liaison Officer, as set out in the Code of Construction Practice (document reference 9.21), will work with individual landowners to minimise and manage any impacts on access from construction activity.	N
Associated farm business Concern regarding impact on specific farm/business practices.	2	VE will be pleased to discuss specific compensation and mitigation measures in connection with associated farming businesses and enterprises, as directly affected by the project, as part of individual discussions with landowners.	N
Cable Depth Request that a minimum soil cover / cable depth of 1.2m for drainage and irrigation purpose to enable land management in the same way as pre-construction.	22	Cables will generally be buried to a depth of not less than 1.2m.	Y
Carbon Offsetting Statement that landowner would be interested in exploring the use of fields effected by the proposals for carbon offsetting or similar activities instead of trying to farm awkward fields.	20	VE will be pleased to discuss specific proposals for bio-diversity net gain and/or carbon offsetting, for areas of land directly affected by the Project, as part of individual discussions with landowners.	N
Collaboration with other projects Desire to see coordination with North Falls Offshore Wind Farm to minimise construction impacts from the two projects.	25	Following requests from stakeholders throughout the development of both projects, the potential for coordinated delivery of elements of the onshore construction have been developed. These are set out in the Co-ordination Document (document reference 9.30). The delivery of coordinated construction activities is dependent on the projects hitting certain milestones.	Y
Consultation - Understanding the consultation Process Confusion expressed over the purpose and scope	1	The Project's Statement of Community Consultation includes an explanation of the consenting process for the Project; who we intended to consult; what we were consulting on; how we carried out consultation; how the consultation documents could be accessed (one method being information events); and how to respond to the consultation. In order for us to consider feedback,	N

of the consultation.		we explained in the Statement of Community Consultation that verbal feedback given to the Project team at events or at meetings could not be taken as a formal response to the consultation. A copy of the Statement of Community Consultation was sent to the stakeholder. The Applicant has been involved in the government's Offshore Transmission Network Review (OTNR) and applied under the Offshore Coordination Support Scheme (OCSS). An offshore connection option is being considered as a potential option, and how this would be delivered is set out in the Offshore Connection Scenario document (document reference 9.29), however until the outcomes of the OCSS are fully realised the Applicant is progressing with the proposals that include an onshore connection.	
Crop loss compensation Request of compensation for lost cropping opportunities / value.	10	Compensation will be covered under either voluntary agreements or compulsory acquisition during construction phase. The amount of compensation will be based on provable losses and is part of the individual discussions with landowners.	N
Development Proposal - Residential Concern regarding the impact of the project on proposed development plans.	2	Discussions with the stakeholder are ongoing.	Y
Disturbance during construction Concern regarding a range of impacts from the construction process.	5	The Code of Construction Practice (document reference 9.21) sets out the approach that will be taken by the Project to mitigate for construction disturbance.	N
Draft Code of Construction Practice Request to be consulted on the CoCP	19	An outline CoCP was included as part of the Stage 2 consultation documents published within the PEIR. This was an opportunity to comment on the outline plans.	N
Drainage Request for pre- and post- construction drainage survey and scheme of works. Request that an independent consultant (paid for by the Applicant) be required to sign off on all works that affect drainage.	21	The Applicant notes these concerns. An Agriculture Liaison Officer will be appointed to work with landowners in the preparation for and during construction to help minimise disruption to ongoing activities. The Officer is a requirement of the Code of Construction Practice (document reference 9.21).	Y
Easement Width Concern regarding the width of the export cable corridor and implied width of easement.	5	In response to this and other general concerns about the impact of the project, the Applicant has worked to reduce the onshore cable route corridor with from up to 240m (as shown in the PEIR) to approximately 90m in the submitted proposals. This retains enough width to enable micro-routeing around obstacles while given greater certainty to farmers and other interests about the area potentially impacts.	Y
EMFs Concern regarding the impact of Electro Magnetic Fields from the underground cable (and substation) on human health but also on animal health and crop yield.	21	Electro-Magnetic Fields (EMFs) are produced both naturally and as a result of certain human activities. The earth has a magnetic field produced by currents deep inside the core of the planet; the earth is also subject to electric fields produced by electrical activity in the atmosphere such as thunderstorms. The Earth's magnetic field is approximately 50 µT (microteslas) in the UK. EMFs are inevitable wherever electricity is produced, distributed, and used, including electrical substations, power lines and from household electrical equipment but the level of the magnetic field produced by alternating current (AC) underground power cables is less than the Earth's magnetic field in the UK. Moreover, EMFs from the electricity grid are low frequency and non-ionising. This term means that they do not have enough energy to cause damage to human or animal cells in the same way ionising radiation does. The World Health Organization states there is no evidence to conclude that exposure to low-level EMFs is harmful to human health.	N

		More information on EMF's is available in Section 28 of the Five Estuaries Project Scoping Report.	
Farm management Requests for compensation for disruption for farming management / activities.	21	Compensation is discussed individually with landowners. The Applicant does take farming practices and land use into account in these discussions.	N
Future development potential Highlighting individual potential development proposals in various stages. This included requests for the Project to avoid and compensate for potential losses.	21	Compensation is discussed individually with landowners. The Applicant does take farming practices and land use into account in these discussions.	N
Gunfleet Boating Club A range of issues from the <u>Proximity and access</u>: The onshore cable should not come onshore close to Gunfleet Boating Club and should be on the Frinton side of the outfall from the river close to the sewage works. Access to works via Manor Way should not impede access to the boat club. <u>Substation</u>: The onshore substation - East or West are ok as long as cable avoids Club buildings and launch areas. <u>Traffic and access</u>: Traffic via Manor Way needs to not impede boat club areas. The club is very busy in summer. Multiple vehicles towing boats etc. Access to beach for launching is required all year <u>Plans</u>: Your drawing 21005415 PLN_LIQ_1311.1 is not clear enough relative to our club premises. I have attached some detail in my map Ref A. However to be clear there needs to be more detail in the area adjustment to the above in the direction of Frinton.	1	<u>Proximity and access</u>: The access works via Manor will not impede access for the Boating Club and the Applicant will work the stakeholder to ensure no restrictions on access. The Club is over 500m from the closest point of the order limits, as such no direct significant impacts are likely. <u>Substation</u>: The onshore substation is located in-land, and will not have any impact on the Boating Club's activities. <u>Traffic and access</u>: The Outline CTMP (document reference 9.24) has been updated to refer to the Boat Club and activity and measures to ensure access to the Boat Club and associated activity at the Boat Club are not impeded. <u>Plans</u>: Noted and Project information updated. The Club is over 500m from the closest point of the order limits, as such no direct significant impacts are likely.	Y
Haul Road Concern regarding the composition of the proposed haul road.	1	Maximum design scenario has been assessed for stone. Detailed design of the haul road is down to contractors and but landowners will be engaged in the process.	N
Heat from Cables Concern regarding the heat from underground cables impacts on crops and crop yields.	20	Many famers have asked us what impact the heat dissipated by the cables could have on their crop yields. Scientific studies* have determined that the heat from the underground cables has no negative impact. The degree to which the soil actually heats up depends on various factors including the transmission technology, the insulation of the cables and the bedding material that the cables are laid in. Key roles are also played by the ability of the soil itself to conduct heat, the degree to which the cable is being used and seasonal and weather-related fluctuations in temperature in the soil.	N

		What has been found is that any heat from the cables dissipates quickly as it rises and temperatures in the top layers of soil, where roots are found, are similar to those measured in reference points away from the cable system. *Conducted by soil ecologist Prof. Dr. Peter Trüby of Freiburg University	
Hedgerows Concern about the impact on established hedgerows.	2	Five Estuaries would aim to minimise disturbance to hedgerows by using gaps in vegetation where possible. Wherever a hedgerow crossing is unavoidable and a trenchless technique such as HDD is not possible, and the hedge requires removal, the width of the hedge removed will be limited where practicable. All removed hedges will be replaced with locally appropriate species. In addition, we would plan to avoid burying cables close to major tree roots in order to maintain cable integrity, as well as seeking to avoid potential impacts on the trees. Detailed hedgerow survey has been undertaken: summary detail for the habitat and hedgerow survey scope and baseline data used to inform the assessment is included at Section 4.5, with further details in VE PEIR Volume 5, Annex 4.2: Habitat and Hedgerow Survey Report, N of A120 and VE PEIR Volume 5, Annex 4.3: Habitat and Hedgerow Survey Report, S of A120. These can be found in Volume 6, Part 6, Annex 4.22 Onshore Ecology Preliminary Environmental Information Report Annexes. Three hedgerows within the survey area are considered to meet the definition of 'important hedgerows' in relation to wildlife and landscape criteria and an addition eight in respect of supporting protected species, under the Hedgerow Regulations 1997, as shown on Figure 4 4 (for consideration of historically important hedgerows please refer to Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage). Important Hedgerows which are potentially impacted by the scheme are included on Tree Preservation Order and Important Hedgerow plan (document reference 2.10).	Y
Irrigation Concern regarding the impact of the Project on irrigation schemes used on farms.	20	Discussions with landowners on existing drainage and irrigation schemes will form part of site specific commercial negotiations.	N
Landowner engagement Criticism of the level of engagement with landowners throughout the process.	21	The process of engaging with landowners is set out in Chapter 3.5 of the Consultation Report (document reference 5.1). This has included communication to established ownership and rights, periods of consultation, and a dedicated phone number and email address to contact the land agent team. It is worth noting that Stage 2 consultation represents a relatively early point in the process and the Applicant (through its land agent team) will continue to work with landowners towards agreements before any direct impact on land occurs. After Stage 2 consultation, as set out in chapter 3.5 of the Consultation Report, the Applicant wrote to landowners who responded to the consultation to respond directly to issues raised from Stage 2 consultation feedback.	N
Landowners time Concern regarding payment for landowners' time during discussion.	21	The Applicant has taken advice from its project land agents (Dalcour Maclaren) in respect of reimbursement of landowner time. Dalcour Maclaren would be pleased to clarify directly with affected landowners.	N
Link Boxes Concern regarding the impact of link boxes effecting landowners ability to farm the land/fields post construction.	21	The requirement for joint pits and associated link boxes is covered in the Onshore Project Description, sections 1.4.25 to 1.4.27. The Onshore Project Description formed part of our statutory consultation and will be submitted as part of the Project's Development Consent Order (DCO) application.	N

		Where possible link boxes will be located in sympathetic locations such as field boundaries, but their location is ultimately driven by the electrical system design. Any impact on farming activities would be factored in to compensation discussions. Link boxes are flush to the ground with a manhole for access.	
Livestock grazing Concern regarding impact on grazing animals.	1	Compensation is discussed individually with landowners. The Applicant does take farming practices and land use into account in these discussions.	N
Mental Health Concern about the impact, or potential impact, of the Project on the mental health of those effected – specifically farmers.	21	We understand that the Project's potential impacts and the length of the development process can create uncertainty and stress. We take our role as a responsible developer seriously, and concerns and feedback will be considered throughout the development of the Project and the consenting process. We are also always happy to answer enquiries from landowners and members of the public. We will ensure that our construction practices respond to these concerns as much as possible, and how we intend to do this is set out in the Construction Management Plan (document reference 9.21).	N
Private Water Supplies High level of private water supplies used for farming activities and residences. Concern that the cable corridor will disrupt these during construction and potentially permanently.	22	The Applicant is liaising directly with utility providers to ensure asset protection. For other water supplies, these are assessed within the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). In addition, the Agricultural Liaison Officer will work with landowners directly ahead of any construction work to ensure any specifics are considered.	N
Project Capacity Statement that the number of cable circuits (up to four) in the PEIR is unnecessary for the capacity of the Project and is therefore causing more impact than necessary.	19	Each cable circuit will consist of three onshore electricity cables as well as up to three fibre optic cables and one earth cable. The Project had considered up to four circuits as, depending on the electrical configuration, this number may have been necessary to carry the full power from the wind farm. The exact number of circuits depends on the export voltage adopted and the final capacity of the windfarm. The amount of power that can be carried by a single cable is limited due to thermal effects, meaning it Is not possible just to increase the size of a single cable to carry all the power. Export cable technology is rapidly evolving and to allow for potential technologies the windfarm had allowed for between 1 and 4 cables. Following feedback received by a number of landowners, both at the consultation events and via appointed land agents, the Project challenged their engineering team to review and optimise the electrical transmission infrastructure, and specifically to discount solutions that required the Project to have four circuits. Five Estuaries have since collaboratively reviewed the electrical options and design with North Falls Offshore Wind Farm, and carried out further optimisation work. This activity has resulted in both Projects no longer proceeding with the four-circuit-per-project option. Each project will now have a maximum of two circuits. This decision means that the onshore cable corridor width during construction will now be smaller. In addition, the width of the legal easement will be significantly reduced. By including a maximum of two circuits per project, the projects will reduce and minimise the impact on both landowners and the onshore environment.	Y
Road Conditions Concern regarding the condition and capacity of the roads around the proposed Project, linked concern of impact of congestion of farming activities.	2	Prior to the start, and following completion, for each stage of the onshore works of the construction works, road condition surveys for minor roads will be undertaken and agreed with Essex County Council. These surveys will inform any works that may be required to rectify specific damage to the road network as a direct result of construction work. Since Stage 2 consultation, the need for highways and junction improvements at Bentley Road were identified. This was then consulted on as part of Stage 3 consultation.	Y
Shooting Concern regarding impact on commercial shoots.	4	Compensation considers commercial losses if there's an impact. The Agricultural Liaison Office (as per the CoCP - 9.21) will work with the stakeholders on an individual basis to manage any interactions with planned shoots.	N

Soil quality Concerns regarding the impact on soil quality and limitations on remediation techniques. Statement of need for independent pre- and post-construction soil survey/analysis and for this to be available to the landowner.	23	Soil surveys have now been included in the Code of Construction Practice (document reference 9.21).	N
Statutory undertaker engagement Questioning whether the Applicant was engaging with statutory undertakers.	1	Statutory undertakers were included as part of the Stage 2 consultation. In addition, engagement with a number of technical and statutory consultees has been ongoing throughout the pre-application process. More information about this is set out in chapter 3.4 of the Consultation Report.	N
Substation location Criticism of seeking feedback without a chosen site and lack of detail.	7	Since our first stage of consultation in Summer 2022, Five Estuaries has maintained two Substation Search Areas (SSA's); SSA East and SSA West, for our onshore substation location. After Stage 2 consultation, the Applicant confirmed that the preferred location for the Five Estuaries substation to be within SSA West. This search area is adjacent to the location selected for the new substation for the National Grid Norwich to Tilbury reinforcement (previously named East Anglia GREEN) and overlaps with North Falls Offshore Wind Farm substation search area. Consultation feedback encouraged greater coordination with North Falls and National Grid. This site allows us to: • Focus impacts in a single area when considering cumulative development. • Have a lower overall land take with the SSA West co-located site when compared to locating the substations in different search areas. • It also allows for co-ordination of design, which includes the potential for shared temporary and permanent access roads, co-ordinated design and landscape mitigation principles to support reducing impact on the surrounding area.	Y
Substation screening Concern about the effectiveness of screening and that planting should be native species only.	14	Feedback on substation screening will be considered by the Project team as the design is further developed ahead of the Project's application for a Development Consent Order (DCO). The issue is assessed in the Landscape and Visual Impact Assessment chapter of the ES (document reference 6.3.2) and visualisations including the effect of screening are included in the ES Annex Landscape and Visual Impact Assessment Figures (document reference 6.7.2.1). Visualisations. Design and mitigation related to screening of the onshore substation are included in the Outline Landscape and Ecological Management Plan (document reference 9.22) and the Onshore Substation Design Principles Document (document reference 9.4).	N
Surface water Concern regarding impact of runoff from substation site increasing flood risk on surrounding areas.	5	Flood risk is assessed as part of the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). The onshore substation site is within Flood Zone 1, i.e. outside of the tidal and fluvial floodplain. In addition, appropriate surface water drainage would be implemented to mitigate against potential flood risk. Surface water drainage measures would be implemented to ensure that runoff from the site is managed and restricted to approved rates , thereby not increasing surface water flood risk.	Y
Utilities Concern regarding impact on utility assets and service provision (as asset is on site).	1	Where the construction works will be in close proximity to existing utilities, or any works affecting existing drains, sewers or chambers works will be undertaken in manner agreed with the relevant statutory undertaker.	Y
Wildlife Impacts Concern regarding impact on wildlife on land.	2	The assessment of wildlife impacts is detailed in the Onshore Biodiversity and Nature Conservation chapter of the ES (document reference 6.3.4).	N
Working Hours	1	The core working hours for the construction of the Project are set out in the Code of Construction	N

Question around working hours.		Practice (document reference 9.21).	

8.3 Section 47 issues and consideration

This appendix sets out the responses to the consultation from members of the public (under section 47 of the Act), how the Applicant has considered them and whether they have led to a change in the proposals. Issues raised from feedback have been summarised in line with the approach set out in Chapter 5.5 of the Consultation Report (document reference 5.1). Care has been taken to retain the meaning and context of responses summarised.

- Issues have been grouped into general themes. Section 8.3.2 covers issues that relate directly to chapters of the Environmental Statement (volume 6), and section 8.3.1 covers other issues.
- The 'Number of times raised' column is an indication of the number of consultation responses that raised this general issue.
- Application document reference numbers are included in parenthesis after the name of the document.

8.3.1 General project comments

GENERAL

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General opposition to the substation. Reasons include destruction of countryside, impact on farmland, impact on wildlife, local road network, visual impact, that screening would not obscure the site fully within its lifetime, opposition to both sites, and the use of greenfield site.	64	The potential impacts from the onshore substation is one of the largest drivers in the development of design and is assessed throughout the ES. Each onshore chapter of the ES considers the potential impact of the onshore substation, and mitigating impacts is considered as part of the Onshore Substation Design Principles Document (document reference 9.4).	N
General concern about the impact on Little Bromley. References to quality of the environment, loss of amenity, impact of PRoW, disruption to day-to-day life, disruption to nearby farmers.	26	The potential impact on residential areas, including Little Bromley, is a key part of the Environmental Impact Assessment. The proximity of the onshore substation to Little Bromley has helped drive the development of the Applicant's plans for screening and mitigation. In addition, the decision to site the onshore substations for the Project and for North Falls in the same area was made in order to enable coordinated screening.	N
Generalised concern regarding underground cabling. Reasons include the amount of digging, construction traffic, destruction of hedgerows and trees, loss of farmland, and the potential effect on the seawall.	23	An increase in the number of areas of using trenchless techniques to reduce the impact on established hedgerows and other ecological impacts. In addition, this will reduce the need for temporary road closures and public rights of way diversions. The use of a haul route along the route corridor was also developed in response to concerns regarding construction traffic. As set out in the Outline Construction Traffic Management Plan (document reference 9.24), this will enable construction traffic to reach the route corridor without having to use smaller/less main roads. Information about how the export cables will be brought onshore at landfall is detailed in the Outline Landfall HDD Method Statement (document reference 9.28). Which includes consideration to the integrity of the seawall.	Y
General opposition / objection to the project (without further details).	20	The need for the Project is well established in national policy. More information on the policy background to the Project can be found in the Planning Statement (document reference 9.1) and Policy Compliance Document (document reference 9.2). Ultimately it is responsibility of the Secretary of State to determine whether the proposals are in line with policy.	N
Opposition to the cumulative impact of three new substations in one area.	11	Cumulative assessment has been carried out to understand the potential impact of all three onshore substations. These assessments are included in all relevant chapters of the Environmental Statement.	N

		The Applicant has been working closely with the North Falls Offshore Wind Farm project to develop proposals and mitigation jointly and therefore reduce impacts. More information on this is set out in Offshore Connection Scenario (document reference 9.29). In addition, the Applicant has worked closely with National Grid to align proposals for its East Anglia Connection Node substation.	
Statement that there is no benefit for locals / the Tendring area.	7	National policy sets out the benefits for increasing the amount of renewable, offshore wind energy that the country collectively generates. This Project contributes to that overall goal of decreasing carbon emissions, increasing energy security, and decreasing the cost to the consumer. How the Project will benefit the local area and region is set out in the Socio-Economic, Tourism and Recreation chapter of the ES (document reference 6.3.3) and our Outline Employment and Skills Strategy (document reference 9.27) also sets out how the Applicant intends to maximise these opportunities.	N
Concern about 'creeping industrialisation'.	4	The planning policies that the Project will be considered under are set out in the Planning Statement (document reference 9.1). The delivery of the Project does not have a direct impact on the planning policies of either Tendring District Council or Essex County Council. The Onshore Substation will be screened with planting to help mitigate potential impacts, and therefore reducing the industrial appearance of the site in the wider context.	N
Concern about non-specific pollution.	4	The potential impacts on the environment are assessed as part of the Environmental Impact Assessment and reported on in the Environmental Statement (Volume 6) submitted by the Applicant. Preliminary environmental information as assessed as part of the Stage 2 Consultation detailed in the Consultation Report. Where potential environmental impacts have been identified, the Applicant has sought to develop its plans to avoid, reduce, mitigate or compensate for those impacts. The Examination process will further consider these impacts before the inspectors make their recommendation on the Project.	N
Concern about the impact on Ardleigh.	3	The potential impact on residential areas, including Ardleigh, is a key part of the Environmental Impact Assessment and potential impacts on people are reported throughout the ES (Volume 6). As Ardleigh is over 1km to the east of the furthest extent of the proposals.	N
Claim that the impact on communities has not been assessed.	3	The Environmental Statement contains a detailed assessment of the potential impact on a wide range of receptors, including people. The potential impact on communities is reported on in the Socio-Economic, Tourism and Recreation (document reference 6.3.3) and Human Health and Major Disasters (document reference 6.4.2) chapters of the ES.	N
Statement that National Grid's Norwich to Tilbury (GREEN at the time of the consultation) project is controversial.	3	Noted.	N
Generalised concern regarding impact in Tendring.	2	The potential impact on residential areas, including Tendring, is a key part of the Environmental Impact Assessment. As detailed in Chapter 4.4 of this Consultation Report, a cable route corridor option was dropped to reduce potential impact on Tendring village.	N

Criticism of positioning the Project as 'green'.	2	The need for renewable offshore wind energy is well established in policy. All development has impact and the Project has been developed in a manner mindful of the balance of those impacts.	N
Statement that the project cannot be separated from National Grid's proposals.	2	Noted, however as set out in Site Selection and Alternatives chapter of the ES (document reference 6.1.4), the Applicant has limited input into National Grid's proposals and the connection location that was offered for the Project. How the Applicant is involved with the Offshore Transmission Network Review is set out in Offshore Connection Scenario (document reference 9.29).	N
Opposition to offshore element of the proposals - visual impact, impact on offshore ecology and wasted production due to lack of onshore production.	1	The Seascape, Landscape and Visual chapter of the ES (document reference 6.2.10) assesses the potential impact on a range of aspects. The potential effects are based on the potential receptor but no significant adverse impacts are expected as a result of the proposals. The Offshore chapters of the ES (document reference 6.2) cover a range of ecology issues.	N
Claim full impact has not been assessed.	1	The Environmental Statement contains a detailed assessment of the potential impact on a wide range of receptors, including people. The purpose of the Examination process is, in part, to test that assessment before the Secretary of State makes a decision on whether to grant development consent for the Project.	N
Claim that extent of impact from undergrounding is understated.	1	The Environmental Statement contains a detailed assessment of the potential impact of the Project, including underground cabling. Specifically the chapters on Ground Conditions and Land Use (document reference 6.3.5), Hydrology, Hydrogeology and Flood Risk (document reference 6.3.6) and Archaeology and Cultural Heritage (document reference 6.3.7) consider the potential impacts of underground cabling.	N
Concern about the cost to the Local Authority of this DCO in terms of staffing.	1	The Applicant has signed Planning Performance Agreements with a number of local authorities to support with their involvement in the DCO process.	N
Concern that the construction period overlaps with the construction of a large housing development opposite Great Bromley Hall. Cumulative impact on traffic and generally.	1	Cumulative impact is assessed as part of the Traffic and Transport chapter in the ES (document reference 6.3.8). Existing planning permissions are identified in the Cumulative Effects Assessment Methodology chapter (document reference 6.1.3.2). It is important to note however that the soonest the Project is likely to start construction is 2027.	N
Criticism of opposition to the project. Reasons include: entrenched opposition before consideration of plans, net zero emissions targets and need for renewable energy sources, need for a significant number of offshore wind farms and therefore need for appropriate infrastructure, reiteration that no pylons are proposed as part of this project, statement that the substation would unlikely be easily visible from residents, questioning how proven an offshore connection is, statement that a substation to up rate the electricity would be required somewhere so opposition is NIMBYism.	1	Noted.	N
Question as to whether a cost benefit analysis has been completed.	1	The need for the Project is set out in national policy. A cost benefit analysis of the potential impacts of the Project is assessed as part of the overall Environmental Impact Assessment and reported in the ES (Volume 6). Financial information to support the application is provided as part of the Applicant's Funding Statement.	N
Statement that if new homes were installed with heat pumps and solar panels then this project would not be necessary.	1	Noted. However they are not, and the need for the Project is set out in national policy.	N
Statement that the project is controversial (due to the onshore connection).	1	Noted.	N
[Verbatim] I am concerned about the background to all this. The rulers and politicians of the oil-rich Middle-East countries are not going to just 'let this happen.' This is great competition -and a future discarding - of their extremely profitable oil exporting. They are not going to stand back and let a guaranteed	1	The potential risk and impact of major disasters is set out in the Human Health and Major Disasters chapter of the ES (document reference 6.4.2), terrorism is not explicitly assessed and is a matter for the government more widely.	N

income-flow deteriorate, leaving them without their usual profits. Is there any safeguarding about who is backing all this - does all the investment come from our own government? Or where/how is the immense cost being met? I wonder if the Saudis and others are actually in the background, safeguarding their future shortages of oil extraction. This, of course, will all be shrouded in mystery, but I do wish to raise this as it is important.			
Concern that even temporary breaking up of land parcels will make it easier for future development to be introduced.	1	The mechanism of this potential impact is not clear, however the Applicant will seek to minimise disruption to land interests and will remediate land disturbed for the installation of underground cables.	N
Reference to RWE's responsibility and sustainability goals "Everything from environmental protection and climate-change mitigation, social concerns and human rights through to responsible corporate governance is taken into account – as RWE does justice to its responsibility in every sense."	1	Developing a source of renewable energy in line with national policy is in keeping with these principles.	N
Statement of surprise that the cables have to come so far onshore.	1	Noted. Details of the process for agreeing a connection location is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4), in the section on identification of the proposed grid connection point.	N
Statement that none of the companies involved in Five Estuaries have UK roots.	1	Noted.	N
Supportive of underground cabling.	1	Noted.	N
Opposition to the viability of wind power as part of the energy mix, citing Professor Wade Allison.	1	Noted. The Applicant understands that Professor Wade Allison is an advocate for nuclear energy. Offshore wind energy is part of the energy mix supported by national policy.	N
Support for the project as a good step forward.	1	Noted and comment welcomed.	N
Question regarding what's done with the turbines / infrastructure after the lifespan of the Project is complete.	1	The assumption for the purposes of the ES is that the offshore in structure would generally be removed. The exception to this is cabling, which the removal of may have a greater environmental impact than being left in place. A commitment is made within the Draft DCO (document reference 3.1) that the Applicant is required to prepare and seek approval for a decommissioning programme which would set out this out in more detail.	N
Concern around the construction impacts on Beaumont cum Moze.	1	The potential impact on residential areas, including Beaumont cum Moze, is a key part of the Environmental Impact Assessment. Beaumont cum Moze is located to the north and east of the cable route corridor. As the majority of construction access to the route corridor will be from the south and west of the route corridor, the impact from construction traffic is expected to be limited. Other impacts have been assessed and reported on throughout the Environmental Statement.	N
Request for details of any impacts on Great Holland Mill (Grade II listed building).	1	The potential impact on Great Holland Mill is assessed in the Onshore Archaeology and Cultural Heritage chapter of the ES (document reference 6.3.7). The document sets out the assessment in more detail, but to summarise only the construction phase would have a potential impact and that would be limited to a temporary minor adverse impact - which is not considered significant in EIA terms. Measures to manage construction impact (such as the Code of Construction Practice - 9.21) are designed to reduce these minor adverse impacts.	N
Question regarding a battery project; asking whether it is linked to this project.	1	There are no battery projects associated with the Applicant's proposals.	N

OPTIONS

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Request for offshore connection; coordinated with National Grid and North Falls.	85	The Applicant has explored this option through its involvement with the	Y

Suggestions: Connection to Tilbury, sent up the Thames to 'where it's needed', reference to proposals by action group, be involved with the ESO process. Desire to see a full cost benefit analysis of the offshore 'option'. Reason: Avoids need to impact onshore, cheaper, faster, better for 'home country' - implying shareholder base countries, avoid CPOs, Offshore Coordination Support Scheme, avoids risk of stranded asset, the sea floor has lots of cables already, successful use of undersea cabling for Operation Overlord in WW2, claim that it's been done in Scotland, reference to National Grid EACN not yet having planning permission.		Offshore Transmission Network Review and the Offshore Connection Support Scheme. In lieu of an offshore connection option, the Applicant is progressing with a consentable proposal that is within national policy. The Applicant has set out how it could deliver this in the Offshore Connection Scenario document (document reference 9.29).	
Support of offshore and renewable energy but opposition to onshore connection and National Grid's Norwich to Tilbury project.	22	Noted.	N
Suggestion of using brownfield land instead for the substation. Locations cited: edges of Clacton and Manningtree, and at Horsley Cross.	5	The selection of the onshore substation site is detailed in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4).	N
Claim that the power is not needed in the area and is needed in London / or that the cable should be taken onshore near London.	2	The reasons for the location of the onshore connection location is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4).	N
Criticism of the Eastern Substation Search area due to its location in open arable land, separate from existing electrical infrastructure.	1	The western substation search area was chosen for the site of the onshore substation.	Y
Criticism that National Grid has offered a connection to Five Estuaries, North Falls and Tarchon at the proposed location.	1	Noted. This is outside the scope of the Applicant to directly influence.	N
General opposition to the National Grid Norwich to Tilbury project, and therefore the Project's involvement with it. Reasons include: landscape and visual impact, impact on rural community, impact on ecology/wildlife, claim that National Grid is letting other projects do their work for them, claim of ignoring a petition.	1	Noted.	N
Question as to whether an offshore connection has even been considered.	1	The Applicant has explored this option through its involvement with the Offshore Transmission Network Review and the Offshore Connection Support Scheme. In lieu of an offshore connection option, the Applicant is progressing with a consentable proposal that is within national policy. The Applicant has set out how it could deliver this in the Offshore Connection Scenario document (document reference 9.29).	N
Question as to why the cables come ashore in Tendring despite being closer to Orford.	1	The reasons for the location of the onshore connection location is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4).	N
Reference to the Offshore Coordination Support Scheme funding.	1	More information about the Applicant's involvement with this is set out in the Offshore Connection Scenario document (document reference 9.29).	N
Statement that the substation should be co-located with the other proposed substations on a site adjoining a public highway and not in the 'middle of the countryside'.	1	Co-location has occurred, although not as close to a strategic road as suggested by the comment. Once operational, the maintenance traffic to the onshore substation would be limited reducing its need to be close to major roads. During construction, a haul road would be used to reduce traffic impacts.	Y
Suggestion that the connection should be routed to Sizewell.	1	The reasons for the location of the onshore connection location is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4).	N
Suggestion that the substation be placed next to the existing one between Ardleigh and Great Bromley.	1	The process for selecting the location of the onshore substation is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4).	N
Suggestion to add tidal turbines to each wind turbine to generate additional energy / even when the wind isn't blowing.	1	Unfortunately adding tidal turbines to the wind turbines would significantly increase the maintenance requirements for the project due	N

		to the greater forces applied to tidal energy machinery.	
Statement that the substation should be nearer the A12.	1	Noted, however the western substation search area was selected in part because of the benefits of co-location with North Falls. The process for selecting the location of the onshore substation is set out in the Site Selection and Alternatives chapter of the ES (document reference 6.1.4).	N

ROUTE

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Concern that the age of the Anglian Water (60 years plus and is metal rather than MDPE) hasn't been considered in the information.	1	The Applicant is engaging directly with utility providers including Anglian Water.	N
Question why Five Estuaries and North Falls aren't coming under the sea wall at the same point. [The search areas for the two projects overlap but are not the same.]	1	Following Stage 2 consultation, Five Estuaries began working with North Falls more closely on aligning designs. One output of this was to select the same landfall location.	Y
Concern regarding proximity of route to garden (CO16 0HR) - multiple impact concerns.	1	The onshore cable route corridor is several hundred metres away from residential properties at this postcode. As such the impact on the respondent's garden is likely to be negligible. The Code of Construction Practice (document reference 9.21) sets out the approach the Applicant will take to minimising construction impacts on residents near the line of route.	N
Suggestion to use the space between Whitehall Lane and the junction with Swan Road, near Beaumont cum Moze, to keep the route away from residents.	1	The route passes through this space.	N
[Verbatim] The proposals are showing two possible routes once landfall is made. From the point of view of Frinton Farm at Great Holland, the West route would be far less disruptive to the land and farm business than the Eastern route. The HDD compound sites are a concern and depending on which route is chosen will depend on the impact these compounds have. The Eastern compound is on a grassland parcel under an environmental stewardship scheme with DEFRA. The Western compound is on arable land as part of a 100 acre field producing food.	1	Noted.	N

CONSULTATION

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
A number of responses contained issues and concerns that did not relate to the Five Estuaries project directly. This was largely criticism or concerned directed at National Grid's proposed Norwich to Tilbury project. Some of this overlap can be attributed to link between the projects, some however will have come from the complexity caused by multiple projects all affecting the same area.	23	Consultation fatigue is a major challenge for projects when multiple developments are being brought forward on similar timescales. Many of the comments received on this issue were simply expressing opposition to National Grid's Norwich to Tilbury project, which is related to the Five Estuaries project, the risk of consultation fatigue has been a contributing factor in driving the Applicant to increase its coordination with North Falls and National Grid. As a result of this coordination, the projects have avoided overlapping	N

		consultation.	
Criticism that the Project appears 'closed minded' or a 'fait accompli', or that the process is just 'lip service'. Concern that the Project will say "we note and understand your objections, but we are doing it anyway" and surprise expressed that the documentation implies we've already decided to build the project.	4	How the consultation has influenced the proposals is set out throughout this report. In addition, after Stage 1 consultation a feedback report was published. After Stage 1 and 2 consultations, project updates were sent to subscribers with details of the key issues raised from feedback and how it had influenced the proposals. The engagement events held in January 2024 also set out how the Project designs had evolved in response to feedback. It is worth noting that the principle of the Project was not within the scope of any of the consultations as the need for the Project is established under national policy.	N
Criticism that the webinar did not cover the substation in enough detail (building size, noise mitigation, etc).	2	At this stage in the development there was limited detail in the design of the proposed onshore substation. In response to these concerns, information on the substation was presented as part of the January 2024 engagement – see Chapter 3.3 of the Consultation Report for more information.	N
Request for the consultation to take account of all options, costs and benefits (implicit context of an offshore connection option).	2	The Offshore Connection Scenario document (document reference 9.29) sets out the full details of this.	Y
Statement that anyone would oppose the project if it was happening in their area.	1	Opposition to the Project is welcome. The purpose of consultation is to ensure that stakeholders' concerns are understood and fully considered in the development of the proposals. The Secretary of State will make the final decision on the Project on the basis of its merits, impacts and relevant policy.	N
Attended an event and was pleased with the level of response from the Project team.	1	Noted and comment welcomed.	N
Claim that staff member at the Stage 1 event in Lawford said that an offshore link would take too long and be too expensive. Criticism that this is inaccurate, citing Sub-Sea Link 1 and links between Torness and Hawthorn Pit and between Peterhead and Drax.	1	The potential cost of an offshore connection to a project that is already in development (such as Sealink) needs to consider the knock on effect of using that project's capacity. A more detailed consideration of offshore connection options are in included in the Offshore Connection Scenario document (document reference 9.29).	N
Claim that the consultation does not fulfil the Gunning Principles.	1	How the Applicant has complied with the Gunning Principles is set out Chapter 2.5 of this Report. 1. Proposals are still at a formative stage A final decision has not yet been made, or predetermined, by the decision makers Significant elements of the proposals have not yet been confirmed. This includes the choice of location for the onshore substation, the choice of landfall location, construction compounds and the final route corridors for both off and onshore cables. In addition, mitigation measures presented in the documentation have not been finalised. The location of the array area is not in the scope of the consultation as it is not possible to move location fully, although the size of the development boundary offshore was decreased following our first stage of consultation. In addition, the connection offer to the proposed East Anglia Connection Node Substation is determined by National Grid and outside the Project's ability to alter. 2. There is sufficient information to give 'intelligent consideration' The information provided must relate to the consultation and must be	N

		available, accessible, and easily interpretable for consultees to provide an informed response A significant amount of information, include the PEIR, was published as part of this consultation. In order to make this information more accessible, a Consultation Booklet was produced which summarised the Project and relevant processes in plain English, a Non-Technical Summary of the PEIR was provided, and a Guide to the PEIR was produced which was a visual presentation of the detailed material found in the PEIR along with information about how to navigate the PEIR. 3. There is adequate time for consideration and response There must be sufficient opportunity for consultees to participate in the consultation. The consultation lasted for eight weeks and three days. This is significantly longer than the minimum time required under the Planning Act 2008 and was accepted by Local Authorities who were consulted on the Statement of Community Consultation. 4. 'Conscientious consideration' must be given to the consultation responses before a decision is made Decision-makers should be able to provide evidence that they took consultation responses into account The Consultation Report fulfils this requirement, as per section 49 of the Planning Act 2008.	
Confusion about the consultation; specifically whether the respondent is being asked to comment on wind turbines that are not easily visible.	1	The consultation sought feedback on all elements of the proposals, including offshore elements. This was set out clearly in the consultation documents.	N
Consultee confusion between search area and indicative location for substation.	1	The maps showed the search areas and indicative locations. This was explained in the consultation documents, specifically the Consultation Brochure.	N
Criticism that the newsletter does not contain enough detail to comment on the location of the substation search areas.	1	The newsletter provided multiple methods for which more detailed information could be accessed. Due to the length of the cable route corridor, sending a more detailed map was impractical.	N
Positive comment regarding the consultation in comparison to other nearby projects.	1	Noted and comment welcomed.	N
Question regarding how much consideration is given to residents about the impact of construction.	1	How the consultation has influenced the proposals is set out throughout this Consultation Report (document reference 5.1) and its supporting appendices.	N
Statement that the consultation must take account of objections.	1	How the consultation has influenced the proposals is set out throughout this Consultation Report (document reference 5.1) and its supporting appendices.	N
Criticism of the structure of the feedback form questions, and claim that this is an intentional attempt to cause confusions.	1	How the structure of the feedback form was supposed to create confusion was unclear from the feedback, however wherever response channels were publicised it was made clear that any feedback could be submitted to the Project without the use of the feedback by email or via Freepost. The majority of responses received did not use a feedback form.	N
Criticism that the montages of the potential substation site do not relay its true scale.	1	The substation montages were created using the maximum dimensions assessed as part of the Environmental Impact	N

		Assessment process.	
Question on whether Friends of the Earth has been consulted on the route.	1	Friends of the Earth were not specifically consulted as they are not a statutory consultee. The published Statement of Community Consultation (Appendix 6.4) includes a list of local groups contacted as part of the promotion of the consultation. Local authorities covering the areas affected by the Project were consulted on, and contributed to, this list of groups.	N
Statement of disappointment that respondee was not able to submit a picture alongside the online feedback form.	1	Pictures could be submitted via email.	N
Statement of not being interested in the process, considering it a tick-box activity.	1	How the consultation has influenced the proposals is set out throughout this report.	N
Claim project has not been well publicised in order to minimise responses to consultation.	1	The publicity for the consultation is set out in Chapter 8 of this Consultation Report. This included direct mail newsletters, emails, posters, advertisements in local papers, notices in national publications, and social media advertising. Almost 700 responses were received to the Stage 2 consultation (after duplications were removed). The level of promotion for the consultation was proportionate, and the number of responses received indicated a good level of engagement with the consultation. In addition, the respondent's address was approximately 20km (inland) from the Project red line boundary.	N
Statement that residents will fight this proposals (mostly relating to offshore proposals).	1	Noted. Information about how to get involved in the Examination process can be found on the Planning Inspectorate's website: https://infrastructure.planninginspectorate.gov.uk/application-process/participating-in-the-process/.	N
Suggestion that the website should have included a search function for documents.	1	Noted.	N
Statement that it isn't an authentic consultation because the substation link up was not under consideration.	1	There is not obligation for a consultation to have every element of the proposals open for discussion. As set out in the consultation material, the connection to the national electricity transmission network is set via a regulatory process with National Grid.	N
Desire to see landowners consulted in order to develop cable route.	1	People with an interest in the land have been consulted with under section 42 of the Act, as set out in Chapter 6 and 11 of this Report. In addition, the Applicant has been carrying out ongoing engagement with people with an interest in the land as set out in Chapter 3.	N

CONSTRUCTION

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Request that construction be coordinated so that North Falls and Five Estuaries minimise impact.	13	Following requests from stakeholders throughout the development of both projects, the potential for coordinated delivery of elements of the onshore construction have been developed. These are set out in the Co-ordination Document (document reference 9.30). The delivery of coordinated construction activities is dependent on the projects hitting certain milestones.	Y
General concern about construction.	4	The potential impact of construction is assessed throughout the	N

		Environmental Statement (Chapter 6) and how the Applicant intends to manage and mitigate these potential impacts are set out in the application, including in the following documents: Code of Construction Practice (document reference 9.21), Outline Landscape and Ecological Management Plan (document reference 9.22), the Outline Construction Traffic Management Plan (document reference 9.24), the Outline Public Access Management Plan (document reference 9.25), the Outline Workforce Travel Plan (document reference 9.26) and the Co-ordination Document (document reference 9.29). Many of the specific mitigation measures are also contained within the Schedule of Mitigation (document reference 9.31).	
Desire for specific consultation on Code of Construction Practice (particularly with landowners).	1	As set out in the Code of Construction Practice (document reference 9.21), a Agricultural Liaison Officer (ALO) will be specifically employed in addition to the general Community Liaison Officer, to provide a point of contact for landowners and occupiers during construction. The ALO will be available to discuss any practical issues that might arise. They will usually be introduced to landowners and occupiers before construction commences.	N
Statement Code of Construction Practice should relate to pre-construction work (such as archaeology and soil).	1	The Code of Construction Practice (document reference 9.21) covers pre-construction work.	N
Desire to see Five Estuaries take responsibility for Code of Construction Practice, not contractors.	1	Delivery against the Code of Construction Practice (document reference 9.21) is a commitment under the DCO, which the Applicant is required to adhere to. The draft DCO (document reference 3.1) sets out this commitment in its section on the of Code of Construction Practice.	N
Question on whether construction will include weekend hours.	1	The Code of Construction Practice includes Saturday between 1pm and 7pm as core working hours, however it stipulates that no high impact works (such as breaking out or piling) are carried out on Saturday except in exceptional circumstances (these are set out within the document). Sunday will not be included in normal working hours.	N
Concern about the impact of the HDD compounds and drilling at Thorpe Cross (across multiple environmental topics).	1	The temporary construction compound nearest Thorpe Cross is approximately 300m from residential properties at the closest point. The assessment of construction impacts is carried out throughout the onshore chapters of the ES (Volume 6.3). Potential impacts will be mitigated and managed through the Code of Construction Practice (document reference 9.21) and the Construction Traffic Management Plan, an outline of which is included in the application (document reference 9.24).	N
Question of how long working hours would be.	1	The Code of Construction Practice (document reference 9.21) sets out core hours as 7:00 to 19:00 hours Monday to Saturday; and on Saturdays between 13:00 and 19:00 no high impact works (e.g. piling/breaking out) shall take place, unless required by specific circumstances set out in the document.	N
Concern regarding night works.	1	Construction works will typically not require night time working. Occasional activities which require continuous working during night time may occur for matters such as concrete pours and Horizontal Directional Drilling (HDD) works (or other trenchless crossing techniques). The Community Liaison Officer's remit would include informing stakeholders of any abnormal works.	N
Concern regarding six-day (12 hour) workings.	1	The core working hours for the construction of the Project are set out in	N

		the Code of Construction Practice (document reference 9.21).	
Question how or if working hours during construction would be enforced/managed.	1	As set out in the Code of Construction Practice (document reference 9.21), a Community Liaison Officer will be employed as part of the pre-construction and construction team to proactively engage with stakeholders. Breaches of work hours can be reported to this officer. The Code of Construction Practice is a commitment under the DCO and is therefore an enforceable requirement.	N
Statement that people do not buy homes in rural areas to be subject to "hustle and bustle", construction works or disruption.	1	The Applicant has carried out a detailed Environmental Impact Assessment, which considers the potential impact on the community and how to mitigate them throughout. The need for the project is established in national policy. Ultimately, it is the decision of the Secretary of State to decide whether the balance justifies consenting the project. How the Applicant will manage the potential impacts from construction is set out primarily in the Code of Construction Practice (document reference 9.21) and supported by the Outline Construction Traffic Management Plan (document reference 9.24) and Outline Workforce Travel Plan (document reference 9.26).	N
Question on how much additional land will be used by car parks, offices, etc.	1	The number and size of temporary construction compounds (which include car parks and office space) is set out in the Onshore Project Description 6.3.1. This sets out the maximum sizes within the DCO order limits, however the final amount of space required will depend on detailed design work and the level of coordination possible with the North Falls project (see the Co-ordination Document 9.30).	N
Concern regarding tunnelling under shoreline.	1	An Outline Horizontal Directional Drilling Methodology that sets out the locations, methodology and constraints associated with this approach to cable landfall has been submitted with the Application (document reference 9.28).	N

MITIGATION PROPOSALS

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Request that screening of the substation is done using hedgerows and mature trees. 15-20 years for the vegetation belt is considered unacceptable (given anticipated project lifespan of 25 years). Also comment that reduction in impact is only over time measured in years.	26	The OLEMP provides an indicative design for screening of the substation (document reference 9.22) subject to final species selection, which will be agree with consultees pre-construction. The metres per year growth rates of potential species are included in the OLEMP. The balance of species and their respective growth rates will be part of the discussion in agreeing the final mix. The LIVA Photomontages 6.7.2.2 shows the effects of screening on potential views.	N
Criticism that not enough thought has been given to screening buildings.	2	As above	N
Suggestion to sink substation site and then place bunding to cause noise to bounce back and up, reducing impact on residents.	2	Lowering of the substation site is not proposed due to: • The relatively flat nature of the area meaning that it would be challenging to achieve an acceptable drainage design • The high groundwater levels and potential flooding risks that would result from a lowered substation arrangement • The large amount of construction works (with associated impacts) to	N

		lower the substation by any significant margin	
Concern regarding inclusion of non-native species in screening on montages.	1	The OLEMP provides an indicative design for screening of the substation (document reference 9.22) subject to final species selection, which will be agree with consultees pre-construction. The metres per year growth rates of potential species are included in the OLEMP. The balance of species and their respective growth rates will be part of the discussion in agreeing the final mix.	N
Suggestion that building colour be considered to lessen impact. Suggestion of blue-white used at the Galloper building [presumably referencing their operation and maintenance base].	1	We are working with North Falls, National Grid and the Design Council on the development of the final designs for the onshore substation. We outline the design principles for the onshore substation in the Onshore Substation Design Statement (document reference 9.4). This will include considerations of appropriate colours.	N
Statement that 'where possible' and other clauses mean that mitigation cannot be trusted.	1	At this stage in the development of the Project, it is difficult for the Applicant to make firm commitments on design elements. The requirement to mitigate potential where possible is a key part of the EIA process.	N

8.3.2 Environmental Statement Topics

LANDSCAPE AND VISUAL IMPACT ASSESSMENT (DOCUMENT REFERENCE 6.3.2)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Concern regarding the impact on Little Bromley Church and St Mary's Church in Little Bromley. Used by the community.	10	The Onshore Substation is likely to have a visual impact on the area assessed as the 7A Bromley Heaths Local Character Area, which includes these receptors. More about this assessment can be found in the LVIA chapter of the ES (document reference 6.3.2). This impact will be mitigated by planting. A plan of the mitigation planting for the onshore substation is shown in Volume 6, Part 7, Annex 2.1, LVIA Figures, Figure 2.12. This has been developed with the intention of maximising screening in the views of local residents, road-users and walkers. The visualisations in Volume 6, Part 7, Annex 2.1, LVIA Figures, Figures 2.16 to 2.26 demonstrate the effect that perspective will have in relation to screening, whereby planting closer to the receptor will create an effective screen.	N
Concern about construction lighting on the night sky.	3	Site lighting is considered in section 3.9 of the Code of Construction (document reference 9.21). 3.9.4 Construction works will typically not require night time working. However, in winter, some illuminations may be required in the early morning and evening. Site lighting is to be angled and facing into the work or welfare areas to reduce light pollution as much as possible with the use of hoods and cowl.	N
Conditional opposition to any substation location that blocks/impedes views from residences across open land.	2	Noted.	N
Criticism of montages shown in Vol 6 Annex 2.2 as not accurate impression with buildings shown the size of a small tree but that would be between 8m and 12m tall.	1	The methodology for the visualisations is set out in the Landscape and Visual Impact Assessment (document reference 6.3.2).	N
Impact on the local setting (Little Bromley).	1	The Onshore Substation is likely to have a visual impact on the area assessed as the 7A Bromley Heaths Local Character Area, which includes Little Bromley. More about this assessment can be found in the LVIA chapter of the ES (document reference 6.3.2).	N

		This impact will be mitigated by planting. A plan of the mitigation planting for the onshore substation is shown in Volume 6, Part 7, Annex 2.1, LVIA Figures, Figure 2.12. This has been developed with the intention of maximising screening in the views of local residents, road-users and walkers. The visualisations in Volume 6, Part 7, Annex 2.1, LVIA Figures, Figures 2.16 to 2.26 demonstrate the effect that perspective will have in relation to screening, whereby planting closer to the receptor will create an effective screen.	
Statement that screening is not visible on Figure 2.20c SSA East Viewpoint 2.	1	SSA East was not taken forward for the onshore substation, as such this viewpoint has been removed from the ES.	N
Criticism that colour choice for substation buildings has not been made / suggestion that it be designed to blend into the background.	1	We are working with North Falls, National Grid and the Design Council on the development of the final designs for the onshore substation. We outline the design principles for the onshore substation in the Onshore Substation Design Statement (document reference 9.4). This will include considerations of appropriate colours.	N

SOCIO-ECONOMIC, TOURISM AND RECREATION (DOCUMENT REFERENCE 6.3.3)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Concern around the impact on property prices.	27	Property value is not assessed as part of the EIA process. The Applicant has, through the assessments and mitigation proposals, sought to minimise impacts on all receptors wherever possible. The majority of onshore impacts potentially created by the Project are linked to the construction phase, and the Applicant has committed to managing these impacts through the Code of Construction Practice (document reference 9.21). The Applicant is engaging directly with those with land interests who may be directly affected by the project. Those that are may be entitled to claim statutory blight under existing rules.	N
Specific request for compensation on impact on Little Bromley property owners.	7	Individual compensation for property owners not directly affected by the Project (i.e. those not included in the categories on section 44 of the Act) is not available. The Applicant is engaging directly with those with land interests who may be directly affected by the project. Those that are may be entitled to claim statutory blight under existing rules.	N
Concern about the impact on tourism.	2	How the Project might impact tourism in the area is assessed in detail in the Socioeconomic, Tourism and Recreation chapter of the ES (document reference 6.3.3). There are multiple potential impacts assessed that range from minor adverse to minor beneficial, but no significant likely impacts were identified.	N
Concern about the impact on businesses in Little Bromley reliant on road access.	1	The use of trenchless construction techniques, such as HDD, will be used to minimise the disruption to roads.	Y
Concern around the loss of walking / outdoor spaces for people caused by the substation.	1	No public rights of way will be permanently closed due to the proposals. Some temporary crossings and diversions may be required. An Outline Public Access Management Plans has been submitted with the application (document reference 9.25). A final Public Access Management Plan will need to be approved by Essex County Council	Y

		prior to start or works and will include a plan(s) showing any affects or diversions.	
Concern that Payne's Lane has access to a PRoW that will be lost.	1	No public rights of way will be permanently closed due to the proposals. Some temporary crossings and diversions may be required. An Outline Public Access Management Plans has been submitted with the application (document reference 9.25). A final Public Access Management Plan will need to be approved by Essex County Council prior to start or works and will include a plan(s) showing any affects or diversions.	Y
Concern regarding businesses near the Ardleigh Reservoir (caravan park and vineyard).	1	Ardleigh Reservoir is to the east of Ardleigh village, which is to the east of the most eastern element of the proposals. No impacts on the reservoir or immediate surrounding area are expected.	N
Concern that traffic and development will impact ability to run daycare business from home.	1	The use of trenchless construction techniques, such as HDD, will be used to minimise the disruption to roads.	Y
Request that UK companies be involved throughout.	1	A supply chain plan is a requirement of the Contracts for Difference process, which happens after the DCO is determined. At present this is not something that has been assessed as part of the Application.	N
Concern about the impact on fibre/broadband services.	1	As part of the surveying work carried out before the final specific route design, the Applicant will ensure that there is no disruption to existing utilities.	N

ONSHORE BIODIVERSITY AND NATURE CONSERVATION (DOCUMENT REFERENCE 6.3.4)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General opposition to the loss of wildlife / habitats / general ecological impact.	30	Ecological impact is assessed and reported on throughout the Environmental Statement (Volume 6), most notably in three offshore chapters focusing on ecology (document reference 6.2.5, 6.2.6 and 6.2.7) and in the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4). In addition, the Applicant has prepared a Report to Inform Assessment (RIAA - 5.4) under the Habitats Regulations - from which Natural England will assess the Project's potential impact on specific areas of protection.	N
Specific wildlife concern (Little Bromley): deer, hare, barn owls, turtle doves, kestrels, badgers, foxes, bats, other mammals, grass snakes, bird species (51 identified species).	7	The environmental baseline and potential impact on these species is considered in the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4).	N
Concern regarding light, noise and human presence disturbing or killing wildlife.	4	In addition to assessment as part of the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4), the impact of noise specifically is assessed in the Airborne Noise and Vibration chapter (document reference 6.3.9). How light, noise and human activity will be controlled during construction is set out in the Code of Construction Practice (document reference 9.21).	N
Concern regarding impact on the East Atlantic Flyway (UNESCO world heritage site).	3	The East Atlantic Flyway has not been designated and is therefore not part of the assessment specifically. However, the Offshore Ornithology chapter of the ES (document reference 6.2.4) covers the relevant issues and is supported by annexes 6.5.4.1 to 6.5.4.15.	N
Criticism of the loss of 5.88Ha of habitat.	3	The Environmental Statement sets out the environmental baseline, potential impacts of the project and how the Applicant intends to reduce and mitigate these potential impacts. The project is supported by national policy and ultimately the Secretary of State will make the decision on whether the potential impacts identified are outweighed by the planning case for the project.	N
Concern regarding impact on Great Holland Pits nature reserve.	1	This is assessed as part of the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4). There is no anticipated loss of habitat within Great Holland Pits as they are adjacent but outside the Order Limits. Management of construction will further seek to avoid or prevent any impact beyond the Order Limits.	N
General point regarding the importance of wildlife corridors.	1	Noted and assessed as part of the Onshore Biodiversity and Nature Conservation chapter (document	N

		reference 6.3.4).	
Specific concern around ground nesting skylarks.	1	Skylarks have been included in the assessments that make up the ES. As set out in the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4). No significant effect on the local conservation status of this species is anticipated in terms of temporary habitat loss, disturbance or damage to nests, following the implementation of embedded mitigation measures.	N
Specific concern around impact on wildlife corridor between Hodgnolls Farm and the Reedlands Farm reservoir. Includes an established hedge row and dormice habitat. Suggestion to tunnel under the farm/stream in this area.	1	The Crossing Register (document reference 6.6.1.1) sets out all of the features that the project crosses and whether this will be done via trenchless techniques. The Project has been designed to avoid passing under structures (such as farm and residential buildings) and watercourse (along with other important ecological features) will predominantly be crossed by the use of trenchless techniques such as horizontal direction drilling.	Y
General desire to see habitats protected.	1	Noted and agreed. This is the part of the overarching scope of the ES and he Onshore Biodiversity and Nature Conservation chapter specifically (document reference 6.3.4).	N
Statement that the impact on nesting birds near landfall is not clear in material due to migration.	1	This is assessed as part of the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4).	N
Concern that there was no impact predicted on the Holland Haven SSSI.	1	This is assessed as part of the Onshore Biodiversity and Nature Conservation chapter (document reference 6.3.4), however the use of trenchless techniques (such as HDD) will limit the impact on Holland Haven SSI.	N
Question of the impact of the cables (EMF and just their presence) on underground wildlife.	1	EMFs were scoped out of the ES as part of the scoping process with the Planning Inspectorate. This is set out in the Scoping Report and Scoping Opinion (document reference 6.1.6).	N
Statement Local Authority has declared a climate emergency and the loss of trees and hedgerows would be against this policy.	1	The Applicant has sought to will impacts on established hedgerows along the cable route corridor through the use of trenchless techniques such as HDD.	Y
Comments related to assessment of Great Holland Pits Essex Wildlife Nature Reserve covering ecology, air quality and hydrology.	1	Great Holland Pits is a designated Local Wildlife Site and potential impacts on it are assessed as part of the Onshore Biodiversity and Nature Chapter of ES (document reference 6.3.4). No loss of habitat is anticipated as the area is not within the Order Limits. Indirect impacts on air quality (document reference 6.3.10) and hydrology (document reference 6.3.6) on Great Holland Pits have been assessed in the relevant sections of the ES. The assessment concludes that there is no significant impacts predicted.	Y

GROUND CONDITIONS AND LAND USE (DOCUMENT REFERENCE 6.3.5)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General opposition to the loss of farmland. Reasons cited include: loss of significant amounts to housing already, impact on national food production / food security, and the quality of farmland in the area.	28	The Ground Conditions and Land Use chapter of the ES (document reference 6.3.5) specifically assess the potential construction impacts on soil / land quality (impact 3), and the loss of agricultural land from the underground cables (impact 7) and onshore substation (impact 8). Minor adverse potential impacts but the concludes that they will not have significant adverse residual effects.	N
Concern regarding heat from the cable affecting the above soil and therefore yield. Request for more information about this.	16	Many famers ask us what impact the heat dissipated by the cables could have on their crop yields. Scientific studies* have determined that the heat from the underground cables has no negative impact. The degree to which the soil actually heats up depends on various factors including the transmission technology, the insulation of the cables and the bedding material that the cables are laid in. Key roles are also played by the ability of the soil itself to conduct heat, the degree to which the cable is being used and seasonal and weather-related fluctuations in temperature in the soil. What has been found is that any heat from the cables dissipates quickly as it rises and temperatures in the top layers of soil, where roots are found, are similar to those measured in reference points away from the cable system.	N

		*Conducted by soil ecologist Prof. Dr. Peter Trüby of Freiburg University	
Statement that working width and easement is too wide and effects too much land. Request to see it reduced.	15	Following the plans shown at Stage 2 consultation, the Applicant has worked to reduce the onshore cable route corridor with from up to 240m (as shown in the PEIR) to approximately 90m in the submitted proposals. This retains enough width to enable micro-routeing around obstacles while given greater certainty to farmers and other interests about the area potentially impacts.	Y
Statement that land cannot be fully restored after cabling.	7	Measures to reduce the impact of construction works on agricultural soils are included as part of the Code of Construction Practice 9.21). The Applicant has experience in the restoration of soil after construction and is confident that the land will be restored effectively.	N
Statement that the land at the coastline is very fragile shingle therefore the cabling needs to be very deep.	1	Noted. This has been considered in the approach to landfall, detailed in the Outline Landfall HDD Method Statement (document reference 9.28).	N

HYDROLOGY, HYDROGEOLOGY AND FLOOD RISK (DOCUMENT REFERENCE 6.3.6)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Concern regarding the impact on the water system: drainage and water table (for wells) around Little Bromley, impact on the Tendring plateau, comment on the fragility of utility provision, use of boreholes and other irrigation systems for farms.	45	The potential impact to water and drainage is assessed as part of the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6), which is supported by a Ground Water Risk Assessment (document reference 6.6.6.1). The Applicant is aware of the high level of concern regarding the impact on supplies and has considered this in the development of the cable route corridor.	N
Request for landowners to be able to appoint their own drainage contractors (paid for by the Project) due to the importance to farming activities.	15	As set out in the Code of Construction (document reference 9.21) an Agricultural Liaison Officer (ALO) will be appointed as the contact point for landowner and occupiers. Part of their responsibilities will be to work with landowners to assess farming operations and then work with the construction team to ensure any impact is minimised. Each needs case will be assessed individually, and the Applicant is not able to commit to paying for intendent drainage contractors.	N
Concern around increased flood risk.	3	This is full assessed in the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). No significant increase to flood risk is predicted.	N
Request for full engineers report on the potential impact of and how to mitigate the project on water supply.	1	The Applicant is liaising directly with utility providers to ensure asset protection. For other water supplies, these are assessed within the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). In addition, the Agricultural Liaison Officer will work with landowners directly ahead of any construction work to ensure any specifics are considered.	N

ARCHAEOLOGY AND CULTURAL HERITAGE (DOCUMENT REFERENCE 6.3.7)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General criticism of impact on cultural heritage.	1	Onshore Archaeology and Cultural Heritage chapter of the ES (document reference 6.3.7) specifically assesses this, including on individual heritage receptors.	N
Statement that significant archaeology finds have been made near Little Bromley and that any discoveries should be preserved.	1	This is captured, along with the overall archaeological baseline, in the Archaeology and Cultural Heritage chapter of the ES (document reference 6.3.7).	N

TRAFFIC AND TRANSPORT (DOCUMENT REFERENCE 6.3.8)

Issue from feedback	Number of times	Project response and consideration	Project

	raised		change? Y/N
General concern regarding construction traffic. Reasons: Safety, walkers, cyclists, horse riders, no pavement to get out of the way of traffic, damage to roads and verges, significant increase in movements (up to 15 HGVs per hour) and the lack of two way HGV traffic viability. Mud on roads.	58	Construction traffic would be managed through the use of Construction Traffic Management Plans (CTMP). An out plan is included with the application (document reference 9.24). This includes information about how construction traffic would be monitored and information about any disruption communicated. The CTMP also includes information about vehicle cleaning (to reduce dust and mud), routing, pre and post construction surveys (to ensure that construction traffic did not damage the road), managing the safety of other road users, coordination with other developments, and the complaints procedure. This is supported by the general Code of Construction Practice (document reference 9.21), an outline of which is also included with the application.	N
Specific concern about 73 HGV movements per day on the B1029; and that it passes a school and facility for vulnerable adults. Comment that the road is too narrow, is weight restricted for a reason, has no pavements for children/people in the home. Seven Rivers Residential Home & St George's Primary School	5	In the Traffic and Transport chapter of the ES (document reference 6.3.8) and supporting Trip Generation and Distribution Annex (document reference 6.6.8.2) assess the potential impact on the B1029. It is not proposed that this route would be used for HGVs, so the traffic impact would be limited to additional road users associated with works or other light vehicles. Management of impacts from construction traffic is detailed in the Outline Construction Traffic Management Plan (document reference 9.24) and the Outline Workforce Travel Plan (document reference 9.26).	N
Concern regarding road network impact around Little Bromley parish - Bentley Road, Paynes Lane, Spratts Lane, Barlon Road, Ardleigh Road and Grange Road. Concern regarding impact from construction and cabling, and access to the A120.	4	The Applicant is proposing improvements to the road and junction of Bentley Road where it meets the A120, to make it more suitable as an access route for the construction of Five Estuaries. There may be some delays during the construction of the Bentley Road/A120 improvement works, which would be for a short period and should a temporary road closure be required for the Bentley Road widening works, suitable diversions would be identified and signage would be provided. Should temporary road closures of Paynes Lane, Spratts Lane, Barlon Road and Ardleigh Road associated with the installation of the cable using open trenches, these would be for a short period and would not be undertaken at the same time unless agreed with Essex County Council. For further details, see Chapter 8: Traffic and Transport, Annex 8.1: Transport Assessment and Document 24: Outline CTMP.	Y
Question on how construction traffic will be managed to ensure agreed routes are used.	4	Construction traffic would be managed through the use of Construction Traffic Management Plan (CTMP). An outline plan is included with the application (document reference 9.24). This includes information about how construction traffic would be monitored and information about any disruption communicated. The CTMP also includes information about vehicle cleaning (to reduce dust and mud), routing, pre and post construction surveys (to ensure that construction traffic did not damage the road), managing the safety of other road users, coordination with other developments, and the complaints procedure. This is supported by the general Code of Construction Practice (document reference 9.21), an outline of which is also included with the application.	N
Specific concern regarding the use of Harwich Road (B1029). Reasons: Lack of forward visibility, safety concerns (lack of pavement, lots of people use the road, old age groups, children's play areas, riding school for disadvantaged children), congestion, damage to road surface, impact on business, 7.5T weight limit too much already.	4	In the Traffic and Transport chapter of the ES (document reference 6.3.8) and supporting Trip Generation and Distribution Annex (document reference 6.6.8.2) assess the potential impact on the B1029. It is not proposed that this route would be used for HGVs, so the traffic impact would be limited to additional road users associated with works or other light vehicles. Management of impacts from construction traffic is detailed in the Outline Construction	N

Seven Rivers Residential Home & St George's Primary School		Traffic Management Plan (document reference 9.24) and the Outline Workforce Travel Plan (document reference 9.26).	
Annual 10k race and the Corbeau Seats Rally pass through the area.	3	A Community Liaison Officer will be responsible for liaising between the local community and the construction teams. Part of their responsibility (as set out in the Outline Construction Traffic Management Plan (document reference 9.24) and Outline Code of Construction Practice (document reference 9.21), would be to engage with the community and stakeholders to ensure that construction activities are planned around these events and disruption is avoided wherever practical.	N
Question on how construction turning on to haul roads will be managed - concern about traffic lights affecting local routes.	3	The approach to site access, haul road management, and on-site traffic management is set out in section 3.2 of the Outline Construction Traffic Management Plan (document reference 9.24). This will be developed as more detailed designs for the proposals are worked up.	N
Concern around the loss (temporary or permanent) of Public Rights of Way and that these are sometimes used because there are no pavements.	3	No public rights of way will be permanently closed due to the proposals. Some temporary crossings and diversions may be required. An Outline Public Access Management Plans has been submitted with the application (document reference 9.25).	Y
Specific concern about the suitability of Waterhouse Lane, Burnt Heath. There is a very tight corner/bend on this lane which forms part of a ditch system with a culvert crossing under the road from side to side.	3	Waterhouse Lane is no longer proposed as a main construction access route.	Y
Specific concern regarding road safety at Frating road / Waterhouse lane / Park road. Limited visibility and lack of safety for pedestrians would risk public and workers. Needs close attention.	3	Waterhouse Lane is no longer proposed as a main construction access route. Park Road is not proposed as a main construction access route. In the Traffic and Transport chapter of the ES (document reference 6.3.8) and supporting Trip Generation and Distribution Annex (document reference 6.6.8.2) assess the potential impact on the B1029. It is not proposed that this route would be used for HGVs, so the traffic impact would be limited to additional road users associated with works or other light vehicles.	Y
General concern regarding potential road closures during construction.	2	Road closures will be minimised wherever possible in part by the use of the trenchless construction techniques (such as HDD) to avoid the need for lengthy road closures. As set out in the Code of Construction Practice (document reference 9.21) and the Outline Construction Traffic Management Plan (document reference 9.24), significant planned disruptions to the road network would be communicated well in advance.	Y
General concern regarding lack of suitable roads for construction.	2	The use of temporary haul roads will limit the need for access to site via smaller local roads for larger vehicles.	N
Statement that the haul roads themselves will cause ecological damage.	2	The potential impact of the haul roads (and construction generally) is assessed throughout the onshore chapters of the ES on a range of environmental topics.	N
Concern regarding the level of traffic coming through Frinton; and a desire to avoid impacting arable land.	1	The potential traffic impact from construction is assessed in the Traffic and Transport chapter of the ES (document reference 6.3.8) and is not predicted to have a significant impact. There would be no operational traffic impacts to Frinton. Construction traffic would be managed through the use of Construction Traffic Management Plans (CTMP). An out plan is included with the application (document reference 9.24). This includes information about how construction traffic would be monitored and information about any disruption communicated. The CTMP also includes information about vehicle cleaning (to reduce dust), routing, pre and post construction surveys (to ensure that construction traffic did not damage the road), coordination with other developments, and the complaints procedure. This is supported by the general Code of Construction Practice (document reference 9.21), an outline of which is also included with the application.	N
Concern regarding need for new road(s) to maintain substation. Reasons: Further loss of farmland.	1	A new access road from Ardleigh Road into the onshore substation would be built as part of the Project. The site is approximately 350m from Ardleigh Road. The indicative route is included in the Onshore Project Description (document reference 6.3.1). The Onshore	N

		Substation would not be manned at all times and access would only be used for route maintenance, and therefore have a low level of traffic to the site. The impact on land use is assessed as part of the Ground Conditions and Land Use chapter of the ES (document reference 6.3.5).	
Concern regarding severance of village (CO11 2PX)	1	Road closures will be minimised wherever possible in part by the use of the trenchless construction techniques (such as HDD) to avoid the need for lengthy road closures. As set out in the Code of Construction Practice (document reference 9.21) and the Outline Construction Traffic Management Plan (document reference 9.24), significant planned disruptions to the road network would be communicated well in advance.	Y
Criticism that traffic survey completed during Covid times and therefore would not capture accurate numbers.	1	The full details of the traffic assessment is set out in the relevant annex (document reference 6.6.8.1). All domestic legal restrictions related to the COVID-19 pandemic were lifted in February 2022. New traffic data was collected in August 2022 (to take account of uplifts in traffic as a result of tourism and agriculture during the summer) and September / November 2022 (neutral months, which is a month that is not impacted by seasonal variation in traffic flows).	N
Specific road closures that would have significant congestion impacts: Clacton Road, Little Clacton Road, Thorpe Road, Sneating Hall Lane, Landermere Road	1	Noted.	N
Concern about the impact of improving local roads (particular reference to Waterhouse Lane).	1	The only road improvements proposed as part of the application are at Bentley Road.	N
Concern about the use of Parsons Hill (Great Bromley) for construction traffic. Limited visibility and no path, concerns around safety to drivers and walkers (only link for some people).	1	There is no intention to use Parsons Hill for construction access.	N
Concern around crossing of the B1033. Reportedly a busy road and there where significant delays when traffic lights were installed on it near/at Kirby Cross.	1	Construction vehicle movements through Kirby Cross would be restricted to workforce vehicle (car/LGV) movements – the assessment forecasts 62 two-way daily vehicle movements through Kirby Cross on the B1033, however this will ultimately depend on where the workforce stay during the construction works. For further details, see Chapter 8: Traffic and Transport and Annex 8.1: Transport Assessment.	Y
Concern that any traffic control / measures will cause knock on congestion elsewhere.	1	An option to install the cable under the highway using open trenches, which would require a temporary road closure are on very minor roads (Paynes Lane, Spratts Lane, Barlon Road) and given the very low baseline flows on these roads, this would not likely cause any congestion elsewhere. Other potential locations where temporary traffic signals or stop/go boards may be used to control traffic during construction works, such as at a haul road crossing (the need for which would be discussed with Essex County Council) would not be in location with high traffic volumes and would not likely cause any congestion elsewhere. The Applicant would also discuss any likelihood of the interaction between traffic at traffic control measures with Essex County Council (and National Highways as appropriate), should they be required at the same time, to ensure there would be no cumulative impact to users of the highway network. For further details, see Chapter 8: Traffic and Transport, Annex 8.1: Transport Assessment and Document 24: Outline CTMP	N
Desire to see an additional bus route in the area to help balance against traffic increase.	1	Construction traffic impacts will be managed as set out in the Outline Construction Traffic Management Plan (document reference 9.24) and Outline Workforce Travel Plan (document reference 9.26). The potential impacts from construction will be temporary and mitigated. An additional bus route would be a disproportionate mitigation to the assessed potential impacts post mitigation.	N

Note of the two railway lines crossed and the need to be mindful of safety.	1	Noted. Any potential construction interaction with operational railways is considered carefully. The Applicant is liaising with Network Rail, and will work with them on asset protection.	N
Question if the introduction of electric vehicles may cause unforeseen changes to flows.	1	This is not considered to have an impact on the construction traffic assessment.	N
Specific concern regarding the impact on public rights of way near Wolves Hall Lane so people can continue to walk through the area.	1	The Applicant will work with farm to minimise impact and maintain access, Wolves Hall Lane will be crossed via HDD. Any impact on public rights of way would be managed via the process set out in the Outline Public Access Management Plan (document reference 9.25), providing appropriate diversions if necessary.	Y
Concern that HDD at Holland Haven would include substantial construction traffic along surrounding roads, including but not limited to Manor Way, Haven Avenue and The Esplanade. Question of what consideration has been given to the existing road conditions and capacity.	1	VE construction traffic would use the B1032 and access the HDD at Holland Haven via the Holland Haven Car Park access and the anticipated vehicle movements are a maximum of 2 two-way HGV and 53 two-way workforce vehicle (car/LGV) movements per day. All Five Estuaries construction vehicles would be required to park within the Temporary Construction Compound and would not be permitted to park on the highway network. As there are very few HGVs required to access the HDD site at Holland Haven, no assessment of road condition is required and due to the very low levels of daily construction vehicles, no assessment of capacity is required. For further details, see Chapter 8: Traffic and Transport and Annex 8.1: Transport Assessment.	N
Request to use diversions instead of traffic lights where possible.	1	Noted.	N
Request for traffic management requiring engines to be switched off instead of idling (emissions and noise).	1	The Outline Construction Traffic Management Plan (document reference 9.24) sets out the approach that will be taken to manage the potential impacts of construction traffic for the onshore works. The Final CTMPs will be produced by the Principal Contractor(s) appointed to undertake the construction works, once the DCO application has been consented, this limitation may be added at this point.	N
Ardleigh is reportedly already suffering from the construction traffic impact from a development on Parsons Hill. Concern regarding similar, worse or additional impact.	1	There is no intention to use Parsons Hill for construction access.	N
Concern regarding suitability of Hall Road, Great Bromley for access, and for impact on residents along it.	1	The B1029 Hall Road is a classified ‘B’ road and would be restricted to workforce vehicle (car/LGV) movements and is therefore suitable. For further details, see Annex 8.1: Transport Assessment (document reference 6.6.8.1).	N
Specific concerns on the roads around Frinton and Walton-Kirby Cross, Holland on Sea, Great Holland, Kirby-le-Soken, Thorpe-le-Soken, also Tendring.	1	There are no proposals for HGVs associated with the construction of VE to travel through: • Frinton; • Walton-Kirby Cross; • Great Holland; • Kirby-le-Soken; and • Tendring. There is a proposed construction vehicle access route for HGVs for the beach works and Section 1 of the cable corridor through Holland on Sea, using the B1032, to and from the A1333, which is a core construction vehicle access route. No HGVs are proposed through the main area of Thorpe -Le-Soken (note NF propose this as a route); however, there is a proposed construction vehicle access route for HGVs to Section 2 and 3 of the cable corridor between the B1414 Station Road and the construction access on the B1033 (approximately 350m south of the B1034).	N

		There is likely to be some workforce (car/LGV) movements though the areas listed above (which is set out in the traffic and transport assessment); however, this will ultimately depend on where the workforce would stay during the construction works. Due to the anticipated working hours of the construction workforce, vehicle movements during the busiest times on the highway network would be generally avoided. For further details, see Chapter 8: Traffic and Transport and Annex 8.1: Transport Assessment.	
Concern regarding the junction at Great Horsley near the water tower.	1	The use of the Horsley Cross roundabout for Five Estuaries construction traffic has been discussed with National Highways (who maintain the A120, which is part of the core construction vehicle access routes for Five Estuaries) and Essex County Council throughout the preparation of the DCO application and has been considered in the traffic and transport assessment. No material impact is shown as a result of Five Estuaries construction traffic. For further details, see Chapter 8: Traffic and Transport and Annex 8.1: Transport Assessment (document reference 6.6.8.1).	N
Specific concern regarding an existing construction project (or survey teams for the Project) blocking access to the bridleway off Barn Lane.	1	Noted. Access to the onshore substation site would be from Ardleigh Road. The Outline Public Access Management Plan (document reference 9.25) sets how any diversions would be managed if required.	N
Request that access points to haul road / site are as far away from CO16 0HR residences as possible.	1	Noted. The onshore cable route corridor, including potential haul road, is several hundred metres from the properties at Thorpe Cross.	N
Martells Industrial Site on Slough Lane has a dedicated access road from the A120, has this been considered as a potential access road location for the substation?	1	The location is too far away from the proposed location of the onshore substation.	N
Information and methodology of traffic figures unclear from documents.	1	The methodology for the transport assessment is set out in detail in the Traffic and Transport Baseline Report annex (document reference 6.6.8.1) and Traffic and Transport Trip Generation and Distribution annex (document reference 6.6.8.2).	N
Question of who has made traffic assessments.	1	SLR Consulting conducted the transport assessment (onshore) for the Applicant.	N

AIRBORNE NOISE AND VIBRATION (DOCUMENT REFERENCE 6.3.9)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General concern regarding noise pollution from substations.	27	Noise impact from the onshore substation is specifically considered within the Airborne Noise and Vibration chapter of the ES (document reference 6.3.9) as impact 3 (noise during construction), impact 6 (noise during operation) and impact 9 (cumulative impact during construction). Unmitigated impacts from construction (including with cumulative assessment) were found to be minor or negligible. Operational noise was assessed as a potential major impact, and therefore mitigation measures have been proposed including: quieter electrical components, enclosures, silencers sound proofing grilles for fans, localised screening and noise barriers.	N
General concern regarding noise from construction. Specific concerns include: HGV reversing noises or motion alarms, impact on bats and bees, and 120 decibel construction noise.	26	Noise impact from construction is considered within the Airborne Noise and Vibration chapter of the ES (document reference 6.3.9). The document sets out the assessment of various different potential noise impacts and their mitigation.	N
Question on how construction noise can and will be mitigated.	7	Mitigation measures are set out in section 9.9 of the Airborne Noise and Vibration chapter of the ES (document reference 6.3.9) along with the Code of Construction Practice	N

		(document reference 9.21).	
Statement that the mitigation proposals are to reduce impact by 10dbA but not what the impact on residential areas would be. Linked to very low background noise.	7	The Onshore Substation has been sited at a location to avoid key areas of sensitivity. A minimum distance of 250 m between the OnSS and noise sensitive receptors was applied during the identification of search areas, with the final site further away.	N
Concern about vibration from HGVs on local roads (road surface and properties).	3	Vibration impact from construction is considered within the Airborne Noise and Vibration chapter of the ES (document reference 6.3.9). The document sets out the assessment of various different potential vibration impacts and their mitigation.	N
Specific concern about noise from western substation location due to westward wind; both construction and operation noise.	2	The Onshore Substation has been sited at a location to avoid key areas of sensitivity. A minimum distance of 250 m between the OnSS and noise sensitive receptors was applied during the identification of search areas, with the final site further away.	N
Bridle path near Frost Farm, Thorpe-le-Soken. Concern that noisy construction work will cause horses to buck/leading to injuries.	1	The Code of Construction Practice (document reference 9.21) includes management of noisy works. The Community Liaison officer would be responsible for notifying stakeholders of any particularly disruptive works.	N
Concern that noise monitoring and enforcement would add cost to the local authority.	1	Monitoring is a requirement of the Code of Construction Practice (document reference 9.21). The local authority will not incur extra cost in monitoring.	N
Claim that the hum from existing turbines can be heard two miles onshore at the moment.	1	The nearest point of the proposed wind farm array to shore is 37km. Airborne noise from the offshore array was scoped out as part of the scoping process. More information about this process can be found in the Scoping Report and Opinion (document reference 6.1.6).	N

AIR QUALITY (DOCUMENT REFERENCE 6.3.10)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General concern regarding dust from construction, including its impact on health (particularly walkers/horse riders) and on asthma suffers. Additional concern regarding impact cars getting dirty and laundry hung outside to dry.	9	The impact of dust during construction and operation is assessed in the Environmental Statement (document reference 6.3.10). This is supported by the Construction Dust Assessment Methodology (document reference 6.6.10.1) and Road Traffic Dispersion Modelling Methodology (document reference 6.6.10.3). Mitigation measures to control and reduce these potential impacts are set out in section 4.4 of the Code of Construction Practice (document reference 9.21), which includes general provisions, specific measures for managing dust created from earthworks, and 'trackout' from construction vehicles. This will be supported monitoring and inspections. This is supported by the Air Quality Mitigation Measures annex (document reference 6.6.10.5).	N
Concern regarding impact of HGV emissions on nearby residents, children, farm animals and wildlife.	8	The impact of emissions during construction and operation is assessed in the Environmental Statement (document reference 6.3.10). This is supported by the Road Traffic Dispersion Modelling Methodology annex (document reference 6.6.10.3).The use of haul roads and potential coordination of construction activity with North Falls will help reduce any potential impact.	N
Concern about smells from the onshore substation.	1	No element of the construction or operation of the onshore substation is expected to produce a distinct smell. Further detail on how the project would deal with any unexpected contamination encountered during construction or issues on site are included within the Code of Construction Practice (document reference 9.21).	N
Concern regarding heat from the substations impact the local and wider environment.	1	The onshore substation would be insulated as part of its general operation. Any residual heat would dissipate quickly and would not have a significant effect on the surrounding area.	N

Request for risk assessment on dust impact.	1	The impact of dust during construction and operation is assessed in the Environmental Statement (document reference 6.3.10). This is supported by the Construction Dust Assessment Methodology (document reference 6.6.10.1).	N

MARINE GEOLOGY, OCEANOGRAPHY AND PHYSICAL PROCESSES (DOCUMENT REFERENCE 6.2.2)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Query on how shifting sandbank and strong currents will be overcome. Question as to how the new turbine sites might affect the existing ones; water and sand "have minds of their own".	1	This is assessed and addressed in detail in the Marine Geology, Oceanography and Physical Processes chapter of the ES (document reference 6.2.2).	N

FISH AND SHELLFISH ECOLOGY (DOCUMENT REFERENCE 6.2.6)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Concern regarding the impact of the development on larger fish species and 'stranded shoals'.	1	The Applicant has been engaging with Natural England and the Marine Management Organisation, and have assessed in the Fish and Shellfish Ecology chapter of the ES (document reference 6.2.6).	N

SEASCAPE, LANDSCAPE AND VISUAL (DOCUMENT REFERENCE 6.2.10)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
General criticism of seascape and landscape impact.	2	The Seascape, Landscape and Visual chapter of the ES (document reference 6.2.10) assesses the potential impact on a range of aspects. The potential effects are based on the potential receptor but no significant adverse impacts are expected as a result of the proposals. Maximum height was reduced for 424m to 399m following Stage 2 consultation.	Y
Concern regarding visual impact on the coastline.	1	The Seascape, Landscape and Visual chapter of the ES (document reference 6.2.10) assesses the potential impact on a range of aspects. The potential effects are based on the potential receptor but no significant adverse impacts are expected as a result of the proposals. Maximum height was reduced for 424m to 399m following Stage 2 consultation.	Y

HUMAN HEALTH AND MAJOR DISASTERS (DOCUMENT REFERENCE 6.4.2)

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Reference to impact on mental health, stress, anxiety, loss of loved area, cumulative impact with stresses of farming, linked to loss of property value	35	While development does bring uncertainty, the potential impacts of the project are thoroughly considered through the EIA process and the Applicant has also engaged regularly with landowners and the	N

		community on the proposals. Throughout the pre-application period the Applicant has maintained contact channels to enable people to contact the team and ask questions. The potential impact on mental health is assessed as part of the Human Health and Major Disasters chapter of the ES (document reference 6.4.2). In summary, after consideration of potential health effects during the construction and operation phases of the proposals, it is concluded that there will be no significant effects on physical or mental health as a result of the project.	
Concern about the impact of Electrical Magnetic Fields (EMFs) on health - either from the substation or generally. Specific reference to impact on farm workers.	15	EMFs were scoped out of the ES as part of the scoping process with the Planning Inspectorate. This is set out in the Scoping Report and Scoping Opinion (document reference 6.1.6).	N
Belief that impact on mental health is an undervalued element in assessment.	2	The potential impact on mental health is assesses as part of the Human Health and Major Disasters chapter of the ES (document reference 6.4.2). In summary, after consideration of potential health effects during the construction and operation phases of the proposals, it is concluded that there will be no significant effects on physical or mental health as a result of the project.	N
Concern regarding the impact of EMFs on horses.	1	EMFs were scoped out of the ES as part of the scoping process with the Planning Inspectorate. This is set out in the Scoping Report and Scoping Opinion (document reference 6.1.6).	N
Concern that increased traffic on roads will limit people's exercise and access therefore having a knock on effect to health.	1	Human health is assessed broadly in the Human Health and Major Disasters chapter of the ES (document reference 6.4.2). The use of trenchless construction techniques (HDD) will limit the disruption to roads and the use of haul roads will reduce the potential traffic impact. No significant adverse impact on human health is expected.	N
General concern around health / wellbeing impact.	1	Human health is assessed broadly in the Human Health and Major Disasters chapter of the ES (document reference 6.4.2). No significant adverse impact is expected.	N

8.4 Campaign responses

467 responses were received that were categorised as campaign responses. These are responses that use all or almost all of the same text as another responses. Four individual types of campaign responses were received.

- Campaign response A: 35 responses
- Campaign response B: three responses
- Campaign response C: 217
- Campaign response D: 212.

8.4.1 Campaign response A

Response text:

We like green energy, we like Windfarms, and we appreciate that you are only connecting where you are told by the National Grid.

However, that's not good enough. We don't want your infrastructure in Tendring, we don't want your substation and we don't want the East Anglia Green pylons proposed by National Grid.

Instead, we want you to connect to North Falls, Sealink and others offshore, forming an integrated offshore grid. ESO say it's also £28n cheaper in total, and it avoids damaging our landscapes, ecology, and cultural heritage.

Consideration of issues:

The opposition to the onshore infrastructure is noted. The Applicant has set out its position with regard to a potential offshore connection in the Offshore Connection Scenario document (document reference 9.29).

As was set out during Stage 2 consultation, the Applicant is progressing on the basis of a deliverable connection proposal based on the existing regulatory structure while taking part in the Offshore Transmission Network Review and the Offshore Connection Support Scheme. More information about these can be found in the Offshore Connection Scenario document (document reference 9.29).

Because the ability to deliver an offshore connection is reliant on several external factors (regulatory, technical and commercial challenges) that would not be affected by the responses to a single project's consultation, it was not scoped into the consultation. More information about the constraints are set out in the Consultation Booklet published as part of Stage 2 consultation and re-produced in Appendix 3.1.

Consulting on an option that was at the time undeliverable and for which deliverability was dependant on variables beyond the control of the Project team (such as the outcome of the Offshore Transmission Network Review), it was not considered to represent an honest or fair consultation and was likely to have distracted from feedback on the onshore proposals.

The Applicant is aware of the level of concern regarding new onshore electrical infrastructure related to the Project directly, and also related projects such as National Grid's Tilbury to Norwich Reinforcement Project. The purpose of carrying out a detailed Environmental Impact Assessment (as reported on in the Environmental Statement that makes up Volume 6 of the application) is to assess, reduce and mitigate impacts from the Project.

8.4.2 Campaign response B

Response text:

As you highlight in the PEIR, your investors are serial investors in similar projects. This is commendable and I welcome their commitment to renewable energy in the UK.

HOWEVER, the strategy under which each of their Windfarm investments build separately to the shore, tunnel beneath the shoreline and then underground to a substation which they build, and connect thereafter to the National Grid is highly damaging to the environment, our cultural heritage and landscape both offshore and onshore.

Presumably you are highlighting the serial investments in order to make the case that they need to be seen together as part of some greater good. I agree. The damage caused must also therefore be seen together and implies a wider and greater harm. This statement applies to your investors common projects but also goes further.

Instead of building separately to the shore it is imperative you scrap the current plans and instead work collectively with other projects of your investors, as well as with projects of third party investors, to coordinate offshore. You should also coordinate with National Grid. For example, their proposed Sealink cables run immediately adjacent to your Windfarms sites. Presumably if they surfaced at one of your platforms you could in fact use their planned cables to transmit electricity back to shore without needing to build any of your own.

Any cables back to shore must be along estuaries to cities and make landfall at brownfield sites.

There is absolutely no need for the power you will generate in Tendring and it should not be brought here in the first place.

Your project must also be seen together with National Grids East Anglia Green proposals. Per National Grid their infrastructure proposals in Tendring are necessary only because of your project. These two are also therefore inseparable and damage must be seen together.

It does not matter therefore if you are proposing to underground your onshore cables (the damage cause by this is still significant and unacceptable in the area) because they are planning to use Pylons and to build along the entire southern edge of the Dedham Vale AONB. Given that they already have pylons running along the Northern edge, Western edge and through the AONB in the East the result will be to fully encircle the Dedham vale in a ring of 30 to 50m tall pylons, which will be visible across the full width of the vale.

This is contrary to National Planning Policy which requires that damage to such areas is avoided entirely. (Damage can clearly be caused within the AONB by infrastructure without that AONB).

By working offshore with other providers significant savings will be made and damage prevented offshore. Far less undersea cabling will be required in total and it will be spread over a far narrower area. Damage to fisheries, shipping, navigation, seascape, archaeology, water and sediment, will all be greatly reduced through coordination as will be probability of accidental damage and pollution during construction. Pollution during construction will be significant given the number if marine vessel round trips you have indicated. Assuming other windfarms are likely to require similar, this is unacceptable and mitigation is required which can only come in the form of coordination to reduce overall impact.

For example, whilst your testing has indicted that testing for PAHs and other chemicals at most sites are below thresholds, this is unlikely to be the case once additional work is undertaken by other windfarms, interconnectors, offshore connectors, and so forth in the same areas off East Anglia. The sum of many sub-threshold measurements can easily be above threshold!

In respect of sites where your testing resulted in above threshold measurements (see for example inter-alia 3.7.20) this is even more critical.

I support your aspirations to produce green electricity and am glad that you are prepared to invest.

However, the electricity must not be brought to shore in the location or manner you propose.

The licensing (etc) requirements you have highlighted as pre-requisite for offshore coordination are trivial. It matters not at all that NGET has no license to build offshore. As they themselves are demonstrating with their Sealink proposals, existing licenses can be varied and new licenses swiftly applied for. Furthermore , NGs other subsidiary - NG Ventures - has numerous offshore projects.

Consideration of issues:

The opposition to the onshore infrastructure is noted. The Applicant has set out its position with regard to a potential offshore connection in the Offshore Connection Scenario document (document reference 9.29).

As was set out during Stage 2 consultation, the Applicant is progressing on the basis of a deliverable connection proposal based on the existing regulatory structure while taking part in the Offshore Transmission Network Review and the Offshore Connection Support Scheme. More information about these can be found in the Offshore Connection Scenario document (document reference 9.29).

Because the ability to deliver an offshore connection is reliant on several external factors (regulatory, technical and commercial challenges) that would not be affected by the responses to a single project's consultation, it was not scoped into the consultation. More

information about the constraints are set out in the Consultation Booklet published as part of Stage 2 consultation and re-produced in Appendix 3.1.

Consulting on an option that was at the time undeliverable and for which deliverability was dependant on variables beyond the control of the Project team (such as the outcome of the Offshore Transmission Network Review), it was not considered to represent an honest or fair consultation and was likely to have distracted from feedback on the onshore proposals.

The Applicant is aware of the level of concern regarding new onshore electrical infrastructure related to the Project directly, and also related projects such as National Grid's Tilbury to Norwich Reinforcement Project. The purpose of carrying out a detailed Environmental Impact Assessment (as reported on in the Environmental Statement that makes up Volume 6 of the application) is to assess, reduce and mitigate impacts from the Project.

National policy for the development of energy generation is not based on region need. Electricity generating stations feed into the national electricity transmission network, which operates across the UK. The planning policies relevant to the Project and its determination are set out in the Planning Statement (document reference 9.1).

Site selection for the onshore substation is set out in the Site selection alternative chapter of the Environmental Statement (document reference 6.1.4).

The potential cumulative impact of multiple projects has been assessed and reported on as part of the EIA process. The methodology for this is set out in the Cumulative Impacts Assessment Methodology (document reference 6.1.3.1).

8.4.3 Campaign response C

Response text:

I support in general terms your proposals to generate green electricity through offshore windfarms. However, I object in the strongest terms to your proposals to build cables back to shore, tunnel beneath the shoreline, underground cables through Tendring, and establish a sub-station near to Colchester as set out in your recent consultation documents.

According to National Grid the need to underground cable through the AONB, to build a large substation in Tendring and to erect pylons along the southern border of the AONB (including bisecting the Parish of Little Horkesley and approaching to within 50m of the AONB within the Parish) contained within their "East Anglia Green" proposals are driven by the need to carry electricity from your windfarm together with that of North Falls with whom you share an investor.

Your project must therefore be seen together with and is inseparable from the "East Anglia Green" proposals set out by National Grid.

Your proposals if permitted would contribute to irreparable damage to the AONB and to our Parish. National Planning Policy requires that damage to the AONB is avoided entirely. Damage can clearly be caused within the AONB by infrastructure which is visible from

within even if located outside. Even in places where pylons and the sub-stations are not visible within (although there will be few given the geography) the setting of the AONB will be harmed by industrialisation along its border as all major entry routes will pass beneath or alongside the proposed pylons and substations. Your proposals are therefore unacceptable given the resulting damage to our landscape, seascape, cultural heritage in a protected setting.

Even that section of our parish which is outside of the AONB is of special character containing many listed buildings including scheduled monuments, Grade 1 and 2 Listed Buildings where the views over wide open fields are historic and of cultural importance and have not changed for hundreds of years. The 'purple swathe' runs directly through these areas. There are numerous sites of archaeological interest in the surrounding area. Again, the purple swathe runs directly through these areas. There are no industrial sites within the parish and the presence of pylons is fundamentally incompatible with this area.

As demonstrated by ESO in their December 2020 paper the establishment of a coordinated offshore grid would be approximately £6Bn cheaper when the costs of all parties are summed, result in less use of cable both offshore and onshore and thereby result in less damage in both settings, AND result in a more stable grid. It would also render the proposed infrastructure in our area unnecessary.

We therefore kindly request that you revisit your proposals and work collaboratively with others to establish a coordinated offshore proposal.

Consideration of issues:

The opposition to the onshore infrastructure is noted. The Applicant has set out its position with regard to a potential offshore connection in the Offshore Connection Scenario document (document reference 9.29).

As was set out during Stage 2 consultation, the Applicant is progressing on the basis of a deliverable connection proposal based on the existing regulatory structure while taking part in the Offshore Transmission Network Review and the Offshore Connection Support Scheme. More information about these can be found in the Offshore Connection Scenario document (document reference 9.29).

Because the ability to deliver an offshore connection is reliant on several external factors (regulatory, technical and commercial challenges) that would not be affected by the responses to a single project's consultation, it was not scoped into the consultation. More information about the constraints are set out in the Consultation Booklet published as part of Stage 2 consultation and re-produced in Appendix 3.1.

Consulting on an option that was at the time undeliverable and for which deliverability was dependant on variables beyond the control of the Project team (such as the outcome of the Offshore Transmission Network Review), it was not considered to represent an honest or fair consultation and was likely to have distracted from feedback on the onshore proposals.

The potential cumulative impact of multiple projects has been assessed and reported on as part of the EIA process. The methodology for this is set out in the Cumulative Impacts Assessment Methodology (document reference 6.1.3.1).

The balance of potential benefits and impacts of the proposals, when considered in context of national policy, is what will be assessed as part of the Examination process and will feed into the Inspector's report and recommendation to the Secretary of State. The planning policies relevant to the Project and its determination are set out in the Planning Statement (document reference 9.1).

8.4.4 Campaign response D

Response text:

I support in general terms your proposals to generate green electricity through offshore wind farms.

However, I object in the strongest terms to the unnecessary connection onshore. This will result in tunnelling beneath the shoreline, trenching to place underground cables through Tendring, and a sub-station near to Lawford, Ardleigh, very near to the Dedham Vale AONB.

This damaging onshore connection is unnecessary because both Five Estuaries and sister project North Falls could connect offshore. National Grid ESO has already carried out advanced scenario testing of offshore coordination options.

We know that National Grid has offered this connection point to you but we urge you to do the right thing for the environment and communities and to reject National Grid's unacceptable offer. You will be aware that the connection offered is deeply damaging, being in the centre of a 180km pylon route, and adjacent to the AONB where the pylons create a ring of steel around Ardleigh. This project is many years from a planning permission, if it succeeds at all.

Please do the right thing by RWE's own responsibility and sustainability goals: "RWE is helping to shape the sustainable future of the world's power supply. As part of society and a key player in the worldwide energy market, we are aware of the responsibility that goes with our role. We exercise that responsibility every day by applying clear principles to our corporate and social actions. Every single person at RWE – from Executive Board members and managers to colleagues and line staff – contributes by acting responsibly towards others and the environment. For RWE, taking responsibility means taking socially relevant issues into consideration in our corporate decision-making processes, keeping an eye on the consequences of our actions beyond our own area of responsibility and considering corporate activities from an ecological, social and ethical standpoint as well as from a business perspective. Corporate Responsibility is part of the contribution RWE makes to sustainable development and responsible business management. Everything from environmental protection and climate-change mitigation, social concerns and human rights through to responsible corporate governance is taken into account – as RWE does justice to its responsibility in every sense."

We urge you put these good words into practice and to work with Government through its current coordination schemes to connect offshore instead.

Consideration of issues:

The opposition to the onshore infrastructure is noted. The Applicant has set out its position with regard to a potential offshore connection in the Offshore Connection Scenario document (document reference 9.29).

As was set out during Stage 2 consultation, the Applicant is progressing on the basis of a deliverable connection proposal based on the existing regulatory structure while taking part in the Offshore Transmission Network Review and the Offshore Connection Support Scheme. More information about these can be found in the Offshore Connection Scenario document (document reference 9.29).

Because the ability to deliver an offshore connection is reliant on several external factors (regulatory, technical and commercial challenges) that would not be affected by the responses to a single project's consultation, it was not scoped into the consultation. More information about the constraints are set out in the Consultation Booklet published as part of Stage 2 consultation and re-produced in Appendix 3.1.

Consulting on an option that was at the time undeliverable and for which deliverability was dependant on variables beyond the control of the Project team (such as the outcome of the Offshore Transmission Network Review), it was not considered to represent an honest or fair consultation and was likely to have distracted from feedback on the onshore proposals.

The process for identifying a grid connection point is set out in section 4.7 of the Site Selection and Alternatives chapter of the ES (document reference 6.1.4), which also covers the general process.

9. STAGE 3 CONSULTATION – TARGETED LAND CONSULTATION, ESSEX

9.1 List of persons with an interest in the land consultation

Persons identified under section 44 in line with the categories set out in chapter 11.3 of the Consultation Report for the purposes of Stage 3 consultation (targeted land consultation) in Tendring, Essex.

9.1.1 Contacted at consultation launch

Consultee	Address
Network Rail Infrastructure Limited	Waterloo General Office, LONDON, SE1 8SW
Environment Agency	Horizon House, Deanery Road, BRISTOL, BS1 5AH
Cadent Gas Limited	Ansty Park, Pilot Way, Ansty, COVENTRY, West Midlands, CV7 9JU
The King's Most Excellent Majesty In Right Of His Crown	1 St. James's Market, LONDON, SW1Y 4AH
Orwell Housing Association Limited	Orwell Housing Association Ltd, Crane Hill Lodge, 325 London Road, IPSWICH, IP2 0BE
M Scott Property Group Limited	Scott Properties, Suite 5, Oyster House, Severalls Lane, COLCHESTER, CO4 9PD
Christopher David Maestrani	36 Dedham Mill, Mill Lane, Dedham, COLCHESTER, CO7 6DJ
Anglia Maltings (Holdings) Limited	Anglia Maltings Ltd, Fakenham Road, Great Ryburgh, FAKENHAM, Norfolk, NR21 7AS
Affinity Water Limited	Tamblin Way, HATFIELD, Hertfordshire, AL10 9EZ
Alison Margaret Brown	Dairy House Farm, Little Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0EX
Douglas Kenneth Brown	Dairy House Farm, Little Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0EX
John William Glover	Great Holland Lodge, Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JU
Lesley Grayson Glover	Great Holland Lodge, Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JU
Marian Sarah Reynolds	Lodge Farm Bungalow, Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JU
Martin Paul Acres	White Lodge, Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JU
John George Bellingham	Gladwyn House, 180 Thorpe Road, Kirby Cross, FRINTON-ON-SEA, Essex, CO13 0NH
Adam Charles Brown	Woodthorpe House, Main Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0NG
Joanna Marie Brown	Woodthorpe House, Main Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0NG
Derek Robert Bursey	Rainbows End, Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JU
Jean Rosemary Bursey	Rainbows End, Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JU
Graham Clive Gilbert	51 Holland Road, Little Clacton, CLACTON-ON-SEA, Essex, CO16

	9RT
Jean Gilbert	The Lions Den, Little Clacton Road, Great Holland, FRINTON-ON-SEA, CO13 0ET
Russell Gilbert	51 Holland Road, Little Clacton, CLACTON-ON-SEA, Essex, CO16 9RT
John Hutley	Birch Hoe Farm, Pork Lane, Great Holland, FRINTON-ON-SEA, Essex, CO13 0ER
Lorna Marion Hutley	Birch Hoe Farm, Pork Lane, Great Holland, FRINTON-ON-SEA, Essex, CO13 0ER
Sheik Kemal Kadar	The Firs, Thorpe Road, Kirby Cross, FRINTON-ON-SEA, Essex, CO13 0NJ
Jemma Keleher	Wesley Cottage, Little Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0EU
Nicholas David Lawrence	Reedlands Farm, Holland Road, Little Clacton, CLACTON-ON-SEA, Essex, CO16 9RX
Samuel William Lawrence	Reedlands Farm, Holland Road, Little Clacton, CLACTON-ON-SEA, Essex, CO16 9RX
Jane Claire Myra Northover	3 Second Avenue, FRINTON-ON-SEA, Essex, CO13 9ER
Murray Stephen Northover	3 Second Avenue, FRINTON-ON-SEA, Essex, CO13 9ER
Iain Alexander Quick	Brook Cottage, Pork Lane, Great Holland, FRINTON-ON-SEA, Essex, CO13 0EP
Jane Penelope Quick	Brook Cottage, Pork Lane, Great Holland, FRINTON-ON-SEA, Essex, CO13 0EP
Valerie Joan Roberts	Thorpe Park Farm, Thorpe Park Lane, Thorpe-Le-Soken, CLACTON-ON-SEA, Essex, CO16 0HN
Carol Freda White	Wesley Cottage, Little Clacton Road, Great Holland, FRINTON-ON-SEA, Essex, CO13 0EU
Anglian Water Services Limited	1 Lancaster Way, Ermine Business Park, HUNTINGDON, Cambridgeshire, PE29 6XU
Aviadale Limited	71 Queen Victoria Street, LONDON, EC4V 4BE
Barclays Bank PLC	1 Churchill Place, LONDON, E14 5HP
Barclays Security Trustee Limited	1 Churchill Place, LONDON, E14 5HP
Eastern Power Networks PLC	Newington House, 237 Southwark Bridge Road, LONDON, SE1 6NP
Essex County Council	County Hall, Market Road, Chelmsford, Essex, CM1 1QH
Great Holland Hall Limited	27 Old Gloucester Street, London, WC1N 3AX
HSBC Bank PLC	8-14 Canada Square, LONDON, E14 5HQ
HSBC UK Bank PLC	8-14 Canada Square, LONDON, E14 5HQ
J B Fairley & Son Limited	Kings Farm, Sneating Hall Lane, Kirby-Le-Soken, FRINTON-ON-SEA, Essex, CO13 0EW
Liana Enterprises Ltd	Blake Morgan, New Kings Court, Tollgate, Chandler's Ford, EASTLEIGH, SO53 3LG
Mortgage Agency Services Number Two Limited	PO Box 101, 1 Balloon Street, MANCHESTER, M60 4EP
Principal Homes Limited	Oak House, Church Lane, Great Holland, FRINTON-ON-SEA, Essex, CO13 0JS
Strutt & Parker (Farms) Limited	Unit 1 Old Park Farm, Main Road, Ford End, CHELMSFORD, Essex, CM3 1LN

Tendring District Council	Town Hall, Station Road, CLACTON-ON-SEA, Essex, CO15 1SE
The Frinton-On-Sea Golf Trust Limited	1 The Esplanade, FRINTON-ON-SEA, Essex, CO13 9EP
National Highways Limited	Bridge House, 1 Walnut Tree Close, GUILDFORD, Surrey, GU1 4LZ
James Fairley & Sons (Farms) Limited	Wolves Hall, Wolves Hall Lane, Tendring, CLACTON-ON-SEA, Essex, CO16 0DG
The Agricultural Mortgage Corporation PLC	Keens House, Anton Mill Road, ANDOVER, Hampshire, SP10 2NQ
Andrew William Bacon	Green Lane Farm, Colchester Road, Weeley, CLACTON-ON-SEA, Essex, CO16 9AD
Anne Dorette Hutchby	Frost Farm, Golden Lane, Thorpe-le-Soken, Clacton-on-Sea, Essex, CO16 0LE
Arthur Philip Wallis	Pond Farm, Swan Road, Beaumont, CLACTON-ON-SEA, Essex, CO16 0AN
Ian Martin Patch	Tanzara, Lodge Lane, Tendring, CLACTON-ON-SEA, Essex, CO16 0BS
John Albert Greyson	Warmans Gate, Tendring Road, Thorpe-Le-Soken, CLACTON-ON-SEA, Essex, CO16 0AA
Lynda Joanne Brailsford	Dale Hill Cottage, Dale Hill, Kirby-Le-Soken, FRINTON-ON-SEA, Essex, CO13 0EN
Sidney Desmond Hutchby	Frost Farm, Golden Lane, Thorpe-le-Soken, Clacton-on-Sea, Essex, CO16 0LE
Susan Beverley Patch	Tanzara, Lodge Lane, Tendring, CLACTON-ON-SEA, Essex, CO16 0BS
Veronica Mary Patten	Walnut House, Lodge Lane, Tendring, CLACTON-ON-SEA, Essex, CO16 0BS
Helen Peirson	The Pavilion, High Street, Castle Camps, CAMBRIDGE, CB21 4SN
Janet Philp	New House Farm, Kirby Hall Road, Castle Hedingham, Halstead, CO9 3EB
Wendy Harwood	Woodlands, Norwich Road, Long Stratton, NORWICH, NR15 2PX
A Lawrence & Sons	Reedlands Farm, Holland Road, Little Clacton, CLACTON-ON-SEA, Essex, CO16 9RX
Folk Nominee Limited	Number One Business Centre, Western Road, LAUNCESTON, Cornwall, PL15 7FJ
Henry Fairley & Son Limited	Park Farm, Hilliards Road, Great Bromley, COLCHESTER, Essex, CO7 7US
John Jiggens Limited	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
Robert Fairley Limited	Abbotts Hall, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NX
T. Fairley & Sons Limited	New Hall, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NU
Wix Farms Poultry Ltd	3 Manor Road, COLCHESTER, Essex, CO3 3LU
Georgina Margaret Brown	Newhouse Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
Executor of the Estate of the Late Marian Dorothy Burgoyne	Red House Farm, Harwich Road, Little Bentley, COLCHESTER, Essex, CO7 8ST
James Andrew Clachan	Welhams Farm, Bentley Road, Little Bentley, COLCHESTER, Essex, CO7 8SS
Richard John Clachan	Welhams Farm, Bentley Road, Little Bentley, COLCHESTER, Essex,

	CO7 8SS
Mary Ann Cooper	Mulleys Farm, Bentley Road, Little Bromley, MANNINGTREE, Essex, CO11 2PL
Nigel Graham Dyson	Bentley Manor, Church Road, Little Bentley, COLCHESTER, Essex, CO7 8SE
John Charles Jiggens	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
John Harvey Jiggens	Bradfield Lodge, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NS
Nicholas Paul Maestrani	Touchwood House, Little Bromley Road, Little Bentley, COLCHESTER, Essex, CO7 8SR
Kimberley Jane McFarlane	The Nook, Bentley Road, Little Bentley, COLCHESTER, Essex, CO7 8SS
Kenneth William Robinson	Badley Hall Farm, Badley Hall Road, Great Bromley, COLCHESTER, Essex, CO7 7UU
David William Salmon	Slough Farm, Slough Lane, Ardleigh, COLCHESTER, Essex, CO7 7RX
Natalie Louise Smith	Little Bromley Hall, Church Road, Little Bromley, MANNINGTREE, Essex, CO11 2PP
Charles James Tabor	Sutton Hall, Shopland Road, ROCHFORD, SS4 1LH
Adrian Norman Tagg	Woodlands, Bradfield Road, Wix, MANNINGTREE, Essex, CO11 2SJ
Ann Elizabeth Watkinson	Burnt Ash Farm, Colchester Road, Wix, MANNINGTREE, Essex, CO11 2PD
Nicholas Martin Watkinson	Burnt Ash Farm, Colchester Road, Wix, MANNINGTREE, Essex, CO11 2PD
Simon Bernard Brown	Gooses Farm, Parsonage Lane, Tendring, CLACTON-ON-SEA, CO16 0DE
Sharon Cheryl Brown	Gooses Farm, Parsonage Lane, Tendring, CLACTON-ON-SEA, CO16 0DE
Jim Clifton	Castle Byeways, Pellens Corner, Little Bentley, Essex, CO7 8SR
James Tweed	35 Foster Road, ABINGDON, OX14 1YN
Christopher Burgoyne	35 Foster Road, ABINGDON, OX14 1YN
Alex Steven Youngs	Longshots Meadow, Golden Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LE
Holly Diment Neilson	Longshots Meadow, Golden Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LE
Christopher John Opperman	16 Winchester Road, Frinton On Sea, Colchester, CO13 9SB
Susan Kathleen Opperman	16 Winchester Road, Frinton On Sea, Colchester, CO13 9SB
Jiggens Trust	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
Openreach Limited	Kelvin House, 123 Judd Street, LONDON, WC1H 9NP
James Leonard George Higgs	82 Landermere Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0NF
Anita Higgs	82 Landermere Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0NF
Spencer Leigh Brown	Valley Farm Cottages, 1 Golden Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LE
Andrew Ralph	Touchwood House, Little Bromley Road, Little Bentley, COLCHESTER, Essex, CO7 8SR
Zurich Commercial	Zurich Commercial, Norfolk House, 7 Norfolk Street, MANCHESTER,

Insurance	M2 1ZU
Go-Develop (Parsonage Lane) Limited	B & C Associates Ltd, Concorde House, Grenville Place, LONDON, NW7 3SA
National Grid Electricity Transmission PLC	1-3 Strand, LONDON, WC2N 5EH
James Thomas Shippen	Spinks Farm, Bromley Road, Lawford, MANNINGTREE, CO11 2QF
Julie Anne Shippen	Spinks Farm, Bromley Road, Lawford, MANNINGTREE, CO11 2QF
Paul John Dimond	Orchard Cottage, Bentley Road, Little Bentley, COLCHESTER, CO7 8SS
Kerstin Jane Dimond	Orchard Cottage, Bentley Road, Little Bentley, COLCHESTER, CO7 8SS
FGH (Essex) Limited	Valley Farm, Golden Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LE
Simon John Bennett	182 Thorpe Road, Kirby Cross, FRINTON-ON-SEA, Essex, CO13 0NH
Natasha Sharon Bennett	182 Thorpe Road, Kirby Cross, FRINTON-ON-SEA, Essex, CO13 0NH
Juliet Wallis	Pond Farm, Swan Road, Beaumont, Clacton-On-Sea, Essex, CO160AH
Mattioli Woods PLC	1 New Walk Place, LEICESTER, LE1 6RU
Penelope Swift	Damonts Farm, Damants Farm Lane, Thorpe-le-Soken, CO160NP
Bobby Swift	Damonts Farm, Damants Farm Lane, Thorpe-le-Soken, CO160NP
Lawford Solar Ltd	1 Bar Lane, York, YO1 6JU
Robert Christmas	Mulleys Cottage, Bentley Road, Little Bromley, MANNINGTREE, CO11 2PL
Low Carbon Solar Farm 12 Limited	Stirling Square, 5-7 Carlton Gardens, LONDON, SW1Y 5AD
Sentry Limited	Unit 7A, Hillview Business Park, Old Ipswich Road, Claydon, IPSWICH, IP6 0AJ
Tungsten Colchester Limited	Tungsten Properties, Gateway House, 4 Penman Way, Grove Park, Enderby, LEICESTER, LE19 1SY
Tri-ed and Tested Limited	Burnt Ash Farm, Colchester Road, Wix, MANNINGTREE, CO11 2PD
Foxes Property 3 S.A.R.L.	1 Allee Scheffer, L-2520, LUXEMBOURG
Jaynic Properties Limited	2A Greenwood Court, BURY ST. EDMUNDS, IP32 7GY
Alfie James Davies	2 Frost Farm Cottages, Golden Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LE
Timothy Wood	2 Abbotts Hall Cottages, Harwich Road, Horsley Cross, MANNINGTREE, CO11 2PH
Allens Farm Partners	Allens Farm, Wivenhoe Road, Crockleford Heath, COLCHESTER, Essex, CO7 7BN
The Executor of the Estate of the Late Leonie Anne Shaw	45A The Butts, CHIPPENHAM, SN15 3JS
Julian Furness	Cambridge House, Amberfield Drive, Nacton, IPSWICH, IP10 0GQ
Jane Anson	Framble Barn, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF
Dominic Furness	Porttiniemntie 21, Hameenlinna, 1320, FINLAND
Benjamin Furness	7 Crownfields, Crown Street, Dedham, COLCHESTER, CO7 6AT
The Executor Of The Estate Of The Late Brian	Shelley House, Holland Road, Little Clacton, CLACTON-ON-SEA, Essex, CO16 9RX

Wilfred Lawrence	
Roger Wheatley	1 Hawkins Farm Cottages, Paynes Lane, Little Bromley, MANNINGTREE, CO11 2PJ
David Brinley Lifton	Pellens Cottage, Pelhams Corner, Bentley Road, Little Bentley, COLCHESTER, CO7 8SS
Pauline Margaret Lifton	Pellens Cottage, Pelhams Corner, Bentley Road, Little Bentley, COLCHESTER, CO7 8SS
GPC Solar Ltd	1 Ashley Road, ALTRINCHAM, Cheshire, WA14 2DT
Frank Leach	Warmans Gate, Tendring Road, Thorpe-Le-Soken, CLACTON-ON-SEA, Essex, CO16 0AA
Robert Terence Barrett	Rosewood House, Ardleigh Road, Little Bromley, MANNINGTREE, CO11 2QA
Christine Pamela Barrett	Rosewood House, Ardleigh Road, Little Bromley, MANNINGTREE, CO11 2QA
Mimi Sofia Curran	Harvest House, Ardleigh Road, Little Bromley, MANNINGTREE, CO11 2QA
Jens Gerd Thomas Duffy	Harvest House, Ardleigh Road, Little Bromley, MANNINGTREE, CO11 2QA
John Frederick Peirson	Blacksmiths Farm, Harwich Road, Beaumont, CLACTON-ON-SEA, CO16 0AS
The Executor of the Estate of the Late Douglas Maitland Roberts	Thorpe Park Farm, Thorpe Park Lane, Thorpe-Le-Soken, CLACTON-ON-SEA, Essex, CO16 0HN
Stephen Frederick Charles Mills	Millstone Farm, Swan Road, Beaumont, CLACTON-ON-SEA, CO16 0AN
Simon Ronald Williams	Green-Acre, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
Deborah Kay Williams	Green-Acre, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
Colin Ernest Anson	51 Thorpe Road, Kirby Cross, FRINTON-ON-SEA, CO13 0LZ
Jane Elizabeth Anson	51 Thorpe Road, Kirby Cross, FRINTON-ON-SEA, CO13 0LZ
T&R Fairley	Abbotts Hall, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NX
Robin Neal Banks	1 Jubilee Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
Peter Anthony Banks	1 Jubilee Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
Thomas William Wright	2 Jubilee Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
Kelsy Jane Bamford	2 Jubilee Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
The Executor of the Estate of the Late Stephen James McFarlane	The Nook, Bentley Road, Little Bentley, COLCHESTER, Essex, CO7 8SS
Leah Faye Banks	1 Jubilee Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NS
Michaela Jane Partner	Appledene, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NT
Matthew Andrew Wadling	The Lost Willow, 2 Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NT
Georgia Claire Wadling	The Lost Willow, 2 Clacton Road, Horsley Cross, MANNINGTREE,

	CO11 2NT
David Graham Rider	Pinewood, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NT
Stephen William Sinclair	Burnt Ash Cottage, Colchester Road, Wix, MANNINGTREE, CO11 2PD
Carol Lesley Sinclair	Burnt Ash Cottage, Colchester Road, Wix, MANNINGTREE, CO11 2PD
David Anthony White	Oakley House, Lodge Lane, Tendring, CLACTON-ON-SEA, CO16 0BS
Helen White	Oakley House, Lodge Lane, Tendring, CLACTON-ON-SEA, CO16 0BS
Trevor Michael Edwards	Hawthorn Cottage, Lodge Lane, Tendring, CLACTON-ON-SEA, CO16 0BS
Rachel Dawn Edwards	Hawthorn Cottage, Lodge Lane, Tendring, CLACTON-ON-SEA, CO16 0BS
Stewart Peter Innes	The Rondavaal, Lodge Lane, Tendring, CLACTON-ON-SEA, CO16 0BS
Jacqueline Innes	The Rondavaal, Lodge Lane, Tendring, CLACTON-ON-SEA, CO16 0BS
The Executor of the Estate of the Late Martin Andrew Ecott	Holly Tree Nursery, Hungerdown Lane, Ardleigh, COLCHESTER, CO7 7LZ
James Roberts	Thorpe Park House, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Annis Roberts	Thorpe Park House, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Andrzej Tomasz Wiecek	1 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Justyna Magdalena Wiecek	1 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Shirley Whiten	2 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
John Whiten	2 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Benjamin Mark Worrallo	3 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN,
Sam Worrallo	3 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Rhiannon Wheeler	4 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Georgios Tsaousellis	4 Thorpe Park Cottages, Thorpe Park Lane, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0HN
Frinton Golf Club Limited	1 The Esplanade, FRINTON-ON-SEA, Essex, CO13 9EP
Jennifer Welsby	1 Tudor Cottage, Little Clacton Road, Great Holland, FRINTON-ON-SEA, CO13 0EU
Mark Terry Sangwine	87 Landermere Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LW
Gwendolyn Rose Batley	87 Landermere Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LW
Michael David Pollard	89 Landermere Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LW
Susan Mary Pollard	89 Landermere Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LW
Robert Church	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE,

	Essex, CO11 2NZ
Penny Toleman	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
Joanna Burke	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
James Burke	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ
Joanna Green	Hempstalls Farm, Clacton Road, Horsley Cross, MANNINGTREE, Essex, CO11 2NZ

9.1.2 Consultees identified after launch

The following PILs were identified after the launch of the Stage 3 consultation. Those identified in 2024 were given an extended response deadline.

Consultee	Address
Letter sent: 15 December 2023	**Consultation response deadline: 31 January 2024**
Ms L Blackburn	Jubilee Villa, Ardleigh Road, Little Bromley, MANNINGTREE, CO11 2QA
The Occupier	1 New Hall Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NX, UNITED KINGDOM
The Occupier	2 New Hall Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NX, UNITED KINGDOM
The Occupier	3 New Hall Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NX, UNITED KINGDOM
The Occupier	4 New Hall Cottages, Clacton Road, Horsley Cross, MANNINGTREE, CO11 2NX, UNITED KINGDOM
Letter sent: 5 January 2024	**Consultation response deadline: 7 February 2024**
Brendan Gormley	Gunfleet, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Margaret Gormley	Gunfleet, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Orwell Housing Association Ltd	Crane Hill Lodge, 325 London Road, IPSWICH, Suffolk, IP2 0BE, UNITED KINGDOM
Michael Gay	Trinity, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Mrs Anson	Framble Barn, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Sharon Susan Gay	Trinity, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Simon Stone	Jimilda, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Linda Draper	Hamford, Lonsdale Road, Thorpe-le-Soken, CLACTON-ON-SEA, CO16 0LF, UNITED KINGDOM
Letter sent: 8 January 2024	**Consultation response deadline: 7 February 2024**
Essex and Suffolk Water Limited	Northumbria House, Abbey Road, DURHAM, DH1 5FJ
Letter sent: 17 January 2024	**Consultation response deadline: 21 February 2024**
Bentley Photographic	New Hall Barn, Clacton Road, Horsley Cross, Manningtree, CO11

Limited	2NU
Letter sent: 26 January 2024	**Consultation response deadline: 1 March 2024**
Russell Johnson	The Nook, Bentley Road, Little Bentley Colchester, CO7 8SS
Rachael Thackery	The Nook, Bentley Road, Little Bentley Colchester, CO7 8SS
John Traveller	The Nook, Bentley Road, Little Bentley Colchester, CO7 8SS
Holly Johnson	The Nook, Bentley Road, Little Bentley Colchester, CO7 8SS

9.2 Example section 42 letters to PILs

Three variations of the standard section 42 letter were created for the following cases:

- New PILs – who have not been directly contacted by the Applicant as a potential land interest before;
- Where a temporary construction compound has been relocated into the area of which the stakeholder has an interest; and
- Where the proposed impact on the stakeholder's land interest is only form a proposed operational and maintenance access.

9.2.1 Standard section 42 letter

Our reference: Section 42(1)(d) letter – Land interest
Date: 4 December 2023
T: 0333 188 3514
E: fiveestuaries@dalcourmaclaren.com

FIRST NAME SURNAME
ADDRESS 1
ADDRESS 2
ADDRESS 3
POST CODE

Five Estuaries Offshore Wind Farm Project
Stage 3 Consultation: 5 December 2023 to 31 January 2024
Sections 42 and 44 of the Planning Act 2008 ('the Act')

Dear [NAME],

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

The Project is carrying out a targeted consultation with those with an interest in the land affected by changes to the proposals that have been made since consultation earlier this year. This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley, near to the existing Lawford substation, in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring District, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As

such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

The requirements for applications to the Secretary of State for a DCO are set out in the Act, and subsequent guidance issued by the Government and the Planning Inspectorate. The relevant information can be found here: https://infrastructure.planninginspectorate.gov.uk

Earlier this year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Following that consultation, a number of changes have been made to the proposals to respond to the feedback received. The updated proposals also consider how the Project might best coordinate with the proposals being put forward by the North Falls Offshore Windfarm Project – a nearby project also in development, with the same proposed landfall and connection point to the national electricity transmission network.

Stage 3 Consultation – 5 December 2023 and 31 January 2024

Between 5 December 2023 and 31 January 2024 Five Estuaries is carrying out a targeted consultation with those with an interest in the land that is affected by the changes to the proposals to seek their feedback. This is a requirement under Section 42(1)(d) of the Act. We appreciate that the consultation period covers the holiday period; as such we have extended the deadline for responses to ensure that there is sufficient time to consider the information and respond.

We are writing to parties that we have identified as having an interest in the land that is either newly within the proposed development area for the Five Estuaries project or is differently affected following changes to the proposals. We are also writing to parties who otherwise meet the criteria of Section 44 of the Act.

Plans showing the extent of the Project can be found on our website as part of the consultation. The identification of affected persons under Section 44 of the Act is an ongoing process that will be finalised prior to submission of the DCO application. If you would like to discuss in detail how these changes, or the Project more generally, relates to your land interest please contact us using the details below.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- The **Preliminary Environmental Information Report** (PEIR), which sets out the current environmental baseline, the Project's potential benefits and impacts, and our proposals to mitigate those impacts. This includes a Non-Technical Summary;

- **PEIR Update Note – December 2023** providing a short high level summary of likely changes in impacts from the Project red-line boundary assessed for the PEIR to the new revised red-line boundary; and
- **Plans** showing the new proposed red-line boundary for the Project.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

This letter and its contents form part of the consultation process required by the Act, we would like your feedback on the updated proposals as they relate to your land interest. At this stage of the Project development, our scope for major changes to limited however feedback can still help refine our proposals as the detailed design of many elements has not yet been completed. All feedback will be considered fully.

The deadline for submitting responses to the consultation is 11:59pm on Wednesday 31 January 2024.

You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

Freepost FIVE ESTUARIES

- You can email your feedback at fiveestuaries@dalcourmaclaren.com. Please include 'FEEDBACK' in the subject line.

If you would like to meet to discuss the changes, your property, or the Project in general, please let us know.

If you have any questions about this letter or its contents, you can contact us using the Project's contact details below, or our land agent team by email at fiveestuaries@dalcourmaclaren.com or by calling 03331883514.

Yours sincerely,

[redacted]

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

9.2.2 New PILs variation

Our reference: Section 42(1)(d) letter – Land interest
Date: 4 December 2023
T: 0333 188 3514
E: fiveestuaries@dalcourmaclaren.com

FIRST NAME SURNAME
ADDRESS 1
ADDRESS 2
ADDRESS 3
POST CODE

Five Estuaries Offshore Wind Farm Project
Stage 3 Consultation: 5 December 2023 to 31 January 2024
Sections 42 and 44 of the Planning Act 2008 ('the Act')

Dear [NAME],

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

The Project is carrying out a targeted consultation with those with an interest in the land affected by changes to the proposals that have been made since consultation earlier this year. This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley, near to the existing Lawford substation, in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring District, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As

such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

The requirements for applications to the Secretary of State for a DCO are set out in the Act, and subsequent guidance issued by the Government and the Planning Inspectorate. The relevant information can be found here: https://infrastructure.planninginspectorate.gov.uk

Earlier this year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Following that consultation, a number of changes have been made to the proposals to respond to the feedback received. The updated proposals also consider how the Project might best coordinate with the proposals being put forward by the North Falls Offshore Windfarm Project – a nearby project also in development, with the same proposed landfall and connection point to the national electricity transmission network.

Stage 3 Consultation – 5 December 2023 to 31 January 2024

Between 5 December 2023 and 31 January 2024 Five Estuaries is carrying out a targeted consultation with those with an interest in the land that is affected by the changes to the proposals to seek their feedback. This is a requirement under Section 42(1)(d) of the Act. We appreciate that the consultation period covers the holiday period; as such we have extended the deadline for responses to ensure that there is sufficient time to consider the information and respond.

We are writing to parties that we have identified as having an interest in the land that is either newly within the proposed development area for the Five Estuaries project or is differently affected following changes to the proposals. We are also writing to parties who otherwise meet the criteria of Section 44 of the Act.

We have only recent identified your interest in the land affected as part of our ongoing referencing work, as such you will not have been consulted during our consultation that ran from 14 March to 12 May 2023. Please feel free to make comments on the Project as a whole and our preliminary environmental information, in addition to the specific parts of the Project that affects your land interest.

Plans showing the extent of the Project can be found on our website as part of the consultation. The identification of affected persons under Section 44 of the Act is an ongoing process that will be finalised prior to submission of the DCO application. If you would like to discuss in detail how these changes, or the Project more generally, relates to your land interest please contact us using the details below.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- The **Preliminary Environmental Information Report** (PEIR), which sets out the current environmental baseline, the Project's potential benefits and impacts, and our proposals to mitigate those impacts. This includes a Non-Technical Summary;
- **PEIR Update Note – December 2023** providing a short high level summary of likely changes in impacts from the Project red-line boundary assessed for the PEIR to the new revised red-line boundary; and
- **Plans** showing the new proposed red-line boundary for the Project.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

This letter and its contents form part of the consultation process required by the Act, we would like your feedback on the updated proposals as they relate to your land interest. At this stage of the Project development, our scope for major changes to limited however feedback can still help refine our proposals as the detailed design of many elements has not yet been completed. All feedback will be considered fully.

The deadline for submitting responses to the consultation is 11:59pm on Wednesday 31 January 2024.

You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

Freepost FIVE ESTUARIES

- You can email your feedback at fiveestuaries@dalcourmaclaren.com. Please include 'FEEDBACK' in the subject line.

If you would like to meet to discuss the changes, your property, or the Project in general, please let us know.

If you have any questions about this letter or its contents, you can contact us using the Project's contact details below, or our land agent team by email at fiveestuaries@dalcourmaclaren.com or by calling 03331883514.

Yours sincerely,

[redacted]

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

9.2.3 Temporary construction compound relocation variation

Our reference: Section 42(1)(d) letter – Land interest
Date: 4 December 2023
T: 0333 188 3514
E: fiveestuaries@dalcourmaclaren.com

FIRST NAME SURNAME
ADDRESS 1
ADDRESS 2
ADDRESS 3
POST CODE

Five Estuaries Offshore Wind Farm Project
Stage 3 Consultation: 5 December 2023 to 31 January 2024
Sections 42 and 44 of the Planning Act 2008 ('the Act')

Dear [NAME],

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

The Project is carrying out a targeted consultation with those with an interest in the land affected by changes to the proposals that have been made since consultation earlier this year. This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley, near to the existing Lawford substation, in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring District, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As

such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

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Earlier this year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Following that consultation, a number of changes have been made to the proposals to respond to the feedback received. The updated proposals also consider how the Project might best coordinate with the proposals being put forward by the North Falls Offshore Windfarm Project – a nearby project also in development, with the same proposed landfall and connection point to the national electricity transmission network.

Stage 3 Consultation – 5 December 2023 to 31 January 2024

Between 5 December 2023 and 31 January 2024 Five Estuaries is carrying out a targeted consultation with those with an interest in the land that is affected by the changes to the proposals to seek their feedback. This is a requirement under Section 42(1)(d) of the Act. We appreciate that the consultation period covers the holiday period; as such we have extended the deadline for responses to ensure that there is sufficient time to consider the information and respond.

We are writing to parties that we have identified as having an interest in the land that is either newly within the proposed development area for the Five Estuaries project or is differently affected following changes to the proposals. We are also writing to parties who otherwise meet the criteria of Section 44 of the Act.

As part of the changes to the design, we are now proposing a temporary construction compound on land that you have an interest in. We previously had included this land as part of the proposed cable route corridor.

Plans showing the extent of the Project can be found on our website as part of the consultation. The identification of affected persons under Section 44 of the Act is an ongoing process that will be finalised prior to submission of the DCO application. If you would like to discuss in detail how these changes, or the Project more generally, relates to your land interest please contact us using the details below.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- The **Preliminary Environmental Information Report** (PEIR), which sets out the current environmental baseline, the Project's potential benefits and impacts, and our proposals to mitigate those impacts. This includes a Non-Technical Summary;
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- **Plans** showing the new proposed red-line boundary for the Project.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

This letter and its contents form part of the consultation process required by the Act, we would like your feedback on the updated proposals as they relate to your land interest. At this stage of the Project development, our scope for major changes to limited however feedback can still help refine our proposals as the detailed design of many elements has not yet been completed. All feedback will be considered fully.

The deadline for submitting responses to the consultation is 11:59pm on Wednesday 31 January 2024.

You can respond to the consultation through the following channels:

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Freepost FIVE ESTUARIES

- You can email your feedback at fiveestuaries@dalcourmaclaren.com. Please include 'FEEDBACK' in the subject line.

If you would like to meet to discuss the changes, your property, or the Project in general, please let us know.

If you have any questions about this letter or its contents, you can contact us using the Project's contact details below, or our land agent team by email at fiveestuaries@dalcourmaclaren.com or by calling 03331883514.

Yours sincerely,

[redacted]

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

9.2.4 Operational and maintenance access only variation

Our reference: Section 42(1)(d) letter – Land interest
Date: 4 December 2023
T: 0333 188 3514
E: fiveestuaries@dalcourmaclaren.com

FIRST NAME SURNAME
ADDRESS 1
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POST CODE

Five Estuaries Offshore Wind Farm Project
Stage 3 Consultation: 5 December 2023 to 31 January 2024
Sections 42 and 44 of the Planning Act 2008 ('the Act')

Dear [NAME],

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

The Project is carrying out a targeted consultation with those with an interest in the land affected by changes to the proposals that have been made since consultation earlier this year. This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley, near to the existing Lawford substation, in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring District, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As

such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

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Stage 3 Consultation – 5 December 2023 to 31 January 2024

Between 5 December 2023 and 31 January 2024 Five Estuaries is carrying out a targeted consultation with those with an interest in the land that is affected by the changes to the proposals to seek their feedback. This is a requirement under Section 42(1)(d) of the Act. We appreciate that the consultation period covers the holiday period; as such we have extended the deadline for responses to ensure that there is sufficient time to consider the information and respond.

We are writing to parties that we have identified as having an interest in the land that is either newly within the proposed development area for the Five Estuaries project or is differently affected following changes to the proposals. We are also writing to parties who otherwise meet the criteria of Section 44 of the Act.

We are specifically contacting you because we are seeking rights to secure access through land you have an interest in for our future operations and maintenance requirements. This access would not be used during main construction, and the amount of access during the operational phase of the Project is likely to be limited.

Plans showing the extent of the Project can be found on our website as part of the consultation. The identification of affected persons under Section 44 of the Act is an ongoing process that will be finalised prior to submission of the DCO application. If you would like to discuss in detail how these changes, or the Project more generally, relates to your land interest please contact us using the details below.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- The **Preliminary Environmental Information Report** (PEIR), which sets out the current environmental baseline, the Project's potential benefits and impacts, and our proposals to mitigate those impacts. This includes a Non-Technical Summary;
- **PEIR Update Note – December 2023** providing a short high level summary of likely changes in impacts from the Project red-line boundary assessed for the PEIR to the new revised red-line boundary; and
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If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

This letter and its contents form part of the consultation process required by the Act, we would like your feedback on the updated proposals as they relate to your land interest. At this stage of the Project development, our scope for major changes to limited however feedback can still help refine our proposals as the detailed design of many elements has not yet been completed. All feedback will be considered fully.

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- You can email your feedback at fiveestuaries@dalcourmaclaren.com. Please include 'FEEDBACK' in the subject line.

If you would like to meet to discuss the changes, your property, or the Project in general, please let us know.

If you have any questions about this letter or its contents, you can contact us using the Project's contact details below, or our land agent team by email at fiveestuaries@dalcourmaclaren.com or by calling 03331883514.

Yours sincerely,

[redacted]

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

9.3 Consultation materials

9.3.1 PEIR Update Note – December 2023

FIVE ESTUARIES OFFSHORE WIND FARM

PEIR UPDATE NOTE – DECEMBER 2023

Document Reference	N/A
Revision	1.0
Date	December 2023

Project	Five Estuaries Offshore Wind Farm
Sub-Project or Package	Stage 3 Consultation
Document Title	PEIR Update Note – December 2023
Document Reference	N/A
Revision	Final

Revision	Date	Status/Reason for Issue	Originator	Checked	Approved
01	Dec 2023	Issued for Use	GoBe	VE OWFL	VE OWFL

CONTENTS

FIGURES

DEFINITION OF ACRONYMS

Term	Definition
AfL	Agreements for Lease
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
Galloper	Galloper Offshore Wind Farm
GW	gigawatts
MW	Megawatts
NSIP	Nationally Significant Infrastructure Project
O&M	Operational and maintenance
PEIR	Preliminary Environmental Information Report
PINS	Planning Inspectorate
SoS	Secretary of State
TCE	The Crown Estate
The Project	Five Estuaries Offshore Wind Farm
The Applicant	Five Estuaries Offshore Wind Farm Ltd

1 UPDATES TO THE PROPOSED FIVE ESTUARIES OFFSHORE WIND FARM

1.1 PURPOSE OF THIS DOCUMENT

1.1.1 This document has been drafted to summarise the updates that have been made to the onshore elements of the Five Estuaries Offshore Wind Farm project (the Project), by Five Estuaries Offshore Wind Farm Limited (the Applicant), since the publication of the Preliminary Environmental Information Report (PEIR) on 14 March 2023 (as part of our Stage 2 consultation); and what effect those changes have on the potential environmental impacts and benefits of the Project.

1.1.2 The PEIR set out the environmental information that had been collected and assessed by the Project to that point. It provided an understanding of the potential likely significant effects of the Project on the environment.

- Refinements to the project design since Stage 2 consultation are set out in Section 1.3; and
- Changes to the potential environmental benefits and impacts of the Project as a result of these changes are set out in Section 1.4. These changes are in comparison to the potential environmental effects set out in the PEIR.

1.1.3 This document has been prepared as an update summary to support the PEIR consultation (Stage 3 consultation) and should be read in conjunction with the PEIR that can be found on the Project website www.fiveestuaries.co.uk/document-library-stage-2.

1.2 INTRODUCTION TO FIVE ESTUARIES AND STAGE 3 CONSULTATION

1.2.1 The Project (Figure 1.1) is a proposed extension project to the operational Galloper Offshore Wind Farm (Galloper) situated off the coast of Suffolk. The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring District, Essex.

1.2.2 As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project.

STAGE 3 CONSULTATION

1.2.3 Due to the changes in the Project, some areas of land may be affected differently by the proposals. In order to collect feedback on these changes and fulfil the requirements of the Act, we are carrying out a targeted consultation with those who have land interests affected by the changes.

1.2.4 This consultation will run from 5 December 2023 to Wednesday 31 January 2024.

1.2.5 More information about the consultation can be found on the Project's website www.fiveestuaries.co.uk/stage-3-consultation.

1.3 KEY UPDATES SINCE STAGE 2 CONSULTATION

1.3.1 Our proposals have been refined since the Stage 2 Consultation (14 March to 12 May 2023) and the publication of the Project's PEIR. These changes were made following feedback from the consultation, greater understanding of the local environment from dedicated surveys and coordination efforts with the adjacent North Falls Offshore Wind Farm project. Key engineering design updates are set out below.

ONSHORE ROUTE CHANGES

1.3.2 Landfall location options at PEIR have been refined to the north-easterly landfall option, see Figure 1.1, the southwestern option has been dropped, the onshore Export Cable Corridor route has been refined and Onshore Substation location has been selected.

1.3.3 Revisions have been made to the onshore export cable corridor route, resulting from co-ordination with North Falls and an agreed reduction in the maximum number of circuits for each project from four to two. This decision has enabled a reduction in the width of the proposed combined onshore cable corridor during construction, which will be 90m predominantly, rather than 200-250m which would have been required for eight circuits (four for each offshore wind farm). This allows for soil storage, internal haul roads and possible micro-siting plus flexibility for use of trenchless crossing techniques, such as horizontal directional drilling under constraints such as roads. The narrower route corridor has allowed the Project to avoid more ecological constraints and move the Project further away from residential properties at a number of locations.

1.3.4 Key changes at the landfall include:

- Removal of the south/western landfall option under Holland Haven;
- The north/eastern landfall leg has been refined to identify a specific land parcel for the landfall construction compound and location of the transition joint bay (to connect the onshore and offshore cables). Selection of the northern leg ensures that the Project is further way from breeding and non-breeding bird habitat and increases the distance from the land fall compound to the closest noise sensitive receptor; and
- North Falls recently confirmed that the general location of its landfall construction compound would be in the same area as our Project. This gives greater opportunity for the projects to coordinate construction work at landfall.

1.3.5 Key changes to the onshore export cable corridor include:

- Temporary construction compounds associated with the south/western landfall option have been removed. The corridor has moved further away from residential properties on Clacton Road, where an additional smaller temporary construction compound within the old corridor to the west of Clacton Road has been added.

- At the crossing of Little Clacton Road, a single corridor is now proposed rather than three. This is adjacent to Mill Lane and the Great Holland Pits Local Nature Reserve. This significantly reduces land take in this area.
- The route follows the eastern side of the original PEIR corridor crossing under the East Coast Mainline spur railway and a wooded area using a trenchless technique. The area included in the boundary here is greatly reduced compared to the original PEIR boundary, from approximately 700m to 250m.
- At the crossing of Thorpe Road, the locations of the temporary construction compounds have been refined to move them further away from residential properties, but still within the original PEIR boundary.
- To ensure the route remains within tolerance at bends and to avoid constraints on the route, the new alignment extends slightly outside of the original PEIR boundary to the north as it crosses Damants Farm Lane.
- At the crossing of Tendring Road / Thorpe Road / Swan Road junction, the route has been refined removing land parcels to the west of Tendring Road. The route now splits either side of properties on Thorpe Road. The Project has committed to using trenchless techniques in this area to cross the roads and at sensitive ecological features identified here. The locations of temporary construction compounds have been refined to move them away from sensitive ecological features.
- The location of the proposed temporary construction compound to the south of the A120 has been reduced in size and kept to the eastern portion of the land parcel, to move it further away from a nearby residential property.
- At the crossing of Bentley Road the temporary construction compounds have been reduced in size and moved within the original export cable corridor, bringing them further way from residential properties.
- The Project has increased the number of committed trenchless crossings along the whole of the export cable corridor to reduce impacts, particularly on ecological features and avoid the need for road closures for trenching activities.

1.3.6 For the Onshore Substation, the key changes include:

- Identification of the specific substation location within the northern half of the original Substation Search Area West. This means that the Project's substation would be co-located on the same site as the North Falls substation, adjacent to the proposed location of the National Grid East Anglia Connection Node substation zone. The land parcels to the south of Ardleigh road have been reduced to the width of the export cable corridor route only.
- This means there will be a lower overall land take than if all three individual projects substations were located in different areas. It allows for opportunities to co-ordinate designs, potentially share temporary and permanent access roads,

and co-ordinate landscape mitigation principles to reduce impacts on the surrounding area.

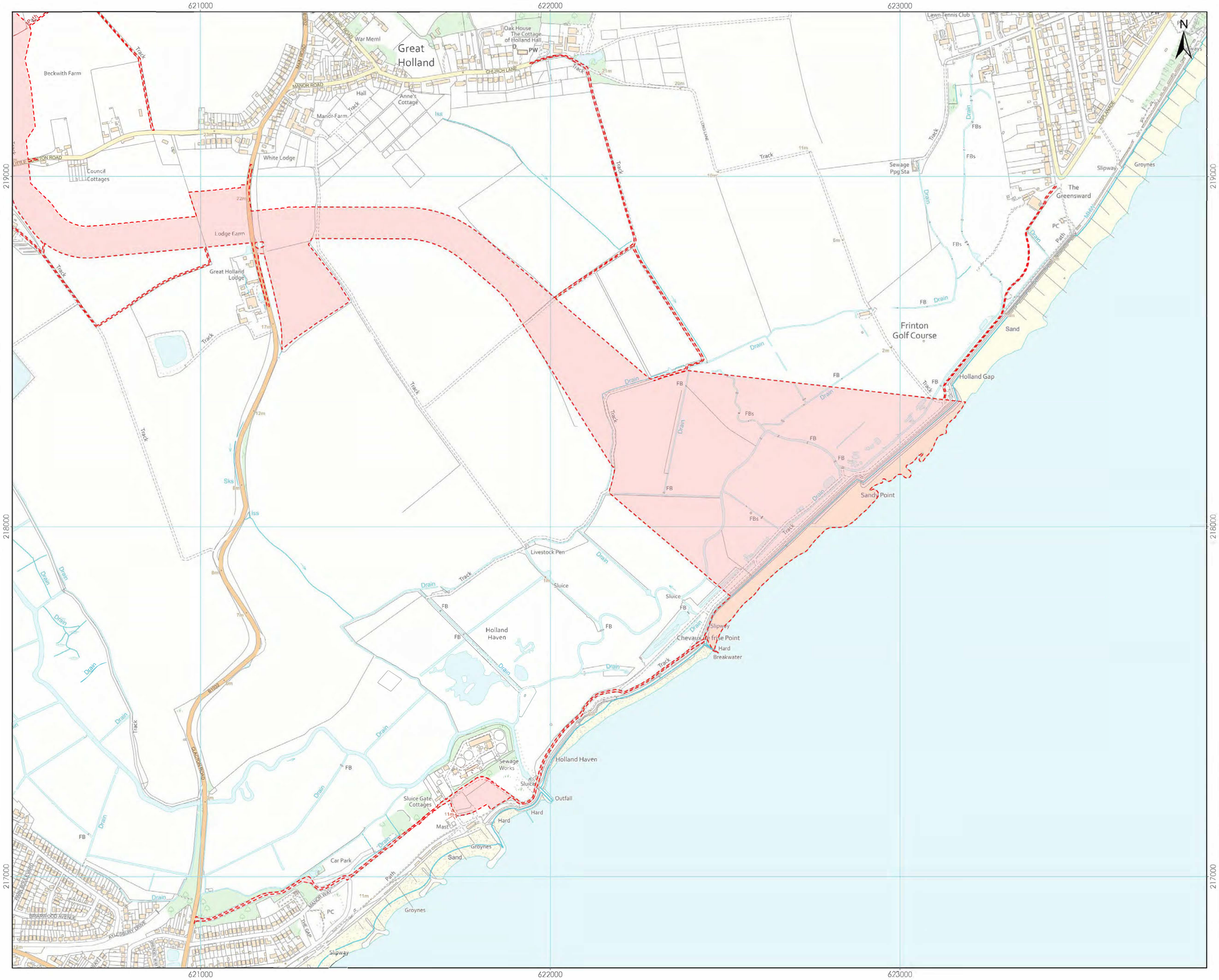
- Substation Search Area East has been removed from the revised project boundary and the area is now crossed by the export cable corridor route only.
- A requirement for road widening of Bentley Road from the A120 to the export cable corridor route crossing, along with improvements to the A120 junction have been identified and these have been included in the revised project boundary.
- A portion of the export cable corridor route from Bentley Road to Ardleigh Road will be used to construct a temporary substation construction access road, with the southern temporary construction compound at Bentley Road used for marshalling construction traffic. This could be shared with other projects.
- The area to the north of Ardleigh Road has largely been retained to allow for construction compounds and mitigation measures, including new drainage and planting.
- National Grid has provided a revised East Anglia Connection Node Substation Zone, which sits between Grange Road and Hungerdown Lane. This has allowed for the removal of the rest of their search area included within the original PEIR boundary, which extended around the existing substation.

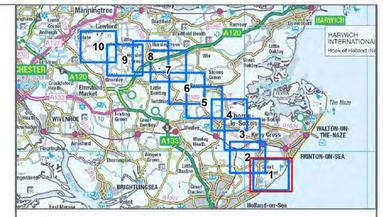
1.3.7 Other changes include:

- Access points and associated visibility splays (where we will reduce the height of vegetation to ensure that construction vehicles leaving a site have safe visibility before joining the road) have been revised following discussion with the relevant highway authority and more detailed designs, including safety audits. These seek to minimise the impact to trees and hedgerows along the road verges.
- A number of additional off-route haul roads have been included along the corridor to use existing gaps in hedgerows to minimise ecological effects; and
- The inclusion of operational access routes, following existing farm tracks, to enable periodic access for testing of cables during the operation of the wind farm.

621000 622000 623000

219000 218000 217000





LEGEND

Onshore Red Line Boundary

0 100 200 400

Meters

PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

DRAWING TITLE:

Five Estuaries red line boundary in detail

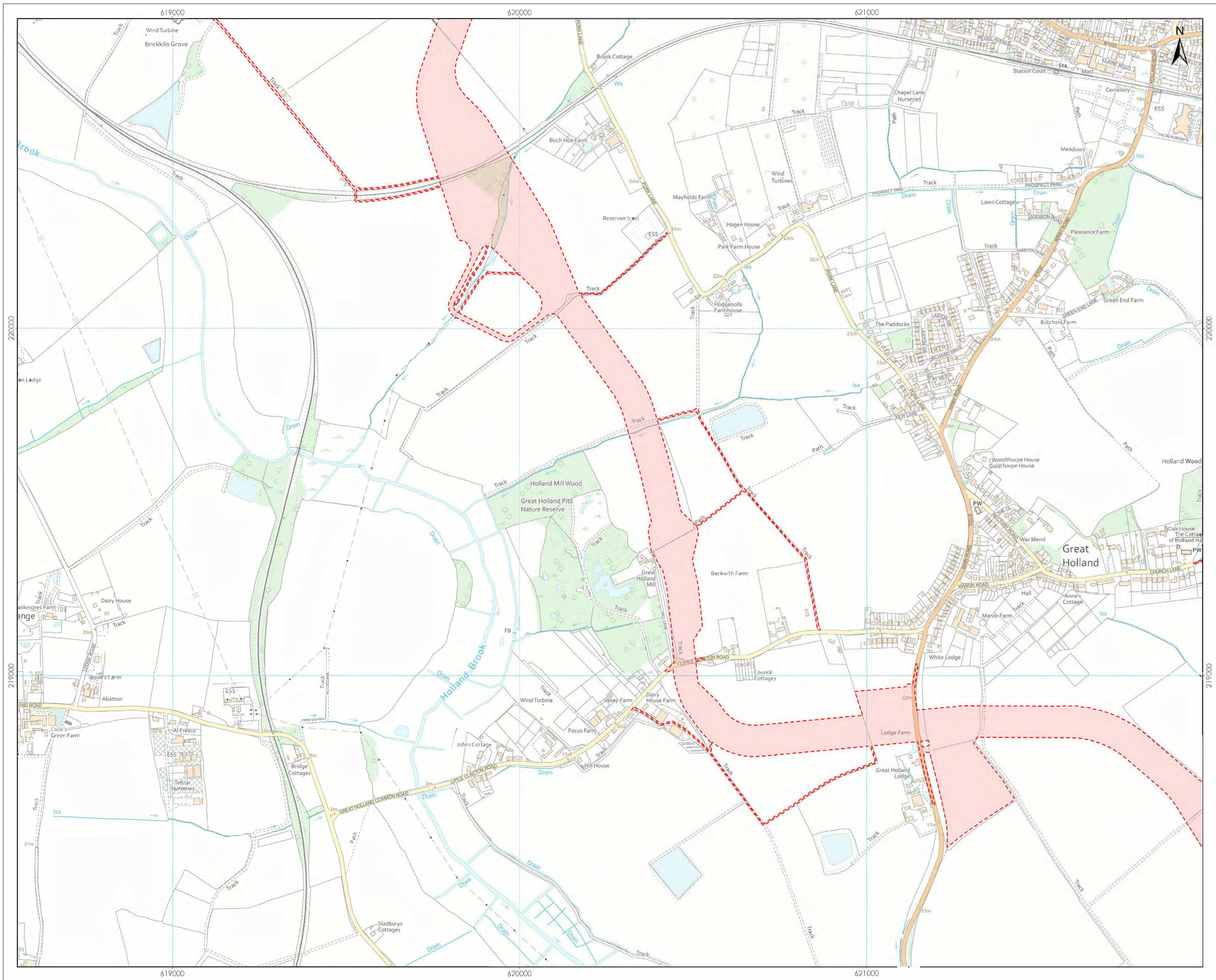
VER	DATE	REMARKS	Drawn	Checked
1	29/11/2023	For information	JB	-

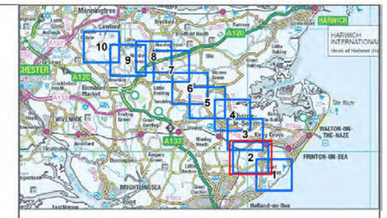
DRAWING NUMBER: - **Figure 1.1**

Sheet No: Page 1 of 10

SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:5,000	A3	OSGB 1936	BNG

FIVE ESTUARIES OFFSHORE WIND FARM





LEGEND

Onshore Red Line Boundary

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Meters

PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

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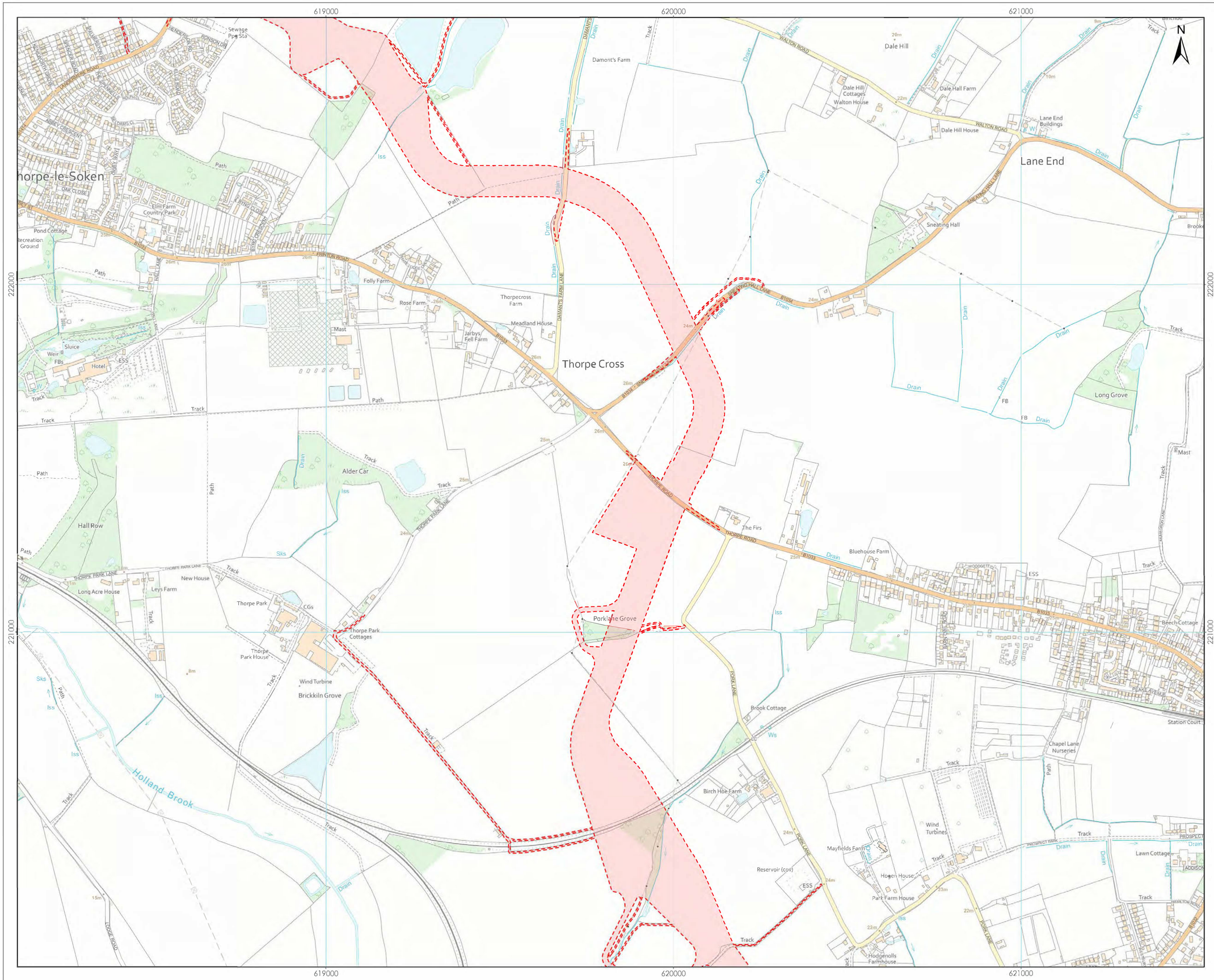
SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:5,000	A3	OSGB 1936	BNG

FIVE ESTUARIES OFFSHORE WIND FARM



LEGEND

Onshore Red Line Boundary

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PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

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VER	DATE	REMARKS	Drawn	Checked
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DRAWING NUMBER: - **Figure 1.1**

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SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:5,000	A3	OSGB 1936	BNG

FIVE ESTUARIES
OFFSHORE WIND FARM

618000 619000 620000

224000 223000 222000

N

Beaumonthall Wood
Track
FB
Lower Barn Farm
Quay Farm
QUAY LANE
Cut Farm
Kiln
Sluice
Drain
Beaumont Cut
Hard
MLW
Mud
MHW
White House
Campbells Cottage
Path
B1414
Longshots Meadow
GOLDEN LANE
Valley Farm
Frost Farm
Greyfriars
Swallow Tye Cottage
Parkers Farm
WALTON ROAD
Dorfolk House
Landermere
Landermere Cottages
Landermere Cottage
Scenefelda Farm
Kentshill Farm
Kentshill
Kents Hill Bungalow
Damont's Farm
DAMANTS FARM LANE
Comarques Farm House
Comarques Cottage
Playing Field
Edenerle House
Framble Barn
Sewage Ppg Sta
Tendring Technology College
Police Services
Sch
Hall
Orchard Cottages
Thorpe-le-Soken
Elm Farm Country Park
Pond Cottage
Recreation Ground
Thorpe Hall Lodge
Mill Barn Farm
Folly Farm
Rose Farm
Thorpecross Farm
Meadland House
Jarbys Fell Farm
Mast
Thorpe Cross
FRINTON ROAD
Little Grange
Grange Farm
Caravan Site
Hotel
Weir
Sluice
FBs
ESS
Iss
Track
Path
Drain
Pond
Tree
Scrub
Wood
Hedge
Fence
Wall
Building
Church
Pylon
Post Box
Phone
Bus Stop
Bench
Gate
Stile
Ford
Ditch
Bridge
Culvert
Cattle Grid
Pole
Sign
Mast
Weir
Sluice
Iss
Ess
Fb
Pw
Sch
Hall
Cottage
Farm
Bungalow
House
Lodge
Hotel
Caravan Site
Recreation Ground
Playing Field
Country Park
Pond
Wood
Scrub
Tree
Hedge
Fence
Wall
Building
Church
Pylon
Post Box
Phone
Bus Stop
Bench
Gate
Stile
Ford
Ditch
Bridge
Culvert
Cattle Grid
Pole
Sign
Track
Path
Drain
Sluice
Weir
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Lodge
Hotel
Caravan Site
Recreation Ground
Playing Field
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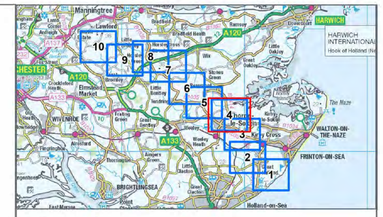
Cattle Grid
Pole
Sign



LEGEND

Onshore Red Line Boundary

0 100 200 400

Meters

PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

DRAWING TITLE:

Five Estuaries red line boundary in detail

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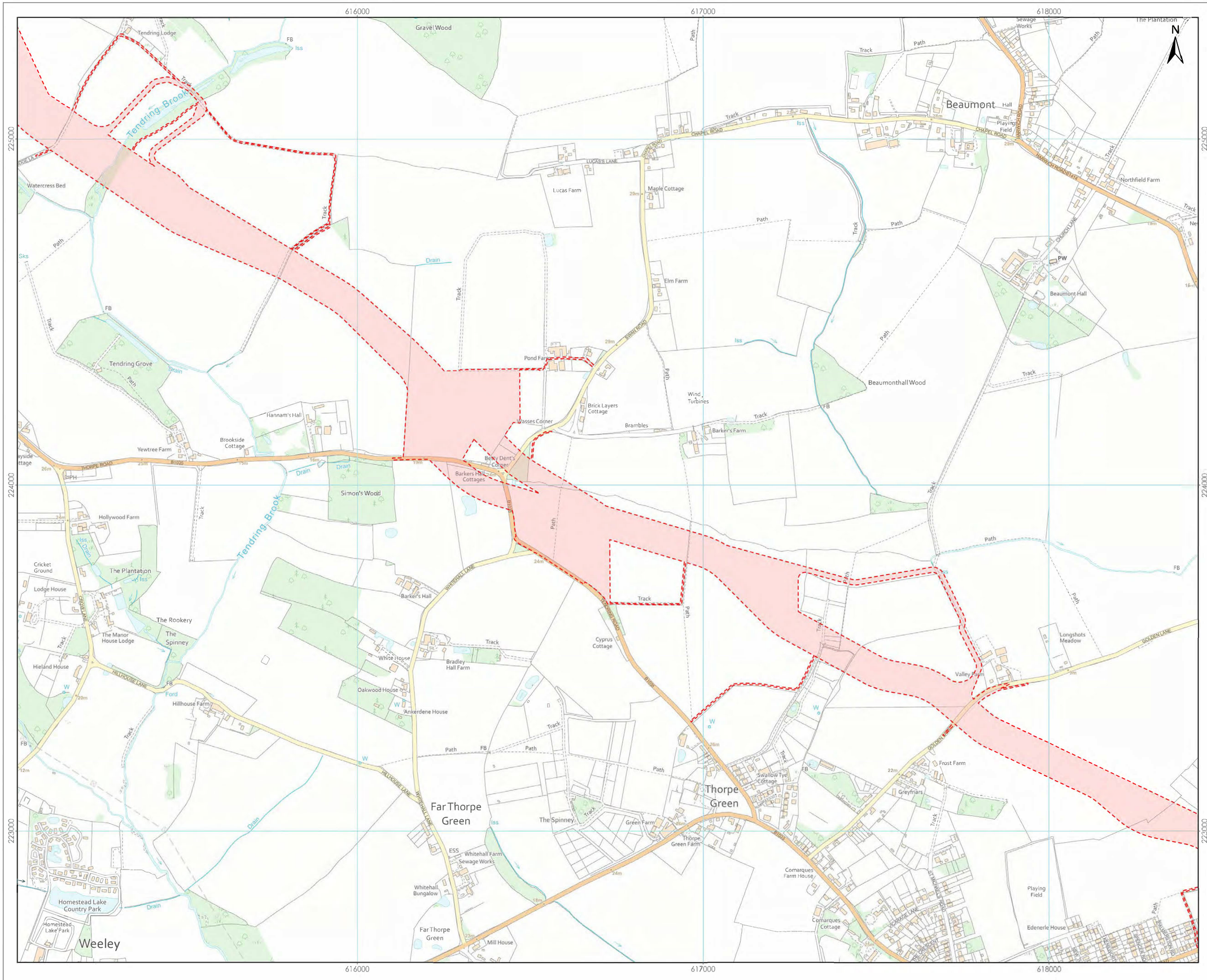
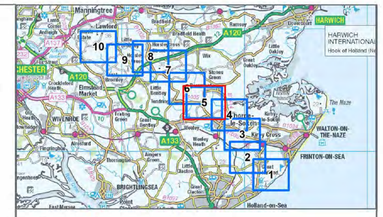
SCALE:	PLOT SIZE	DATUM:	PROJECTION:
1:5,000	A3	OSGB 1936	BNG

FIVE ESTUARIES
OFFSHORE WIND FARM





LEGEND

Onshore Red Line Boundary

0 100 200 400

Meters

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DRAWING NUMBER: - **Figure 1.1**

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SCALE:	1:5,000	PLOT SIZE:	A3	DATUM:	OSGB 1936	PROJECTION:	BNG

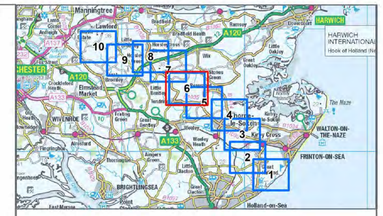
FIVE ESTUARIES OFFSHORE WIND FARM

614000 615000 616000 617000

226000 225000 224000

N

Tendring Green
Goose Green
Tendring
Oakley House
Wolves Hall Farm
Queach Grove
Wind Turbines
Higher Barn Farm
Stonehall Wood
Gravel Wood
Tendring Lodge
Tendring Brook
Tendring Grove
Simon's Wood
East Skighaugh
The Compasses
Broadmeadow Wo
Lucas Farm
Maple Cottage
Elm Farm
Pond Farm
Brick Layers Cottage
Brambles
Wasses Corner
Barkers Hall Cottages
Hannam's Hall
Brookside Cottage
Yewtree Farm
Wayside Cottage
Allot Gdns
The Hollies
Hall
War Mem
Tendring Grove
Hollywood Farm
Mill House
New Hall Farm
Hill Farm
Pilcox Wood
Woodfield Farm
Clare House
Romford House
Nearby
Church Farm
Old School House
Tanzara
Walnut House
Watercress Bed
Pond Farm
Kettlethorpe
Grange Farm
Glebe Farm
Meadow View Cottage
Middlefield House
Sewage Ppg Sta
Gooses Farm
Old Hall Farm
Stables
Lucas's Lane
Chapel Road
Heath Road
Wolves Hall Lane
Parsonage Lane
Dead Lane
Drowned Lane
Thorpe Road
Stonehall Lane
Clacton Road
Dairy Lane
Track
Path
Drain
Sks
Iss
FB
PW
PH
W
B1035



LEGEND

Onshore Red Line Boundary

0 100 200 400

Meters

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DRAWING NUMBER: - **Figure 1.1**

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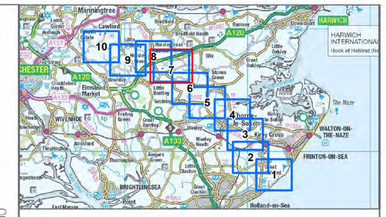
SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:5,000	A 3	OSGB 1936	BNG

FIVE ESTUARIES OFFSHORE WIND FARM

613000
614000
615000
228000
227000
226000
N
Horsley Cross
Goose Green
Tendring Heath
Tendring Green
Mill Green
Bradfield Lodge
Rosemary Cottage
Crossman's Farm
Track
CASSEY LANE
A120
Dove Cottage
Croft House
Burrow's Farm
COLCHESTER ROAD
Spring Farm
Arch Cottages
Thatched Cottage
Baker's Farm
Goose Green Cottages
Burnt Ash Farm
HONEYPOT LANE
Path
Webbs Cottage
Frith's Farm
Briary Cottage
Wind Turbines
Old Thatched Cottage
Woodberry Lodge
STONES GREEN ROAD
Drain
Abbotts Hall
CLACTON ROAD
Abbotts Hall Cottages
Kellys Farm
Hempstall's Farm
Newhouse Farm
Brook
Foggey Cottage
Brockett's Hall
Oaktree Manor
Knight's Farm
Highland House
Heathland House
Birch House
Stanley House
HEATH ROAD
The Stables
LITTLE BENTLEY ROAD
B1035
Old Hall Farm
Gosses Farm
PARSONAGE LANE
Meadow View Cottage
Middlefield House
Sewage Ppg Sta
OLD CHURCH LANE
Glebe Farm
Grange Farm
WOLVES HALL LANE
Oakley House
Queach Grove
Wolves Hall Farm
TENDRING ROAD
Brook Cottages
Malting Farm
FB
Iss
Ftp
Track
Path
Drain



LEGEND

Onshore Red Line Boundary

0 100 200 400
Meters

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SCALE: 1:5,000	PLOT SIZE: A3	DATUM: OSGB 1936	PROJECTION: BNG

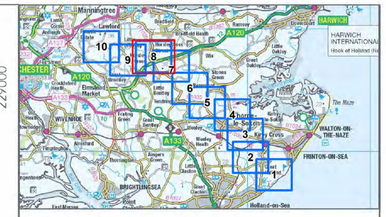
FIVE ESTUARIES OFFSHORE WIND FARM

611000 612000 613000 614000

229000 228000 227000

N

Neptune House
Wheelwright's Cottage
The Old School House / Th Old School House
Jubilee Cottages
Horsleycross Street
Bradfield Lodge
New Hall Cottages
New Hall
Aldercar
Mulley's Wood
Path
Track
Drain
Crossman's Farm
Arch Cottages
Goose Gre
Burnt Ash Farm
Abbotts Hall
Abbotts Hall Cottages
Horsley Cross
PH
Kellys Farm
Hempstall's Farm
Orchard Cottage
Welham's Farm
Craigus
Red House Farm
Byesland Orchard
Holland Brook
Newhouse Farm
Foggey Cottage
Tendring Heath
Oaktree Manor
Knight's Farm
Highland House
Pelhams Cottages
Pelhams Corner
A120
B1035
B1441
FB



LEGEND

Onshore Red Line Boundary

0 100 200 400

Meters

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Five Estuaries red line boundary in detail

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SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
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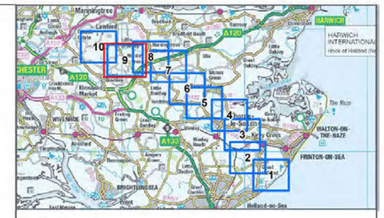
FIVE ESTUARIES OFFSHORE WIND FARM

609000 610000 611000

228000 227000

N



LEGEND

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0 100 200 400

Meters

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FIVE ESTUARIES OFFSHORE WINDFARM

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SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:5,000	A3	OSGB 1936	BNG

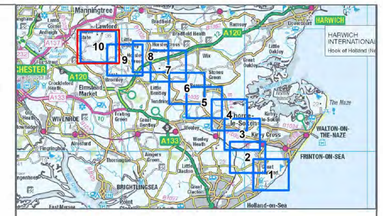
FIVE ESTUARIES OFFSHORE WIND FARM

607000 608000 609000

229000 228000

N

Charity Farm
Home Farm
Badliss Hall
Drain
Hungerdowns
Track
Badliss Hall Cottages
Mayfields Farm
Airstrip
Bounds Farm
Badley Hall
LITTLE BROMLEY ROAD
MORROW LANE
WATERHOUSE LANE
Morrowood Cottage
Moonraker
Old Shields Farm
Ilex Farm
Waterhouse Cottages
Waterhouse Farm
Stable House
Burnt Heath
Fields End
Mill House
MILL LANE
BIRCH ROAD
Spinney House Farm
Chapel House
Walnut Tree
Bromley Cross
ARDLEIGH ROAD
Pond Farm
Lilleys Farm
LILLEY'S LANE
Bottle Cottage
CARRINGTONS ROAD
Coppice View
Carringtons
ESS
Cattsgreen Farm
Norman's Farm
Manning Grove
Barlon House
Jenning's Farm
ARLESEY ROAD
Wind Turbine
Coach House
BARLON ROAD
Hollylodge Farm
Spinks's Farm
Hollylodge Cottages
Harvest House
Little Bromley
CHEQUERS ROAD
BROMLEY ROAD
Clover Cottage
Newhouse Farm
SPRATTS LANE
The Old Rectory
OAKFIELDS ROAD
Path
Track
Drain
FB
Iss
PW
36m
35m
34m
33m
32m



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SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:5,000	A3	OSGB 1936	BNG

FIVE ESTUARIES OFFSHORE WIND FARM

1.4 KEY ASSESSMENT CHANGES AND LIKELY IMPACTS FROM PEIR TO THE CURRENT PROPOSALS

1.4.1 The table below sets out the likely changes to the potential environmental impacts as a result of the changes between the proposals published as part of our Stage 2 consultation and the current updated proposals.

1.4.2 The Project is now unlikely to change significantly before final proposals are submitted as part of a DCO application. The application will be accompanied with an Environmental Statement, which will set out the environmental information collected and assessed based on the final proposals. It will also provide an understanding of the potential likely significant effects of the Project on the environment. It will follow the same structure as the PEIR and provide greater detail and certainty based on the final proposals.

Topic	Summary of assessment and impacts at PEIR	Key changes in impacts under the refined proposals (December 2023)
Landscape and Visual Impact Assessment	The PEIR (Volume 3, Chapter 2) provided an assessment of two alternative onshore substation search areas. It assessed representative viewpoints for each onshore substation search area. Indicative mitigation plans were prepared to indicate general extents of landscape screening. On that basis the PEIR presented a high level assessment of landscape and visual effects associated with the onshore Export Cable Corridor. The PEIR concluded that the Project would have the following potential effects: > Localised significant effects on landscape character; > Localised significant effects on visual amenity; and > Localised significant effects where trees, hedgetrees and taller hedgerows will be removed to facilitate onshore substation and onshore Export Cable Corridor construction. Following this assessment, the proposed use of screening and mitigation planting could reduce the landscape and visual impact to 'not significant'. Detailed cumulative assessment was not included at the PEIR stage owing to lack of available information relating to the substations for the National Grid and North Falls projects. High level assessment identified localised significant landscape and visual effects relating to interactions with National Grid and North Falls for the Substation Search Area West.	> On the basis of the changes to the Project there is a likely reduction in the significant effects along the Export Cable Corridor by use of Horizontal Directional Drilling (instead of open cut trenching) - reducing loss of trees, hedgetrees and taller hedgerows.
Socioeconomics, Tourism and Recreation	The PEIR (Volume 3, Chapter 3) provided an assessment of the likely significant effects of the Project on employment generation in the construction and operational phases, identifying the potential for a peak of 331 construction workers associated with the Export Cable Corridor route and 75 full time construction workers at the onshore substation. The PEIR provided a summary of the potential effects related to construction activity on accommodation / housing and particularly the most likely demand for tourist accommodation, summarising that the impact of construction activity on the displacement of visitors is likely to be insignificant, with the demand for construction-related accommodation estimated to represent approximately 0.064% of the serviced accommodation stock in Essex. The operational workforce of projects of a similar scale are not considered to be of a magnitude that would result in the displacement of tourism visitors, while also providing an additional revenue stream for accommodation businesses. It was considered that this would result in no effect in the deterrence of tourists. Analysis as part of baseline research within the PEIR identified 14 tourism assets within the local area of influence and considered the potential environmental effects from across various topic areas to identify the potential for effects to be either negligible or minor adverse. Maintenance work associated with the normal operations of the onshore infrastructure (including the landfall, cable route, substation and associated infrastructure) would have an overall limited impact on tourism receptors. The PEIR identified the potential for recreational effects – both onshore and offshore during construction and operation. The impacts on Public Rights of Way were considered low as the majority of these routes were short and alternatives will be available within the network and embedded mitigation. The residual effects for Public Rights of Way and National Cycle Routes were not considered likely to be significant, although for long-distance routes could be moderate and significant due to their high sensitivity in policy terms. The PEIR considered that the greatest level of impact due to construction on offshore recreation would be in reference to the effect of the offshore and landfall workings, including the construction of the landfall, the preparation, excavation and installation of the offshore export cables, offshore substation platforms, turbines and turbine foundations, although summarised that the significance of effects on bathing, watersports, scuba diving, recreational angling and recreational sailing is likely to be of negligible or minor adverse significance.	> At present, the updated proposals are not expected to result in any significant changes to the findings and impacts contained in the original PEIR.

Topic	Summary of assessment and impacts at PEIR	Key changes in impacts under the refined proposals (December 2023)
	With the operational lifetime of the Project expected to be up to 40 years, the PEIR anticipated that maintenance activities would be undertaken via normal service vessels and would not result in any impact to offshore receptors. Effects on community facilities within 500m of the Onshore red line boundary was considered to be negligible or minor adverse during construction.	
Onshore Biodiversity	The PEIR (Volume 3, Chapter 4) provided an assessment of the project on key ecological sites and species, examples of these within the study area include: > Hamford Water Special Area of Conservation, Special Protection Area and Ramsar > Stour and Orwell Estuaries Special Protection Area and Ramsar > Colne Estuary (Mid-Essex Coast Phase 2) Special Protection Area and Ramsar > Holland Haven Marshes Site of Special Scientific Interest and Local Nature Reserve > Local Wildlife Site within the red line boundary, including Simon's Wood, Great Holland Pits, and Thorpe Green > Ecological features, such as Hedgerows, Arable margins, Lowland meadow and Woodland, including mature trees > Ecological species such as GCN and common toad, Reptiles, birds, bats, badger, otter, water vole, dormouse, hedgehog, brown hare and harvest mouse. The study areas and species vary in their in their geographical scale of importance from local to international. Overall, through the implementation of avoidance, mitigation and compensation measures, it is considered that the likely overall effect on most ecological receptors is unlikely to be significant in EIA terms. The exception is hedgerows, lowland meadow, woodlands (excluding ancient semi-natural woodland and plantations on ancient woodland sites), notable plant species and invertebrates which could potentially experience effects in the short to medium term, but these are not likely to be significant in the long term. Any impacts could be mitigated through the use of appropriate construction controls, set out in the Code of Construction Practice and species / habitat specific measures which would be secured through a Landscape and Ecological Management Plan.	> The Project red line boundary width has been reduced, as part of this process the Project has been able to remove a number of ecological features from the red line boundary, including local wildlife sites. The Project has committed to trenchless crossings at a number of ecological features to reduce the direct impacts to them. > Beyond the above mentioned points, the assessment is unlikely to significantly differ from that in the original PEIR.
Ground Conditions and Land Use	The PEIR (Volume 3, Chapter 5) comprised an assessment of the available published data in relation to ground conditions and land use. The assessment looked at the potential impacts from the Project on construction workers, humans, soil, agricultural land, land quality as well as mineral deposits. Embedded designed in mitigation included reducing land take so far as practical, reinstating land to its original use, applying appropriate conditions from environmental permits, adherence to a Code of Construction Practice to include pollution prevention, soil management and industry best practices. The potential for contaminants (such as pesticides and fertilizers, small spillages and leakages of fuel or oil, waste materials and unexploded ordinance) contained within excavated ground and stockpiled materials is very unlikely. Aerial photography and preliminary site walkover have not indicated any visible impact suggesting the likely magnitude of contamination if present is very low. The published data review indicates that there are no known contaminated sites within the study area. The impact of the construction of the onshore export cable corridor and onshore substation on soil and land use receptors (workers, the public, soil & land quality and mineral deposits), is considered to be minor adverse, which is not significant in EIA terms. The North Falls and National Grid projects have the potential to overlap spatially with the Project which could lead to effects on a similar area of agricultural land. Should the projects overlap, this has the potential to lead to a cumulative permanent loss of agricultural land throughout operation. This could be significant at a local scale; however it would be considered not significant at a county scale. As the projects co-ordinate and progress through further design refinement prior to DCO submission, a better understanding of the potential cumulative impacts will be gained.	> Reduction of the Project red line boundary has reduced the overall footprint therefore reducing the land area that may be impacted. > Beyond this, the assessment is unlikely to significantly differ from that in the original PEIR.
Hydrology and Flood Risk	The potential hydrological and hydrogeological receptors in the study area of the PEIR (Volume 3, Chapter 6) included: > The tidal and fluvial floodplain; > Surface watercourses, including Main Rivers and ordinary watercourses or drains; > Near-shore tidal waters of the North Sea; and > Groundwater bodies and associated users.	> At present, the assessment is unlikely to significantly differ from that in the original PEIR; and > Further information will be available on the assessment of the project proposals on private water supplies.

Topic	Summary of assessment and impacts at PEIR	Key changes in impacts under the refined proposals (December 2023)
	These receptors vary in their environmental sensitivity from low to high. The assessed magnitude of the various identified impacts on water quality and flood risk varies from minor adverse to negligible. Overall, through the implementation of mitigation measures, including those specified in the Code of Construction Practice, it is considered that the likely overall effect on water quality and flood risk throughout construction, operation and decommissioning is not significant in EIA terms. The reliability of existing groundwater private water supplies through construction and operation of the Project will be investigated prior to submission of the DCO application. It is not expected that there will be any significant impact on private water supplies.	
Onshore Archaeology and Cultural Heritage	The PEIR (Volume 3, Chapter 7) is summarised as follows: **Archaeology** > Assessment was largely based upon desk-based sources and non-intrusive geophysical survey at PEIR. > The significance of buried archaeological assets was predicted at PEIR, with site data to come and inform the later Environmental Statement. > Magnitude of impact through physical effects (below ground activity) reported as high negative magnitude and permanent and irreversible. > Potential effects to buried archaeological remains can be reduced through programme of archaeological assessment and mitigation. **Cultural Heritage** > Two baseline assessments were prepared for PEIR, one for effects arising from the onshore substation to surrounding designated assets and another for effects arising from the offshore array on onshore assets. No significant impacts were identified from either.	> At present, the assessment is unlikely to significantly differ from that in the original PEIR. Although, a reduced project construction corridor width should result in reduced probability of potential impact to archaeological features.
Traffic and Transport	> The PEIR (Volume 3, Chapter 8) described the scope, relevant legislation, assessment methodology, and existing baseline conditions in the proposed project area and its surroundings. It considered any potential significant environmental effects, the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. > Embedded mitigations were identified and adopted as part of the evolution of the project design, these include project design measures, compliance with elements of good practice and use of standard protocols as follows: o Development of Project specific Outline Construction Traffic Management Plan, Outline Workforce Travel Plan, Outline Public Access Management Plan, and Strategy for Access. All of which set out the key principles and types of measures to be implemented during construction of the Project; o No road would be fully closed for cable installation under the public highway (Other than roads where the width of the carriageway is unlikely to permit one lane to be kept open). Horizontal Directional Drilling (or another trenchless technique) (or other trenchless crossing technique) will be utilised for the installation of the export cable under the A120 (and other roads where this is considered appropriate); o Temporary haul roads length would be maximised at construction sites, to remove as much HGV traffic from the local highway network as possible; and o Decommissioning works would be undertaken in accordance with best practice measures at the relevant time. > Further explanation of the predicted impacts of the proposed works is provided below. **Impacts assessed in the PEIR** > Peak Hour Traffic Impact: following assessment of the routes and predicted traffic numbers it was found that construction vehicle movements would be a negligible magnitude of impact and with any level of sensitivity the resulting adverse effect on driver severance and delay on all highway links would result in a negligible or minor significance which is not significant in terms of the EIA Regulations. > Impact of open trenching on highway links: following assessment of the possible roads that would be affected and given the very short duration of any temporary lane closure, the magnitude of impacts was assessed to be negligible, and the temporary adverse effect on driver severance and delay would be minor in significance, which is not significant in terms of the EIA Regulations.	> At present, the assessment is unlikely to significantly differ from that in the original PEIR. > Access route to the Substation zone via Harwich Road / B1027 and Waterhouse Lane as main construction accesses have been removed. Main construction access will be via Bentley Road only. > Commitment to horizontal directional drilling (or other trenchless technique) under a greater number of roads, with only four proposed temporary road closures (on very minor roads). > Construction access and haul road crossings defined and planned to be shared with North Falls Offshore Windfarm project – noting the location may alter within the export cable corridor route, post consent following more detailed design work. > More detailed cumulative assessment will be undertaken and will include some traffic data provided by National Grid and North Falls, compared to the estimated data at PEIR.

Topic	Summary of assessment and impacts at PEIR	Key changes in impacts under the refined proposals (December 2023)
	> Community Severance: In summary, there would be a negligible or minor adverse effect on community severance and dust and dirt on all the highway links, which is not significant in terms of the EIA Regulations, with the exception of Waterhouse Lane. However, the magnitude of impact could be reduced to negligible given HGVs already use the route and the number of pedestrian movements across the lane are likely to be limited, given there are no local facilities along it. This would result in an effect that has minor significance, which is not significant in terms of the EIA Regulations. > Vulnerable Road Users and Road Safety: In summary, there would be a negligible or minor adverse effect on vulnerable road users and road safety on all the highway links, which is not significant in terms of the EIA Regulations. > Pedestrian Amenity: In summary, there would be a negligible or minor adverse effect on pedestrian amenity on all the highway links, which is not significant in terms of the EIA Regulations, with the exception of: Waterhouse Lane, which has high sensitivity, is considered to be a medium magnitude of impact. This would result in an adverse effect that is major in significance which is significant in terms of the EIA Regulations. > Dust and Dirt: In summary, there would be a negligible or minor adverse effect on dust and dirt on all the highway links, which is not significant in terms of the EIA Regulations. > Users of Public Rights Of Way: In summary, there would be a negligible or minor adverse effect on public rights of way on all the highway links, which is not significant in terms of the EIA Regulations. **Cumulative Impacts** > Projects that may have overlapping construction programmes are considered as part of a cumulative assessment, namely North Falls Offshore Wind Farm and National Grid East Anglia Connection Node Substation. > As there is uncertainty regarding the potential highway links that would be impacted and the number of likely vehicle movement on those links associated with these projects, a full cumulative impact assessment could not be undertaken at this stage. However, given the export cable corridor for the North Falls project would follow a very similar alignment as our Project, and would be of a similar length, a high level estimate of the potential cumulative traffic impacts with that project has been undertaken. > Based on this high level cumulative assessment, there would be a particularly high increase in HGVs on Bentley Road should our Project and North Falls be constructed simultaneously and both projects use this link for access (also, there could be additional vehicles using Bentley Road associated with the construction of the East Anglia Connection Node Substation, depending on the access route used for that project). > Discussions are ongoing between the Five Estuaries and North Falls project teams regarding potential cumulative impacts and options to coordinate construction accesses along the respective export cable corridors and substation locations. Given the East Anglia Connection Node Substation may also use the same construction access routes as our Project and North Falls from the A120, including Bentley Road, a strategy to minimise impacts for these routes will be given consideration for assessment in the Environmental Statement.	
Noise and Vibration	> The PEIR assessment (Volume 3, Chapter 9) considered noise and vibration impact during construction at landfall, along the export cable corridor, around the onshore substation, and from construction traffic. > A cumulative assessment of construction and operational noise associated with the onshore substation was undertaken considering the Project and North Falls together, with further overview consideration of the National Grid substation. > Embedded mitigation in the Project design comprised good project design, control measures in the code of construction practice and good siting away from residential properties for the onshore substation. > Following initial assessments, further mitigation was found to be required at certain locations for particular activities as detailed below. All other noise related impacts were assessed to be insignificant in terms of EIA Regulations. **Landfall Construction** > Landfall construction at temporary construction compounds – given the wide ranging locations in certain areas further mitigation would need to be consider including the selection of quieter equipment, relocating noisier plant at greater distances from the noise sensitive receptors, the use of a noise barrier around the perimeter of the works, localised acoustic screening around noisy plant, the use of an enclosure, alternative piling methods such as continuous flight auger, vibro displacement or rotary bored during the night. This resulted in minor residual effects and all other construction activity would be of minor or negligible magnitude of impact, which	> At present, the updated proposals are not expected to result in any significant changes to the findings and impacts contained in the original PEIR.

Topic	Summary of assessment and impacts at PEIR	Key changes in impacts under the refined proposals (December 2023)
	upon medium sensitive receptors would be of minor effect or negligible effect, which are not significant in terms of the EIA Regulations. **Export Cable Corridor Construction** > The majority of construction activities would take place within the export cable corridor and could occur along the length of the corridor. The exception to this is horizontal directional drilling work and the construction of temporary construction compounds, where activity will be in limited areas. For export cable corridor construction activities that could occur along the entire length of the corridor, the installation of temporary haul roads provides a worst case as it is the noisiest. > There is a potential for medium to high impacts from the installation of temporary haul roads upon dwellings along the export cable corridor route. > The construction of temporary construction compounds has the potential for medium to high impacts upon dwellings. > Horizontal directional drilling will be utilised along the export cable corridor and at a number of crossing locations, such as major roads, the railway and rivers. Depending on the progress rates and techniques employed, noise and vibration effects due to drilling are relatively short-lived, in addition, levels of vibration are found to decrease rapidly with distance. Noise from horizontal directional drilling work has the potential for medium to high impacts upon dwellings > The exact number of dwellings exposed to medium to high impacts will vary greatly on where in the construction activity is taking place. In most cases it will be possible to reduce impacts to low or negligible by increasing the distance to the activity or by introducing temporary mitigation that is appropriate to the nature of the work being carried out. The reduced impacts would lead to a minor residual effect during the daytime and evenings, which would not be significant in terms of the EIA regulations. **Onshore Substation Operational Noise** > The assessment of noise impacts from operation of the onshore substation has been undertaken on the basis of the type, quantity and size of plant that is likely to be required. It should be noted that the final design of the substation has not been determined and so a maximum worst case design has been assessed. > The exact location of the onshore substation was not finalised at PEIR; however, the assessment considered four potential indicative locations. Each of the locations resulted in at least one receptor being exposed to a significant effect; therefore mitigation would be required. > A number of mitigation options are available that can be applied as appropriate, including electrical components with reduced sound power levels, enclosures or localised screening around selected noisy components, a noise barrier around some or all of the substation, repositioning the substation to be further away from receptors and using buildings and other structures within the substation to form a noise barrier. > On this basis, the highest residual rating level at a receptor would be 34 dB LAr, Tr, (the specific noise level plus any adjustment for characteristic features of the noise) which is very low and would be of low impact magnitude during the night-time. Furthermore, the change in sound level at all locations during the daytime and night-time would be negligible. Therefore, in the context of the development and surrounding area, a low residual impact would result after mitigation. This effect is considered not significant in terms of the EIA regulations.	
Air Quality	The PEIR (Volume 3, Chapter 10) assessment is summarised as follows: There are both human and ecological receptors within the Project's area of influence. Onshore construction areas have been assessed collectively. This aggregated approach increases the opportunity for greater derived sensitivities and dust emission magnitudes, and therefore represents the worst-case level of impact **Construction Dust Assessment** Given the low number of highly sensitive human receptors within 20 m of any potential construction works, and within 20 m of potential trackout routes, the sensitivity of the area with respect to human health impacts in relation to earthworks, construction and trackout is low. However, following best practice guidance the following measures have been included in the project design: > Stakeholder Communication Plan, public Hotline to report any issues. > Bunding and wetting of stockpiles, when appropriate to prevent dust escaping	> At present, the updated proposals are not expected to result in any significant changes to the findings and impacts contained in the original PEIR.

Topic	Summary of assessment and impacts at PEIR	Key changes in impacts under the refined proposals (December 2023)
	> Planting and covering exposed earth to prevent dust forming > Daily monitoring and inspection of dust > Best practice measures for vehicle maintenance, construction techniques and site housekeeping Considering the mitigation that is proposed above, construction dust impacts are removed or minimised. As such, residual effects are concluded to be not significant in terms of the EIA Regulations. **Road Traffic Assessment** Detailed screening was carried out throughout the onshore Project area. Following detailed dispersion model undertaken to quantify impacts on human and ecological receptors, road traffic effects from the construction phase on NO_2, PM10 and PM2.5 are found to be not significant in terms of the EIA regulations. Furthermore, onshore main construction works are expected to last up to approximately 24 months and as such, any consequential impacts onto local road traffic flows are believed to be temporary, with no long-term deterioration of conditions. Implementation of road traffic air quality mitigation measures is therefore not required. **Non-Road Mobile Machinery Emissions Assessment** Given the implementation of the controls provided under Construction Dust Emissions above, it is considered impacts associated with construction phase generated Non-Road Mobile Machinery emissions are not likely to be significant.	
Public Health	> The PEIR (Volume 3, Chapter 11) comprised a high level signposting document drawing on relevant information from other chapters. It listed the information from relevant chapters in relation to each topic covering public health, climate change and major disasters. > Additional mitigation measures proposed in the relevant technical chapters were considered from the perspective of human health impact; and > The overall conclusion is that after the relevant mitigation measures are applied, the Project would not cause any significant residual effects to human health.	> At present, the updated proposals are not expected to result in any significant changes to the findings and impacts contained in the original PEIR. Public health will now be reported within its own standalone ES chapter.
Climate Change	> The PIER (Volume 3, Chapter 11) compromised high-level signposting document drawing on information from other chapters covering public health, climate change and major disasters. > The overall conclusion related to climate change was that after the relevant mitigation measures are applied, the Project would not cause any significant adverse effect in relation to climate change. > It is expected that the Project will contribute to an overall reduction in greenhouse gas emissions regionally and globally, by displacing existing sources of fossil fuel energy generation.	> At present, the updated proposals are not expected to result in any significant changes to the findings and impacts contained in the original PEIR. > Additional work is being undertaken to assess greenhouse gas emissions through the Project's lifetime as well as the climate vulnerability of the Project and its' nearby receptors. > Climate change will now be reported within its own standalone ES chapter.

1.5 CONCLUDING REMARKS

1.5.1 Overall, the onshore updates to the Project since the publication of the PEIR, (which include refinement of the landfall area, with the northerly landfall option being dropped, a reduction in the width of the onshore export cable corridor, refinement of the onshore boundary, and the identification of the location for the Project's onshore substation within the original PEIR's Substation Search Area West), while seen as broadly beneficial in reducing impacts to a number of topics are not expected to result in any significant changes to the findings and impacts contained within the original PEIR document. The full Environmental Impact Assessment for the Project is still ongoing and will be reported within an Environmental Statement which will form part of the Project's Development Consent Order application, expected in early 2024.

2 CONSULTATION

2.1 HAVE YOUR SAY

2.1.1 Between **5 December 2023 and 31 January 2024**, we are consulting with those with land interests affected by the changes to the proposals set out in section 1.3. Feedback to the consultation will be helpful in finalising the detailed designs and final proposals.

2.1.2 This document and more detailed red line boundary plans can be found at www.fiveestuaries.co.uk/stage-3-consultation.

2.1.3 Our published Preliminary Environmental Information Report (March 2023) can be found at www.fiveestuaries.co.uk/document-library-general in the Stage 2 Consultation section of the document library.

2.1.4 If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation or earlier in the Project, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

2.2 HOW TO RESPOND

2.2.1 The deadline for submitting responses to the consultation is 11:59pm on **Wednesday 31 January 2024**. Responses received after this time may not be considered.

2.2.2 You can respond to the consultation through the following channels:

2.2.3 Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

2.2.4 Freepost FIVE ESTUARIES

2.2.5 You can email your feedback at fiveestuaries@dalcourmaclaren.com. Please include 'FEEDBACK' in the subject line.

2.3 CONTACT US

2.3.1 If you have any questions about this document or the Project's potential impact on your land interest, you can contact us using the Project's contact details or our land agent team by email at fiveestuaries@dalcourmaclaren.com or by calling 03331883514.

2.3.2 Alternatively, If you have general questions about the Project, consultation or information published, please contact us at any time using the details below.

Telephone: 0333 880 5306

Email: fiveestuaries@rwe.com

FIVE ESTUARIES OFFSHORE WIND FARM

PHONE 0333 880 5306
EMAIL fiveestuaries@rwe.com
WEBSITE www.fiveestuaries.co.uk
ADDRESS Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, SN5 6PB
COMPANY NO Registered in England and Wales
company number 12292474

9.3.2 Revised red line boundary – A3 series

These are identical to the plans contained in the PEIR Update Note December 2023 (Appendix 9.3.1, pages 239 to 248 of this document) and therefore have not been reproduced here to save file size. They were available separately on the Project website and can still be accessed there.

9.3.3 Frequently asked questions document

TARGETED LAND INTEREST CONSULTATION

Frequently asked questions

Date 8 December 2023
Revision 1

This FAQ has been published in support of our targeted consultation with land interests in Essex. More information about the consultation and proposals can be found on our website: www.fiveestuaries.co.uk/stage-3-consultation

If you have any further questions about the Five Estuaries Offshore Wind Farm project or the proposals for habitat compensatory measures, please contact us using the details at the end of this document.

I HAVEN'T RECEIVED A LETTER FROM YOU BUT I THINK MY LAND IS AFFECTED.

We have written to parties with an interest in land that has been either newly identified, newly affected or differently affected from what we consulted on during Stage 2 consultation (14 March to 12 May 2023). If you have not received a letter from us it is likely because there is no significant change in how our proposals affect you since the previous stage of consultation. If you would like to check this with us, please contact our land agent team using the details below .

I HAVE VIEWED THE PLANS BUT I DON'T UNDERSTAND THE POTENTIAL IMPACT ON MY LAND.

Our land agent team is available to talk through the plans and discuss how the Project relates to your interest. Please contact them using the details below.

I'M NOT A LAND OWNER, CAN I FEEDBACK TO THIS CONSULTATION?

We are just consulting with people with land interests, however you are always welcome to share your thoughts about the Project with us. We will be holding public events early in 2024 to provide a more in depth update on the Project before we submit our application for a Development Consent Order.

IF YOU ARE CONTINUING WITH THESE INTERESTS, DOES THAT MEAN YOU ARE COMMITTED TO AN ONSHORE CONNECTION INSTEAD OF AN OFFSHORE CONNECTION?

No. We are continuing to take part in the Offshore Transmission Network Review and we have applied for the Offshore Connection Support Scheme. However, because there a number of challenges in the delivery of an offshore connection for the wind farm, we are progressing with proposals for an onshore connection will other options are explored. Stopping progress towards a deliverable onshore connection proposal in favour of only looking at an offshore option would likely cause delay to the Project, and therefore in the generation of additional renewable electricity.

CONTACT US

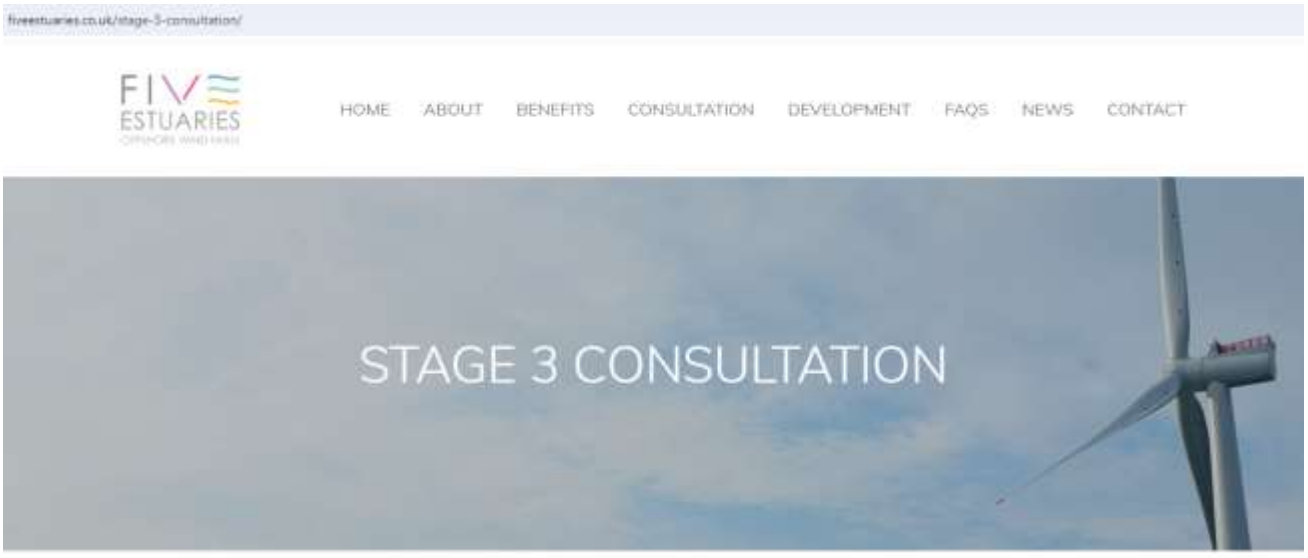
Dedicated land agent team

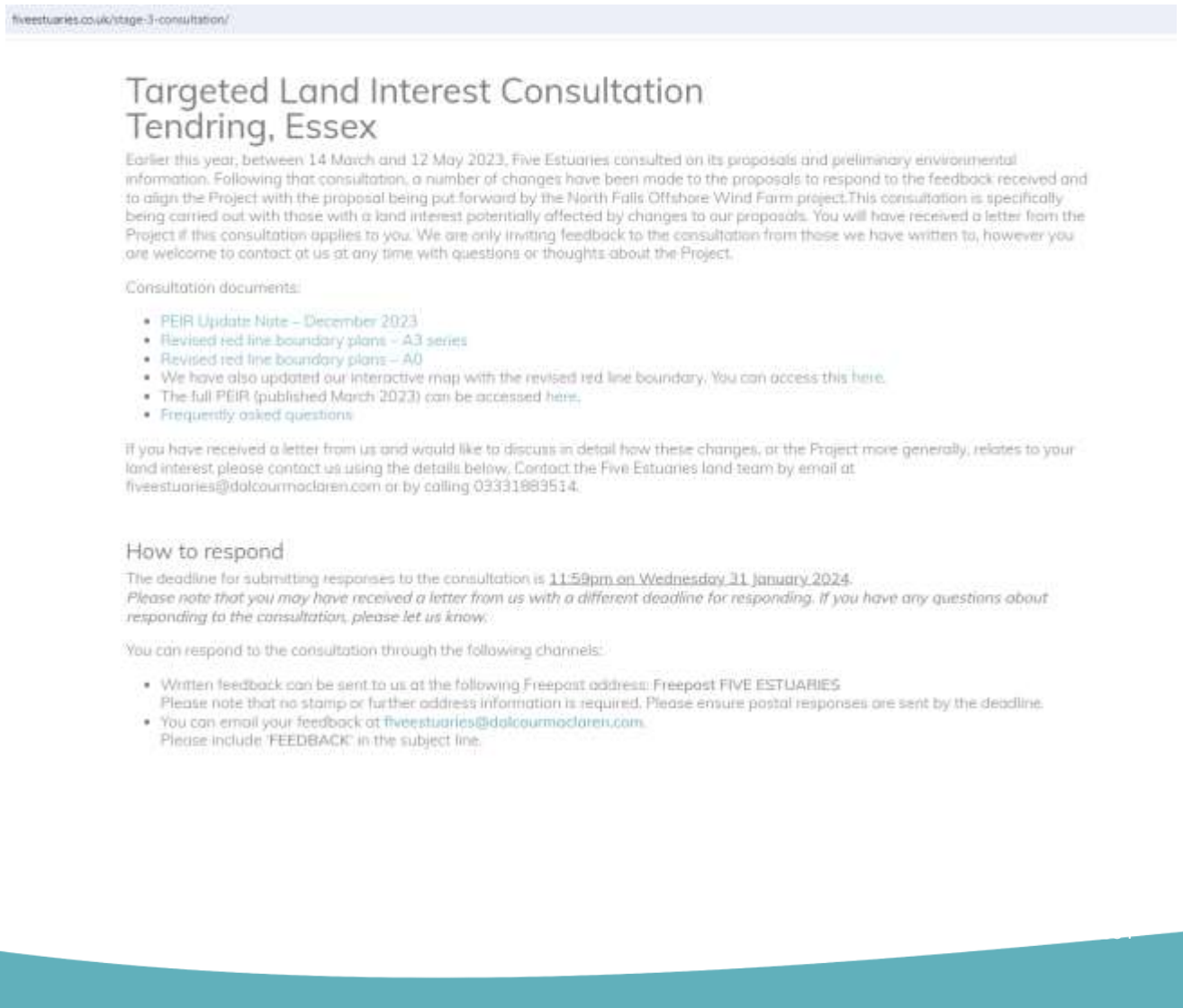
Telephone 0333 188 3514
Email fiveestuaries@dalcourmaclaren.com

General project enquires

Telephone 0333 880 5306
Email fiveestuaries@rwe.com

9.3.4 Project website screenshots





9.4 Issues and consideration

This appendix sets out the responses to the consultation from section 42(1)(d) consultees - PILs, how the Applicant has considered them and whether they have led to a change in the proposals. Issues raised from feedback have been summarised in line with the approach set out in Chapter 5.5 of the Consultation Report (document reference 5.1). Care has been taken to retain the meaning and context of responses summarised.

- The 'Number of times raised' column is an indication of the number of consultation responses that raised this general issue.
- Application document reference numbers are included in parenthesis after the name of the document.

Issue from feedback	Number of times raised	Project response and consideration	Project change? Y/N
Access/ Haul Roads/ Road Crossings Question as to why no direct link from the A120 for the haul road? Statement that there is a need for a stone haul road as soil road would be unsuitable. Concern that Bentley Road narrowing near Mulley's Farm would create a safety issue. Question of how the haul road will cross internal paths at Wolves Hall Lane. Concern regarding impact on new hedgerow and internal tracks on land. Statement that use as an access route is only appropriate during the summer and opposition to use more than once a year. Bentley Road widening - impact on drainage ditches and concern of loss of land. General concern on traffic impact on residences.	**15**	**A120** Direct access from the A120 would have included the construction of a significantly longer stand alone haul road, which would have worse environmental impacts. **Stone haul road** Noted. The Applicant is unable to commit to this but maximum design scenario has been assessed for stone. Detailed design of the haul road is down to contractors and but landowners will be engaged in the process.. **Bentley Road** Reducing the speed limits being looked at with Essex Highways. All changes to the road will go through the highways authority. **Internal paths/tracks Wolves Hall** The Applicant will work with farm to minimise impact and maintain access, Wolves Hall Lane will be crossed via HDD. Any impact on public rights of way would be managed via the process set out in the Outline Public Access Management Plan (document reference 9.25), providing appropriate diversions if necessary. **Impact on hedgerow** Discussions are ongoing with the landowner about access for operation and maintenance.	N
Archaeological Finds Claim that Applicant agreed that finds would be the landowner's property.	**4**	This will be Addressed as part of Heads of Terms and the Applicant is happy to discuss on a case by case basis. The Applicant has agreed that landowners will not need to surrender any rights they hold under the Treasure Act 1996 .	N
Bio-Security Concern regarding soil cross contamination and request for soil wash down.	**1**	The CoCP (document reference 9.21) includes precautions against invasive species. In addition, we will not leave severed areas to grow weeds that could be blown onto neighbouring fields.	Y
Cable Depth Request that a minimum soil cover / cable depth of 1.2m for drainage and irrigation purpose to enable land management in the same way as pre-construction.	**12**	Cables will generally be buried to a depth of not less than 1.2m.	Y
Cable Proximity Red line based under structure at New Hall. Concern that cable will limit future growth of farm yard.	**2**	The Applicant's understanding is that the comment relates to a property we are now avoiding. The other impact relates to proposed O&M access that would not impact on operations.	Y
Cable Route Landowner concerned about the cable route corridor bissecting their entire farm.	**1**	The Applicant is aware of the specific impact on this farm and will ensure provide access throughout the construction period. The Applicant will also look at ways of reducing impact throughout the detailed design process. Provable losses as a result of disruption will be part of any discussion regarding compensation.	N

Carbon Desire to work with the Applicant to use awkward fields for BNG or equivalent.	**2**	Noted.	N
Code of Construction Practice Criticism of lack of consultation on Outline CoCP and request to be consulted on it.	**13**	The Outline CoCP was included at Stage 2 consultation. In addition, the Outline CoCP was sent directly to affected landowners and land agents. The draft CoCP was also shared with the Land Agent Group in advance of finalisation. The CoCP (document reference 9.21) submitted as part of the application responds to issues and concerns that were raised from feedback from landowners at Stage 2 and from engagement. This includes provision for a dedicated Agricultural Liaison Officer and soil surveys pre-construction.	N
Compensation/ Landowners Time Concern regarding payment for landowners' time during discussion.	**2**	The Applicant has taken advice from its project land agents (Dalcour Maclaren) in respect of reimbursement of landowner time. Dalcour Maclaren would be pleased to clarify directly with affected landowners. A letter was sent to landowners on May 2023 to set this out.	N
Compounds Statement that proposed TCC only covers a small element of the landowner's land and therefore a request that it be designed to avoid. Request for more detail on the design of the TCC.	**2**	The Applicant will engage with landowners affected by proposed TCC locations as part of the development of the detailed design, and through construction via the Agriculture Liaison Officer.	N
Cropping / Farm Management Request for compensation of cropping licence fee income if fields become unviable or unavailable to growers. Request for compensation for disruption to running of the business.	**2**	Compensation is discussed individually with landowners. The Applicant does take farming practices and land use into account in these discussions.	N
Development Sites Statement that land being promoted for development in the Tendring Local Plan. Concern regarding impact on planned reservoir to supply farm. Concern regarding solar farm proposals currently at options stage. Concern regarding solar farm proposals with consent, south of the railway. Request for compensation based on theoretical future development for land near the A120.	**5**	**Land in the Tendring Local Plan** The corridor width has been reduced and moved as far as possible north to reduce impact. Further reduction of impact will be attempted throughout detailed design and engagement is continuing. **Reservoir** Following engagement with the landowner, a specific location for the reservoir has not been provided to the Applicant. We will continue to work with the landowner to minimise impact on their future plans where practicable. **Solar Farm - option** The Applicant's land agents have met with the landowner several times, compensation discussion will be had in depth and consider these proposals. **Solar Farm - consented** Significantly reduced impact since Stage 2 consultation following feedback, The Applicant will continue to work with the landowner on access/construction issues that may have limited impacted. **Theoretical development opportunity** `Compensation is based on provable losses.	Y
Drainage Request for pre- and post- construction drainage survey and scheme of works. Request that an independent consultant (paid for by the Applicant) be required to sign off on all works that affect drainage. Statement farm has four drainage schemes, all impacted by the route.	**6**	The Applicant notes these concerns. An Agriculture Liaison Officer will be appointed to work with landowners in the preparation for and during construction to help minimise disruption to ongoing activities. The Officer is a requirement of the Code of Construction Practice (document reference 9.21).	N

Concern regarding drainage on field and suggestion of HDD or pre-construction drainage.			
Easement Width Still believe easement width is excessive and sterilises too much land.	**3**	The width of the corridor has been narrowed considerably from Stage 2 to Stage 3 designs. Any further reduction will be based on detailed design.	N
Ecological Mitigation Opposition to the use of land for BNG (theoretical).	**1**	Noted.	N
Environmental Schemes Capital Grant Funding for planting new hedgerows along the track leading east - west from the farmyard, which the proposed temporary construction compound	**2**	Noted. Thank you for raising. The location mentioned is outside the TCC boundary and the Applicant will continue to avoid it as part of detailed design.	N
Heat Concern regarding heat from cables on crops and desire to see information.	**2**	Many famers ask us what impact the heat dissipated by the cables could have on their crop yields. Scientific studies* have determined that the heat from the underground cables has no negative impact. The degree to which the soil actually heats up depends on various factors including the transmission technology, the insulation of the cables and the bedding material that the cables are laid in. Key roles are also played by the ability of the soil itself to conduct heat, the degree to which the cable is being used and seasonal and weather-related fluctuations in temperature in the soil. What has been found is that any heat from the cables dissipates quickly as it rises and temperatures in the top layers of soil, where roots are found, are similar to those measured in reference points away from the cable system. *Conducted by soil ecologist Prof. Dr. Peter Trüby of Freiburg University	N
Joint Bays and Link Boxes Concern regarding inability to confirm link box locations that won't impact on farm use. Seeking confirmation that boxes will be flush to ground.	**13**	Where possible link boxes will be located in sympathetic locations such as field boundaries, but their location is ultimately driven by the electrical system design. Any impact on farming activities would be factored in to compensation discussions. Link boxes are flush to the ground with a manhole for access.	N
Mitigations to Bentley Road List of suggestions to mitigate the impact of works to Bentley Road including: > Reduce traffic times to 8am to 6pm Monday to Friday only; > Moving the works to the east to avoid impact on residence; > Installation of a grass verge / bollards to restrict parking / noise screening / a footpath to ensure access; > Provide/upgrade double glazing; > Repair and remediation; and > Window / façade / house cleaning.	**1**	The Applicant notes the suggested mitigations provided. These will be considered as part of the detailed design development and ongoing discussions with landowners along Bentley Road. Discussions are ongoing with other projects that may also use Bentley Road as part of their proposals for access. Trackout is dealt with in the CoCP (document reference 9.21), which includes outline measure of how this will be reduce. Specific mitigations/compensations will be part of ongoing discussions with this landowner.	N
Noise Concern regarding noise impacts of HDD work and 24-hour drilling.	**1**	Position of the route and the use of barriers, enclosures and quieter drilling techniques will be used to minimise any noise interruption. In addition, 24-hour drilling is not proposed. Other than exceptional circumstances, the Applicant does not expect work to extend beyond the core work hours set out in the Code of Construction (document reference 9.21).	N
Objection to proposals Four PILs collectively state their opposition to the proposals.	1	The land in question is proposed for operation and maintenance access only. The Applicant has contacted the PILs to continue engagement.	N
Offshore option	**13**	The Applicant has explored this option through its involvement with the Offshore Transmission Network Review and the Offshore Connection Support Scheme. In lieu of an	N

Statement that an offshore connection removes the need to impact on the land at all.		offshore connection option, the Applicant is progressing with a consentable proposal that is within national policy. The Applicant has set out how it could deliver this in the Offshore Connection Scenario document (document reference 9.29).	
Previous Consultation Submission Statement that previous consultation response still stands.	**4**	Noted.	N
Radiation & Electromagnetic Field Concern regarding EMFs impact on crops.	**1**	Electro-Magnetic Fields (EMFs) are produced both naturally and as a result of certain human activities. The earth has a magnetic field produced by currents deep inside the core of the planet; the earth is also subject to electric fields produced by electrical activity in the atmosphere such as thunderstorms. The Earth's magnetic field is approximately 50 µT (microteslas) in the UK. EMFs are inevitable wherever electricity is produced, distributed, and used, including electrical substations, power lines and from household electrical equipment but the level of the magnetic field produced by alternating current (AC) underground power cables is less than the Earth's magnetic field in the UK. Moreover, EMFs from the electricity grid are low frequency and non-ionising. This term means that they do not have enough energy to cause damage to human or animal cells in the same way ionising radiation does. More information on EMF's is available in Section 28 of the Five Estuaries Project Scoping Report.	N
Scheme Proposal / Process Criticism of that the level of engagement and detail of plans is below what is expected. Partially linked with the inclusion of Bentley Road improvements at Stage 3. Statement that the proposed number of circuits is still too many.	**5**	**Engagement issues** The improvements to Bentley Road were introduced after Stage 2 consultation (although the potential need for highways and junctions improvements were referred to at Stage 2 consultation). Land interests potentially affected by the works to Bentley Road were contacted as soon as possible, as a key element of Stage 3 consultation. Engagement with land interests is set out in more detail in Chapter 3.5. **Circuits** The proposals are for up to two onshore circuits, which is the minimum the Applicant can commit to at this stage of design to deliver a viable connection.	N
Soil Management Plan/ Analysis Statement of need for independent pre- and post- construction soil survey/analysis and for this to be available to the landowner. Comments relating to approach, cover cropping and compensation.	**14**	**Soil Surveys** Soil surveys have now been included in the Code of Construction Practice (document reference 9.21). **Cover cropping** This will be part of the ongoing compensation discussion with individual land interests.	Y
Sporting - Equestrian, Shoot etc. Concern regarding impact on livery business. Concern regarding impact on commercial shoot. Need to have access to claim birds.	**6**	**Livery business** The Applicant will engage with businesses to ensure a full understanding of how they use the land and ensure that the Project maintains access. **Shoot** Compensation considers commercial losses if there's an impact. The Agricultural Liaison Office (as per the CoCP - 9.21) will work with the stakeholders on an individual basis to manage any interactions with planned shoots.	N
Substations Detailed list of concerns regarding substation issues including: - drainage impacts; - lack of bunding;	**3**	If granted consent, the DCO represents an approximate equivalent to an outline planning permission. Significant amounts of detailed design development are still required for the onshore substation as well as screening and mitigation. The Onshore Substation Design Principles Document (document reference 9.4) set out overarching principles. Engagement with the landowner and other stakeholders will be carried out in the development of the	N

- lack of engagement on detail; - why not brownfield; - limitation on use of land post consent; - issues with screening planting; and - frustration at lack of detail.		detailed design.	
Traffic Concern regarding impact of construction traffic on farming activities particularly during harvest and on Bentley Road.	**4**	The proposed improvements to Bentley Road are to help manage the additional traffic generated during the construction period.	Y
VE/ NF Collaboration Comments regarding the desire to see the coordinated construction.	**14**	Following requests from stakeholders throughout the development of both projects, the potential for coordinated delivery of elements of the onshore construction have been developed. These are set out in the Co-ordination Document (document reference 9.30). The delivery of coordinated construction activities is dependent on the projects hitting certain milestones.	Y
Water Run Off/ Water Supplies etc. Concern regarding water runoff from the substation site affecting surrounding land.	**2**	Flood risk is assessed as part of the Hydrology, Hydrogeology and Flood Risk chapter of the ES (document reference 6.3.6). The onshore substation site is within Flood Zone 1, i.e., outside of the tidal and fluvial floodplain. In addition, appropriate surface water drainage would be implemented to mitigate against potential flood risk. Surface water drainage measures would be implemented to ensure that runoff from the site is managed and restricted to approved rates, thereby not increasing surface water flood risk.	N

10. STAGE 3 CONSULTATION – COMPENSATORY SITES CONSULTATION

10.1 List of section 42 consultees

10.1.1 Regulation 42(1)(a) – prescribed persons

Consultee	Name	Address
The Health and Safety Executive	Health and Safety Executive	Redgrave Court, Merton Road, Bootle, Merseyside, L20 7HS
The National Health Service Commissioning Board	NHS England	Swift House, Hedgerows Business Park, Colchester Road, Springfield, Chelmsford, CM2 5PF
The relevant Clinical Commissioning Group	NHS North East Essex CCG	Aspen House, Severalls Business Park, Stephenson Road, Highwoods, Colchester, CO4 9QR
Natural England	Natural England	Foss House, Kings Pool, 1-2 Peasholme Green, York, YO1 7PX
The Historic Buildings and Monuments Commission for England	Historic England	Brooklands, 24 Brooklands Avenue, Cambridge, CB2 8BU
The relevant fire and rescue authority	Suffolk Fire and Rescue Service	Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX
The relevant police and crime commissioner	Suffolk Police and Crime Commissioner	The Office of the Police and Crime Commissioner, Police Headquarters, Portal Avenue, Martlesham Heath, Suffolk, IP5 3QS
The Environment Agency	The Environment Agency	Iceni House, Cobham Road, Ipswich, Suffolk, IP3 9JD
The Joint Nature Conservation Committee	Joint Nature Conservation Committee	Quay House, 2 East Station Road, Fletton Quays, Peterborough, PE2 8YY
The Maritime and Coastguard Agency	The Maritime and Coastguard Agency	Spring Place, 105 Commercial Road, Southampton, SO15 1EG
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - Thames & East England	Iceni Way, Colchester, Essex, CO2 9BY
The Marine Management Organisation	Marine Management Organisation	Lancaster House, Hampshire Court, Newcastle upon Tyne, NE4 7YH
The Civil Aviation Authority	Civil Aviation Authority	Aviation House, Beehive Ringroad, Crawley, West Sussex, RH6 0YR
The Relevant Highways Authority	Suffolk County Council	Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX
The relevant strategic	National Highways	National Traffic Operations Centre, 3

highways company		Ridgeway, Quinton Business Park, Birmingham, B32 1AF
Trinity House	Trinity House	Tower Hill, London, EC3N 4DH
The Crown Estate Commissioners	The Crown Estate	1 St James's Market, London, SW1Y 4AH
Ministry of Defence	Ministry of Defence	Whitehall, London, SW1A 2HB
AONBs	Suffolk Coast and Heaths Area of Outstanding Natural Beauty	Saxon House, 1 Whittle Road, Hadleigh Road Industrial Estate, Ipswich, IP2 0UH
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	Transport East	C/O Suffolk County Council, Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
Coal Authority	Coal Authority	200 Lichfield Lane, Mansfield, Nottinghamshire, NG18 4RG
Canal & River Trust	Canal & River Trust	National Waterways Museum Ellesmere Port, South Pier Road, Ellesmere Port, Cheshire, CH65 4FW
The Crown Estate	The Crown Estate	1 St James's Market, London, SW1Y 4AH
Secretary of State for Transport	Secretary of State for Transport	Great Minster House, 33 Horseferry Road, London, SW1P 4DR
The Forestry Commission	The Forestry Commission	Navigation House, Angelgate, Harwich, CO12 3EJ
United Kingdom Health Security Agency	United Kingdom Health Security Agency	Nobel House, 17 Smith Square, London, SW1P 3JR
DEFRA	Department for Environment Food & Rural Affairs - Marine & Fisheries	Seacole Building, 2 Marsham Street, London, SW1P 4DF

10.1.2 Regulation 42(1)(b) and 43(1)

Consultee	Address
Ipswich Borough Council	Grafton House, 15-17 Russell Road, Ipswich, IP1 2DE
Mid Suffolk District Council	Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
Barbergh District Council	Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
Essex County Council	County Hall, Market Road, Chelmsford, CM1 1QH
Suffolk County Council	Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
Cambridgeshire County Council	New Shire Hall, Emery Crescent, Enterprise Campus, Weald, Huntingdon, PE28 4YE
South Norfolk Council	The Horizon Centre, Broadland Business Park, Peachman Way, Norwich, NR7 0WF
North Norfolk District Council	Holt Road, Cromer, Norfolk, NR27 9EN
Broadlands District Council	The Horizon Centre, Broadland Business Park, Peachman Way, Norwich, NR7 0WF
Norfolk County Council	County Hall, Martineau Lane, Norwich, NR1 2DH
East Suffolk District Council	Riverside, 4 Canning Road, Lowestoft, NR33 0EQ

10.1.3 Relevant parish councils

Consultee	Address
Aldeburgh Town Council	The Moot Hall, Market Cross Place, Aldeburgh, Suffolk, IP15 5DS
Orford and Gedgrave Parish Council	The Town Hall, Market Hill, Woodbridge, Suffolk, IP12 2NZ
Sudbourne Parish Council	Neutral Farm House, Mill Lane, Butley, Woodbridge, Suffolk, IP12 3PA
New Orford Town Trust	The Town Hall, Market Hill, Woodbridge, Suffolk, IP12 2NZ

10.1.4 Relevant statutory undertakers

Consultee	Name	Address
The relevant Clinical Commissioning Group	NHS Ipswich and East Suffolk CCG	Endeavour House, 8 Russell Road, Ipswich, Suffolk, IP1 2BX
The National Health Service Commissioning Board	NHS England	Swift House, Hedgerows Business Park, Colchester Road, Springfield, Chelmsford, CM2 5PF
The relevant NHS Trust	East of England Ambulance Service NHS Trust	Whiting Way, Melbourn, Cambridgeshire, SG8 6EN
The relevant Health Service Body - Special	NHS Suffolk and North East Essex	Aspen House, Stephenson Road, Severalls Business Park, Colchester,

Health Authorities	Integrated Care Board (ICB)	CO4 9QR
The relevant NHS Foundation Trusts	East Suffolk and North Essex NHS Foundation Trust	Trust Offices, Colchester Hospital, Turner Road, Colchester, Essex, CO4 5JL
Railways	Network Rail Infrastructure Ltd	One Eversholt Street, London, NW1 2DN
Railways	Highways England Historical Railways Estate	National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham, B32 1AF
Railways	Greater Anglia (Abellio East Anglia Limited)	2nd Floor, 18-20 St Andrew Street, London, EC4A 3AG
Lighthouse	Trinity House	Tower Hill, London, EC3N 4DH
Civil Aviation Authority	Civil Aviation Authority	Aviation House, Beehive Ringroad, Crawley, West Sussex, RH6 0YR
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding	4000 Parkway, Whiteley, Fareham, Hants, PO15 7FL
Universal Service Provider	Royal Mail Group	185 Farringdon Road, London, EC1A 1AA
The relevant Environment Agency	The Environment Agency	Iceni House, Cobham Road, Ipswich, Suffolk, IP3 9JD
The relevant water and sewage undertaker	Affinity Water	Tamblin Way, Hatfield, Hertfordshire, AL10 9EZ
The relevant water and sewage undertaker	Anglian Water	3 Lancaster Road, Hartlepool, TS24 8LW
The relevant public gas transporter	Cadent Gas Limited	Pilot Way, Ansty Park, Coventry, CV7 9JU
The relevant public gas transporter	Energy Assets Pipelines Limited	Ship Canal House 98, King Street, Manchester, M2 4WU
The relevant public gas transporter	ES Pipelines Ltd	Bluebird House, Mole Business Park, Leatherhead, KT22 7BA
The relevant public gas transporter	ESP Networks Ltd	Bluebird House, Mole Business Park, Leatherhead, KT22 7BA
The relevant public gas transporter	ESP Pipelines Ltd	Bluebird House, Mole Business Park, Leatherhead, KT22 7BA
The relevant public gas transporter	ESP Connections Ltd	Bluebird House, Mole Business Park, Leatherhead, KT22 7BA
The relevant public gas transporter	Fulcrum Pipelines Limited	2 Europa View, 2 Europa View, Sheffield, S9 1XH
The relevant public gas transporter	GTC Pipelines Limited	Synergy House, Woolpit Business Park, Bury St Edmunds, IP30 9UP
The relevant public gas transporter	Harlaxton Gas Networks Limited	Toll Bar Road, Marston, Grantham, NG32 2HT
The relevant public gas transporter	Independent Pipelines Limited	Synergy House, Woolpit Business Park, Bury St Edmunds, IP30 9UP
The relevant public	Indigo Pipelines	Lambwood Hill, Grazeley, Reading, RG7

gas transporter	Limited	1JQ
The relevant public gas transporter	Last Mile Gas Ltd	Fenick House, Lister Way, Hamilton International Technology Park, Glasgow, G72 0FT
The relevant public gas transporter	Leep Gas Networks Limited	Metro Building 2nd Floor, 33 Trafford Road, Salford, Manchester, M5 3NN
The relevant public gas transporter	Murphy Gas Networks limited	Hawks Green Lane, Cannock, Staffordshire, WS11 7LH
The relevant public gas transporter	National Grid Gas Plc	1 - 3 Strand, London, WC2N 5EH
The relevant public gas transporter	Quadrant Pipelines Limited	Synergy House, Woolpit Business Park, Bury St Edmunds, IP30 9UP
The relevant public gas transporter	Scotland Gas Networks Plc	St Lawrence House, Station Approach, Horley, Surrey, RH6 9HJ
The relevant public gas transporter	Southern Gas Networks Plc	St Lawrence House, Station Approach, Horley, Surrey, RH6 9HJ
The relevant electricity generator with CPO Powers	Five Estuaries Offshore Windfarm Limited	Windmill Hill Business Park, Whitehill Way, Swindon, SN5 6PB
The relevant electricity generator with CPO Powers	Galloper Wind Farm Limited	Galloper Wind Farm Operations & Maintenance Facility, Phoenix Road, Essex, CO12 4GD
The relevant electricity generator with CPO Powers	Greater Gabbard Offshore Winds Limited	No.1 Forbury Place, 43 Forbury Road, Reading, RG1 3JH
The relevant electricity generator with CPO Powers	North Falls Offshore Wind Farm Limited	Windmill Hill Business Park, Whitehill Way, Swindon, SN5 6PB
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited	Olney Office Park, 25 Osier Way, Olney, Buckinghamshire, MK46 5FP
The relevant electricity distributor with CPO Powers	Last Mile Electricity Ltd	Fenick House, Lister Way, Hamilton International Technology Park, Glasgow, G72 0FT
The relevant electricity distributor with CPO Powers	Energy Assets Networks Limited	Ship Canal House 98, King Street, Manchester, M2 4WU
The relevant electricity distributor with CPO Powers	ESP Electricity Limited	Bluebird House, Mole Business Park, Leatherhead, KT22 7BA
The relevant electricity distributor with CPO Powers	Forbury Assets Limited	43 The Forbury, Reading, RG1 3JH
The relevant electricity distributor with CPO Powers	Fulcrum Electricity Assets Limited	2 Europa View, 2 Europa View, Sheffield, S9 1XH
The relevant electricity distributor with CPO Powers	Harlaxton Energy Networks Limited	Toll Bar Road, Marston, Grantham, NG32 2HT

The relevant electricity distributor with CPO Powers	Independent Power Networks Limited	Synergy House, Woolpit Business Park, Bury St Edmunds, IP30 9UP
The relevant electricity distributor with CPO Powers	Indigo Power Limited	Lambwood Hill, Grazeley, Reading, RG7 1JQ
The relevant electricity distributor with CPO Powers	Leep Electricity Networks Limited	Metro Building 2nd Floor, 33 Trafford Road, Salford, Manchester, M5 3NN
The relevant electricity distributor with CPO Powers	Murphy Power Distribution Limited	Hawks Green Lane, Cannock, Staffordshire, WS11 7LH
The relevant electricity distributor with CPO Powers	The Electricity Network Company Limited	Synergy House, Woolpit Business Park, Bury St Edmunds, IP30 9UP
The relevant electricity distributor with CPO Powers	UK Power Distribution Limited	6500 Daresbury Park, Daresbury, Warrington, WA4 4GE
The relevant electricity distributor with CPO Powers	Utility Assets Limited	53 High Street, Cheveley, Newmarket, Suffolk, CB8 9DQ
The relevant electricity distributor with CPO Powers	Vattenfall Networks Limited	70 St Mary Axe, London, EC3A 8BE
The relevant electricity distributor with CPO Powers	Eastern Power Networks Plc	Newington House, 237 Southwark Bridge Road, London, SE1 6NP
The relevant electricity distributor with CPO Powers	UK Power Networks Limited	6500 Daresbury Park, Daresbury, Warrington, WA4 4GE
The relevant electricity transmitter with CPO Powers	Diamond Transmission Partners Galloper Limited	Mid City Place, 71 High Holborn, London, WC1V 6BA
The relevant electricity transmitter with CPO Powers	Greater Gabbard OFTO Plc	3rd Floor, South Building, 200 Aldersgate Street, London, EC1A 4HD
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc	1 - 3 Strand, London, WC2N 5EH
The relevant electricity transmitter with CPO Powers	TC Gunfleet Sands OFTO Ltd	3 More London Riverside, London, SE1 2AQ
The relevant electricity interconnector with CPO Powers	BritNed Development Limited	1 - 3 Strand, London, WC2N 5EH
The relevant electricity interconnector with CPO Powers	NeuConnect Britain Ltd	105 Piccadilly, London, W1J 7NJ

Internal drainage board	East Suffolk Water Management Board	c/o Pierpoint House, 28 Horsley's Fields, King's Lynn, Norfolk, PE30 5DD

10.1.5 Additional non-prescribed consultees

Consultee	Address
English Heritage	The Engine House, Fire Fly Avenue, Swindon, SN2 2EH
Woodland Trust	Kempton Way, Grantham, Lincolnshire, NG31 6LL
Office of Rail and Road	Public Correspondence Team, 25 Cabot Square, London, E14 4QZ
Ofgem	10 South Colonnade, Canary Wharf, London, E14 4PU
The Water Services Regulation Authority (Ofwat)	City Tower, 7 Hill Street, Birmingham, B5 4UA
Suffolk Resilience Forum	Endeavour House, 8 Russell Road, Ipswich, IP1 2BX
RSPB	The Lodge, Potton Road, Sandy, SG19 2DL
The Wildlife Trust	The Kiln, Mather Road, Newark, NG24 1WT
Suffolk Wildlife Trust	Brooke House, Ashbocking, Ipswich, IP6 9JY
National Trust	Heelis, Kemble Drive, Swindon, SN2 2NA
Royal National Lifeboat Institution	West Quay Road, Poole, BH15 1HZ
National Federation of Fishermen's Organisations	30 Monkgate, York, YO31 7PF
National Farmers Union	Agriculture House, Willie Snaith Road, Newmarket, Suffolk, CB87SN
Suffolk Constabulary	Portal Avenue, Martlesham Heath, Martlesham, Ipswich, IP5 3QS
Eastern Inshore Fisheries and Conservation Authority	6 North Lynn Business Village, Bergen Way, King's Lynn, Norfolk, PE30 2JG
The Office of Nuclear Regulation	4th Floor, Windsor House, 50 Victoria Street, London, SW1H 0TL
Sea Link	*Letter by email*
Tarchon Energy Ltd	*Letter by email*
Nautilus Interconnector	*Letter by email*
Tendring District Council	*Letter by email*
UK Chamber of Shipping	*Letter by email*
Port of London Authority	*Letter by email*
DP World / London Gateway	*Letter by email*
Port of Felixstowe	*Letter by email*
Brightlingsea Harbour Commissioners Brightlingsea Harbour Commissioners	*Letter by email*
Stena Line	*Letter by email*
DFDS Seaways	*Letter by email*
Sunk Vessel Traffic Service	*Letter by email*
Hanson Aggregates Marine	*Letter by email*
Royal Yachting Association	*Letter by email*

CLdN Group	*Letter by email*
United European Car Carriers	*Letter by email*
Intrada Ships	*Letter by email*
A2B	*Letter by email*
Mediterranean Shipping Company (U.K.) Ltd.	*Letter by email*
Cemex	*Letter by email*
Tarmac Marine	*Letter by email*
British Marine Aggregate Producers Association	*Letter by email*
Royal National Lifeboat Institution	*Letter by email*
Cruising Association	*Letter by email*
National Federation of Fishermen's Organisations	*Letter by email*
P&O Ferries	*Letter by email*
East Anglia Two	*Letter by email*
Eastern Inshore Fisheries and Conservation Authority	*Letter by email*
Hutchison Port Holdings	*Letter by email*
BT Group	*Letter by email*
Concerto	*Letter by email*
Whales and Dolphins Conservation	*Letter by email*
Orford and District Fishermen’s Association	*Letter by email*
Harwich Fishermen’s Association	*Letter by email*
Felixstowe Ferry Fishermen’s Association	*Letter by email*
Southwold Fishermen’s Representative	*Letter by email*
Aldeburgh Fishermen’s Association	*Letter by email*

10.1.6 Persons as defined by section 44

Consultee	Address
The Eastern Sea Fisheries Joint Committee	Unit 6, North Lynn Business Village, Bergen Way, North Lynn Industrial Estate, KING'S LYNN, PE30 2JG
The Crown Estate Commissioners	1 St. James's Market, LONDON, SW1Y 4AH
United Kingdom Atomic Energy Authority	Culham Science Centre, ABINGDON, Oxfordshire, OX14 3DB
The National Trust For Places Of Historic Interest Or Natural Beauty	Kemble Drive, SWINDON, Wiltshire, SN2 2NA
The King's Most Excellent Majesty In Right Of His Crown	1 St. James's Market, LONDON, SW1Y 4AH
East Suffolk Council	County Hall, IPSWICH, Suffolk, IP4 2JS
Edward Bernard Greenwell	Gedgrave Hall, Orford, WOODBRIDGE, Suffolk, IP12 2BY
The United Kingdom Atomic Energy Authority	Culham Centre for Fusion Energy, Culham Science Centre, ABINGDON, OX14 3DB
Secretary of State for Defence	Property Legal Team, Ministry of Defence, Defence Infrastructure Organisation Mailpoint 2216, Poplar 2, Abbey Wood, BS34 8JH
Barclays Security Trustee Limited	1 Churchill Place, LONDON, E14 5HP
Eastern Power Networks PLC	Newington House, 237 Southwark Bridge Road, LONDON, SE1 6NP
Lloyds Bank PLC	25 Gresham Street, LONDON, EC2V 7HN
Cobra Mist Limited	Kempstone Lodge, Kempstone, Litcham, KING'S LYNN, PE32 2LG
Trinity House	Trinity House, Tower Hill, LONDON, EC3N 4DH
Aldeburgh Yacht Club	Slaughden Road, ALDEBURGH, IP15 5NA
Henry Peter Trotter	Charterhall, Duns, Berwickshire, TD11 3RE
Royal Society For The Protection Of Birds	The Lodge, Potton Road, SANDY, Bedfordshire, SG19 2DL
Richard John Pipe	Boyton Hall, Mill Lane, Boyton, WOODBRIDGE, IP12 3LN
Michael Oliver Watson	Chillesford Lodge, Sudbourne, WOODBRIDGE, IP12 2AN
Alastair James Watson	Lanwades Stud, Moulton Road, Kennett, NEWMARKET, CB8 8QS
George William Watson	The Groomery, Chillesford Lodge Estate, Sudbourne, WOODBRIDGE, IP12 2AL
Alexander Bernard Trotter	Gedgrave Hall, Gedgrave, WOODBRIDGE, IP12 2BX
Norfolk Vanguard Limited	70 St Mary Axe, LONDON, EC3A 8BE
Norfolk Boreas Limited	70 St Mary Axe, LONDON, EC3A 8BE
East Anglia One North Limited	1 Tudor Street, LONDON, EC4Y 0AH
East Anglia Two Limited	1 Tudor Street, LONDON, EC4Y 0AH
The Parish Council of Orford and Gedgrave	The Town Hall, Market Hill, Orford, WOODBRIDGE, IP12 2NZ
Bryan Frederick Upson	Riverview, Hazlewood Street, Friston, SAXMUNDHAM, IP17 1PG
Russell Frederick Upson	32 Linden Road, ALDEBURGH, IP15 5JH

Barbara Irene Upson	32 Linden Road, ALDEBURGH, IP15 5JH
Alexander Bernard Peter Greenwell	Gedgrave Hall, Gedgrave, WOODBRIDGE, IP12 2BX
James Peter Scallan	31 Saxon Way, Melton, WOODBRIDGE, IP12 1LG
Richard David Hallum Roberts	Smithy Cottage, 29 High Street, Orford, WOODBRIDGE, IP12 2NW
R F Upson & Sons Limited	Fitzroy House, Crown Street, IPSWICH, Suffolk, IP1 3LG
William Herbert Briggs	66 Seaward Avenue, LEISTON, IP16 4BE
Jack Douglas Saunders	1 Manor Gardens, SAXMUNDHAM, IP17 1ET
John Richard Walker	Hillsett, Upper Padley, Grindleford, HOPE VALLEY, S32 2JA
Robert Stuart Tindall	Mill Farm, Cleobury North, BRIDGNORTH, WV16 6RP

10.2 Example section 42 letters

10.2.1 Prescribed consultees

Our reference: Section 42 – Prescribed consultees
Date: 4 December 2023
T: 0333 880 5306
E: fiveestuaries@rwe.com

Five Estuaries Offshore Wind Farm Project – Habitat improvement proposals
Stage 3 Consultation: 5 December 2023 to 31 January 2024
Section 42 of the Planning Act 2008 ('the Act')

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

Between 5 December 2023 and 31 January 2024 we are consulting on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines. All of the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, Five Estuaries must apply for a Development Consent Order (DCO) from the Secretary

of State to build and operate the project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

The requirements for applications to the Secretary of State for a DCO are set out in the Act, and subsequent guidance issued by the Government and the Planning Inspectorate. The relevant information can be found here: https://infrastructure.planninginspectorate.gov.uk.

Stage 3 consultation – habitat compensatory measures

Earlier this year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Since that consultation, the need to provide habitat improvements for lesser black-backed gulls has been confirmed, in line with the requirements of the Habitats Regulations. To include these habitat improvements within the application, Five Estuaries is required to consult on its proposals in the Alde Ore Estuary Special Protection Area (SPA) in Suffolk, including with those prescribed under section 42 of the Act. We are carrying out this consultation between **5 December 2023 and 31 January 2024.**

We have identified you as a prescribed consultee under section 42 of the Act and/or Regulation 11 of the 2017 Regulations, or we have determined that it would be appropriate to consult you on our proposals.

Compensatory habitat improvements – proposals

As part of our ongoing assessment of the potential environmental impacts of the Project, we have identified the Project is predicted to impact lesser black gulls, a number of which are associated with the Alde Ore Estuary SPA. The Habitats Regulations require that where a protected site may be adversely affected, and that effect cannot be avoided, the impacts are compensated for or offset by measures such as improving habitat and breeding success for those bird species affected.

As a result of the predicted impacts and through discussion with Natural England (the government's adviser for the natural environment), we need to implement compensatory measures to offset this potential impact. More information about this assessment and process can be found in our draft Report to Inform Appropriate Assessment (RIAA); specifically the 'Lesser Black-Backed Gull Compensation – Ecological Evidence, Approach To Site Selection And Roadmap' and the 'Lesser Black-Backed Gull Compensation – Site Selection Note'. The RIAA was published in May 2023 and can be found at www.fiveestuaries.co.uk/document-library-RIAA.

In order to compensate for our potential impacts, we are proposing habitat improvements within or close to the Special Protection Area.

Habitat improvement would include various measures such as fencing around the perimeter of the chosen site, managing vegetation to support nesting (strimming of ground vegetation), and assessing and controlling predator (for example rats or foxes) effects. This would make the area more attractive to breeding pairs and reduce the amount of predation. The initial works would take a number of weeks to complete, and would be carried out outside of nesting season.

Routine maintenance would be carried out a few times a year to check the quality of the habitat and fencing. In addition, annual monitoring of the lesser black-back gulls nesting would be carried out to determine if the measures are working as intended. It is expected the site would remain in operation throughout the lifetime of the Five Estuaries project (i.e. up to 40 years).

We are currently looking at four potential sites for the improvements, three on the northern half of Orford Ness and one site approximately 800m south west of Orford on the mainland on the edge of the estuary.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- **HRA Compensatory Sites for Lesser Black-Backed Gulls Consultation Booklet**, which sets out more information about the proposals.
- **Plans** showing the proposed red-line boundary for the compensatory sites.

More information about the Project, our published Preliminary Environmental Information Report (March 2023) and our draft Report to Inform Appropriate Assessments (May 2023) can accessed free of charge on the website (www.fiveestuaries.co.uk/document-library-general) and will also be available to inspect until the close of this consultation. The Preliminary Environmental Information Report is in the Stage 2 Consultation section of the document library.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation or earlier in the Project, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

How to respond to the consultation

This letter and its contents form part of the consultation process required by the Act. Your comments will help us refine our proposals. The deadline for submitting responses to the consultation is 11:59pm on Wednesday 31 January 2024. Responses received after this time may not be considered.

You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

Freepost FIVE ESTUARIES

- You can email your feedback at fiveestuaries@rwe.com. Please include 'FEEDBACK' in the subject line.

Five Estuaries welcomes further engagement with you on any other matters that interest you, outside of this consultation. The DCO regime expects the developer and consultees to work together to resolve as many issues as possible before an application is submitted. This consultation and our wider engagement are key parts of this process. Any consultation responses will be considered by us and will be reported in the Consultation Report which will accompany the DCO application.

If you have any questions about this the project, consultation or information published, please contact us using the details below.

Kind regards,

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

10.2.2 Persons with an interest in the land

Our reference: Section 42(1)(d) letter – Land interest
Date: 4 December 2023
T: 0333 188 3514
E: fiveestuaries@dalcourmaclaren.com

CONTACT NAME
ORGANISATION
ADDRESS 1
ADDRESS 2
ADDRESS 3
ADDRESS 4
POST CODE

Five Estuaries Offshore Wind Farm Project – Habitat improvement proposals
Stage 3 Consultation: 5 December 2023 to 31 January 2024
Section 42 and 44 of the Planning Act 2008 ('the Act')

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

Between 5 December 2023 and 31 January 2024 we are consulting on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines. All of the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

We are writing to you as our proposals potentially affect land that you have an interest in. This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction

of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, Five Estuaries must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

The requirements for applications to the Secretary of State for a DCO are set out in the Act, and subsequent guidance issued by the Government and the Planning Inspectorate. The relevant information can be found here: https://infrastructure.planninginspectorate.gov.uk.

Stage 3 consultation – habitat compensatory measures

Earlier this year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Since that consultation, the need to provide habitat improvements for lesser black-backed gulls has been confirmed, in line with the requirements of the Habitats Regulations. To include these habitat improvements within the application, Five Estuaries is required to consult on its proposals in the Alde-Ore Estuary Special Protection Area in Suffolk, including with those prescribed under section 42 of the Act. We are carrying out this consultation between **5 December 2023 and 31 January 2024.**

We are writing to parties that we have identified as having an interest in the land that is potentially affected by these proposals. We are also writing to parties who otherwise meet the criteria of Section 44 of the Act.

Compensatory habitat improvements – proposals

As part of our ongoing assessment of the potential environmental impacts of the Project, we have identified the Project is predicted to impact lesser black gulls, a number of which are associated with the Alde Ore Estuary SPA. The Habitats Regulations require that where a protected site may be adversely affected, and that effect cannot be avoided, the impacts are compensated for or offset by measures such as improving habitat and breeding success for those bird species affected.

As a result of the predicted impacts and through discussion with Natural England (the government's adviser for the natural environment), we need to implement compensatory measures to offset this potential impact. More information about this assessment and process can be found in our draft Report to Inform Appropriate Assessment (RIAA); specifically the 'Lesser Black-Backed Gull Compensation – Ecological Evidence, Approach To Site Selection And Roadmap' and the 'Lesser Black-Backed Gull Compensation – Site

Selection Note'. The RIAA was published in May 2023 and can be found at www.fiveestuaries.co.uk/document-library-RIAA.

In order to compensate for our potential impacts, we are proposing habitat improvements within or close to the Special Protection Area.

Habitat improvement would include various measures such as fencing around the perimeter of the chosen site, managing vegetation to support nesting (strimming of ground vegetation), and assessing and controlling predator (for example rats or foxes) effects. This would make the area more attractive to breeding pairs and reduce the amount of predation. The initial works would take a number of weeks to complete, and would be carried out outside of nesting season.

Routine maintenance would be carried out a few times a year to check the quality of the habitat and fencing. In addition, annual monitoring of the lesser black-back gulls nesting would be carried out to determine if the measures are working as intended. It is expected the site would remain in operation throughout the lifetime of the Five Estuaries project (i.e. up to 40 years).

We are currently looking at four potential sites for the improvements, three on the northern half of Orford Ness and one site approximately 800m south west of Orford on the mainland on the edge of the estuary.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- **HRA Compensatory Sites for Lesser Black-Backed Gulls Consultation Booklet**, which sets out more information about the proposals.
- **Plans** showing the proposed red-line boundary for the compensatory sites.

More information about the Project, our published Preliminary Environmental Information Report (March 2023) and our draft Report to Inform Appropriate Assessments (May 2023) can accessed free of charge on the website (www.fiveestuaries.co.uk/document-library-general) and will also be available to inspect until the close of this consultation. The Preliminary Environmental Information Report is in the Stage 2 Consultation section of the document library.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation or earlier in the Project, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

How to respond to the consultation

This letter and its contents form part of the consultation process required by the Act. Your comments will help us refine our proposals. The deadline for submitting responses to the consultation is 11:59pm on Wednesday 31 January 2024. Responses received after this time may not be considered.

You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address.
  Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

  Freepost FIVE ESTUARIES
- You can email your feedback at fiveestuaries@dalcourmaclaren.com. Please include 'FEEDBACK' in the subject line.

Any consultation responses will be considered by us and will be reported in the Consultation Report which will accompany the DCO application.

If you would like to meet to discuss the changes, your property, or the Project in general, please let us know you can contact us using the Project's contact details below, or contact our land agent team by email at fiveestuaries@dalcourmaclaren.com or by calling 03331883514.

Kind regards,

[redacted]

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

10.2.3 Letter to the Broads Authority

Our reference: Section 42 – Prescribed consultees
Date: 21 February 2024
T: 0333 880 5306
E: fiveestuaries@rwe.com

Planning and Resources
Broads Authority
Yare House
62-64 Thorpe Road
Norwich
NR1 1RY

Five Estuaries Offshore Wind Farm Project – Habitat improvement proposals
Stage 3 Consultation
Section 42 of the Planning Act 2008 ('the Act') – Duty to consult on a proposed application

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm.

Between 5 December 2023 and 31 January 2024, we consulted on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines. We are now carrying out an exercise to ensure all prescribed bodies have been consulted, and would like to invite you to comment on the proposals by **21 March 2024**. An early reply would be much appreciated.

All of the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

This letter explains the context of the consultation, how to find out more information, and how to respond to us.

Background

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine

generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, Five Estuaries must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

The requirements for applications to the Secretary of State for a DCO are set out in the Act, and subsequent guidance issued by the Government and the Planning Inspectorate. The relevant information can be found here: https://infrastructure.planninginspectorate.gov.uk.

Stage 3 consultation – habitat compensatory measures

Last year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Since that consultation, the need to provide habitat improvements for lesser black-backed gulls has been confirmed, in line with the requirements of the Habitats Regulations. To include these habitat improvements within the application, Five Estuaries is required to consult on its proposals in the Alde Ore Estuary Special Protection Area (SPA) in Suffolk, including with those prescribed under section 42 of the Act.

We have identified you as a local authority as defined by section 42(1)(b) of the Act.

Compensatory habitat improvements – proposals

As part of our ongoing assessment of the potential environmental impacts of the Project, we have identified the Project is predicted to impact lesser black gulls, a number of which are associated with the Alde Ore Estuary SPA. The Habitats Regulations require that where a protected site may be adversely affected, and that effect cannot be avoided, the impacts are compensated for or offset by measures such as improving habitat and breeding success for those bird species affected.

As a result of the predicted impacts and through discussion with Natural England (the government's adviser for the natural environment), we need to implement compensatory measures to offset this potential impact. More information about this assessment and process can be found in our draft Report to Inform Appropriate Assessment (RIAA); specifically the 'Lesser Black-Backed Gull Compensation – Ecological Evidence, Approach To Site Selection And Roadmap' and the 'Lesser Black-Backed Gull Compensation – Site

Selection Note'. The RIAA was published in May 2023 and can be found at www.fiveestuaries.co.uk/document-library-RIAA.

In order to compensate for our potential impacts, we are proposing habitat improvements within or close to the Special Protection Area.

Habitat improvement would include various measures such as fencing around the perimeter of the chosen site, managing vegetation to support nesting (strimming of ground vegetation), and assessing and controlling predator (for example rats or foxes) effects. This would make the area more attractive to breeding pairs and reduce the amount of predation. The initial works would take a number of weeks to complete, and would be carried out outside of nesting season.

Routine maintenance would be carried out a few times a year to check the quality of the habitat and fencing. In addition, annual monitoring of the lesser black-back gulls nesting would be carried out to determine if the measures are working as intended. It is expected the site would remain in operation throughout the lifetime of the Five Estuaries project (i.e. up to 40 years).

Based on consultation feedback to date, we have refined our proposals to three potential sites on the northern half of Orford Ness and confirmed that all access to the sites would by boat.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- **HRA Compensatory Sites for Lesser Black-Backed Gulls Consultation Booklet**, which sets out more information about the proposals.
- **Plans** showing the proposed red-line boundary for the compensatory sites.

More information about the Project, our published Preliminary Environmental Information Report (March 2023) and our draft Report to Inform Appropriate Assessments (May 2023) can accessed free of charge on the website (www.fiveestuaries.co.uk/document-library-general) and will also be available to inspect until the close of this consultation. The Preliminary Environmental Information Report is in the Stage 2 Consultation section of the document library.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation or earlier in the Project, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

How to respond to the consultation

This letter and its contents form part of the consultation process required by the Act. Your comments will help us refine our proposals. The deadline for submitting responses to the consultation is 11:59pm on Thursday 21 March 2024. Responses received after this time may not be considered.

You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

Freepost FIVE ESTUARIES

- You can email your feedback at fiveestuaries@rwe.com. Please include 'FEEDBACK' in the subject line.

Five Estuaries welcomes further engagement with you on any other matters that interest you, outside of this consultation. The DCO regime expects the developer and consultees to work together to resolve as many issues as possible before an application is submitted. This consultation and our wider engagement are key parts of this process. Any consultation responses will be considered by us and will be reported in the Consultation Report which will accompany the DCO application.

If you have any questions about this the project, consultation or information published, please contact us using the details below.

Kind regards,

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

10.2.4 Response from the Broads Authority

Response to the consultation dated 11 March 2024:

From: Ruth Sainsbury [redacted]@broads-authority.gov.uk>
Sent: 11 March 2024 15:49
To: fiveestuariesa@rwe.com
Subject: FEEDBACK: Five Estuaries - Pre-submission letter

FAO: Diane Mailer, Project Lead

Re: Stage 3 Consultation
Expiry Date: 21 March 2024

Thank you for your email.

Having reviewed the information you sent I can confirm that the Broads Authority has no comment to make on the Habitat Improvement Proposals.

Kind Regards,

Ruth Sainsbury [redacted] Guidance on gender pronouns
Senior Planning Officer BA (Hons) MCD MRTPI
[redacted]@broads-authority.gov.uk

Broads Authority
Yare House, 62-64 Thorpe Road, Norwich NR1 1RY

Email to Project inbox attaching the response, received 18 March 2024.

From: Ruth Sainsbury <[redacted]@broads-authority.gov.uk>
Sent: 18 March 2024 12:39
To: Five Estuaries
Subject: [EXT] RE: Five Estuaries - habitat improvements consultation
Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Ross

Following your emails to my colleague, Callum, I can confirm that the Broads Authority formally replied to your consultation last Monday.
I attach the email for you above.

Kind Regards,

Ruth Sainsbury [redacted] Guidance on gender pronouns
Senior Planning Officer MRTPI
[redacted]@broads-authority.gov.uk

Broads Authority
Yare House, 62-64 Thorpe Road, Norwich NR1 1RY

10.3 Section 46 notification letter

Our reference: Section 46 – Notification to the Secretary of State
Date: 4 December 2023
T: 0333 880 5306
E: fiveestuaries@rwe.com

The Rt Hon Claire Coutinho MP
Secretary of State for Energy Security and Net Zero
c/o **KJ Johansson, Case Manager**
Planning Inspectorate
Temple Quay House
2 The Square, Temple Quay
Bristol,
BS1 6PN
fiveestuaries@planninginspectorate.gov.uk

Five Estuaries Offshore Wind Farm Project (Planning Inspectorate reference EN10115)
Sections 42 and 46 Planning Act 2008
Statutory notification and consultation: 5 December 2023 to 31 January 2024

Dear Mr Johansson,

Five Estuaries Offshore Wind Farm Limited ('Five Estuaries') is developing its plans for a wind farm in the southern North Sea, off the coast of Suffolk. The proposed development ('the Project') is adjacent to the existing Galloper Offshore Wind Farm. As the Project has a generating capacity in excess of 100MW in English waters, it is a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As the Inspectorate is aware, the Applicant therefore intends to make an application to the Secretary of State for a Development Consent Order ('DCO') for the Project in 2024.

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring, Essex.

The Project is an Environmental Impact Assessment development. The DCO application will include full details of the Project and will be accompanied by an Environmental Statement in accordance with the Act and the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. The draft DCO application will also include inter alia powers of compulsory acquisition of land and rights, powers of temporary possession, powers to take access and to alter streets and highways.

Between **5 December 2023 and 31 January 2024** Five Estuaries are carrying out two consultations as its third stage of consultation. These consultations are:

- **HRA Habitat compensatory measures consultation**: A consultation on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact from our proposed offshore wind turbines; and
- **Targeted land interest consultation**: A targeted consultation with those with an interest in the land affected by changes to the onshore proposals in Tendring District, Essex, that have been made since statutory consultation earlier this year (14 March to 12 May 2023).

HRA Habitat compensatory measures consultation – East Suffolk

Since the statutory consultation earlier this year, the need to provide habitat improvements for lesser black-backed gulls has been confirmed, in line with the requirements of the Habitats Regulations. To include these habitat improvements within the application, Five Estuaries is required to consult on its proposals in the Alde-Ore Estuary Special Protection Area in Suffolk, including with those prescribed under section 42 of the Act.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- A **HRA Compensatory Sites for Lesser Black-Backed Gulls Consultation Booklet**, which sets out more information about the proposals; and
- Site **plans** of the proposed locations.

Targeted land interest consultation – Tendring District, Essex

Following our previous stage of consultation, a number of changes have been made to the proposals to respond to the feedback received. The updated proposals also consider how the Project might best coordinate with the proposals being put forward by the North Falls Offshore Windfarm Project – a nearby project also in development, with the same proposed landfall and connection point to the national electricity transmission network.

We are consulting with parties under section 42(d)/section 44 that we have identified as having an interest in the land that is either newly within the proposed development area for the Five Estuaries project or is differently affected following changes to the proposals.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- The **Preliminary Environmental Information Report** (PEIR), which sets out the current environmental baseline, the Project's potential benefits and impacts, and our proposals to mitigate those impacts. This includes a Non-Technical Summary;
- **PEIR Update Note – December 2023** providing a short high level summary of likely changes in impacts from the Project red-line boundary assessed for the PEIR to the new revised red-line boundary; and
- **Plans** showing the new proposed red-line boundary for the Project.

Notification under section 46 of the Act

Under section 46 of the Act, we are required to notify the Secretary of State before the start of consultation under section 42 – please therefore treat this letter as that notification.

In accordance with section 46 of the Act, we enclose example letters for your attention, which are the documents that will be supplied to consultees as part of the Applicant's duty to consult under section 42 of the Act for both consultations.

We are seeking feedback from consultees under section 42 of the Act. The deadline for submitting responses to the consultation is 11:59pm on 31 January 2024.

If you have any questions about this the project, consultation or information published, please contact us using the details below.

Kind regards,

[redacted]

Diane Mailer
Project Lead
Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

10.4 Receipt of section 46 notification

The Planning Inspectorate

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: fiveestuaries@planninginspectorate.gov.uk

By email only

Your Ref:

Our Ref: EN010115

Date: 07 December 2023

Dear James

Planning Act 2008 (as amended) – Section 46 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulation 8

Proposed application by Five Estuaries Offshore Wind Farm Ltd for an Order Granting Development Consent for the Five Estuaries Offshore Wind Farm

Acknowledgement of receipt of information concerning proposed application

Thank you for your letter of 05 December 2023 and the following documentation:

- Example letter for land interest consultation
- Example letter for Targeted land interest consultation
- Example letter for s42 consultation

For Targeted Land Interest Consultation Tendering, Essex

- PEIR update Note – December 2023
- Revised red line boundary plans – A3 and A0

For Habitat Compensatory Measures Consultation, East Suffolk

- Habitat improvement proposals – Consultation Document
- Site plans (Without access routes)
- Site plans (with construction access routes)
- Lesser Black-Backed Gull Compensation – Ecological Evidence
- Lesser Black-Backed Gull Compensation – Site Selection Note

I acknowledge that you have notified the Planning Inspectorate of the proposed application for an Order granting development consent for the purposes of section 46 of the Planning Act 2008 and supplied the information for consultation under section 42. The following reference number has been given to the proposed application, which I would be grateful if you would use in subsequent communications:

EN010115

I also acknowledge notification in accordance with Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that you propose to provide an environmental statement in respect of the Proposed Development.

I will be your point of contact for this application – contact details are at the top of this letter.

The role of the Planning Inspectorate in the application process is to provide independent and impartial advice about the procedures involved and to have open discussions with potential applicants, statutory bodies and others about the processes and requirements of the regime. It is important that you keep us accurately informed of your timetable and any changes that occur.

We will publish advice we give to you or other Interested Parties on our website and, if relevant, direct parties to you as the Applicant. We are happy to meet at key milestones and/or provide advice as the case progresses through the Pre-application stage.

In the meantime, you may wish to have regard to the guidance and legislation material provided on our website including the Infrastructure Planning (Fees) Regulations 2010 (as amended) and associated guidance, which you will need to observe closely in establishing the correct fee to be submitted at the successive stages of the application process.

When seeking to meet your pre-application obligations you should also be aware of your obligation under the current data protection legislation to process personal data fairly and lawfully.

If you have any further queries, please do not hesitate to contact me.

Yours sincerely

[redacted]

Karl-Jonas Johansson
Case Manager

This decision was made by officials on behalf of the Secretary of State under delegated powers.

10.5 Publicity

10.5.1 Letter to residents and businesses

FIVE ESTUARIES
OFFSHORE WIND FARM

ADDRESS 1
ADDRESS 2
ADDRESS 3
ADDRESS 4
POST CODE

4 December 2023

Five Estuaries Offshore Wind Farm Project – Habitat improvement proposals
Stage 3 Consultation: 5 December 2023 to 31 January 2024

I am writing to you on behalf of the Five Estuaries Offshore Wind Farm Project ('the Project'), which is a proposed extension to the operational Galloper Offshore Wind Farm off the coast of Suffolk. Between 5 December 2023 and 31 January 2024 we are consulting on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact from our proposed offshore wind turbines on the species.

All of the onshore infrastructure required to connect the proposed wind farm to the national electricity transmission network would be located in the Tendring peninsula, in Essex; this element of the Project was subject to a separate consultation between 14 March and 12 May 2023. The consultation we are writing to you about only relates to proposed habitat improvement measures around Orford Ness.

This letter sets out the background for the consultation and Project more generally, and how you can feedback on the proposals.

Habitat compensatory measures consultation

We have recently confirmed the need to provide habitat improvements for lesser black-backed gulls for the Project. Before including the proposals in our application we are seeking feedback from the local community. We are carrying out this consultation between **5 December 2023 and 31 January 2024.**

Proposals

As part of our ongoing assessment of the potential environmental impacts of the Project, we identified the Project is predicted to impact lesser black-backed gulls, a number of

PHONE: 0333 880 5306
EMAIL: fiveestuaries@rwe.com
WEBSITE www.fiveestuaries.co.uk
REGISTERED OFFICE: Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, Wiltshire, SN5 6PB
COMPANY NO: Registered in England and Wales
company number 12292474

which are associated with the Alde Ore Estuary Special Protection Area (SPA). The Habitats Regulations require that where a protected site may be adversely affected, and that effect cannot be avoided, the impacts must be compensated for, or offset by, measures such as improving habitat and breeding success for those bird species affected.

As a result of the predicted impacts and through discussion with Natural England (the government's adviser for the natural environment), we therefore need to implement compensatory measures to offset our potential impact. To do this, we are proposing habitat improvements within or close to the Alde Ore Estuary SPA.

Habitat improvement would include various measures such as fencing around the perimeter of the chosen site(s), managing vegetation to support nesting (strimming of ground vegetation), and assessing and controlling predators (for example rats or foxes). This would make the area more attractive to breeding pairs. The initial works would take a number of weeks to complete, and would be carried out outside of nesting season.

Routine maintenance would be carried out a few times a year to check the quality of the habitat and fencing. In addition, annual monitoring of the lesser black-back gulls nesting would be carried out to determine if the measures are working as intended. It is expected the site would remain in operation throughout the lifetime of the Five Estuaries project (i.e. up to 40 years).

We are currently looking at four potential sites for the improvements, three on the northern half of Orford Ness and one site approximately 800m south west of Orford on the mainland on the edge of the estuary. No existing public rights of way will be affected by the proposals.

We have published the following documents, all of which can be accessed free of charge via our website (www.fiveestuaries.co.uk/stage-3-consultation) as part of this consultation. These will be available to inspect until the close of the consultation.

- **HRA Compensatory Sites for Lesser Black-Backed Gulls Consultation Booklet**, which sets out more information about the proposals.
- **Plans** showing the proposed red-line boundary for the compensatory sites.

If you require documents in other formats or if you would like a paper copy of any document that has been published as part of this consultation, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

How to respond to the consultation

We are seeking feedback on the habitat compensation proposals. We would welcome your thoughts on the proposals, in particular on any concerns you have and/or preferences for which site(s) we should choose.

The deadline for submitting responses to the consultation is 11:59pm on **Wednesday 31 January 2024**. Responses received after this time may not be considered.

You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline: **Freepost FIVE ESTUARIES**

- You can email your feedback to fiveestuaries@rwe.com. Please include 'FEEDBACK' in the subject line.

About Five Estuaries Offshore Wind Farm

The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation. All onshore infrastructure would be located in Tendring, Essex.

As the Project has a proposed generating capacity in excess of 100MW, it is considered a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, Five Estuaries must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the project. Five Estuaries intends to submit a DCO application for the Project in early 2024.

The project is 'EIA development' meaning it requires environmental impact assessment under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "2017 Regulations"). The DCO application will be accompanied by an Environmental Statement setting out that assessment. A copy of the Preliminary Environmental Information Report for the Project is available at www.fiveestuaries.co.uk/document-library-stage-2.

The requirements for applications to the Secretary of State for a DCO are set out in the Act, and subsequent guidance issued by the Government and the Planning Inspectorate. The relevant information can be found here: https://infrastructure.planninginspectorate.gov.uk.

If you have any questions about this the Project, consultation or information published, please contact us using the details below.

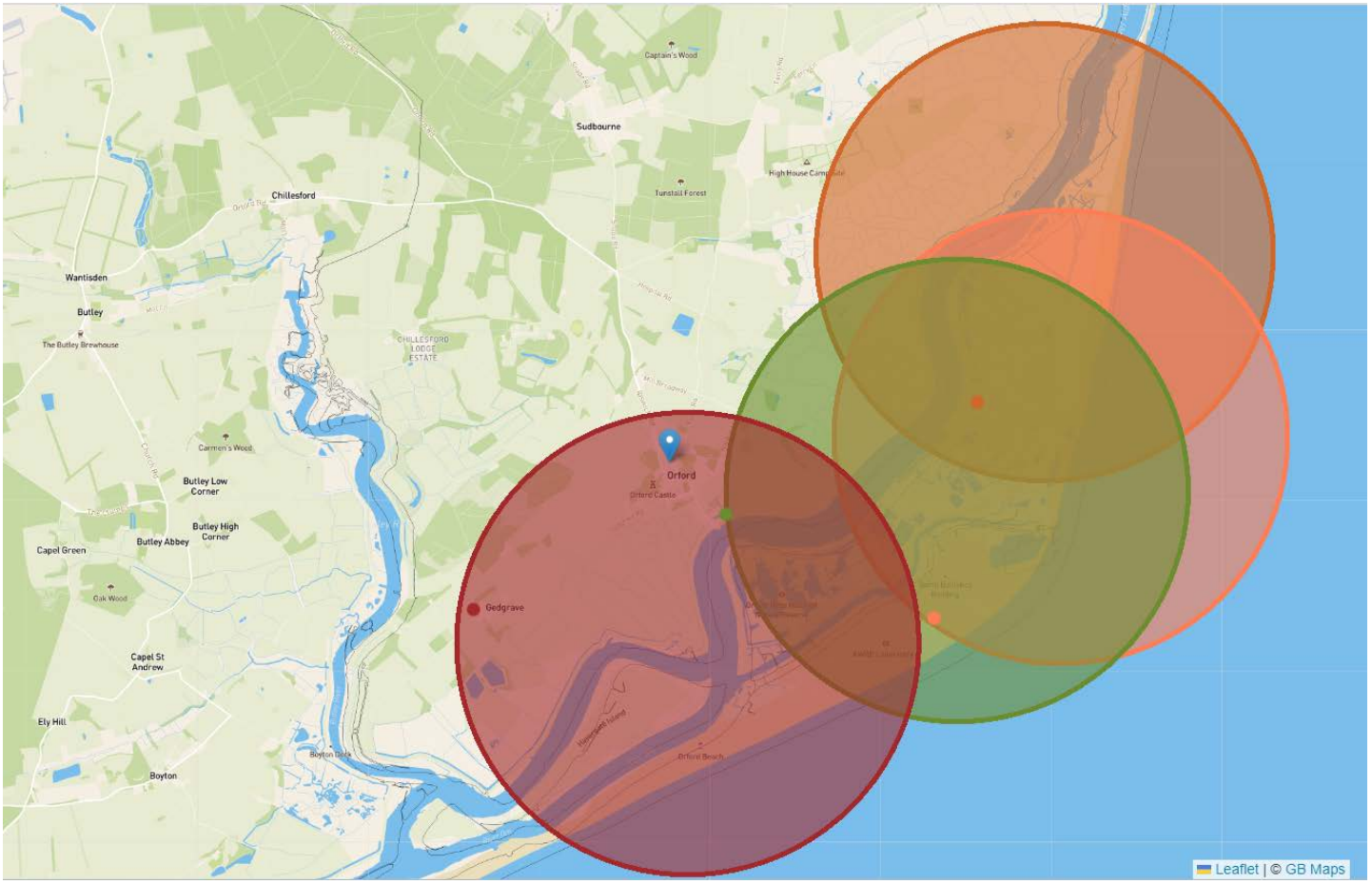
Kind regards,

[redacted]

Diane Mailer
Project Lead

Five Estuaries Offshore Wind Farm Ltd
T: 0333 880 5306
E: fiveestuaries@rwe.com
W: www.fiveestuaries.co.uk

10.5.2 Distribution map for letters



10.5.3 Example email to parish council

Pearson, Ross

From: Five Estuaries <fiveestuaries@rwe.com>
Sent: 05 December 2023 12:57
To: orfordtownhall@outlook.com
Subject: Five Estuaries Offshore Wind Farm – consultation on habitat improvement proposals
Attachments: LBBG - section 42 - Orford and Gedgrave.pdf

To the Clerk,

I am writing to you on behalf of the Five Estuaries Offshore Wind Farm project. Between 5 December 2023 and 31 January 2024 we are consulting on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines.

All of the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

We have sent a copy of the attached letter to the Parish Council by post. We have also written to residents and businesses within 2km of the proposed sites with information about the consultation.

More information about the proposals can be found on our website.

We would like to invite the Parish Council to a presentation on the proposals on **Thursday 11 January 2024 at 6pm**. Joining instructions are below, please feel free to forward the invitation and this email to the rest of the Parish Council. I can also send invitations directly to councillors if this would be helpful.

If you have any questions about the proposals or Project more generally, please let me know.

Kind regards,

Ross

Five Estuaries Offshore Wind Farm - Habitat compensatory sites consultation presentation: Microsoft Teams meeting
Thursday 11 January 2024, 6pm to 7.30pm

Join on your computer, mobile app or room device
Click here to join the meeting
Meeting ID: 371 874 819 71
Passcode: KBWerR
Download Teams | Join on the web

Five Estuaries Offshore Wind Farm
t: 0333 880 5306
e: fiveestuaries@rwe.com
w: www.fiveestuaries.co.uk

Pearson, Ross

From: Five Estuaries <fiveestuaries@rwe.com>
Sent: 03 January 2024 14:59
To: Five Estuaries
Subject: Five Estuaries Offshore Wind Farm – consultation on habitat improvement proposals, presentation invitation reminder

To the Clerk,

I am writing to you on behalf of the Five Estuaries Offshore Wind Farm project. I wrote to you in December last year regarding our consultation on proposed habitat improvements for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines. The deadline for responses to this consultation is 11:59pm on Wednesday 31 January 2024.

We are holding an online presentation about the proposals for parish, district and county councillors on **Thursday 11 January 2024**, starting at 6pm. Joining details for the presentation are below. The presentation will be followed by a Q&A session. The session is expected to last for about an hour.

More information about the proposals can be found on our website. All the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

If you have any questions about the Project or this consultation, please let me know. In addition, if you would like the presentation meeting sent to you as an online calendar invite, please let me know.

Kind regards,

Ross

Five Estuaries Offshore Wind Farm - Habitat compensatory sites consultation presentation: Microsoft Teams meeting
Thursday 11 January 2024, 6pm

Join on your computer, mobile app or room device
Click here to join the meeting
Meeting ID: 371 874 819 71
Passcode: KBWerR
Download Teams | Join on the web

Five Estuaries Offshore Wind Farm
t: 0333 880 5306
e: fiveestuaries@rwe.com
w: www.fiveestuaries.co.uk

10.5.4 Example email to councillor

Pearson, Ross

From: Five Estuaries <fiveestuaries@rwe.com>
Sent: 05 December 2023 13:21
To: [redacted]@suffolk.gov.uk
Subject: Five Estuaries Offshore Wind Farm – consultation on habitat improvement proposals
Attachments: Five Estuaries - LBBG consultation - residents and businesses letter.pdf

Dear Councillor Haworth-Culf,

I am writing to you on behalf of the Five Estuaries Offshore Wind Farm project. Between 5 December 2023 and 31 January 2024, we are consulting on proposals to improve the habitat for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines.

All of the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

We have written to residents and businesses within 2km of the proposed sites with information about the consultation. Attached is a copy of the letter.

More information about the proposals can be found on our website.

We would like to invite you to a presentation for councillors (including parish and town councillors) on the proposals on **Thursday 11 January 2024 at 6pm**. Joining instructions are below, if you would like to attend, please let me know and I will forward you a meeting invite as well.

If you have any questions about the proposals or Project more generally, please let me know.

Kind regards,

Ross

Five Estuaries Offshore Wind Farm - Habitat compensatory sites consultation presentation: Microsoft Teams meeting
Thursday 11 January 2024, 6pm to 7.30pm

Join on your computer, mobile app or room device
Click here to join the meeting
Meeting ID: 371 874 819 71
Passcode: KBWerR
Download Teams | Join on the web

Five Estuaries Offshore Wind Farm
t: 0333 880 5306
e: fiveestuaries@rwe.com
w: www.fiveestuaries.co.uk

Pearson, Ross

From: Five Estuaries <fiveestuaries@rwe.com>
Sent: 03 January 2024 15:06
To: tj.haworth-culf@suffolk.gov.uk
Subject: Five Estuaries Offshore Wind Farm – consultation on habitat improvement proposals, presentation invitation reminder

Dear Councillor Haworth-Culf,

I am writing to you on behalf of the Five Estuaries Offshore Wind Farm project. I wrote to you in December last year regarding our consultation on proposed habitat improvements for lesser black-backed gulls in East Suffolk, to compensate for a potential impact on the species from our proposed offshore wind turbines. The deadline for responses to this consultation is 11:59pm on Wednesday 31 January 2024.

We are holding an online presentation about the proposals for parish, district and county councillors on **Thursday 11 January 2024**, starting at 6pm. Joining details for the presentation are below. The presentation will be followed by a Q&A session. The session is expected to last for about an hour.

More information about the proposals can be found on our website. All the onshore infrastructure required to connect the Project to the national electricity transmission network will be located in the Tendring peninsula in Essex. This consultation only relates to proposed habitat improvement measures around Orford Ness in Suffolk.

If you have any questions about the Project or this consultation, please let me know. In addition, if you would like the presentation meeting sent to you as an online calendar invite, please let me know.

Kind regards,

Ross

Five Estuaries Offshore Wind Farm - Habitat compensatory sites consultation presentation: Microsoft Teams meeting
Thursday 11 January 2024, 6pm

Join on your computer, mobile app or room device
Click here to join the meeting
Meeting ID: 371 874 819 71
Passcode: KBWerR
Download Teams | Join on the web

Five Estuaries Offshore Wind Farm
t: 0333 880 5306
e: fiveestuaries@rwe.com
w: www.fiveestuaries.co.uk

10.5.5 Project update email December 2023

From: Five Estuaries <fiveestuaries@rwe.com>
Sent: 06 December 2023 10:22
To:
Subject: Five Estuaries December Project Update

Can't see images? Click here

FIVE ESTUARIES
OFFSHORE WIND FARM

Five Estuaries Project Update November 2023

Five Estuaries Signs Green Skills Pledge

Five Estuaries Offshore Wind Farm is proud to announce that we have signed up to Essex County Council's Green Skills Pledge to help the transition to net zero and upskill the local workforce with green skills.

Essex County Council's Green Skills Pledge aims to provide support in several ways, such as joining up resources, collaborating on green initiatives, sharing best practices in green skills development and contributing to the public debate on climate change. These skills are relevant to all areas of the economy, not just offshore wind, which is why it is crucial to address the green skills gap, together.

"Embracing Essex County Council's Green Skills Pledge is a key part of the development ethos for Five Estuaries Offshore Wind Farm. We are committed to nurturing a workforce equipped with the skills needed to drive our industry forward sustainably."

"This pledge reinforces our dedication to empowering our employees, aligning skills with evolving business needs, and actively contributing to the discourse on climate change. Through knowledge-sharing and a focus on greener practices, we aim to pave the way for a more resilient and skilled workforce, shaping a brighter, green future." – Diane Mailer, Project Director

Read more about the Green Skills Pledge here.

Stage 3 Targeted Consultation

Between 5 December 2023 and 31 January 2024, Five Estuaries is carrying out two focused consultations, collectively known as Stage 3 Consultation.
The purpose of these consultations is to ensure that the relevant stakeholders potentially affected by changes to the Project have an opportunity to comment before we finalise our application, and that we fulfil all our obligation under the Planning Act 2008.

These consultations include:

Targeted land interest consultation - Tendring, Essex
Earlier this year, between 14 March and 12 May 2023, Five Estuaries consulted on its proposals and preliminary environmental information. Following that consultation, a number of changes have been made to the proposals to respond to the feedback received and to align the Project with the proposal being put forward by the North Falls Offshore Wind Farm project.

We have now published an updated red line boundary for the onshore element of our proposals, which connects the proposed wind farm to the national electricity transmission network. The red line boundary shows the maximum extend of the Project,

including areas required for construction and future operation and maintenance access.

This consultation is specifically being carried out with those with a land interest potentially affected by changes to our proposals. You will have received a letter from the Project if this consultation applies to you.

Habitat Compensatory Measures Consultation – East Suffolk
A consultation on proposals to improve the habitat for lesser black-backed gulls in East Suffolk near to Orford Ness, to compensate for a potential impact on the species from our proposed offshore wind turbines. These proposals include fencing, managing vegetation, and assessing and controlling predators. The works required are minimal, and would only take a few weeks to complete.

More information on Stage 3 Consultation can be found **here**.

January Project Update Community Events

Five Estuaries are hosting project update events in January 2024 to provide revised project plans after a successful phase of consultation in 2023, ahead of submitting our Development Consent Order application in early 2024.

The events will take place:

- **Monday 29th January** - Lawford Venture Centre 2:30-5:30 pm
- **Tuesday 30th January** - Tendring Village Hall 11-2 pm

These events will provide an opporuntiy for the Five Estuaries team to share the plans for the onshore and offshore infrastructure, what changes have been made since our 2023 consultation and what the next steps for the project are.

The events will be widely promoted in the new year and we look forward to seeing you there.

Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, SN5 6PB
Registered in England and Wales company number 12292474

10.6 Consultation materials

10.6.1 Habitat improvement proposals – Consultation Document

FIVE ESTUARIES
OFFSHORE WIND FARM

FIVE ESTUARIES OFFSHORE WIND FARM

HRA COMPENSATORY SITES FOR LESSER BLACK-BACKED GULLS

CONSULTATION DOCUMENT

Document Reference	N/A
Revision	1.0
Date	December 2023

Project	Five Estuaries Offshore Wind Farm
Sub-Project or Package	Stage 3 Consultation
Document Title	HRA Compensatory Sites for Lesser Black-Backed Gulls
Document Reference	N/A
Revision	Final

Revision	Date	Status/Reason for Issue	Originator	Checked	Approved
1	Dec 2023	Issued for Use	GoBe	VE OWFL	VE OWFL

CONTENTS

TABLES

FIGURES

DEFINITION OF ACRONYMS

Term	Definition
LBBG	Lesser Black-Backed Gulls
SPA	Special Protection Area
DCO	Development Consent Order
MW	Megawatts

1 INTRODUCTION

1.1 PURPOSE OF THE CONSULTATION

1.1.1 The purpose of this consultation is to seek feedback on proposed compensatory measures associated with the Five Estuaries Offshore Windfarm project ('the Project') for Lesser Black-Backed Gulls (LBBG).

1.1.2 As part of our ongoing assessment of the potential environmental impacts, we have identified that the Project is predicted to impact LBBG, a number of which are associated with the Alde Ore Estuary Special Protection Area (SPA).

1.1.3 LBBG are a qualifying feature of the Alde-Ore Estuary SPA and are listed in Annex 2.2 of the Birds Directive (Directive 79/409/EEC) and as an 'amber' list species of conservation concern in the UK (BoCC5)[1].

1.1.4 The Habitats Regulations require that where a protected site may be adversely affected, and effects cannot be avoided, the impacts are compensated for or offset by measures such as improving habitat and breeding success for those bird species affected. Therefore, compensatory measures are required to compensate for the predicted LBBG loss (of around ten birds annually).

1.1.5 The breeding population of LBBG within the Alde Ore Estuary SPA has declined to 1,749 pairs since the site was first classified in October 1996. The exact reasons for this decline are not clear, but some factors may include:

- Disturbance from human activity at the site thus reducing their breeding success;
- Predation by other animals, such as foxes and rats.

1.1.6 As a result of this decline, Natural England (the government's adviser for the natural environment) has advised that the population of LBBG within this SPA should be restored to a level above 14,074 pairs.

1.1.7 The compensatory measures proposed by the Project would aim to target the reasons for decline outlined above, by firstly reducing the opportunity for predation by other animals and secondly providing suitable breeding habitat that is unlikely to be disturbed by human activity.

1.1.8 Therefore, we are proposing that a suitable area of land is secured by Five Estuaries to provide a site to enable the breeding population of LBBG to increase and compensate for any losses from the Project and contribute towards the recovery of the population. The focus of this search has been on and around Orford Ness where a population of LBBG already exists.

[1] Stanbury, A., Eaton, M., Aebischer, N., Balmer, D., Brown, A., Douse, A., Lindley, P., McCulloch, N., Noble, D., and Win I. 2021. The status of our bird populations: the fifth Birds of Conservation Concern in the United Kingdom, Channel Islands and Isle of Man and second IUCN Red List assessment of extinction risk for Great Britain. British Birds 114: 723-747.

1.2 PROJECT BACKGROUND

1.2.1 The Project is a proposed extension project to the operational Galloper Offshore Wind Farm (Galloper) off the coast of Suffolk. The Project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure to the west of Little Bromley in order to connect the development to National Grid's proposed East Anglia Connection Node substation.

1.2.2 All onshore electrical infrastructure would be located in Tendring, Essex. No onshore works in Suffolk are required to connect the Project to the national electricity transmission network.

1.2.3 As the Project has a proposed generating capacity in excess of 100MW, it is considered a Nationally Significant Infrastructure Project under section 15(3) of the Planning Act 2008 ('the Act'). As such, we must apply for a Development Consent Order (DCO) from the Secretary of State to build and operate the Project.

2 PROPOSED OPTIONS AND WORK FOR LBBG COMPENSATORY AREAS

2.1 SITE OPTIONS

2.1.1 The focus of the search for a compensatory site has been at and around Orford Ness, within and close to, the Alde-Ore Estuary SPA. This has resulted in four sites being brought forward for consultation.

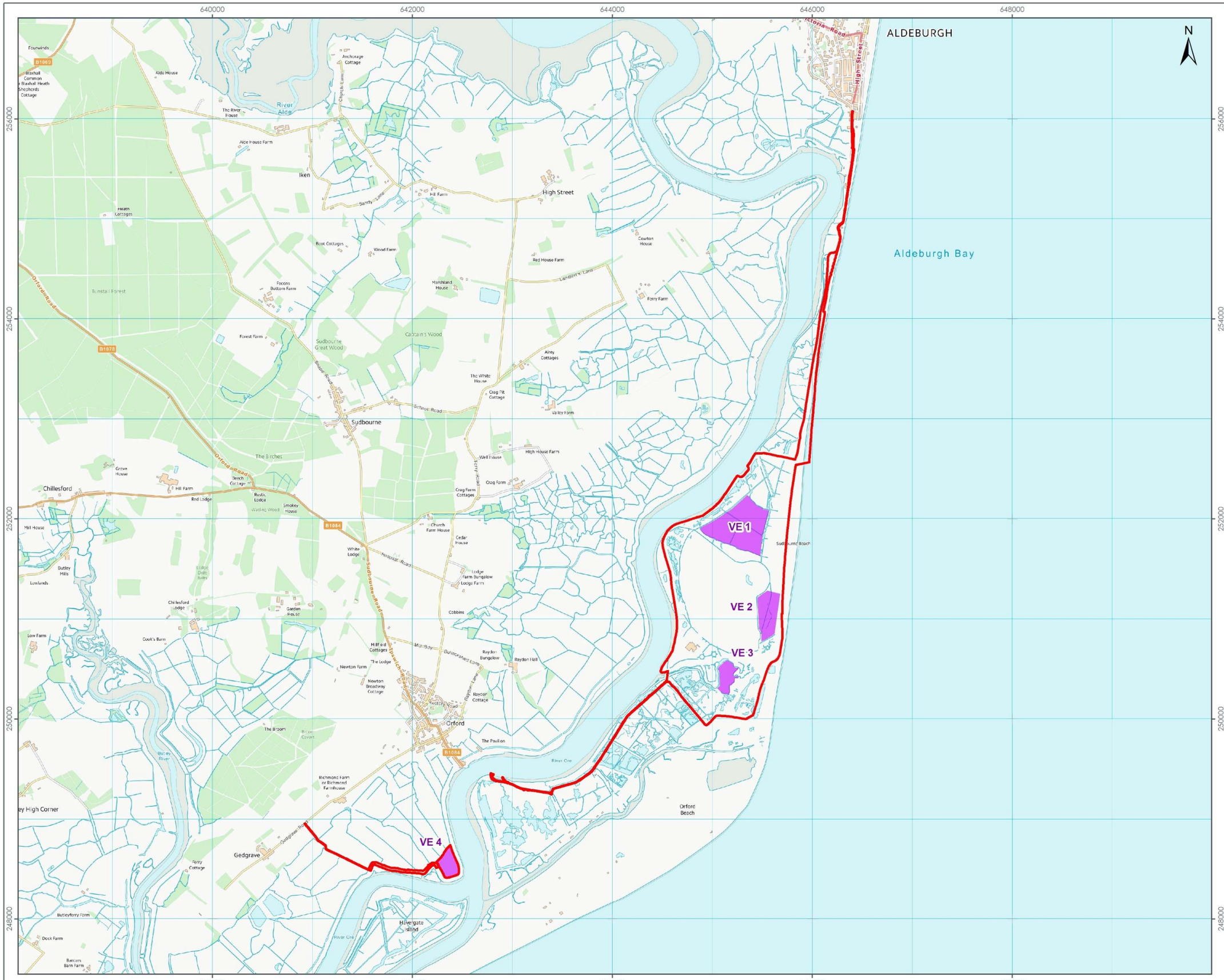
2.1.2 These sites were picked based on the following criteria:

- Sites with connectivity to existing LBBG colonies at Orford Ness and Havergate Island;
- Suitable habitats that will require minimal / moderate management; and
- Sites which have known predation and / or disturbance issues and would benefit from measures to reduce these pressures.

2.1.3 Figure 2.1 below shows the proposed red line boundary for construction activity, including access and highlights the proposed sites which have been put forward for consideration.

2.1.4 The three sites in the north, labelled VE1, VE2 and VE3 in Figure 2.1 could provide good connectivity with nearby LBBG colonies at the southern tip of Orford Ness and Havergate Island. These northerly sites are also adjacent to an existing LBBG compensation site for the Norfolk Vanguard and Boreas Projects, and would therefore provide additional LBBG breeding habitat in a similar setting and location. The habitat of all three sites appears suitable with minimal requirement for habitat renovation. Renovation at these sites may for example include strimming / mowing of the vegetation to improve the sites for LBBG.

2.1.5 The site to the south, labelled VE4 in Figure 2.1, north of Havergate Island, is a rough grassland/grazing area. A moderate amount of habitat renovation and creation would be required to reduce the amount of vegetation and create some shingle / bare ground areas. The addition of sleepers for the LBBG to nest against would also be required at this site.



LEGEND

- Proposed Red Line Boundaries
- Potential LBBG Compensation ' Sites

0 250 500 1,000
Meters

Data Source:

PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

DRAWING TITLE:

Potential LBBG Compensation Areas

VER	DATE	REMARKS	Drawn	Checked
1	30/11/2023	For Information	BPHB	MB

DRAWING NUMBER: Figure 2.1

SCALE:	PLOT SIZE:	DATUM:	PROJECTION:
1:35,000	A3	OSGB1936	BNG

FIVE ESTUARIES
OFFSHORE WIND FARM

2.2 SCOPE OF THE WORKS

2.2.1 The works associated with the compensatory measures will be small in scale and relatively unobtrusive. The main element would be predator exclusion fencing installed around the perimeter of the site. An example of the type of fencing that would be used is provided in Figure 2.2.

Figure 2.2 Example predator exclusion fence[2]

CONSTRUCTION

2.2.2 Fence installation and any additional works would be expected to take around three weeks, with up to six personnel onsite. Any works would be undertaken outside of the bird nesting period.

2.2.3 Site access during the installation works to VE1, VE2 and VE3 shown in Figure 2.1, would be by boat from Orford Quay, across the River Ore to an existing jetty or slipway and then along existing tracks to the red line boundary and internal tracks to the selected site. Site VE4 shown in Figure 2.1, would be accessed via Gedgrave Road, leading to tracked access to the site.

2.2.4 Fencing materials, machinery and plant would be transported to the site using standard low loaders. A small excavator and dump truck would be used to support the works (e.g. movement of soil or vegetation removal).

2.2.5 A temporary laydown and welfare area, for the duration of the construction work would be required. This would be within the red line boundary shown in Figure 2.1 and identified following further site visits. An area of hard standing would be used if available. Welfare facilities and surplus materials would be removed once the installation is complete.

[2] Ultimate Predator Fence (farmandcountryfencing.com)

OPERATION & MAINTENANCE

2.2.6 Habitat manipulation (strimming of grass) would be undertaken once or twice a year outside of the LBBG nesting season. This would seek to create a patchwork of shorter and taller grass to offer greater habitat diversity for nesting.

2.2.7 Access would use the same routes identified above, with the additional option to walk along the edge of the coast from Aldeburgh to sites VE1, VE2 and VE3 shown in Figure 2.1.

2.2.8 Routine maintenance visits would be required to inspect the integrity of the fencing and ensure that the measures are continuing to perform as intended. Typically, one scheduled maintenance inspection would be expected per year. This would be conducted outside of the LBBG nesting season.

2.2.9 Annual monitoring of LBBG nesting success would be carried out by a qualified ornithologist during each breeding season. This would confirm and ensure that the compensation measure is working as intended. This would include counts of the number of birds, the number of occupied nests, and the number of eggs/chicks visible.

POTENTIAL IMPACTS

2.2.10 Potential impacts at each of the proposed sites from construction and use as a LBBG compensatory area are highlighted in Table 2.1. It should be noted that the works described throughout this document are small in nature, scale and construction time (i.e., the installation of fencing would take around three weeks). Therefore, no significant effects to receptors are expected.

Table 2.1 Potential impacts of a LBBG compensatory area

Receptor	Impacts
Landscape & Visual Impact Assessment	There is no potential for likely significant effects to arise in respect of any of the landscape or visual receptors, either at the local or wider level of the proposed sites. This is due chiefly to the relatively small-scale of the proposed fence, the localised nature of the potential effects and the extent of limited existing human influences in both the wider and local landscapes.
Onshore Archaeology & Cultural Heritage	There are a number of cultural heritage receptors within relatively close proximity of VE1, VE2 and VE3, mainly old military buildings. However, the proposed fencing is unlikely to be visible from these receptors and would be unobtrusive in nature. Site VE4 is surrounded by farmland with no nearby receptors. As such, no likely significant effects related to cultural heritage are anticipated.
Hydrology & Flood Risk	A Flood Risk Assessment for the proposed fencing at all proposed sites will be undertaken and submitted with the application. The proposal is not predicted to increase the risk of flooding to others over the development lifetime.
Air Quality	Given the isolated location of the proposed fencing combined with its restricted public access, as well as the limited scale of any earthworks, plant and machinery use, no likely significant effects related to air quality are anticipated.
Airbourne Noise & Vibration	There are no noise sensitive human receptors in proximity to the proposed sites (residential or other properties). The locations of the proposed fencing at sites VE1, VE2 and VE3 are close to a National Trust walking route. However, the works would be relatively brief (approximately three weeks) and would not be dissimilar to ongoing habitat management activities that take place throughout the National Trust owned land. Site VE4 is surrounded by farmland. On this basis no likely significant effects related to noise and human receptors are anticipated.
Traffic & Transport	Given the small-scale of the fence installation works and future monitoring and maintenance, using standard construction vehicles, there is not anticipated to be any potential for traffic disruption to arise as a result of the installation of the proposed fencing at any of the sites. No likely significant effects, related to traffic and transport, are anticipated.

Receptor	Impacts
Ground Conditions & Land Use	Whilst parts of Orford Ness were subject to historic military use, based on the available evidence the risk of historic contamination and unexploded ordnance at the proposed Orford Ness sites VE1, VE2 and VE3 is considered low, with the possible exception of unexploded ordnance at VE3. If there is a high risk of unexploded ordnance at VE3, the site will be avoided. Site VE4 is farmland, with no expected contamination in soils. Best practice will be followed by the construction team to minimise fuel spills and leaks. Taking the above into account, no likely significant effects, related to potentially contaminated land, are anticipated.
Onshore Biodiversity	Due to the small nature of the works it is predicted that there will be no significant effects upon the current fauna and flora assemblages within the sites.
Public Health	Aside from construction workers, there are no human receptors within range of the impacts of the proposed works. Therefore no significant impact on public health is anticipated.
Climate Change	The nature and scale of the works will be minimal and in line with best practice. Therefore, the impact of the works on the climate through increased Green House Gas emissions or alterations to the natural environment will be minimal and insignificant. Future rising sea levels, increased storminess and temperature rises have the potential to impact the chosen site's integrity and intended purpose. However, no significant effects on the sites are expected from climate change.
Socioeconomics & Tourism	Due to the remote location and small scale of the proposed works at all sites, no significant effects are predicted.

PROJECT TIMELINE

2.2.11 Construction works will take a number of weeks.

2.2.12 The compensatory site is expected to be in place for the lifetime of the Project, up to 40 years. The Project expects to have the habitat improvements established before operation of the wind turbine generators.

3 CONSULTATION

3.1 HAVE YOUR SAY

3.1.1 Between **5 December 2023 and 31 January 2024**, we are consulting on the proposals set out in this document. Feedback to the consultation will be used in helping select a site and for developing a more detailed design.

3.1.2 We are particularly interested in any concerns or issues regarding the sites we have identified or the potential impacts of the compensatory measures. In addition, any preference for or against specific sites would be useful.

3.1.3 This Consultation Booklet and more detailed site plans can be found at www.fiveestuaries.co.uk/stage-3-consultation.

3.1.4 For more information about the Project, our published Preliminary Environmental Information Report (March 2023) and our draft Report to Inform Appropriate Assessments (May 2023) can be found at www.fiveestuaries.co.uk/document-library-general. The Preliminary Environmental Information Report is in the Stage 2 Consultation section of the document library.

3.1.5 If you require documents in other formats, please contact us using the details below. If you would like a paper copy of any document that has been published as part of this consultation or earlier in the Project, please let us know. A cost may be associated with large requests to cover printing and postage (maximum £1000).

3.2 HOW TO RESPOND

3.2.1 The deadline for submitting responses to the consultation is 11:59pm on **Wednesday 31 January 2024**. Responses received after this time may not be considered.

3.2.2 You can respond to the consultation through the following channels:

- Written feedback can be sent to us at the following Freepost address. Please note that no stamp or further address information is required. Please ensure postal responses are sent by the deadline.

  Freepost FIVE ESTUARIES

- You can email your feedback at fiveestuaries@rwe.com. Please include 'FEEDBACK' in the subject line.

3.3 CONTACT US

3.3.1 If you have any questions about the Project, consultation or information published, please contact us at any time using the details below.

Telephone: 0333 880 5306

Email: fiveestuaries@rwe.com

FIVE ESTUARIES
OFFSHORE WIND FARM

PHONE 0333 880 5306
EMAIL fiveestuaries@rwe.com
WEBSITE www.fiveestuaries.co.uk
ADDRESS Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, SN5 6PB
COMPANY NO Registered in England and Wales
company number 12292474

10.6.2 Site plans (without access routes)

640000 642000 644000 646000 648000

256000 254000 252000 250000 248000

N

ALDEBURGH

Aldeburgh Bay

River Alde

Sudbourne

Chillesford

Orford

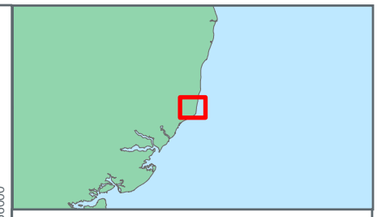
Gedgrave

VE 1

VE 2

VE 3

VE 4



LEGEND

- Proposed Red Line Boundaries
- Proposed LBBG Compensation Areas

0 250 500 1,000

Meters

Data Source:

PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

DRAWING TITLE:

Proposed LBBG Compensation Areas

VER	DATE	REMARKS	Drawn	Checked
1	30/11/2023	For Information	BPHB	MB

DRAWING NUMBER: 1

SCALE: 1:35,000	PLOT SIZE: A3	DATUM: OSGB1936	PROJECTION: BNG

FIVE ESTUARIES OFFSHORE WINDFARM

10.6.3 Site plans (with construction access routes)

640000 642000 644000 646000 648000

256000 254000 252000 250000 248000

ALDEBURGH

Aldeburgh Bay

River Alde

High Street

Sudbourne

Chillesford

Orford

Orford Beach

Gedgrave

Havergate Island

VE 1

VE 2

VE 3

VE 4

N

LEGEND

Proposed Red Line Boundaries

Proposed LBBG Compensation Areas

0 250 500 1,000

Meters

Data Source:

PROJECT TITLE:

FIVE ESTUARIES OFFSHORE WINDFARM

DRAWING TITLE:

Proposed LBBG Compensation Areas

VER	DATE	REMARKS	Drawn	Checked
1	30/11/2023	For Information	BPHB	MB

DRAWING NUMBER: 2.1

SCALE: 1:35,000	PLOT SIZE: A3	DATUM: OSGB1936	PROJECTION: BNG

FIVE ESTUARIES

10.6.4 Frequently asked questions

HABITAT COMPENSATORY MEASURES CONSULTATION

Frequently asked questions

Date 8 December 2023
Revision 1

This FAQ has been published in support of our consultation on proposed habitat compensatory measures for lesser black-backed gulls in East Suffolk. More information about the proposals can be found on our website: www.fiveestuaries.co.uk/stage-3-consultation

If you have any further questions about the Five Estuaries Offshore Wind Farm project or the proposals for habitat compensatory measures, please contact us using the details at the end of this document.

WHY ARE YOU PROPOSING HABITAT IMPROVEMENTS IN SUFFOLK WHEN THE PROJECT'S IMPACTS ARE OFFSHORE AND IN ESSEX?

The environmental assessment has indicated that Lesser Black-Backed Gulls from the Alde Ore Special Protection Area could be impacted by the Project. Although the proposed wind farm will connect to the national electricity transmission network via landfall and an onshore cable connection in Essex, the turbines themselves are closer to the coast of Suffolk than Essex.

LESSER BLACK-BACKED GULLS AREN'T A SPECIES WE WANT TO SEE MORE OF / THEY'RE NOT A CRITICALLY THREATENED SPECIES NATIONALLY, THIS SEEMS DISPROPORTIONATE.

The Project is required to comply with the Habitats Regulations. The potential impact has been identified as part of our required assessment and the compensation proposals developed in discussion with Natural England. Any comments received during the consultation will be included in our Consultation Report, and these proposals will be considered along with the whole Project as part of the Examination process.

WILL WE BE ABLE TO SEE THE FENCING?

Due to the geography of the area and the limited size of the fencing, visibility from Orford itself is limited/impossible. Fencing would be visible closer to the sites.

HOW TALL WILL THE FENCING BE?

The fencing will be approximately 2m high.

ARE THERE ANY MORE ATTRACTIVE OPTIONS TO PROTECT THE SITE THAN FENCING?

Fencing provides the best option for keeping predators out of the site. Any more significant barrier could pose a flood risk to the site and surrounding areas as it would potentially collect debris.

DO THE MEASURES ACTUALLY WORK?

Evidence indicates that this can be an effective method of habitat improvement and that improvement, when carried out in the right location, is effective at encouraging an increase in breeding pairs. We will continue to monitor the site throughout its operation to evaluate if breeding pairs are increasing.

WILL INCREASING LESSER BLACK-BACKED GULLS IMPACT ON OTHER SPECIES?

The measures being proposed will be monitored and adaptive management will be implemented to help ensure the Special Protection Area site and the relevant species are maintained.

WILL THIS CUT OFF EXISTING PUBLIC ACCESS TO THE SITES?

No. Existing public rights of way will be preserved.

WHY DO THE PLANS SHOW THE RED LINE BOUNDARY EXTENDING SIGNIFICANTLY FAR AWAY FROM THE SITES THEMSELVES?

Those are the potential access routes to the site to carry out construction.

WILL THIS AFFECT THE OPERATION OF BOATS FROM THE JETTY, QUAYSIDE OR SLIPWAY AT ORFORD?

No. Construction work to install the fencing and related measures would only take a small number of weeks. We will develop a more detailed construction plan as we develop the plans further, this will include how to access the sites without affecting existing operations.

ARE YOU AWARE OF THE HISTORY OF THE SITE AND/OR RISK OF UNEXPLODED ORDINANCE?

Yes. We have been liaising with Natural England and the National Trust about the area and sites. We are starting our surveying process and will ensure that the site(s) are fully understood before any work is carried out.

WHAT KIND OF CONSULTATION IS THIS?

We are carrying out consultation on the sites under section 42 of the Planning Act 2008 (the Act). This is a statutory requirement for including the sites in our application for a Development Consent Order. We are consulting with the community as the measures may be of interest and we would like feedback on them, however, as we expect the proposals to have no significant adverse impact, it would be disproportionate to carry out full statutory consultation with the community under section 47 of the Act.

WHY ARE YOU CONSULTING OVER CHRISTMAS?

We intend to submit our application for a Development Consent Order (DCO) to the Planning Inspectorate in early 2024. On this timescale, we hope to be operational and generating renewable electricity by 2030. This is in keeping with the Government's objectives of producing 50GW of electricity from offshore renewables by 2030.

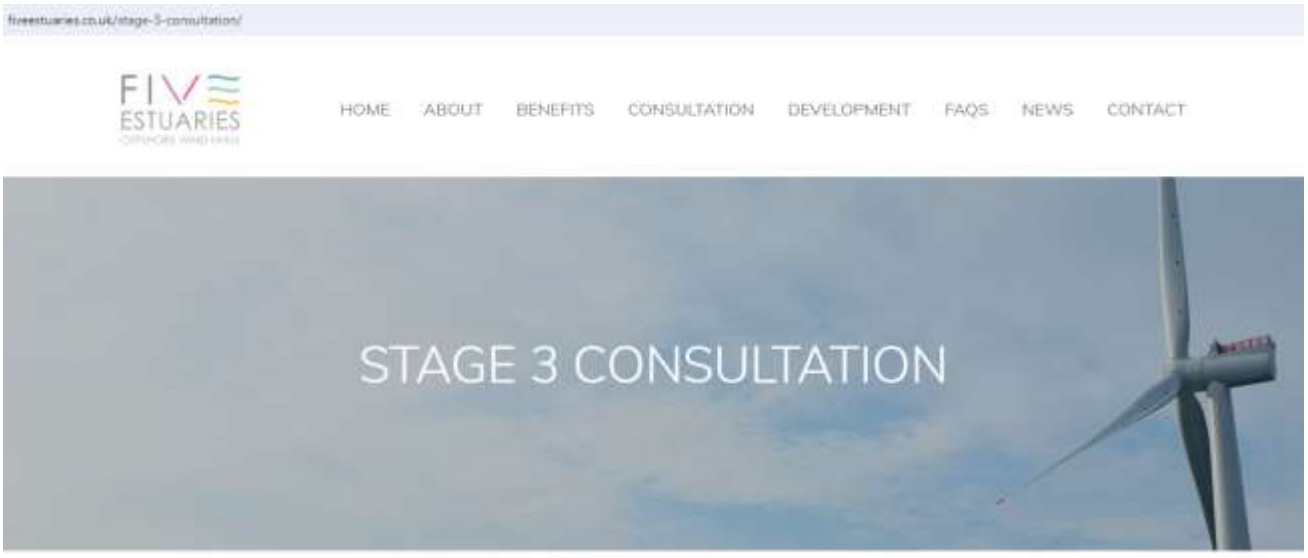
The need to include these compensatory measures in our DCO application was only confirmed after our statutory consultation (14 March to 12 May 2023). In order to minimise delays to the Project and to ensure that there was time to consult and consider feedback on these proposals, we chose to start the consultation as soon as possible.

We have extended allowed for a six week consultation period outside of the two week holiday period.

CONTACT US

Freephone	0333 880 5306
Email	fiveestuaries@rwe.com
Website	www.fiveestuaries.co.uk

10.6.5 Project website screenshots



10.7 Presentation to councillors – 11 January 2024

ESTUARIES
OFFSHORE WIND FARM

HRA Compensatory Sites Consultation

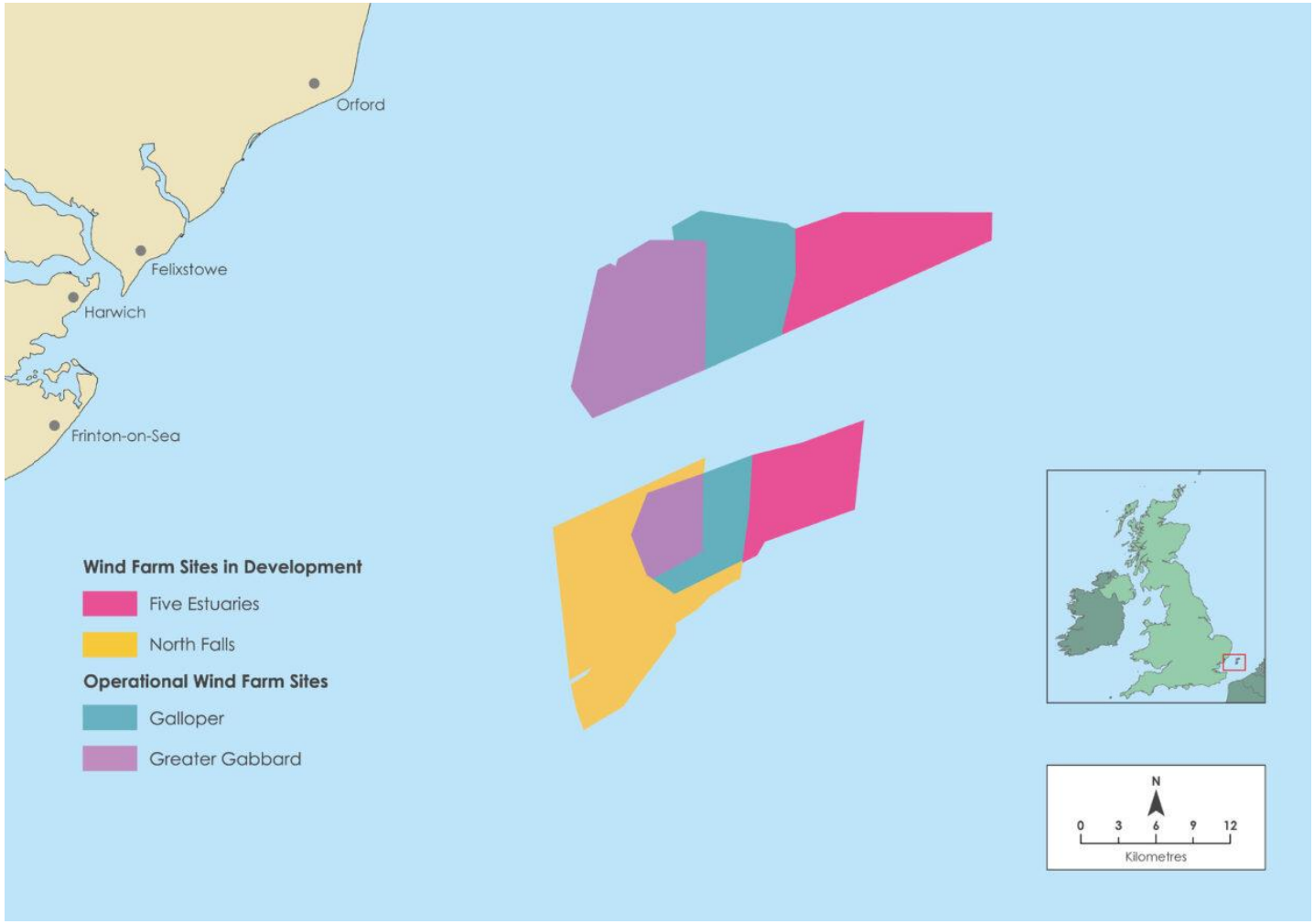
January 2024

Agenda

ESTUARIES
OFFSHORE WIND FARM

- Introductions
- Project overview
- Need for compensatory measures
- Compensatory site(s) proposals
  - Locations
  - Proposals
  - Construction access
- Potential impacts
- Consultation
- Next steps
- Questions

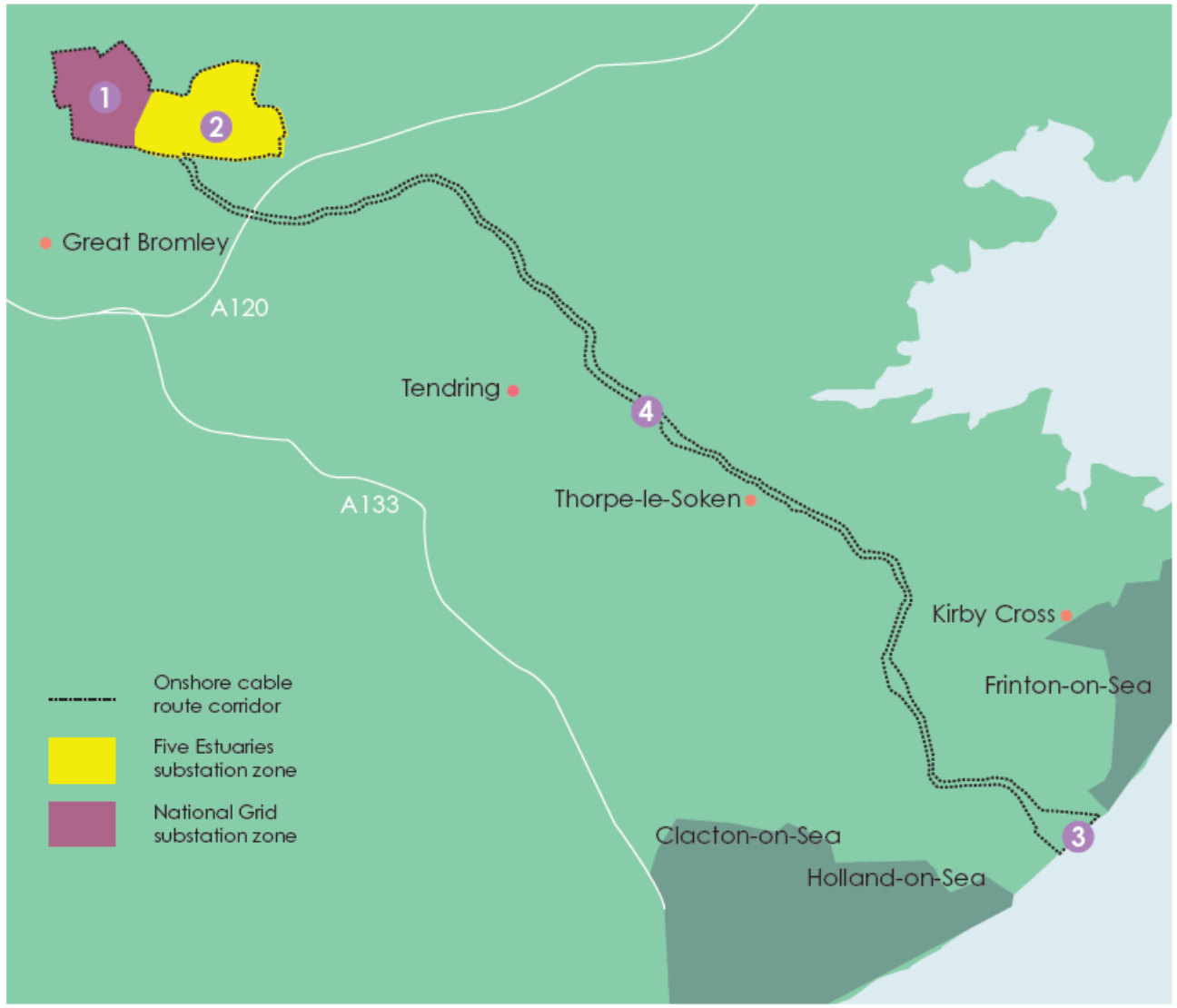
Project overview – offshore



- Extension to the existing Galloper Wind Farm.
- 128km^2 array area.
- Up to 79 wind turbine generators.
- Each turbine up to 420m at the tallest point of blade tip above sea level.
- 37km closest distance to the shore of Suffolk.
- Approximately 98km of offshore export cables.
- Landfall in Tendring, Essex.

Project overview

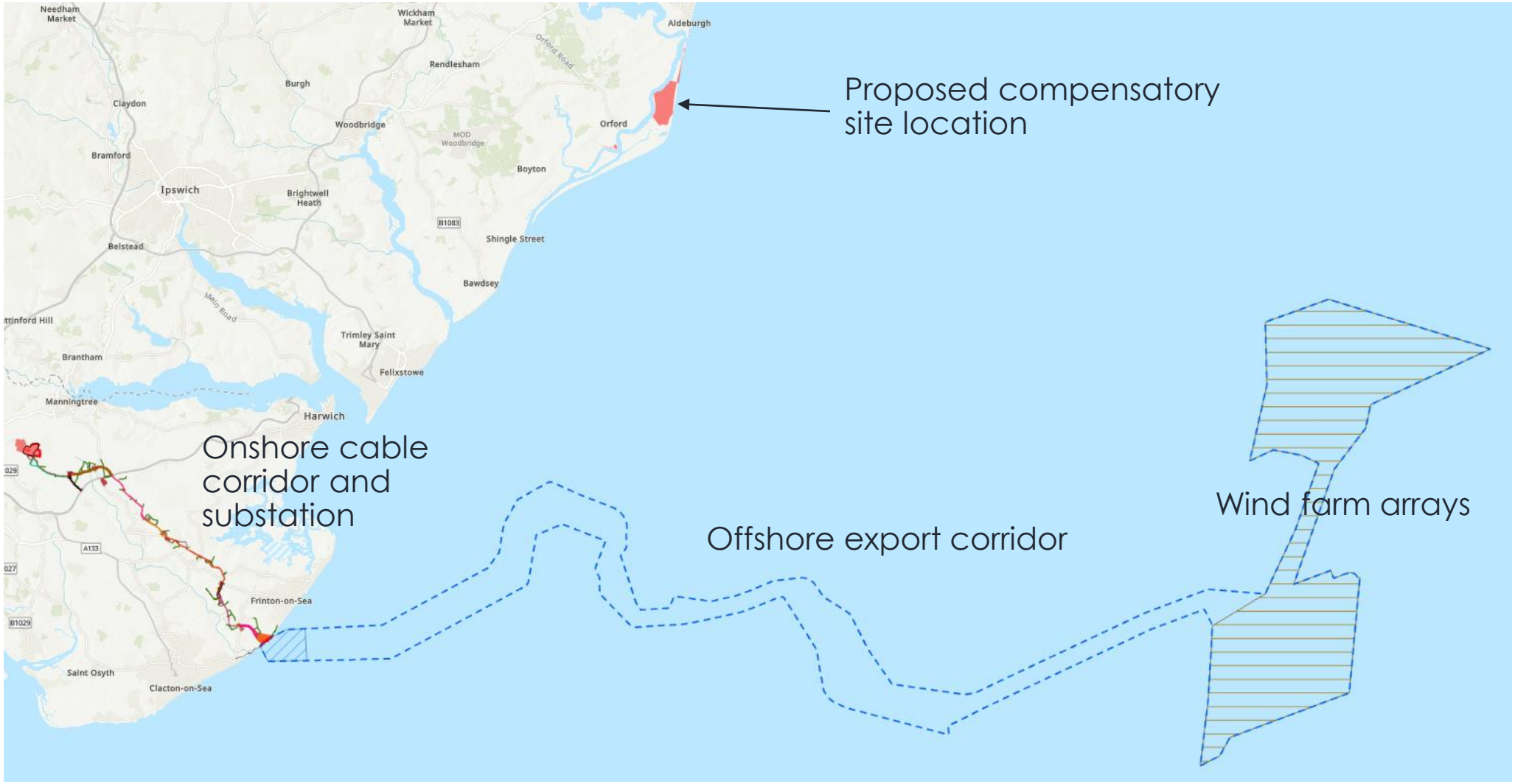
ESTUARIES
OFFSHORE WIND FARM



1. National Grid's proposed East Anglia Connection Node substation (zone).
2. Five Estuaries onshore substation (zone)
3. Landfall for export cable.
4. Onshore underground export cable corridor.

LBBG sites in relation to the Project

ESTUARIES
OFFSHORE WIND FARM



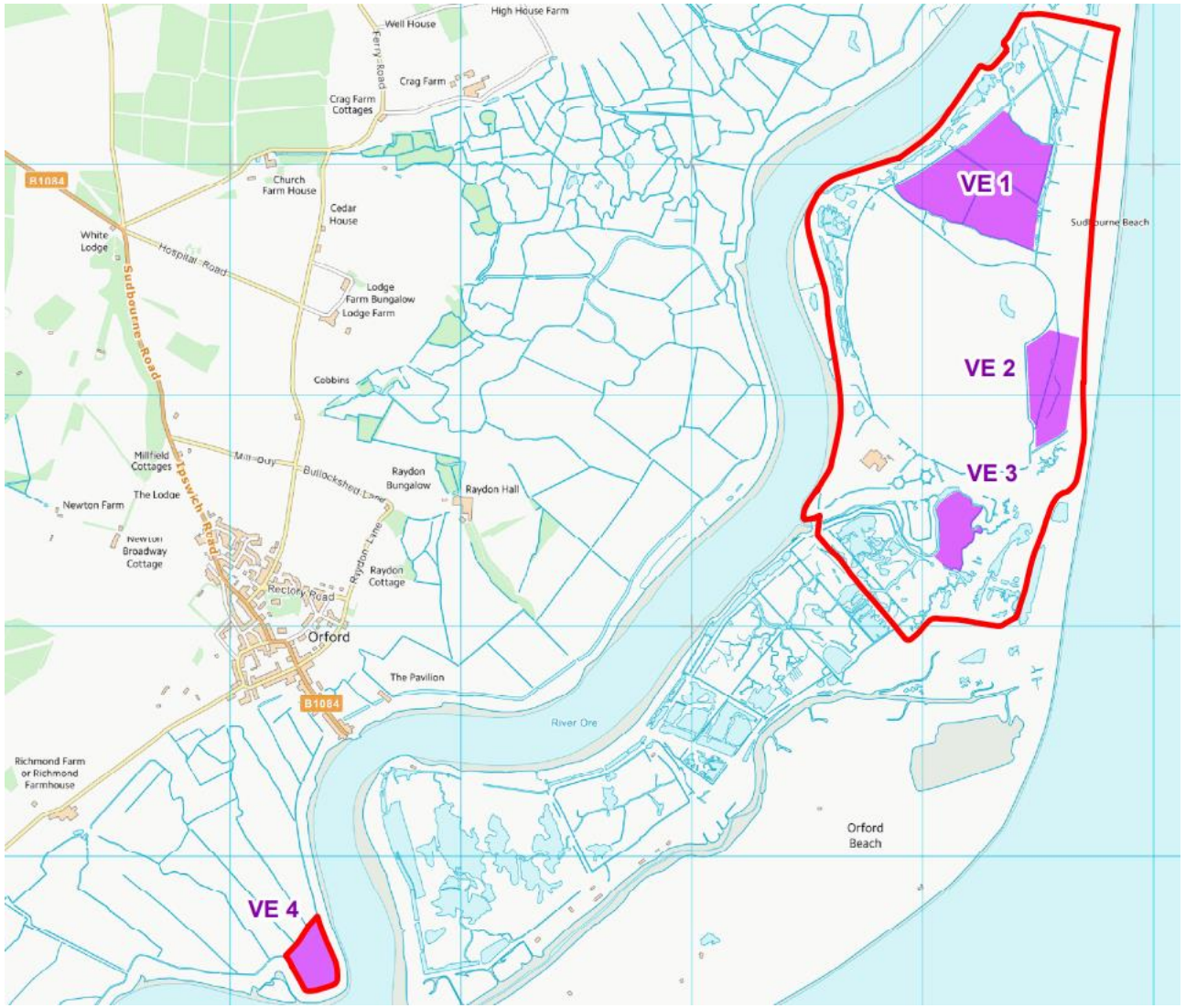
Need for compensatory measures

ESTUARIES
OFFSHORE WIND FARM

- Potential impact on Lesser Black-Backed Gulls (LBBG), which are associated with the Alde Ore Estuary Special Protection Area (SPA).
- LBBGs are a qualifying feature of the SPA.
- Habitats Regulations state that where a protected site is impacted, and effects cannot be avoided, compensation is required.
- Therefore, compensatory measures are required for the predicted impact (around ten birds annually).

Compensatory sites – locations

ESTUARIES
OFFSHORE WIND FARM



- Site search focused around Orford Ness and the Alde-Ore SPA.
- Sites selected for connectivity to existing colonies, suitable habitats and where disturbance / predation has occurred.
- At least one site is required, the use of two sites is an option.
- Also looking at other offsite areas to improve breeding success.

Compensatory sites – proposals

ESTUARIES
OFFSHORE WIND FARM

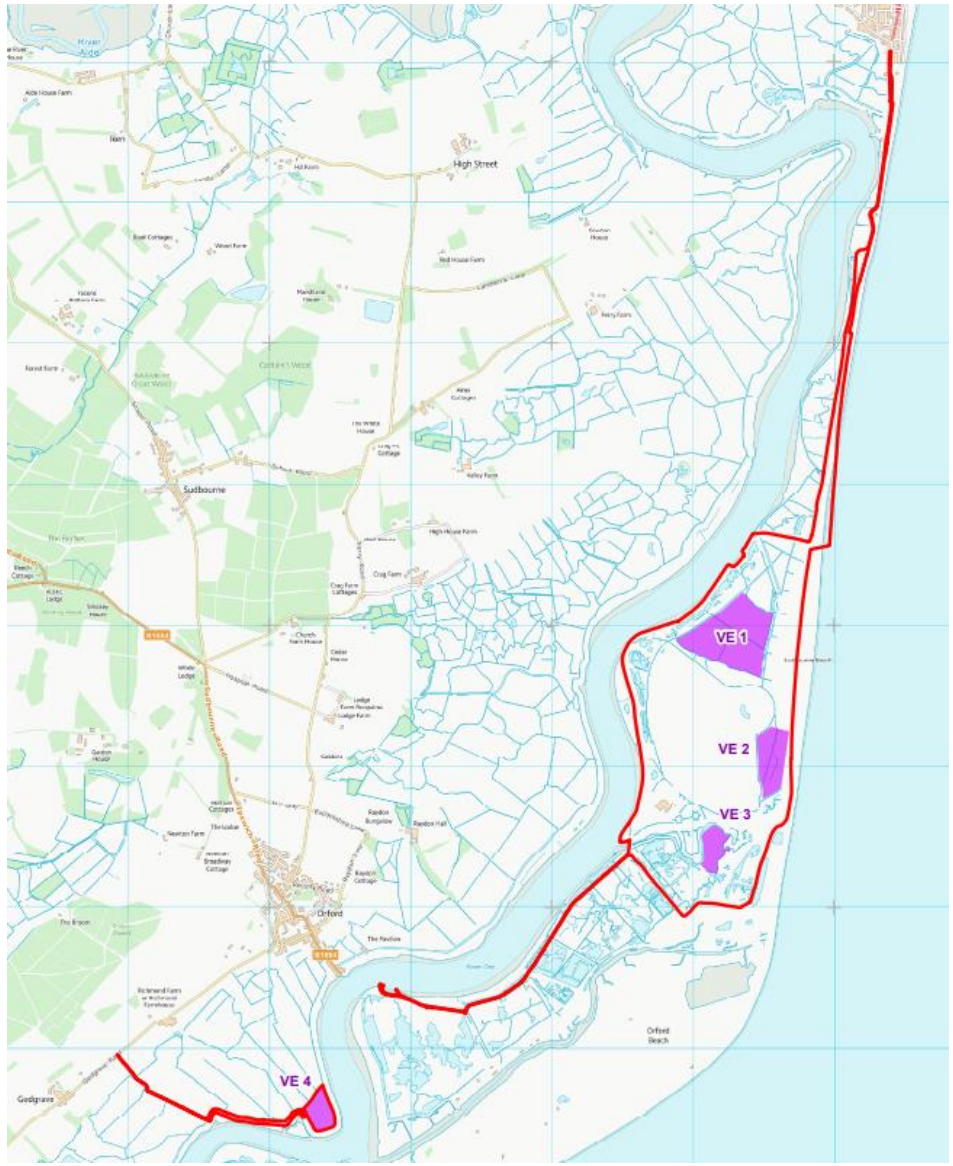
- The works associated with the compensatory measures will primarily be predator exclusion fencing around the perimeter of the site.

Management of the site

- Strimming of grass once or twice a year (outside of nesting season);
- Routine maintenance to check fencing once a year;
- Annual monitoring by an ornithologist.

Construction and access

ESTUARIES
OFFSHORE WIND FARM



- Fence installation would take approximately three weeks with up to six personnel on site.
- Construction access to sites on Orford Ness would be by boat from Orford Quay, and then using existing tracks. Access to site VE4 would be via Gedgrave Road.
- Materials and machinery would be delivered to the site using standard low-loaders. Machinery is expected to be a small excavator and dump truck.
- Any work would be carried out outside of the nesting season.

Potential impacts

ESTUARIES
OFFSHORE WIND FARM

- Due to the limited nature of the works and the remote location of the sites, our initial assessments indicate no significant environmental impacts.
- Fencing would be approximately 2m high. Fencing at any site would not be visible from Orford.
- We are aware of Orford Ness's history and will be carrying out surveys for unexploded ordinance (UXO) where needed.

Consultation

FIVE ESTUARIES
OFFSHORE WIND FARM

- Deadline for responses is **11:59pm on Wednesday 31 January 2024**.
- More information available via the website: www.fiveestuaries.co.uk/stage-3-consultation
- Feedback can be provided either by post (**Freepost FIVE ESTUARIES**) or email fiveestuaries@rwe.com.
- Feedback to the consultation will be used to inform site selection and detailed design.
- How responses have been considered will be included in our Consultation Report.

Next steps

ESTUARIES
OFFSHORE WIND FARM

- Analyse feedback to the consultation.
- Complete detailed site surveys.
- Finalise site selection and design.
- Submission of an application for a Development Consent Order expected in Q1 2024.
- If consent is secured, works would be carried out as soon as possible (likely 2026).

Q1 2024:

DCO submission

2024:

Examination process

2025:

Decision expected

2025-2026:

Procurement and detailed design

2027-2030:

Main construction

10.8 Issues and consideration

This appendix sets out the responses to the consultation from section 42 consultees (10.8.1) and members of the public, how the Applicant has considered them and whether they have led to a change in the proposals. Due to the limited number of responses, most of the responses to the consultation have been included verbatim and responded to individually. The names of individual members of the public who responded to the consultation have not been included.

> Application document reference numbers are included in parenthesis after the name of the document.

10.8.1 Section 42 consultees and technical

Consultee name	Issue from feedback	Project response and consideration	Project change? Y/N
Affinity Water	Thank you for your letter last week, regarding the Offshore Wind Farm Project and your proposals for Habitat Improvement works. After reviewing the published PIER for the project and the mitigation measures outlined for biodiversity, we are happy with the procedures set up in readiness, particularly for the lesser black-backed gull compensation. Thank you for informing us as one of your consultees and we wish you good luck with the project going forward.	Noted.	N
Alde and Ore Association	The Association is not against the principle of enclosures to protect nesting Lesser Black-Backed Gulls but does have concerns and comments on the details of the proposals.	Noted.	N
Alde and Ore Association	The Association objects to Site VE 4 at Chantry on several grounds:- i. The site is surrounded on all sides by public footpaths Gulls are unlikely to nest given the frequent presence of walkers and their dogs. Re-routing the footpath would lose the area a very popular walk for residents and the many visitors to Orford, who enjoy walking alongside the river, being able to watch passing sailing boats: the popular circular walk, or shorter walk to Chantry and then back, is a valued asset to the local economy, attracting many visitors. Gulls are very protective of their young when they begin to fly and will attack or threaten people and dogs (this happens in Aldeburgh town most years). For a mid summer period, say three weeks, walking by a gull enclosure could be dangerous. The ground surface and underlying soil, silt, peat and similar, in the land closed off from the river is totally different to the dry shingle shoreline with its naturally sparse vegetations of variable height The strong grass growth and damp soil present behind the walls is most unlikely to attract the gulls. ii. Prevention of completion of flood defence plans The Association would strongly object if the proposed enclosures would prevent the planned construction of improved flood defences, without which the land and homes behind the river walls could become flooded. The Estuary's river embankment improvement Plan, for its 44 km of walls, agreed after full public consultation and endorsed by local councils and the Environment Agency's Regional Flood and Coastal Committee, is in the process of being implemented. It has taken more than ten years to get to this stage and if the proposed gull enclosure prevented part of the wall improvement, there would be an Achilles heel leading to flooding in the Orford area, affecting homes, businesses, infrastructure, agricultural land and freshwater abstraction. (please note the river walls have been built and constantly renewed since the twelfth century and are an integral part of the Alde and Ore Estuary landscape. If not renewed the area will become flooded, becoming an area of intertidal mud losing both assets of the local economy, homes and be of no use to nesting gulls)	Site VE4 has now been dropped from our proposal, the detailed response has helped shape our proposals and informed dropping VE4.	Y
Alde and Ore Association	Sites VE 1,2,3 raise concerns and on some aspects the proposals are not clear. i. The Association's concern in relation to these three sites is that they should not have any impact on the existing flood defences of the area bordering the River Alde and Ore. It is understood that if clay is needed to repair those walls, it will not be permitted to bring in clay material from the mainland on ecological grounds, quite apart from the access difficulty of doing so: it is therefore essential that any gull enclosure would not prevent access to securing the clay which underlies VE1 and VE3. We also understand there may also be a legal issue regarding ownership of the ground within these areas which would cause a difficulty establishing a	Many thanks for your feedback on site VE 1, 2 and 3. Following site surveys and advice from stakeholder, we can confirm that VE1 and VE3 sites are no longer under consideration by the project. VE2 has been chosen as our preferred site and has been included within the DCO application.	Y

	long term nesting area. ii. The Consultation Document and accompanying posters put up on posts and poles in Aldeburgh Fort Green area seek to know who are the land holders of the roads providing access from the north to the 3 sites on the Ness. Five Estuaries will wish to be aware that: -Access on foot from Aldeburgh to the sites is possible and certainly from the gate south of the Martello Tower requires the permission of the National Trust for areas VE1 and VE 3 and the Cobra Mist company for area VE2. Access is particularly discouraged in the breeding season as there are a good number of species in the Lantern Marsh area. -Access by vehicles of any size on the coast south of the Martello Town is not possible after a couple of hundred yards. This is because although there was, until a few years ago, a haul road built along the shoreline, in 1968, erosion by the sea has washed it away for much of the shoreline leaving a long, loose shingle bank moved constantly in storms for some 4000 metres. The road could be rebuilt if the landowners did not object and the coast was not made more vulnerable to erosion. Restoration is, however, likely to require consent from Cobra Mist as the necessary shingle is likely to have to come from the area above the HW level, which is owned by them. -Access is, we understand, owned by a number of bodies: the Fort Green Car Park and carpark extending south of it fall to a mix of East Coast Council and Suffolk County Council. The right of way along part of the sea wall alongside the Aldeburgh Yacht Club belongs to the Club. -East Suffolk Council declared the whole of the area containing the roads identified in the Five Estuaries posters as being part of the extended Aldeburgh Conservation Area as recently as October 2023 That designation brings with it restrictions on what may be built and its use.	We note the feedback with regards to the access from the north, to the south of Aldeburgh. The project has now removed this from the application also.	
Alde and Ore Association	We have tried to understand the exact nature of what might be proposed by Five Estuaries for this Aldeburgh area and have contacted the enquiry point directly. While they were as helpful as they could be and went back to the planning team, we remained in the dark as to what the area might be wanted for except possibly access for those needing to create, manage and monitor the gull enclosures. If more than that is being considered, the consultation is deficient as we cannot comment on unknown proposals. Note: We have now seen the FAQ updated on 23 January 2024 informing the public about not pursuing access from Aldeburgh but have left this point in our response in case the issue is revisited. Please be aware that the whole of the area subject to this consultation lies within the Suffolk Coast and Heaths Natural Landscape and so is subject to all Natural Landscape (previously AONB) considerations.	Many thanks for your feedback, as stated the Applicant is no longer pursuing access from Aldeburgh. The Applicant is only considering this land, now the VE2 site, for compensation measures for LBBG and for no other purpose.	Y
Alde and Ore Community Partnerships	Essential background about substantial flood defence plans: The AOCP is a community organisation concerned with the upgrading of the river walls to secure land, homes, businesses and environmental features from flooding from the river, which mostly occurs at times of significant sea surges (e.g. 1953, 2013). The AOCP was established in 2020 to take forward the community's responsibilities for the Alde and Ore Estuary plan, a plan which was endorsed in 2016 by Suffolk Coastal District Council, Suffolk County Council and the Regional Flood and Coastal Committee as being a document of material importance in planning terms. For a copy see www.aocp.co.uk The AOCP provides representation and a voice for the local community and acts as guardian of the Estuary Plan in relation to its implementation and any further development, enhancement or alteration of the estuary flood defence strategy and any related activities set out in the Plan or as otherwise approved from time to time. Currently, the whole estuary flood defence plan for the Alde and Ore Estuary is in the process of being implemented. The walls have been built and have needed to be regularly refurbished every 70 years or so over the last 800 years or so. The project involves improving 44 kilometres of river walls to secure resilience against surge flooding for the next 50 years or so. The position of the existing river walls will stay the same but the walls will be refurbished: to make them higher to 3.3 m Above Ordnance Datum (Newlyn) (AOD(n) on average, broader at the top and have a long gently sloping backslope extending further into the fields behind; a design which provides best resilience to overtopping in surge floods. The project, with substantial government funding, is now beginning in the Upper Estuary, and aim is to move into the Lower Estuary, which includes the estuary bordered on one side by the Ness, which includes VE1,2,3, and all the wall on the western side of the river, including the wall at	Noted.	N

	Chantry, Site VE4. The whole project should be completed in 7-8 years. The AOCP is therefore providing comments on, and information to guide, the proposals for HRA Compensatory sites for Lesser Black-Backed Gulls so that what is proposed takes account of the estuary flood defence plans. The estuary plans for estuary embankment improvements are being implemented in two phases. Phase 1, the upper estuary, which is not affected by the LBBG plans, is seeing construction of walls over the next three years. Phase 2 for the lower estuary is in the process of development of the business case to secure government funds . The two phases are integrally linked as the nature of the Alde and Ore Estuary is such that the neighbouring flood cells are interdependent and flooding of one can impact on the next. In the lower estuary there are about 205 homes, 98 non- residential properties (businesses including a sewage water treatment plant), valuable agricultural land, and 35 freshwater abstraction points, protected by the river walls, so the plans are necessary to maintain the local economy and homes.		
Alde and Ore Community Partnerships	The three sites on Orford Ness- Sites VE1-3 Possible implication of sites on flood defence plans. The AOCP understands that two of these three sites are underlain by clay, VE 1 and VE3 and that clay has been identified to be used to rebuild the river walls on the eastern side of the river on that part of the Ness as transporting clay from the mainland will not be permitted on ecological grounds, quite apart from the access difficulty of doing so. If the positioning of VE1 and VE3 meant that the walls could not be repaired, the consequential flooding could be detrimental to the Ness area but could affect river flow, so affecting the estuary as a whole. This would be in direct conflict with Alde and Ore Estuary outcomes The East Suffolk Water Management Board, which is taking forward the construction of the whole Estuary Plan, and the Environment Agency would need to be consulted. Further if the on-site clay deposits were necessary Natural England will need to be consulted also. The AOCP advises that these issues are fully investigated by Five Estuaries with the landowners of Flood Cells 11 and 12, considering the short, medium and long term implications of siting the compensation location here. This may include taken down the new enclosures, at some point in the near future to allow access to the clay and reconstructed once the river walls have been mended. Access: a) there is not a flood defence issue in relation to access from Orford Quay, on the basis of what is said in the consultation papers. b) access is however proposed in the consultation document from Aldeburgh going south down the Ness to sites VE1-3. The AOCP would advise that access by vehicles to the sites on the Ness from Aldeburgh in the north is no longer possible as the old haul road, built in 1968 for the Cobra Mist radar project, has been seriously eroded by the sea, and would need rebuilding if it were to be used. Access by vehicles would only be possible if the old haul road was at least partly re-instated. From a flood defence point of view this is unlikely to cause harm but Five Estuaries would need to consult with the Environment Agency and the East Suffolk Water Management Board. If a road is to be constructed Five Estuaries will want to look at the updated Shoreline Management Plan Suffolk SMP2 Sub-cell 3c, Policy Development Zone 5 – ORF 15 Thorpeness to Orford Ness, updated in 2019. Also, Natural England would need to be consulted as to whether what was proposed fitted with environmental designations. Access on foot is not an issue but is a long walk along a shingle shoreline and will require permission from the landholders. Noted that the updated project FAQs suggest that any plans for access from the north have been withdrawn, but the details given here have been agreed within the AOCP and are included for a complete return.	Many thanks for your response feedback on the proposed sites. Following consultation, the projects preferred site, which is being submitted within the application is VE2. This should remove the Project's impact on potential clay being available to rebuild river walls. With regards to access from Aldeburgh going south, this has been removed from our application as a result of feedback.	Y
Alde and Ore Community Partnerships	Chantry, Site V4 The fourth proposed site is in a corner behind the river wall at Chantry. The flood defence issue is that the river walls are to be restructured as part of the Lower Estuary embankment improvements in 3-7 years' time. The embankment improvements will involve clay being dug from the land behind the wall and used to widen it, and creating a new borrow ditch in the process, this will fill with water. The total excavation zone into the marsh could be in the order of 50m worst case, leaving little space for V4 gull mitigation. The improved walls will be raised to about 3.3 metres AOD(n), broadened across the top and given a gradual back slope to cope with massive overflows of the water from the estuary in cases of extreme surges, such have occurred in the estuary in 1953, 2013 and with a near miss in 2017.	Site VE4 has now been dropped from our proposal.	Y

	If the V4 site is essential for your outcomes given the flood defence improvements are reliant on partnership contributions to make the works happen then AOCP through the dedicated funding charity Alde Ore Estuary Trust (https://www.aoetrust.org/) could receive a donation from you c.£1.5m required to accelerate and upgrade this tidal wall section ahead of wider lower estuary works. If the gull enclosure was built before the renewed flood defences, it would have to be taken down at your expense to allow the construction of the improved defences or else would be in the way and undermine the multimillion estuary flood defence plans.		
Alde and Ore Community Partnerships	As a local community body the AOCP also advises that the Chantry site is also not suitable for a breeding LBBG enclosure:- A) the site is surrounded on all sides by public footpaths and within an easy walk from Orford town: a popular walk with residents and tourists alike, and their dogs, and important to the local economy. B) gulls are likely to be disturbed and simply not nest because of the frequency of walkers and their dogs in the vicinity; C) gulls are known to be dangerous and attack people when their young are beginning to fledge and fly: the proposed enclosure is likely therefore a source of danger in the mid-summer months; D) the proposal recognises that there would need to be site maintenance to make the surface of the area attractive to or suitable for gulls, by mowing and possibly the addition of some shingle. However, the land behind the river wall is essentially peat and mud/clay, as is all the land in this estuary created by building river walls on the mainland: it will never dry out enough or for long enough to be suitable for ground nesting. The grass will grow too much during the nesting period, unlike the sparser thinner vegetation which grows naturally on the shingle spit and has been the favoured site for the gulls until the invasion of foxes, so the site is likely to fail. E) bird experts will need to be consulted as other species may be affected by the incursion of many gulls where they have not been up to now, for example barn owls scour the area behind the walls, there are several small species such as meadow pipits and reed buntings in the area. If Five Estuaries would like to discuss any of these issues in more detail, AOCP would welcome this. Contact: Chairman or Honorary Secretary email aldeblackburn@aol.com	Site VE4 has now been dropped from our proposal, however we appreciate your detailed response which has helped shape our proposals further.	Y
Aldeburgh Town Council	The following response on behalf of Aldeburgh Town Council is with regard only to the HRA Compensation sites for Lesser Black Backed Gulls - 5 Estuaries Consultation. It does not represent our view about the 5 Estuaries wind farm project as a whole. Representatives from ATC were grateful for the opportunity to attend a virtual briefing meeting. We were shocked that notices had previously been posted in Aldeburgh, specifically along the A1094, High Street and in the Slaughden area, and that maps were included in the Stage 3 Consultation materials, that indicated an intention to access Orfordness Island from the Aldeburgh side of the river. The path that was highlighted as being under consideration is totally inappropriate: it is a fragile, very narrow shingle ridge sea defence with no pedestrian or vehicle access to Orfordness Island. Once we advised you of this, you declined to remove these maps and reissue correct versions, however you did verbally confirm that this route would not be used, and updated your FAQ accordingly. We welcome your acknowledgement that the negative impact on this qualifying feature of the Alde Ore Estuary Special Protection Area (SPA) cannot be avoided and that compensation is required. We will not comment on which of the compensatory sites on the Island is preferrable, or if these should be concentrated into one or two locations, and we would support the view of RSPB, National Trust and ornithological experts. Regarding Consultation, we would ask that periods of time when local authorities, organisations and individuals traditionally take time away from regular duties, and do not meet to their regular schedules - be avoided in the future.	We reiterate that the proposed access to Orford Ness from Aldeburgh in the North, has subsequently been dropped from our proposals and welcomed your feedback during the virtual briefing meeting. We note you will not be commenting on which specific compensatory site is preferable, but we have received responses from the RSPB and National Trust which will be responding to. We welcome any further feedback when the final proposals are submitted with our DCO application to the Planning Inspectorate.	Y

AONB	This response is submitted by the National Landscape staff team that works across the two designated landscapes. It draws on discussions had with Dedham Vale and Suffolk & Essex Coast & Heaths National Landscape Partnership members, consultation documentation made available on the Five Estuary website and attendance at a public information event at Lawford on 29 January 2024.The National Landscape staff team support the response made relating to the Habitat Compensatory Measures Consultation, East Suffolk by the RSPB and will not repeat many of the points made in that response.	Noted.	N
AONB	2. Habitat Compensatory Measures Consultation, East Suffolk As noted above, the National Landscape team endorse the RSPB response to this consultation. In addition, the National Landscape team outline concerns below: • The creation of Lesser Black Backed Gull mitigation measures should not have a negative impact on the Alde-Ore Estuary SPA, or the defined qualities of the Suffolk & Essex Coast & Heaths National Landscape. If they are predicted to cause harm then further work to develop compensation measures is required. • The compensation sites appear to be located in such a way that the 'compensatory' birds produced would be at risk from the proposed Five Estuaries offshore wind farm and other existing and proposed offshore wind farms, and this should be factored in to the development of compensation sites should they remain in the proposed locations. • The consideration of potential compensation locations should examine all potential limiting factors to successful breeding at these locations. This is to ensure any potential impacts on the designated landscape are understood in each proposed location.	We note the concerns from the landscape team. As part of the DCO application an LVIA assessment for the LBBG compensation measures has been undertaken to understand any potential impact, particularly from any fences which are installed. This can be found in the Lesser Black Backed Gull Landscape and Visual Impact Assessment (document reference 6.8.1.2). The compensation measures are aimed at the SPA that is going to be impacted by the proposed development and therefore sites within the Alde Ore Estuary SPA have been chosen. In addition, in-combination impacts from Five Estuaries and over offshore wind farms are also assessed within the assessment.	N
AONB	Furthermore, the National Landscape team agree that: • The habitat creation option should explicitly be expanded to include habitat restoration as this is likely to have a greater chance of more predictable success for Lesser Black Backed Gulls than new habitat creation. In addition, the National Landscapes team recognise the importance of the proposed predator fencing in the ambition to reduce predation. The National Landscapes team note that the example predator fencing shown in figure 2.2 of the Five Estuaries Offshore Wind Farm HRA Compensatory Sites for Lesser Black-Backed Gulls Consultation Document (December 2023) is a type of fencing that is unlikely to contribute to AONB purpose in a nationally designated landscape. Impacts in the proposed locations VE1, VE2 and VE3 are less likely to have a significant impact on the nationally designated landscape given the association with the military in these locations. However, impacts of this type of fencing at VE4 is unlikely to contribute to the purpose of the National Landscape and should be compensated for.	We have now updated the measure from habitat creation to habitat restoration and management. We welcome confirmation that the fencing example provided in Figure 2.2 is less likely to have an impact on the nationally designated landscape if located in VE1, VE2 and VE3. Site VE4 has now been dropped, with site VE2 being put forward as the preferred site in the DCO application.	Y
AONB	The National Landscapes team consider that the applicant should consult and consider the Selection and Use of Colour in Development document when designing the predator fencing. Noting this is a different document than the one referred to above, it can be downloaded from: https://coastandheaths-nl.org.uk/wp-content/uploads/2021/01/SCH-Use-ofColour-Guidance-v7.pdf The National Landscape team would welcome continuing consultation on the project, particularly where there is potential to impact the nationally designated landscapes and its defining qualities.	Many thanks for sharing the guidance. An LVIA assessment has been undertaken as part of the application for the compensatory sites and will consider any potential impacts from the installation of the fence and how these can be reduced, as necessary. This can be found in the Lesser Black Backed Gull Landscape and Visual Impact Assessment (document reference 6.8.1.2).	N
Babergh and Mid Suffolk Council	Thank you for your letter dated 05.01.2024 in respect of the above consultation. On behalf of Babergh and Mid Suffolk District Councils I am writing to offer the following comments: We have reviewed the statement submitted for the Stage 3 Consultation and support the proposals aimed at improving the habitat for Lesser Black-backed Gulls around Orford Ness in East Suffolk. This is necessary to compensate for a potential impact on the species from the proposed offshore wind turbines as a number are associated with the Alde Ore Estuary SPA.	Noted.	N

	We welcome the commitment that the sites and delivery of measures would remain in operation throughout the lifetime of the Five Estuaries project (i.e. up to 40 years). We note that the compensatory sites have not yet been finalised and look forward to further details when these are available.		
Canal & River Trust	Thank you for your consultation on the Five Estuaries offshore Wind Farm project – Habitat improvement proposals. The site is not within close proximity to our network and therefore the Canal & River Trust have no comments to make.	Noted.	N
East Suffolk Water Management Board	Whilst the works proposed under the Five Estuaries Offshore Wind Farm Project (onshore cabling, etc.) fall outside of the Board's Internal Drainage District (IDD), the works proposed within this consultation fall partially within the Board's IDD. The proposed Lesser Black Backed Gulls Compensation areas options VE1, VE2 and VE3 fall outside the Board's IDD. Therefore, the Board has no comments to make on the above. However, I note option VE4 falls within the IDD (Proposed LBBG Compensation Areas, Drawing number 1 Version 1, Five Estuaries, 30/11/2024). I would like to take this opportunity to make you aware of the works the Board is undertaking within this area. As a Flood Risk Management Authority, the Board are working with a variety of stakeholders to develop and implement the Alde & Ore Estuary Plan. In essence, this involves improving the estuary's flood defences and increasing their resilience to catastrophic flood. Further information can be found here: https://www.eastsuffolk.gov.uk/assets/Planning/Suffolk-Coastal-Local-Plan/Joint-Examination-Document-Library/D-17-Final-Draft-Estuary-Plan-2016.pdf. Site VE4 correlates to Flood Cell 4 (FC4) of the Alde and Ore Estuary plan. Under the Estuary Plan, FC4 has been selected to improve existing flood defences, including winning clay from this site for these works. Therefore, the Board **strongly objects** to Site VE4, as this is not compatible with the Alde and Ore Estuary Plan. We recommend VE4 is removed from the list of proposed sites.	Noted. Site VE4 has now been dropped from our proposal, however we appreciate your detailed response which has helped shape our proposals further.	Y
Eastern Inshore Fisheries and Conservation Authority	On this occasion we have no comments to make.	Noted.	N
HSE	HSE's land use planning advice: The revised site doesn't introduce any HSC sites. HSE advice remains same as the previous one dated 25/04/2023. Explosives Advice: Explosives Inspectorate response remains the same as the previous one, as there are no HSE explosive licenced sites in the vicinity of the proposed development. At this time, please send any further communication on this project directly to the HSE's designated e mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.	We note that the site does not introduce any HSE sites and there are no HSE explosive licensed sites in the vicinity.	N
JNCC	Thank you for consulting JNCC on the Five Estuaries Offshore Wind Farm statutory consultation on habitat improvement proposals, which we received on 5/12/2023. Natural England is now authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore and offshore waters (0-200nm) adjacent to England. Therefore, Natural England should provide a full response to this consultation. Natural England will contact JNCC directly if any input is required. As such JNCC have not reviewed this application and will not be providing further comment.	Noted. Natural England have provided a response and their advice has been considered separately.	N
National Highways	This Stage 3 consultation states the need to provide habitat improvements for the natural habitat bird known as LBBG in the Alde Ore Estuary SPA within Suffolk; including with those prescribed under Section 42 of the Act. This prescribed area is remote from the nearest SRN. Therefore, from National Highways, we do not have any comment of this habitat improvement consultation for this special protection area in Suffolk.	Noted.	N
National Trust	The Trust believes strongly in the need to grow renewable energy and reduce the UK's and the Trust's use of fossil fuels. We are supportive of renewable energy as a matter of principle and believe that appropriate development can play an important role. The Trust is aware of the significant number of developments proposed for the East Anglian coast over the next few years many of which relate to renewable energy	Noted.	N

	schemes. We will welcome renewable schemes that are holistically designed to take into account the effects on the environment including wildlife, landscape and cultural heritage including the cumulative effects of similar schemes impacting related species and landscapes. The Trust notes that assessments carried out to support the proposed Five Estuaries offshore windfarm have identified that the proposal will have an adverse impact on Lesser Black-Backed Gulls, and in accordance with the Habitat Regulations, compensatory measures are required for the predicted losses.		
National Trust	The proposals set out in the consultation document identify three areas of land at Orford Ness to provide a site to enable the breeding population of LBBG to increase and compensate for any losses from the proposed development. It is noted that the focus of the search has been on and around Orford Ness (and the designated Alde-Ore Estuary SPA) as a population of LBBG already exists here. The National Trust owns the majority of Orford Ness. Two of the potential sites identified (VE2 and VE3) are National Trust owned land. Given that these form part of a public consultation, the Trust is disappointed that it has not been contacted to discuss the proposals before the sites were selected. We were contacted after the details of the compensation and the potential sites had already been selected to facilitate a site visit for surveys, but this was subsequently cancelled. We are therefore unclear as to how the suitability of these sites has been determined without a site visit, survey or discussion with the landowner. The other site identified on Orford Ness (VE1) is not owned by the National Trust but may require access across our land to reach the site.	Noted. The National Trust was contacted in advance of the consultation with regards to access to landfall surveys. Following the consideration of consultation responses, the Applicant has chosen to progress with VE2 - a small element of which includes National Trust land. The Applicant has contacted the National Trust to continue engagement on this.	N
National Trust	Where the National Trust considers its landholding to be of significant historic interest and/or natural beauty, it can designate such land as ‘inalienable’ pursuant to section 21(2) National Trust Act 1907. This means that the freehold title to the land is to be held in perpetuity for the benefit of the nation and therefore cannot be sold or mortgaged in the conventional sense. Once the land has been designated ‘inalienable’ this status cannot be undone. The land owned by the National Trust at Orford Ness has been declared inalienable. In this case, it is not at all clear if there is any intention to compulsory acquire National Trust land or rights over National Trust land and we request that you contact us in order that we can consider any such proposals in a timely manner. Please be advised that the decision whether or not to object to the compulsory acquisition of inalienable land or rights over inalienable land can only be made by the National Trust’s Board of Trustees: this decision is not delegated to National Trust staff. Should the Board of Trustees decide to object and sustain an objection to an application until the Secretary of States determination, the application would automatically be referred to Special Parliamentary Procedure for consideration by a committee consisting of members of both Houses of Parliament. Regardless of the outcome of that procedure, this has the potential to impact on the timing and cost of any application. This is why we strongly urge developers to share information with the National Trust at the earliest opportunity to ensure in turn the Board of Trustees can fully understand the scheme in prospect. We find this is best achieved by working closely with the developer so we understand what is being proposed and can provide detailed input into the design.	Noted.	N
National Trust	The National Trust has some concerns about the appropriateness of the compensation proposal and its likely success. Including, but not limited to, the size of the sites, site selection, compensation calculation, collision risk from Suffolk coast offshore windfarms, food availability, monitoring and reporting. We would be happy to discuss this further, particularly given our involvement with delivering mitigation for the Galloper project. We also request that you seek the advice of the RSPB.	The Applicant has sought the advice of Natural England and the RSPB, who both responded to this consultation. More detail on the proposed compensatory measures is now set out in more detail in the LBBG Compensation - Evidence, Site Selection and Roadmap (document reference 5.5.3) and Lesser Black Backed Gull Implementation and Monitoring Plans (document reference 5.5.6).	N

National Trust	The National Trust recognises the threats that climate change poses and the role that renewable energy can play in reducing the UK's use of fossil fuels. We are keen to engage constructively at pre-application stage where proposals will have a direct or indirect impact on our land and to ensure the best outcome for nature conservation. We would therefore welcome further discussions on the matters raised above as soon as possible, and prior to the submission of the application for a Development Consent Order.	The Applicant has contacted the National Trust to continue engaging on this matter.	N
Natural England	Natural England's Remit Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England's remit extends out to 12nm. Pursuant to an authorisation made on the 9th December 2013 by the JNCC under paragraph 17(c) of Schedule 4 to the NERC Act 2006, Natural England is also authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (12-200nm) adjacent to England.	Noted.	N
Natural England	Evidence Plan Process Natural England has provided advice to previous Five Estuaries consultations including the Environmental Impact Assessment Scoping Report (02 November 2021), Preliminary Environmental Information Report (PEIR) (12 May 2023), and Draft Report to Inform Appropriate Assessment (28 July 2023 and 07 September 2023). Since Scoping and the PEIR, Natural England has also engaged in the Applicant's Evidence Plan Process (EPP) and attended many of the Expert Topic Group (ETG) meetings. Through the evidence plan process, Five Estuaries has established the need to provide habitat improvements (including predator exclusion) for lesser black-backed gulls (LBBG) as a compensatory measure to address potential adverse effects on the Alde Ore Estuary Special Protection Area (AOE SPA).	Many thanks for your response and we welcome your support to include the proposed site(s) in the projects red line boundary. Following consultation with yourselves and other stakeholders, we have narrowed down the proposed sites and as a result we have included site VE2 within our DCO application. An assessment on the potential impact of predators fencing on the AONB has been undertaken, however feedback from the AONB partnership has suggested proposed fencing is less likely have an impact on the designated landscape in this area. The assessment can be found in the Lesser Black Backed Gull Landscape and Visual Impact Assessment (document reference 6.8.1.2).	Y
Natural England	Comments on the Consultation In order to include the potential sites for habitat improvements within its application, Five Estuaries is consulting on its compensatory measures proposals within East Suffolk. We support the intention to include the location(s) of compensatory measures within the 'red line boundary' of the Application and to seek stakeholder input on these before the Application is submitted. Natural England has considered the information provided for this Stage 3 consultation and we refer the Project to our recent advice (15 December 2023 and 29 January 2024) which was provided under our Discretionary Advice Service (DAS). We note, however, that on 22 January 2024, an update was added to the Stage 3 consultation on the Five Estuaries website (www.fiveestuaries.co.uk/stage-3-consultation) as follows: "*Update 22/01/24: Five Estuaries has confirmed that it will not be including access to site(s) on Orford Ness from the north via Aldeburgh in its final design, following discussions with stakeholders*." We have considered this additional information and welcome the Project's commitment to avoid accessing the Orford Ness habitat improvement sites from the north via Aldeburgh. We again refer Five Estuaries to our earlier correspondence (29 January 2024) in which we provide more detailed advice on the construction access routes to site(s).The potential compensatory sites fall within the Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB) and the Suffolk Heritage Coast. Where predator exclusion fences are proposed, it will be necessary to design the fenced areas in a way that does not affect the special qualities of the AONB and Heritage Coast. Any feedback from the AONB partnership or East Suffolk Council on this matter	Noted.	N

	should be incorporated into the proposals.		
RSPB	The VE project involves the proposed construction, operation, maintenance and decommissioning of an offshore wind farm some 37 km off the Suffolk coast, including up to 79 wind turbine generators. In 2023, VE consulted on its proposals publishing a PEIR. We understand that since that consultation as part of ongoing assessment of the potential impact of the project, it is predicted that the project will impact on LBBGs associated with the Alde-Ore Estuary SPA (the SPA) and Ramsar site (the Ramsar site). LBBGs are a qualifying feature of the SPA and Ramsar site. We will refer to both the SPA and Ramsar site hereafter. The consultation document reports that discussions with NE have identified that compensatory measures will be required to offset the impacts on the SPA (and Ramsar site). Investigations into the requirement were presented in the RIAA and the Lesser Black Backed Gull Compensation - Ecological Evidence, Approach to Site Selection and Roadmap and Lesser Black Backed Gull Compensation - Site Selection Note, upon which the RSPB has previously commented (see above).The Project has progressed since, resulting in the production of the current consultation document in which compensation measures comprising habitat improvements are proposed in East Suffolk, within and close to the SPA/Ramsar site.	Noted.	N
RSPB	The Habitat Improvement Proposals We have reviewed the proposals which involves the identification of 4 sites in East Suffolk, 3 lying in the northern section of Orford Ness (and therefore within the SPA/Ramsar site) and a further site some 800m south of Orford, opposite the eastern tip of Havergate Island, as potential locations for compensatory site measures. The measures are stated to include: • Predator exclusion Fencing • Vegetation management • Assessment and possible control of predator effects The consultation recognises that the breeding population of LBBGs within the SPA has declined significantly since classification in 1996. Reasons underpinning the decline are stated to be unclear, but VE identify disturbance and predation as two possible factors (our emphasis). We return to this issue of uncertainty below. The measures proposed are described as targeting the two identified reasons for decline firstly by reducing the opportunities for predation and secondly by providing suitable breeding habitat unlikely to be disturbed by human activity. We return to these and other possible reasons for the decline of the SPA/Ramsar LBBG population below.	Noted.	N
RSPB	The selected compensation sites are identified within consultation document as sites VE1-4. • VE1-3 lie within the SPA in the northern section of Orford Ness. VE1 lies furthest north, with VE2 lying to the eastern side of the Orford Ness and VE3 more centrally, southwest of VE2. • VE4 lies outside the SPA, approximately 800m south of Orford. All four sites lie within the Suffolk and Essex Coast and Heaths Protected Landscape. We note, overall, a lack of detailed description of the characteristics of each location set out in the consultation document, as well as the factors affecting the suitability of each location. Descriptions are relatively high level at this late stage in the pre-application process and c.7 months after the RIAA consultation. The RSPB has been involved with the existing compensatory project for LBBGs on Orford Ness, delivered in connection with the consented offshore windfarm projects Norfolk Boreas and Vanguard and more recently including compensation measures required by East Anglia One North and East Anglia Two offshore windfarms. This has involved the creation of a fenced and managed area of c.7 ha, which lies immediately to the northwest of VE3. It is unclear from the consultation the rationale for selecting the individual parcels identified by VE, apart from their proximity to existing LBBG colonies in the south of Orford Ness and Havergate Island.	The sites were first selected as part of a desk based study looking at areas that were deemed to have suitable habitat and have connectivity with the Orford Ness and Havergate Island populations. Also, connectivity with the LBBG compensation site for the Norfolk and EA projects was considered.	N
RSPB	We continue to question siting compensatory measures in locations which expose compensatory birds to collision risks from existing and proposed offshore wind farms. • The identification of measures deemed likely of being successful in improving outcomes for LBBG productivity, should be being implemented as part of SPA site restoration in line with Natural England's SPA Conservation Objectives and draft supplementary advice (the latter dated 5 October 2023). Such restoration	The RSPB's position on this is noted. Further information regarding site suitability, landowner agreements, fence design etc can be found in the LBBG site suitability survey report (document reference 5.5.6) and the LBBG	N

	work should be undertaken by relevant landowners/managers with Natural England direction, irrespective of the proposed offshore windfarm projects. As such, we consider the measures proposed are not additional to those that should already be under consideration to restore the SPA/Ramsar site's LBBG population to favourable condition. • Suitability of the proposed compensation sites, including the assessment of their in situ interest is still to be determined. Further information and assessment is required on the environmental implications of the proposed measures, in terms of possible impacts on the Alde-Ore Estuary SPA and Orfordness-Shingle Street SAC, and constituent SSSIs. • No evidence is presented regarding the deliverability of the proposed compensation sites in terms of landowner(s) agreement to their inclusion in the consultation and as potential sites, or the securing of appropriate consents and licences. • Landscape impacts and the scale/proposed design of proposed fencing, in an area of high landscape value within the Protected Landscape needs recognition and assessment.	implementation and monitoring plan (document reference). It was agreed in consultation with the local council that the fence would have no landscape impacts, as with the fence for the Norfolk/EA projects.	
RSPB	In our response to the RIAA and its supporting documents, we made additional observations, including the lack of scientific evidence on the suitability of habitat creation as a compensatory measure for LBBGs, and the need to consider all limiting factors affecting LBBG productivity. In this respect we would draw attention to the Annex of our response on the RIAA dated 15 June 2023 and appended here. This highlights the uncertainty regarding the underlying causes of decline of the SPA/Ramsar LBBG colony and its ongoing failure to recover. Davis et al (2018) suggests a number of possible causes of decline (see discussion section). These include predation, flooding as well as food availability. We append this paper for your information. Notwithstanding our stated views on additionality, this uncertainty as to which factors need to be addressed to restore the LBBG population remains a valid observation and one that VE need to explore further in justifying their confidence in • predator exclusion fencing as the principal compensation measure adopted; and • disturbance from human activity and mammalian predation (specifically foxes and rats) as "the" causes of decline (as stated in paragraph 1.1.7 of the consultation document)	Noted. The response to the RIAA consultation is considered in the document (5.4).	N
RSPB	VE1 lies within an area known as Lantern Marsh and has historically been used by large numbers of breeding LBBGs, with an estimated 6,000 breeding pairs in 2004. This had fallen to c.300 pairs by 2013, and breeding has collapsed since to 1-2 pairs in 2021/2 and none in 2023. The site has been vulnerable to flooding and was mostly underwater from 2013-2016. It currently comprises rank grassland with ditches. VE2 has no record of breeding LBBGs. VE3 has no record of breeding LBBGs. However, it is similar in characteristics to the existing Norfolk projects compensation area. VE4 lies close to a popular public footpath in an area subject to considerable disturbance by walkers, including those with dogs (originating primarily from the nearby town of Orford). We consider disturbance in this location is likely to be significant and require intensive management.	The Applicant notes the RSPB's position. After further survey work and design development, as well as a review of the feedback received to the consultation, the Applicant has progressed with VE2 as the site for compensation measures. This choice is set out in full detail in the LBBG Compensation: Evidence, Site Selection and Roadmap (document reference 5.5.3). More detail about how the measures will be monitored for effectiveness is set out in the Lesser Black Backed Gull Implementation and Monitoring Plans (document reference 5.5.6).	N
RSPB	In broad terms and subject to our comments above on both additionality and the identification of suitable compensatory sites, VE1 and 3 would appear to offer most scope for further detailed investigation. In our opinion VE2 has lesser potential and we consider VE4 should be deleted due to its unsuitability.		N
RSPB	With regard to fencing proposals, we note the illustrations presented within the consultation document(Figure 2.2) which provide an indication of the scale and specification currently being investigated. We would advise that there are alternative fencing approaches (such as in-ditch fencing) that would meet the requirements for security against ground predators with a lesser environmental impact and we would be pleased to revisit this with you. The RSPB has considerable experience with the design, construction and management of predator fencing across its reserve network which we can share. Landscape impacts are an important consideration given the identification of compensation sites within the Suffolk and Essex Coast and Heaths Protected Landscape and the very open 'wilderness' nature of Orford Ness. We defer to the expert comments of the Suffolk and Essex Coast and Heaths National Landscape team on the issues surrounding nationally		N

	designated landscapes and this consultation.		
RSPB	Finally, we note at paragraph 2.2.12 of the consultation document, it is stated that the compensatory site "…is expected to be in place for the lifetime of the Project, up to 40 years.". The RSPB disagrees with this statement. In line with compensation measures required for consented offshore wind farms, the compensation measures will need to be in place until such time as the impacts of the VE wind farm on the SPA/Ramsar LBBG population have ceased. As those impacts arise from the mortality of breeding adults due to collision with turbines, the recovery of the LBBG colony from those impacts will extend beyond the lifetime of the VE project itself. Therefore, the compensation measures will need to be in place beyond the lifetime of the VE project. Any draft DCO wording on this matter should reflect this requirement, and be consistent with wording adopted by the Secretary of State in relevant decisions.		N
RSPB	We anticipate and expect further detail and justification on the choice of compensatory approaches and sites will be presented in the forthcoming Development Consent Order (DCO) submission, which we understand is likely to be submitted in March 2024. The RSPB is disappointed at the lack of detail presented at this stage in the pre-application process, including the lack of any detail in respect of VE's ability to secure land and relevant licences and consents for the purpose of implementing compensation measures. The RSPB would nevertheless welcome ongoing discussion now over this aspect of the VE proposals as it raises very significant issues over the treatment of compensatory measures which are pertinent to the VE project itself, but also other forthcoming proposals in this area of the southern North Sea.		N
The Coal Authority	Thank you for your notification letter of 04 December 2023 seeking the views of the Coal Authority on the above. I have checked the site location plan against the information held by the Coal Authority and can confirm that the proposed development site is located outside of the defined coalfield. On this basis, the Planning team at the Coal Authority have no comments to make.	Noted.	N
Wetland Bird Survey	VE1 – VE2 – VE3 These are all within the area of Natural Trust interest and the owners of the previous World Service Transmitting Station. I cannot speak on the location of the 3 sites apart from pointing out that they are near or within the visitor area of the Natural Trust. Surely such sites would be best sited further south possibly opposite Havergate Island? The very best person to give you advice would be Mr David Crawshaw he has been ringing and counting birds on the Ness for over 20 years and has a vast knowledge of the birds of the Ness, I would suggest his knowledge is far greater than the various short term employees of the NT. (David can be contacted[redacted]). VE4 I am astonished that any 'so called' ornithologist can have seriously suggested this site. It is included within the WeBS Sector 8, of which I am the Counter, VE4 is completely bounded by public footpaths on the seawall and the inland grassland area. Every day of the week people walk their dogs on these paths with many more people at weekends the disturbance is frequently high. During WeBS counts I see few birds using VE-4 perhaps the odd Lapwing or Curlew and very occasionally in winter a pair of Short-Eared Owls. I can only assume that no one of skill and experience has visited or studied the site. I would suggest that a site further south near the junction of the Ore and Butley would give greater seclusion and, with thought, could be situated away from the seawalls which do attract some long distance walkers. Your Consultation Document illustrates your proposed fencing, how will it stop Rats? The whole Alde Complex is in an area of Outstanding Natural Beauty how will your fences add to it?	Site surveys have been carried out and site VE4 has been dropped from the proposals. Site VE2 is now the preferred site and will be taken forward within the projects DCO application. The proposed fencing would not stop rats, rather its purpose is to stop larger predators such as foxes from entering the site. However, a monitoring programme will be put in place, and if it is found that rats are a problem, then adaptive management would be undertaken to address the issue. We recognise that the proposed sites sit within an AONB, and an LVIA assessment of the proposed fencing has been undertaken as part of the application. However, mesh fences will be installed and therefore would not completely interrupt views. Additionally, whilst the proposed site sits within an AONB there is a significant amount of redundant man-made (military) infrastructure which litters the site already.	Y

10.8.2 Members of the public

Issue from feedback	Project response and consideration	Project

		change? Y/N
I appreciate the opportunity to provide feedback on your habitat improvement proposals for lesser black-backed gulls in East Suffolk (stage 3 consultation). Having reviewed the proposals I would prefer to see the site(s) on Orfordness developed (VE1-3). I would be concerned about the site on the mainland (VE4) opposite the northern tip of Havergate Island for three main reasons: 1. The Alde and Ore Association have been conducting a citizen science project monitoring pollution (E.coli and nitrates) from outlets into the Alde, Ore and Butley rivers over the last 12 months. It has emerged that the area of principal concern is the water discharged from the Gedgrave treatment plant into the river Ore near the proposed site VE4. Sites VE1-3 would present less risk to the health of nesting and other birds. 2. The erection of tall boundary fences would be unsightly and unpopular with myself, my husband and I suspect many other river users as they would spoil the unique beauty of the landscape to the north and west of Havergate Island. Such fences would fit better with the 'post industrial' landscape on Orford Ness. 3. I guess there may be a higher threat from potential predators and general disturbance on the mainland than on Orford Ness (where public access is limited).	In response to your and other consultees feedback the VE4 site has now been dropped from our proposals. Following site surveys, site VE2 on Orford Ness has now been selected as our preferred site, and has been included in our final application.	Y
Having read the Five Estuaries Offshore Wind Farm development's summarized proposal (sent via the Alde & Ore Association) for reinstating the Lesser Black-Backed Gulls to the Orford Ness and Chantry by erecting fencing and with a follow up of human interaction to monitor the proposed sites, I was struck with several thoughts… Firstly, given that these original natural nesting areas where plundered by an indigenous natural predator, the fox, making them no longer viable - surely your energies would be better spent reducing the fox population to restore the correct balance that enabled those original colonies to survive and flourish? Perhaps this is too contentious a solution as it involves culling foxes, which no doubt would bring on the wrath of those that wish to protect them! Secondly, the Ness has a particularly special and delicate ecosystem – how is sending in humans to build your proposed structures and then having to continually revisit the area for observation and maintenance conducive to protecting an already fragile environment? Not only is introducing man-made structures an eye saw but the building material composite properties required for the fencing will inevitably decline over time, what effect will their decay have on this area? In addition there are other species that use the area that will be kept out with your fencing – for all you know their presence might well be essential to the integrity of the delicate Eco system? Unfortunately this plan slaps of being led by an agenda of Greenwashing rather than a realistic urge to reinstate the LB-B gulls to some of their historic nesting sites without destroying the natural nature of The Ness. May I suggest you leave the Ness alone and allow the species that have adapted to environmental changes to continue to do so in peace rather than polluting a beautiful, natural location with unsightly fencing and potentially endangering other species.	With regards to foxes, proposed fencing would look to exclude them from the site. However, other natural predators have to be also considered that could impact the LBBG population once established, therefore reducing the fox population may not produce the results you would expect. With regards to human disturbance and the installation of fencing, this would be done in a short space of time to reduce disturbance as much as possible. Once installed there would be minimal human interaction, to try encourage the gulls to the area. However, surveys will be carried out as you suggest, but these will not be continuous and only occur at certain times of year. The fencing will be maintained, as if it does decay then this increases the chances of predators gaining entry to the site, which we wish to avoid. Further information is provided in our final application submitted to the Planning Inspectorate.	N
I wish to comment on the proposed mitigation sites for LBBG breeding areas on the Alde and Ore estuary. I wish to object to the proposed area at Chantry near Orford. This site is unsuitable due to the frequent use of the footpaths in the area by walkers and dogs, the nature of the ground, and in particular the need for works to maintain and strengthen the river walls in this area to protect the use of the estuary as a whole as well as flooding within the flood cell.	We have taken on board this feedback and feedback from other respondents and have now dropped the site near Orford (Site VE4). Following site surveys, we deemed the site unsuitable in line with your observations, particularly the frequent use of the footpath, which is not suitable for the establishment of a new LBBG colony.	Y

This latter point makes the area unsuitable for the proposed protection and suggests that no due regard has been taken of the realities within the local area. I write as a Professor of Biosciences with knowledge of the requirements.	Site VE2 on Orford Ness has now been selected as our preferred site, and has been included in our final application.	
I would like to add my support for the points made by the Alde and Ore Association in response to the Five Estuaries proposal for enclosures for Lesser Black Backed Gulls on the Alde and Ore Estuary.	Noted.	N
I write as a resident of Aldeburgh of 50+ years. Your website states that local expert knowledge was obtained prior to this Stage 3 Consultation. Your advertised plan to use the very fragile, narrow shingle ridge sea-defence south of Aldeburgh (in an area known locally as 'Slaughden') to access Orford Ness Island was a serious error which has further reduced the confidence of individuals and organisations in the Developer's ability to understand local issues and constraints. How can we trust your assessment, including of the significance of negative impacts if you are not researching information or using facts that have been checked, and relying only on 'desk top surveys'? The number of additional breeding pairs required to provide the necessary compensation quantum per year, to replace lesser black-backed gull mortality - is yet to be calculated. In general it very challenging to comment on matters when the full information is not available. I note your assurance that this information will be available prior to the submission of the DCO application, and once the wind farm parameters have been finalised because the impact may be subject to change. Should the Rochdale envelope (worst case scenario) not be applied at this stage of the consultation? I would support the need to continue to monitor and evaluate the success of the proposed compensatory habitat (should it be approved) at least over the life time of the project. There is no real indication how long elements (predator fences and grassed areas etc) will continue to be maintained? To say that the monitoring program will continue only until the required compensation quantum is reached is inadequate, surely the destruction of birds will continue as long as the turbines are turning? (And past evidence is not always 100% predictor of future numbers as there are many factors involved). I do not understand how, if habitat creation measures fail or do not mitigate to the extent anticipated, that a payment to the Marine Recovery Fund would compensate? This seems to admit a high level of doubt and it is worrying to think that this rationale is applied to the decision for granting approval for wind farms especially regarding negative impact of onshore infrastructure. Overall my level of confidence and trust has been reduced by this Consultation experience. I await with interest the publication of other comments, and your response.	Consultation was carried out as soon as possible in order to ensure there was an opportunity for feedback to influence the final proposals. As a result of feedback, the access via the shingle ridge described in your response, south of Aldeburgh, has been dropped from the proposals. In addition, after further survey work and design development, as well as a review of the feedback received to the consultation, the Applicant has progressed with VE2 as the site for compensation measures. This choice is set out in full detail in the LBBG Compensation: Evidence, Site Selection and Roadmap (document reference 5.5.3). More detail about how the measures will be monitored for effectiveness is set out in the Lesser Black Backed Gull Implementation and Monitoring Plans (document reference 5.5.6).	Y

11. MISCELLANEOUS

11.1 EIA Scoping Opinion

11.1.1 Applicant's request

This is a copy of the letter from the Applicant to the Planning Inspectorate requesting a Scoping Opinion and providing notification intent to undertake an Environmental Impact Assessment and provide an Environmental Statement

FIVE ESTUARIES
OFFSHORE WIND FARM

Helen Lancaster
Senior EIA Advisor
Environmental Services
The Planning Inspectorate

By email. 30 September 2021

Your Ref:
Our Ref: 004116182-01
Name: Harriet Thomas
Telephone: [redacted]
Email: [redacted]@rwe.com

Five Estuaries Offshore Wind Farm:

- **Notification of intent to undertake an Environmental Impact Assessment and provide an Environmental Statement**
- **Request for a Scoping Opinion**

Dear Ms. Lancaster

Five Estuaries Offshore Wind Farm Limited (VE OWFL) is preparing to submit an application for a Development Consent Order (DCO), in accordance with the Planning Act 2008, for an offshore wind farm with associated grid connection works, known as the Five Estuaries Offshore Wind Farm (VE).

Please accept this letter as notification under Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (SI 572) (as amended) (the EIA Regulations) that VE OWFL intends to undertake an Environmental Impact Assessment (EIA) and provide an Environmental Statement in respect of VE.

VE OWFL are submitting this letter as a formal request for a Scoping Opinion in respect of VE pursuant to Regulation 10 of the EIA Regulations. In accordance with Regulation 10(3) of the EIA Regulations, this request is accompanied by a Scoping Report (Document Ref: 003444569-01) which contains:

- a plan sufficient to identify the land to which VE relates;
- a description of the nature, purpose and location of VE and an explanation of the possible effects on the environment;
- an outline of the proposed approach to data gathering and impact assessment that will be reported within the VE Environment Statement; and

PHONE: 0333 880 5306
EMAIL: fiveestuaries@innogy.com
WEBSITE www.fiveestuaries.co.uk
ADDRESS: Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, SN5 6PB
COMPANY NO: Registered in England and Wales
company number 12292474

- further information on the proposed content of the VE Environmental Statement.

A link to the Scoping Report has been provided separately today 30th September 2021, which will be valid for 7 days from the date of issue (noted at the top of this letter).

VE OWFL look forward to receiving the Scoping Opinion in due course. Should you wish to discuss anything further please do not hesitate to contact me.

Yours faithfully,

[redacted]

Name: Harriet Thomas
Job title: Senior Consent Manager
Five Estuaries Offshore Wind Farm Limited

PHONE: 0333 880 5306
EMAIL: fiveestuaries@innogy.com
WEBSITE www.fiveestuaries.co.uk
ADDRESS: Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way, Swindon, SN5 6PB
COMPANY NO: Registered in England and Wales
company number 12292474

11.1.2 The Planning Inspectorate's response to the request for a Scoping Opinion

The Planning Inspectorate

Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: FiveEstuaries
@planninginspectorate.gov.uk

Harriet Thomas
Senior Consent Manager
Five Estuaries Offshore Wind Farm Ltd

By email

Your Ref:

Our Ref: EN010115-000053

Date: 12 November 2021

Dear Harriet

Planning Act 2008 and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 10

Proposed application by Five Estuaries Offshore Wind Farm Ltd (the Applicant) for an Order granting Development Consent for the Five Estuaries Offshore Wind Farm (the Proposed Development)

Issue of Scoping Opinion and list of the consultation bodies notified by the Secretary of State

Thank you for your letter received on 30 September 2021 requesting a Scoping Opinion under Regulation 10 of the EIA Regulations and for the Scoping Report entitled Five Estuaries Offshore Wind Farm Environmental Impact Assessment.

In accordance with Regulation 10 of the EIA Regulations the Planning Inspectorate on behalf of the Secretary of State (SoS) has:

- consulted the consultation bodies;
- taken account of the consultation responses received within the prescribed time period; and
- taken account of the specific characteristics of the Proposed Development as described by the Applicant and the environmental features likely to be affected by the Proposed Development .

The document entitled 'Scoping Opinion – Proposed Five Estuaries Offshore Wind Farm and dated 12 November 2021 is the SoS's written opinion as to the information to be provided in the Environmental Statement (ES) which must be submitted with an application for development consent. It should be read in conjunction with your EIA Scoping Report. It is available through this link:

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010115/EN010115-000014-5EST-Scoping%20Opinion.pdf

All consultation responses received up to and including 3 November 2021 from the consultation bodies have been appended to and form part of the Scoping Opinion.

Further consultation responses have been received by the Planning Inspectorate following the end of the statutory deadline. These have also been enclosed for your consideration. Any further late consultation responses the Planning Inspectorate receives will be forwarded to you for your consideration and made available via our website: https://infastructure.planninginspectorate.gov.uk.

Under Regulation 11(1)(b) of the EIA Regulations, the Planning Inspectorate on behalf of the SoS is required to notify the Applicant of the list of consultation bodies notified in accordance with Regulation 11 of the EIA Regulations. The Planning Inspectorate has notified these consultation bodies that the Applicant intends to provide an ES in respect of the Proposed Development. They have also been informed of their duty under Regulation 11(3) to enter into consultation with the Applicant regarding preparation of the ES, if requested. Please find this list enclosed.

To clarify, the Planning Inspectorate has not identified any persons under Regulation 11(1)(c) of the EIA Regulations, who may be affected by the Proposed Development.

Please be aware that it is the responsibility of the Applicant to ensure their consultation fully accords with the requirements of the Planning Act 2008 (as amended), and associated regulations and guidance. The enclosed list has been compiled by the Planning Inspectorate on behalf of the SoS in its duty to notify the consultees in accordance with Regulation 11(1)(a) and, whilst it can inform the Applicant's own consultation, it should not be relied upon for that purpose.

If you have any queries, please do not hesitate to contact us.

Yours sincerely

[redacted]

Helen Lancaster
Senior EIA Advisor
on behalf of the Secretary of State

Enclosed:

- Regulation 11 Notification List

Late consultation responses from:

- Trinity House

11.1.3 Summary of consultation responses relating to EIA methodology from the Scoping Opinion

Consultation and Key Issues Raised	Section Where Comment Addressed
The Inspectorate has set out in this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information available at this time. The Inspectorate is content that the receipt of a Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.	This is noted by the Applicant and further consultation of the scope of this EIA has been undertaken via the Evidence Plan process and one to one meetings with stakeholders. Where impacts have been scoped out from further consideration, a justification is provided within the relevant ES chapter.
Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/ minimise adverse effects is secured through the draft DCO (dDCO) requirements (or other suitably robust methods) and whether relevant consultation bodies agree on the adequacy of the measures proposed.	Paragraphs 1.4.18 to 1.4.21 of the EIA Methodology (document reference 6.1.3) present the Applicant's methodology to prevent/ minimise any significant effects throughout the EIA process. The Applicant can confirm that required measures will be secured in the DCO unless they will be separately secured by other legislation, as set out in Volume 9, Report 31: Schedule of Mitigation. In addition, impacts have been avoided and/ or minimised, where possible, through the design and site selection processes.
The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables: to demonstrate how the assessment has taken account of this Opinion; to identify and collate the residual effects after mitigation for each of the aspect chapters, including the relevant interrelationships and cumulative effects; to set out the proposed mitigation and/ or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement); to describe any remedial measures that are identified as being necessary following monitoring; and to identify where details are contained in the	The following sections provide confirmation that the Applicant has adopted the suggested approaches: • Each chapter presents the key matters raised in the Scoping Opinion; • Each chapter includes a summary table which confirms the residual effects for each effect and the mitigation required to determine the residual effect. Inter-related and cumulative effects are presented in each technical aspect chapter. • The proposed mitigation commitments are presented in Volume 9, Report 31: Schedule of Mitigation Route Map and Monitoring commitments, in Volume 9, Report 32: Offshore in Principle

Habitats Regulations Assessment (HRA report) (where relevant), such as descriptions of National Site Network sites and their locations, together with any mitigation or compensation measures, that inform the findings of the ES.	Monitoring Plan (IPMP) and Volume 9, Report 22: Outline Landscape and Ecological Management Plan. These measures re secured in the dDCO within the DCO Application. • As described in Section 1.6, the requirement for potential remedial measures will be detailed in the technical aspect chapters where monitoring is proposed; and • Where appropriate, the technical aspect chapters will sign-post to the details provided within the Habitat Regulation Assessment (Volume 5, Report 5.4: Report to Inform Appropriate Assessment and Report 5.5: Habitats Regulation Derogation).
Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendation to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicants should address within their ES. The designated NPSs relevant to the Proposed Development are the: Overarching NPS For Energy (NPS EN-1); NPS on Renewable Energy Infrastructure (NPS EN-3); and NPS for Electricity Networks Infrastructure (NPS EN-5)." The Applicant should ensure that the revised requirements set out in any emerging or updated NPSs for energy infrastructure have been considered in the ES where relevant to the Proposed Development.	Confirmation of the relevant NPSs for VE is welcomed by the Applicant. The Applicant has sought to review all revised requirements in emerging and updated NPSs for energy infrastructure in each of the technical ES chapters. In addition, due regard to the updated NPSs is provided in Volume 6, Part 1, Chapter 2: Policy and Legislation.
The Inspectorate considers that the Applicant should consider all NSIPs with zones of influence which overlap those of the Proposed Development.	This is noted and agreed by the Applicant. Volume 6, Part 1, Annex 3.1: Cumulative Effects presents the methodology for defining the long- and short lists of plans and projects considered cumulatively with VE and the resulting longlist.
The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the	This is noted by the Applicant. Each technical aspect chapter presents a robust baseline characterisation of the environment, as described in Section 1.5.

basis of the availability of environmental information and scientific knowledge. The ES should provide clear justification as to how the study areas reflect the zones of influence of the Proposed Development for each aspect of the environment covered and how receptors have been identified.	Each technical aspect chapter presents a clear justification of the how the study areas have been defined to encapsulate the zone of influence of VE on the relevant aspect receptors.
In light of the number of ongoing developments within the vicinity of the Proposed Development application site, the Applicant should clearly state which developments will be assumed to be under construction or operational as part of the future baseline.	As described in Section 1.7 of the EIA Methodology (document reference 6.1.3), all projects, plans and activities are allocated into 'tiers', reflecting their current status in the relevant planning process.
The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each aspect chapter.	The details of any relevant project specific surveys are stated in each of the aspect chapters.
The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Any departure from that methodology should be described in individual aspect assessment chapters.	As described in in Section 1.6 of the EIA Methodology (document reference 6.1.3), the significance of an effect, either adverse or beneficial, is determined using a combination of the impact magnitude and receptor sensitivity. A matrix approach is used throughout the EIA to ensure a consistent and comparable approach. Where there is a departure from this methodology, then a detailed justification and methodology is provided within the aspect chapter.
The ES should provide detailed descriptions of the assessment methods used in each aspect chapter and include evidence of agreement with relevant stakeholders wherever possible. Where project specific changes have been made to the proposed methodologies or there are limitations with the approaches taken, these should also be explained in the ES.	As presented in Section 1.4 of the EIA Methodology (document reference 6.1.3), and each aspect chapter contains a methodology section which provides a detailed description of the assessment undertaken. In addition, each aspect chapter provides a description of main assumptions and limitations and the methodology taken to reduce the uncertainties and associated risks.
The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.	
The Scoping Report refers to mitigation to be provided through various different plans which would be developed in the post-consent	Where there is detail available to identify specific mitigation measures required to minimise environmental risk these will be

phase. These include a Cable Specification and Installation Plan (CSIP) and a Project Environmental Management Plan (PEMP). Where the ES relies on mitigation delivered through these plans to avoid significant effects on the environment, as a minimum an outline or 'in principle' version of the plans should be provided as part of the application documents.	set out within the relevant chapter(s) and identified as an embedded mitigation measure or as additional mitigation. Where sufficient detail is available and the provision provides additional clarity then outline plans will be provided to support the DCO application. Where information is not available at the current time, suitable plans will be developed at the appropriate time for construction, operation and decommissioning. All specific plans, regardless of the provision of an outline plan, will be noted within the additional mitigation and secured in the DCO.
A reference list detailing the sources used for the descriptions and assessments must be included in the ES.	A reference list is provided within each document submitted in this ES.
In some circumstances it will be appropriate for information to be kept confidential. For example, this may relate to personal information specifying the names and qualifications of those undertaking the assessments and / or the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate documents with their confidential nature clearly indicated in the title and watermarked as such on each page.	This is noted and confidential documents have been prepared as recommended.
Definitions for magnitude of change should be provided in the ES and made more specific. The stages of the lifecycle of the project should also be considered.	As described in Section 1.6 of the EIA Methodology (document reference 6.1.3), each aspect chapter presents a 'magnitude of impact' table within the assessment chapter, which presents how the magnitude of impact is defined based on topic-specific criteria. Additionally, impacts have been considered across all phases of the project lifecycle.
Having reviewed the Environment Impact Assessment Scoping report, we do not object to the methodology described in the report. We would support the approach via the technology and cable route that minimise the impact on the sensitive and designated features of the site location from turbines, cables and substation.	This is welcomed by the Applicant.

We are aware that a project design Rochdale Envelope approach is being used to provide flexibility in any consent obtained to take account of changes in available electricity generation and transmission technology. We understand that such flexibility should enable the Applicant to use the most up-to-date, efficient and cost-effective technology and techniques in the construction, operation, maintenance and decommissioning of the proposed wind farm. The adoption of a realistic worst-case scenario will enable the Project's stakeholders and the Secretary of State to be confident that the environmental impacts of the Project would be no greater than those identified in the Environmental Statement (ES).	This is welcomed by the Applicant. The Applicant's methodology to apply the Rochdale Envelope is provided in the EIA Methodology (document reference 6.1.3).
The ES should include a description and assessment (where relevant) of the likely significant effects resulting from accidents and disasters applicable to the Proposed Development. The Applicant should make use of appropriate guidance (e.g. that referenced in the Health and Safety Executives (HSE) Annex to the Inspectorate's Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. The description and assessment should consider the vulnerability of the Proposed Development to a potential accident or disaster and also the Proposed Development's potential to cause an accident or disaster. The assessment should specifically assess significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects should be presented in the ES.	Volume 6, Part 4, Chapter 2: Human Health and Major Disasters includes the Applicant's approach to accidents and disasters.
Schedule 4 Part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Scoping Report states at paragraph 4.8.6 that the Proposed Development is unlikely to have significant effects on a European Economic Area (EEA) State but also states that issues (sic) will be taken up and assessed fully in the ES.	The approach to the assessment of transboundary effects is detailed in Section 1.9 of the EIA Methodology (document reference 6.1.3). All identified potential transboundary effects in the Transboundary Screening (PINS, 2022) will be assessed in the relevant technical topic chapters.

Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of an EEA state, and where relevant, to consult with the EEA state affected. The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. It is noted that the Scoping Report proposes further consideration for potential transboundary effects in relation to marine mammals, seabirds, shipping and navigation and marine archaeology. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary effects and if so, what these are and which EEA States would be affected	
A reference list detailing the sources used for the descriptions and assessments must be included in the ES.	Reference lists will be included within each document of the ES.

11.2 Regulation 32 transboundary notice

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Transboundary screening undertaken by the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) for the purposes of Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations)	
Project name:	Five Estuaries Offshore Wind Farm
Address/Location:	Offshore: Array located off the East coast of England, approximately 37km offshore from Suffolk. Onshore: a landfall site between Holland-on-Sea and Frinton-on-Sea on the Essex coast in the Tendring peninsula; and an onshore substation and onshore connection cable to be located within an area of search within the Tendring District Council (TDC) administrative area.
Planning Inspectorate Ref:	EN010115
Date(s) screening undertaken:	First screening – 31/05/2022 following the Applicant's request for a scoping opinion

FIRST TRANSBOUNDARY SCREENING	
Document(s) used for transboundary Screening:	Five Estuaries Offshore Wind Farm EIA Scoping Report ('the Scoping Report'), 30 September 2021
Screening Criteria:	**The Inspectorate's Comments:**
Characteristics of the Development	The Proposed Development comprises both onshore and offshore infrastructure components as follows: • Up to 79 offshore wind turbine generators, associated foundations and inter-array cabling. • Up to two offshore substation platforms. • Up to four offshore export circuits in a cable corridor, with interconnector cables between the northern and southern array areas. • A 'landfall' site using Horizontal Directional drilling or open-cut trenching techniques to bring offshore cables onshore. • Onshore cabling (up to four circuits) with cable construction width of up to 62m, comprising up to three power cables and up to four communications and earthing cables in each circuit. • An onshore substation with a maximum footprint of 50,000 m^2. • A series of construction compounds including up to three cable construction compounds.

	The Scoping Report anticipates construction to commence in 2028 and for it to be operational in 2030.
Location of Development (including existing use) and Geographical area	**Offshore** Five Estuaries Offshore Wind Farm (OWF) is a proposed extension to the operational Galloper OWF, located in the southern North Sea, approximately 30 km off the coast of Suffolk, England. It would be operated and maintained from Harwich International Port, Essex. A preferred offshore export cable route has been identified. The landfall point is yet to be determined but will be located between Holland-on-Sea and Frinton-on-Sea on the Essex coast. The operational OWFs within 50 km of the offshore Area of Search (AoS) and array areas to be considered include: • London Array 1 Wind Farm and Export Cable Route; • Thanet Wind Farm and Export Cable Route; • Greater Gabbard and Export Cable Routes; • Galloper and Export Cable Routes; • East Anglia One and Export Cable Route; and • Borssele (Netherlands). The identified OWFs within 50 km of the offshore AoS and array areas currently in the planning and development stages include: • North Falls and Export Cable Route; • East Anglia One North, and Two Arrays and Export Cable Routes; and • East Anglia Three Export Cable Route. Paragraph 17.5.17 of the Scoping Report lists other activities and infrastructure within 50 km of the offshore AoS and array areas which includes dredging areas, interconnector power cables and telecommunication cables (indicating which are active, proposed, and disused). Figure 4.2 in the Scoping Report presents the location of the Proposed Development relative to the limits of the Dutch, Belgian and French Exclusive Economic Zones (EEZs). Based on this figure, the boundary of the Dutch EEZ is approximately 18km north east of the array area while the boundaries of the Belgian and French EEZs are 16km to the south east and 25km south respectively. **Onshore** The underground onshore export cable would run from the landfall on the Essex coastline to a convertor substation site to be located within an area of search within the administrative boundary of Tendring District Council. The area comprises a mix of land uses, including agricultural, residential, commercial, industrial and leisure.

Environmental Importance	**Offshore** The Scoping Report identifies that: *Designated sites* Along the coast within the offshore AoS there are several sites specifically designated for geological and geomorphological features of interest, e.g. Holland on Sea Cliff Site of Special Scientific Interest (SSSI), The Naze SSSI and Clacton Cliffs & Foreshore SSSI. The offshore project area is located within or partly within a number of designated nature conservation sites, including the Southern North Sea Special Area of Conservation (SAC), Margate and Long Sands SAC and the Outer Thames Estuary Special Protection Area (SPA). The Essex Coastal Water Body, identified under the Water Framework Directive (WFD), is within the area of search, as well as the Frinton and Holland on Sea Bathing Waters. *Fish and shellfish* The Scoping Report states that there are a number of commercially important fish and shellfish species in the Outer Thames Estuary. The offshore project area overlaps or is in close proximity to fish spawning and nursery grounds for various species including herring, cod, whiting, sprat, sand eel, sole and plaice. Migratory fish species such as Atlantic salmon, shad and lamprey may pass through the offshore project area, and sea trout, European eel and smelt are also known to use the Thames Estuary. The wider Thames Estuary also supports sea bass and populations of elasmobranchs and is commercially important for shellfish, including crab and lobster species. *Marine mammals* Harbour porpoise are the most likely cetaceans to be present. Grey seal and harbour seal are present in the southern North Sea, with haul-out sites off the coast but densities within the offshore array areas are stated to be low. *Birds* Birds within the offshore project area identified in the Scoping Report include guillemot, razorbill, kittiwake, lesser black-backed gull, gannet, redthroated diver, great black-backed gull, herring gull, little gull, common tern, sandwich tern, fulmar, common gull, black headed gull and great skua. *Commercial shipping and navigation* The key navigational features in the area are the International Maritime Organization routeing measures within and near to the array areas and offshore AoS, in particular the Sunk routing measure which includes three Traffic Separation Schemes (TSS). The Sunk TSS East is located between the

	array areas and the offshore AoS passes through the Sunk Outer and Inner Precautionary Areas. *Seascape and landscape* The offshore areas of the Scoping Boundary are located beyond the boundaries of any areas subject to international, national or regional landscape designation intended to protect landscape quality. *Marine Archaeology* Immediately adjacent to the offshore project area there are palaeo landscape features and seabed deposits of palaeo environmental interest, as well as wrecks and seabed features of potential archaeological interest. *Air space and radar* Airspace above and adjacent to the offshore array areas is used by civil and military aircraft, including international civil aviation. It is located adjacent to the Amsterdam Flight Information Region (FIR). *Infrastructure* There are a number of proposed and operational interconnector and telecommunication cables that pass through the array areas (Concerto 1S, Concerto 1N, Farland and Nautilus Interconnector). **Onshore** National landscape designations apply to the coastline: Suffolk Coast and Heaths Area of Outstanding Natural Beauty, and the Suffolk Heritage Coast. The Inspectorate notes that there are a number of designated nature conservation sites within and in close proximity to the onshore area of search.
Potential impacts and Carrier	**Offshore** *Fish and shellfish* Potential impacts during construction/decommissioning include direct habitat loss, increases in underwater noise leading to auditory injury, disturbance and/or displacement at all lifecycle stages. Potential impacts during operation include the introduction of hard substrates and electromagnetic field (EMF) effects. *Commercial fisheries* The impacts on fish and shellfish identified above have potential to affect commercial fisheries. The Scoping Report also identifies the potential for fishing pressures to alter during operation as a result of vessel displacement from the array area and for gear snagging on underwater infrastructure. *Marine mammals*

	Potential impacts identified in the Scoping Report for all phases of the Proposed Development include direct habitat loss, increases in underwater noise leading to auditory injury, disturbance and/or displacement, risk of collision with vessels and changes in prey abundance. Barrier effects may also arise. *Ornithology* Potential impacts identified in the Scoping Report during construction and decommissioning include habitat loss, disturbance/displacement and changes in the abundance of prey species. Impacts identified in the Scoping Report for the operational phase of the Proposed Development include displacement/disturbance from the array areas, collision risk with the wind turbines and changes in prey abundance. Barrier effects may also arise. *Commercial shipping and navigation* Vessels could be subject to displacement from existing routes and at increased risk of collision with other vessels or structures for all phases of the development. Access to local ports could also be reduced. During operation the presence of cables and/or cable protection could reduce under-keel clearance and risk anchors interacting with subsea cables affecting vessel stability. There is also potential for the array structures to interfere with marine navigation, communication and position fixing equipment or to affect Search and Rescue operations. *Seascape and landscape* No impacts or carriers are identified in the Scoping Report which could affect the environment in an EEA state. *Marine archaeology* No impacts or carriers are identified in the Scoping Report which could affect the environment in an EEA state. *Airspace and radar* No impacts or carriers are identified in the Scoping Report which could affect the environment in an EEA state. *Infrastructure* No impacts or carriers are identified in the Scoping Report which could affect the environment in an EEA state. **Onshore** No impacts or carriers are identified in the Scoping Report which could affect EEA States. At this point, given the information available, the Inspectorate considers that significant transboundary effects from onshore activities associated with the Proposed Development are unlikely.
Extent	**Offshore** *Designated sites*

	The Scoping Report notes that the extent of potential changes to physical processes and impacts to benthic and intertidal ecology would be local. *Fish and shellfish* The Scoping Report states that distribution of fish and shellfish is independent of geographical boundaries and the assessment will be undertaken irrespective of national jurisdictions, across the wider biogeographic region. *Commercial fisheries* The Scoping Report notes that international fishing fleets – highlighting Dutch and Belgian fleets specifically but not exclusively - are known to operate in the study area. The Scoping Report also notes the presence of German, French and Danish vessels within the proposed study area for the assessments in the environmental statement. *Marine mammals* The Report states that behavioural disturbance resulting from underwater noise during construction could occur over large ranges (tens of kilometres) and therefore there is the potential for transboundary effects to occur where subsea noise could extend into waters of EEA states. In addition marine mammals are highly mobile species which could be moving between UK and EEA state waters. The Scoping Report identifies the following European sites with marine mammal qualifying features which could be affected by the Proposed Development: Klaverbank Site of Community Importance (SCI), Dutch Doggersbank SCI and German Doggerbank SCI, Waddenzee SAC, Noordzeekustzone SAC, Noordzeekustzone II pSCI (all sites within the Netherlands with the exception of German Doggerbank SCI). *Birds* Dutch and Belgian seabird populations are specified as having the potential to be affected by the Proposed Development as a result of collision risk and displacement from sea areas. The Scoping Report considers that potential impacts relating to seabird populations from other countries are less likely due to the larger distances involved. *Commercial shipping* The Scoping Report notes that shipping vessels currently cross through the proposed windfarm site and the development could affect shipping and navigation of other EEA states. It notes that the Dutch, Belgian and French EEZs boundaries are the closest to the Proposed Development. *Seascape and landscape* The Scoping Report states that parts of the study area are located within the EEZs of Belgium, France and the Netherlands, however, no areas of land within these countries are located within or close to the study area. Consequently,

	impacts are likely to be concentrated on the seascape, landscape and visual resource on the UK coastline. *Marine Archaeology* The Scoping Report states that impacts on known marine archaeological and cultural heritage receptors would be localised, however wrecks or aircrafts of non-British nationality could be impacted and there is the potential for paleochannels and palaeolandscapes within the North Sea to stretch beyond international boundaries. However, based on the information available it is not possible to determine the extent of these effects. *Air space and radar* The array areas are completely within UK airspace and the extent of potential impacts are described in the Scoping Report as localised. *Infrastructure* The Scoping Report states that the impacts to infrastructure are expected to be localised and therefore transboundary impacts are unlikely to occur.
Magnitude	The magnitude of potential transboundary effects has not been specifically identified in the Scoping Report, although in all instances it is stated that the potential effects during decommissioning are likely to be similar but smaller in magnitude than those expected during construction. A similar conclusion is reached in a number of instances for the operational phase relative to the construction phase.
Probability	For marine mammals, the Scoping Report states that the probability of transboundary impacts occurring during construction, particularly as a result of underwater noise from piling, is potentially high, and the operation phase is less likely to result in significant transboundary impacts. For other aspects, the probability of potential transboundary effects has not been specifically identified; however, based on the information presented, impacts to birds, commercial fisheries, shipping and navigation and marine archaeology are considered most likely to have potential to generate significant transboundary effects.
Duration	The duration of impacts is not specified within the Scoping Report submitted by the Applicant. Though some impacts are described as short or long term, or temporary, the Scoping Report does not define these terms - the indicative programme anticipates construction to commence in 2028 and the OWF be operational in 2030. The Scoping Report does not state an estimated lifespan for the Proposed Development.
Frequency	The frequency of the impact is not discussed in the Scoping Report but it is considered that potential effects would be

	intermittent during construction and continuous during operation of the Proposed Development.
Reversibility	The Scoping Report states that potential transboundary effects to the following identified receptors are likely to be reversible depending on the decommissioning strategy followed: • Birds • Commercial fisheries • Shipping and navigation • Air space and radar (aviation) *Designated sites* Effects on benthic ecology (with consequent implications for fish, bird and marine mammals) from impacts arising are likely to be reversible depending on the decommissioning strategy followed. The Inspectorate notes that it is not confirmed whether cables and foundations below the sea would be removed or left in place and therefore the potential loss of habitat and changes to seabed substrata from the presence of offshore infrastructure might not be reversible. *Marine archaeology* It is likely that any effects arising from impacts to marine archaeology would be irreversible and permanent. *Marine mammals / fish* The Scoping Report states that behavioural disturbance to marine mammals resulting from underwater noise during construction would be short term and intermittent and mammal populations would recover following completion of all piling activities. However, the Scoping Report also notes that noise from piling has the potential to cause permanent hearing damage/ auditory injury through acoustic trauma to marine mammals and fish.
Cumulative impacts	The Applicant's cumulative impact assessment has not yet been undertaken. The Scoping Report notes that the following key developments will be considered in the ES: • North Falls OWF (including onshore, landfall and offshore infrastructure); • East Anglia Coastal Substation (including associated enabling works); • South and East Anglia (SEA) Link project (onshore and offshore infrastructure subject to availability of project information); • Neuconnect interconnector (offshore infrastructure only); • Nautilus Interconnector (offshore infrastructure only); and • East Anglia Two and One North OWF (offshore infrastructure only). •

Transboundary screening undertaken by the Inspectorate on behalf of the SoS

Under Regulation 32 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 EIA Regulations) and on the basis of the current information available from the Applicant, the Inspectorate is of the view that the Proposed Development **is likely** to have a significant effect on the environment in an EEA State.

In reaching this view the Inspectorate has applied the precautionary approach (as explained in its Advice Note Twelve: Transboundary Impacts), and taken into account the information currently supplied by the Applicant.

Action:

Transboundary issues notification under Regulation 32 of the 2017 EIA Regulations is required.

States to be notified:

The Netherlands, Belgium, Germany, Denmark and France.

Date: 31 May 2022

Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.

Note:

The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

11.3 Responses to the Regulation 32 transboundary notice

11.3.1 Belgium

From: Steven Vandenborre (SPF Santé Publique - FOD Volksgezondheid)
[redacted]
Sent: 29 July 2022 09:18
To: Five Estuaries OSWF
Cc: Meeus Kim; Delvaux Bram; Moris, Martine; De Cock, Kristof
Subject: Order Granting Development Consent for the Five Estuaries Offshore Wind Farm
Attachments: EIA Regulations Transboundary screening notification - Belgium

Dear Ms. Lancaster,

This is the acknowledgment of the receipt of this notification and the indication that Belgium intends to participate in the EIA procedure under Regulation 32 in relation to this proposed development.

Yours sincerely,
Steven Vandenborre
Belgian federal Espoo-contact point

11.3.2 Denmark

RE: EIA Regulations Transboundary screening notification - Denmark (MST Id nr.: 5702921)

From: [redacted]
Sent: 23 August 2022 13:29
To: Five Estuaries OSWF <FiveEstuaries@planninginspectorate.gov.uk>
Cc: [redacted]
Subject: RE: EIA Regulations Transboundary screening notification - Denmark (MST Id nr.: 5702921)

Hi Stephanie –

No problem at all - please see a translation below:

"Dear Five Estuaries.

The Danish Environmental Protection Agency has the following comments

Miljøstyrelsen, the Danish Environmental Protection Agency, notes that damage to marine mammals as a result of the implementation of projects can often be avoided if the necessary mitigation measures for marine mammals are taken, such as soft-start procedure, organisation of construction work outside critical periods for the species, reduction of noise sources during piling, lower hammer force or fewer hammer blows, and scaring off marine mammals before starting the work. When using the soft start procedure, Miljøstyrelsen recommends that the duration of the start-up be investigated to ensure that animals are at a safe distance from the project area to avoid hearing damage.
Similarly, impacts on birds can be reduced by mitigation measures such as wind turbine siting patterns, periodic turbine stopping and turbine marking.

We do not wish to be notified or consulted about this case in the future."

If there is anything else – just let me know,

Kind regards,

James

James Eaton
Onshore Consent Manager
Five Estuaries Offshore Wind Farm Ltd
[redacted]
w: www.fiveestuaries.co.uk

FIVE ESTUARIES
OFFSHORE WIND FARM

Registered Office: Five Estuaries Offshore Wind Farm Ltd, Windmill Hill Business Park,
Whitehill Way, Swindon, Wiltshire, SN5 6PB. Registered in England and Wales.
Company Number: 12292474

From: Five Estuaries OSWF <FiveEstuaries@planninginspectorate.gov.uk>
Sent: 22 August 2022 15:30
To: Eaton, James [redacted] Five Estuaries OSWF <FiveEstuaries@planninginspectorate.gov.uk>
Subject: [EXT] FW: EIA Regulations Transboundary screening notification - Denmark (MST Id nr.: 5702921)

[** EXTERNAL EMAIL **]: This email originated from outside of the organization - be CAUTIOUS, particularly with links and attachments.

Dear James

We have received a response from the Danish Environmental Protection Agency to our notification on transboundary screening (see below). Wary of relying on Google Translate, would you please be able to provide a translation to English of this correspondence to enable us to publish it accurately on the project webpage?

Many thanks

Stephanie

Stephanie Newman (she/ her)

The Planning Inspectorate

Stephanie Newman | EIA Advisor
The Planning Inspectorate
[redacted]

@PINSgov The Planning Inspectorate planninginspectorate.gov.uk

Ensuring fairness, openness and impartiality across all our services

From: Martin Vestergård Jensen [redacted]
Sent: 19 August 2022 09:26
To: Five Estuaries OSWF <FiveEstuaries@planninginspectorate.gov.uk>
Subject: Sv: EIA Regulations Transboundary screening notification - Denmark (MST Id nr.: 5702921)

Dear Five Estuaries.

The Danish Environmental Protection Agency has the following comments

"Miljøstyrelsen bemærker, at skade på havpattedyr som følge af realisering af projekter ofte kan undgås, såfremt der sættes ind med de fornødne afværgetiltag for havpattedyr, som fx softstart-procedure, tilrettelæggelse af anlægsarbejde uden for kritiske perioder for arterne, støjdæmpning af støjkilder ved nedramning, mindre hammerslagsstyrke eller færre antal hammerslag, samt bortskræmning før opstart. Ved brug af softstart-procedure anbefaler Miljøstyrelsen at det undersøges, hvor lang tid opstarten skal vare for at være tilstrækkeligt til, at dyrene kan komme på sikker afstand fra projektområdet, til at de undgår høreskader. Ligeledes kan påvirkning af fugle reduceres ved afværgetiltag som fx opstillingsmønster af vindmøller, periodisk standsning af møller og afmærkning af møller."

We do not wish to be notified or consulted about this case in the future.

Best Regards

Martin Vestergård Jensen
Espoo-Consultant | Landscape & Forrest
[redacted]

Ministry of Environment of Denmark
Environmental Protection Agency | Tolderlundsvej 5 | 5000 Odense C | Tlf. [redacted]

11.3.3 France

Newman, Stephanie

From: Five Estuaries OSWF
Sent: 22 August 2022 14:54
To: Newman, Stephanie
Subject: RE: Re: Notification Espoo - Eoliennes flottantes UK

From: GAL Maxime - DIRM MEMN/MICO [redacted]@developpement-durable.gouv.fr>
Sent: 17 August 2022 16:56
To: Five Estuaries OSWF <FiveEstuaries@planninginspectorate.gov.uk>; Point Focal Convention d'Espoo - CGDD/SEVS/SDPPD1 <point-focal-convention-d'espoo.sdppd1.sevs.cgdd@developpement-durable.gouv.fr>; KHNISSI Mehdi - CGDD/SEVS/SDPPD1 [redacted]@developpement-durable.gouv.fr>; CATOT David (Chef de bureau) - CGDD/SEVS/SDPPD1 [redacted]@developpement-durable.gouv.fr>
Cc: CALVEZ-MAES Caroline - DREAL Hauts-de-France/SIDDEE/PAE [redacted]@developpement-durable.gouv.fr>; PISARZ-VAN DEN HEUVEL Caroline (Cheffe du service) - DIRM MEMN/MICO [redacted]@developpement-durable.gouv.fr> [redacted]@intradef.gouv.fr; [redacted]@intradef.gouv.fr; [redacted]@normandie.gouv.fr; DIRM MEMN/MICO (Mission de coordination s publiques de la mer et du littoral) [redacted]@developpement-durable.gouv.fr>
Subject: Tr: Re: Notification Espoo - Eoliennes flottantes UK

Madame, Monsieur,

Vous avez sollicité le Commissariat général au développement durable (CGDD), point focal français de la convention d'Espoo, pour participer à la procédure relatif au projet d'éoliens en mer dénommé "Five Estuaries".

Après avoir étudié le rapport de cadrage et les éléments apportés par le porteur de projet, la Direction interrégionale de la mer Manche Est - mer du Nord (DIRM MEMN) souhaite être associée à la procédure au titre de la convention d'Espoo.

Sur ce projet, je vous prie dorénavant de contacter la DIRM MEMN via l'adresse mail [redacted]@developpement-durable.gouv.fr et [redacted]@developpement-durable.gouv.fr

Cordialement,

Dear Sir or Madam,

You have notified the Commissariat général au développement durable (CGDD), the french focal point for the Espoo convention, in order to partipate in the EIA procedure for the "Five Estuaries" offshore windfarm.

After taking note of the scoping report and elements bring by the applicant, the Direction interrégionale de la mer Manche Est - mer du Nord (DIRM MEMN) wishes to be part of the EIA procedure under the Espoo convention.

On this project from now on I please you to notify the DIRM MEMN by the following mailboxes [redacted]@developpement-durable.gouv.fr and [redacted]@developpement-durable.gouv.fr

Sincerely,

Maxime GAL - DIRM MEMN/MICO
Chargé d'études : Environnement / Activités maritimes et littorales
[redacted]

DPC:76616c646f72

Please consider the environment before printing this email

11.4 Consultation on draft RIAA – email to consultees

Sent: 03 May 2023 17:30
To: Five Estuaries <fiveestuaries@rwe.com>
Cc: [redacted]
Subject: Five Estuaries publishes draft Report to Inform Appropriate Assessment (RIAA) and reminder of statutory consultation deadline

Good afternoon,

I wanted to let you know that the draft Report to Inform Appropriate Assessment (RIAA) and supporting documents for the Five Estuaries project have been made available on the Five Estuaries website for review and comment via this link: Draft Report to Inform Appropriate Assessment (RIAA) - Five Estuaries. The RIAA and associated documents have been prepared to support the habitats regulations assessment (HRA) of the project which will ultimately be carried out by the Secretary of State as the decision-maker for the DCO application. The draft RIAA has been prepared on a non-statutory basis and does not form part of the Stage 2 consultation which is currently ongoing.

The draft RIAA builds on the HRA screening report published previously and assesses the impact of the project, both alone and in-combination with other plans and projects, on the European sites (special protection areas (SPAs) and special areas of conservation (SACs)) and Ramsar sites which were 'screened in' to the appropriate assessment stage of the HRA process.

In accordance with the Planning Inspectorate's Advice Note 10 on the HRA process and good practice, the draft RIAA and supporting documents has been shared with Natural England, Suffolk and Essex Wildlife Trusts and the Royal Society for the Protection of Birds. The purpose of preparing and sharing the draft RIAA is to provide the statutory nature conservation bodies (SNCBs) and other key stakeholders with an update on the process and preparation of the HRA at this stage of the project's development, to obtain their comments and to seek to reach agreement on the conclusions of the assessment prior to the submission of the DCO application.

Five Estuaries will consider any comments raised by the SNCBs and other stakeholders on the draft RIAA and will seek to address these prior to the submission of the DCO application, together with ongoing engagement with the SNCBs as part of the evidence plan process.

We are inviting feedback on the draft RIAA until 15 June 2023.

Please send any comments directly to fiveestuaries@rwe.com.

Should the DCO application be accepted for examination by the Planning Inspectorate, stakeholders will have a further opportunity to comment on the RIAA as part of the statutory examination process.

I would also like to remind you that the deadline for responding to our Stage 2 consultation (statutory consultation under Section 42, which includes our Preliminary Environmental Information Report) is 11:59pm on 12 May 2023 (Stage 2 Consultation - Five Estuaries). Therefore, please provide any responses to the Section 42 consultation by end of next Friday.

11.5 Example letter to PIL identified after consultation

Our Ref: 21005415_277172
Your Ref:

13th February 2024

[redacted]

1 Staplehurst Farm
Weston on the Green
Bicester
Oxfordshire
OX25 3QU

D 03331 885374
E ve-nf@dalcourmaclaren.com

Dear [redacted]

Five Estuaries Offshore Wind Farm (VEOWF) & North Falls Offshore Wind Farm (NFOW)
Request for Information

VEOWF and NFOW ("the Projects") are two separate projects with different owners. VEOWF is the extension project of the existing 353MW Galloper Wind Farm, 37km off the coast of Essex. NFOW is an extension project to the existing 504MW Greater Gabbard Offshore Wind Farm. Both Projects will play a key role in the UK Government's ambitions to achieve 50GW of installed offshore wind capacity by 2030 and contribute to the overall net-zero target by 2050 and as such qualify as Nationally Significant Infrastructure through Section 15 (3) of the Planning Act 2008 having a predicted individual electricity generating capacity of more than 100 megawatts.

We need to ensure that all parties with an interest in land and/or property that may be affected by the Projects are notified of future consultations and the making of the applications for each Projects Development Consent Orders (DCO). The name and address of all persons with an interest in land that may be affected by the Projects, together with the nature of that interest, will be included in the Books of Reference forming part of the DCO applications.

We believe that you may have an interest in land and/or property which may be required for, or affected by, the Projects and therefore wish to confirm that we have correctly identified you as holding an interest in this land and/or property. Your details have been obtained from publicly available sources such as the Land Registry and from information you may have previously provided to the Projects or our land agents, Dalcour Maclaren. Enclosed with this letter is a Land Interest Questionnaire(s) (LIQ) and plan(s). You may have previously received and completed a Landowner Questionnaire (LOQ) earlier in the project and whilst the LIQ(s) looks similar, it is a more comprehensive questionnaire.

Please review and complete the LIQ(s) by answering the questions, providing updates to any inaccuracies in pre-populated sections and providing details of any other parties who may have other interest in the land/property. If other parties are identified by you, the Projects will contact them and send them an LIQ in the same way.

The plan(s) attached to the LIQ(s) shows the extent of land that the Projects believe you have an interest in. If the boundary is not correct, please mark on the plan the required amendments and return with the completed LIQ(s).

Dalcour Maclaren will be responsible, on behalf of the Projects, for the collation and verification of any information you provide.

It is important to stress that providing us with information does not indicate that you agree or disagree with our proposals. As stated above, this is part of the process to ensure that all parties with an interest in land and/or property that may be affected by the Projects continue to receive notification of consultation and application submissions. For this reason it is essential that the Projects have all the relevant land ownership information.

Please complete and return the LIQ(s) and plan(s) to Dalcour Maclaren, who are working on the Projects behalf, by 27th February 2024.

You can return the LIQ(s) in the following ways:

- Complete the LIQ(s) online by either scanning the QR code on the LIQ(s) or by visiting the following website:

  https://form.jotform.com/222921563624354

  and entering the online code listed at the top of the LIQ(s)

- Scan the LIQ(s) and email it to ve-nf@dalcourmaclaren.com

- Return the LIQ(s) in the post using the enclosed pre-paid envelope, or send it to:

  Land Referencing Team
  Dalcour Maclaren
  1 Staplehurst Farm
  Weston on the Green
  Oxfordshire
  OX25 3QU

If you require assistance completing this LIQ, please contact a member of the Dalcour Maclaren land referencing team on 03331 885374 or by email at ve-nf@dalcourmaclaren.com.

Yours sincerely

[redacted]

Ellie Dakin MRICS

Encs. Land Interest Questionnaire(s), Land Plan(s), Pre-paid envelope

11.6 DCO Land Referencing Methodology

High Level DCO Land Referencing Methodology

February 2024

Project Details

Project Name	Five Estuaries
Scheme Number	197210
Report Number	1

Prepared by	
Yvonne Ruff	Dalcour Maclaren

Approved by	
Adam Canning	Dalcour Maclaren

Contents

Introduction

This document sets out the technical guidelines to ensure the process of land referencing is consistent along the entire project route.

Purpose and Objectives of the Technical Guidelines

The purpose of this document is to provide guidance and ensure consistency in the preparation of recording all interests in land required or affected by the Five Estuaries Offshore Wind Farm Project ("Five Estuaries").

Responsibilities/deliverables

Dalcour Maclaren's (DM) land referencing service;

i. ensures a thorough process of land referencing and;

ii. delivers consistent and accurate data based on diligent and professional inquiry with affected parties

The DM land referencing team will work alongside the DM Geographical Information System (GIS) mapping team, the DM surveyor team and any DM contracted solicitors or other third parties to ensure the data is collated with the required diligence.

Land Referencing

Five Estuaries has statutory obligations under Section 42 of the 2008 Planning Act for diligent inquiry to identify all persons with relevant interests in land for the purpose of consultation and subsequent inclusion in a Book of Reference (BoR) to support an application for compulsory acquisition powers within a Development Consent Order (DCO).

A land referencing programme is required to assist with the preparation of the BoR as one of the key components of the submitted DCO application. The BoR sets out all interests in land and the reputed owners which have been established throughout the land referencing activities.

Project Initiation and Data Transfer

In order for Dalcour Maclaren to start the land referencing process, the land referencing boundary in digital format is to be provided to DM by Five Estuaries. This land referencing boundary will encapsulate all land that Five Estuaries believes could potentially be affected by the project either directly (BoR category 1 & 2 interests through the acquisition of land) or indirectly (BoR category 3 interests through ability to make a potential claim).

Best Practice: *the land referencing boundary is the greatest extent that BoR category 1, 2 & 3 interests specified above can be identified within. Once the Section 42 and DCO boundary extents have been decided, these should fall within the land referencing boundary in their entirety. If this is not the case, the land referencing process will need to be conducted for these additional areas and additional time will be needed to complete this.*

Once the digital land referencing boundary is received, a new project on our in-house database system CONNECT, and associated GIS database ESRI, will be created. OS mapping and raster mapping will be sourced and used as the background mapping for any land plans required during the land referencing process. Using the digital land referencing boundary, the DM GIS mapping team will spatially query the His Majesty's Land Registry

(HMLR) National Polygon Service (NPS) dataset to identify all the HMLR titles located within the land referencing boundary.

Initial HMLR Data Processing

A request is made to HMLR to provide a proprietor data spreadsheet or those titles identified as within the land referencing boundary. This proprietor spreadsheet provides the associated tenure, names, and addresses of the proprietors and the names and addresses of any mortgagees for these proprietors.

The data provided by HMLR will then be checked and cleansed to ensure the addresses are formatted correctly to match the official Royal Mail address, this is done using the Loqate software. To ensure all organisations listed have the current organisation name and registered address checks are done using the UK Companies House website. For any organisations that are registered outside of the UK, foreign Companies House websites are used to identify their registered addresses. For unregistered organisations, desktop research is used to define the most appropriate address to which to send correspondence to.

Once the data is checked and cleansed, this spreadsheet is sent to the DM GIS mapping team to add this data to the appropriate HMLR title on CONNECT and ESRI. The land parcels are also created and populated with the respective proprietors and mortgagees. Multiple parcels may be assigned to a single title if the areas within the title are non-contiguous.

For any land within the land referencing boundary that is unregistered, land parcels are created by the DM GIS mapping team for these areas to ensure all land within the land referencing boundary is covered by an associated land parcel.

The title descriptions listed on the HMLR registers will be used as parcel descriptions and reviewed to ensure the land has been described appropriately. All unregistered parcels are also given a parcel description using satellite imagery available on Google Maps and Bing Maps+.

Please note: DM also obtained initial interest data from predecessors and used this information to bolster the information obtained from HMLR. The HMLR information obtained from predecessors was up to two years old and therefore to ensure the HMLR data was accurate and correct DM ordered all current HMLR data.

Initial Contact & Survey Access Request Letter

Once the above is complete, a list of all landowners and their addresses will be exported from CONNECT.

DM will provide Five Estuaries with the first draft of the initial contact cover letter, landowner questionnaire (LOQ), landowner questionnaire reminder letter and unknown owner site notice templates. Five Estuaries will then make any necessary amends to the templates prior to approval for use.

Best Practice: *Initial contact cover letter, LOQ and survey access licence templates to be approved for use a minimum of 2 weeks prior to the correspondence being sent out in the post to ensure there is enough time to create these letters.*

This correspondence will be sent via 1st Class post to all landowners within the current land referencing boundary to make all landowners aware of the project and request access to their land for the purposes of conducting surveys.

In the first instance, LOQs will be sent to ascertain that the landowners identified in the HMLR register are still the legal owners and any additional information provided on the LOQ, such as tenants on the land or their land agent, will be added to CONNECT. Whether a landowner has given or declined consent to access to their land and if they require prior contact before surveys being carried out will be recorded on CONNECT. This information is shared with those conducting the surveys to allow them to arrange access for landowners who have given consent.

For unregistered land within the land referencing boundary, TraceIQ is used, and desktop research is conducted in the first instance for these parcels to identify potential interests and these are recorded on CONNECT. Site visits will also be conducted if required to those who own the adjacent parcels to attempt to ascertain who owns the unregistered parcels. If the site visit is unsuccessful in obtaining this information a site notice will be erected asking for those that do have any ownership information to contact DM. We also use Environmental Stewardship data to identify tenants of land and further research can then be conducted to obtain address and contact information.

Reminder letters will be sent, and site visits will be made to those that have not responded to the initial letter out to encourage further responses. TraceIQ will be used to source any phone numbers and/or email addresses so that those that have not responded to the initial letter can be contacted to chase a response.

Once the LOQ process has been completed, survey access licences will be sent to those for which access is required to their land for surveys. Any signed survey access licences received will be recorded and notification of completion will be provided to those conducting the surveys to arrange a suitable time and date for the survey to take place.

The surveys to be conducted will inform changes to be made to the Preliminary Ecological Impact Report (PEIR) boundary prior to conducting the tasks listed below.

Further HMLR Data Processing

A review of the HMLR title plans will identify any discrepancies between the HMLR NPS polygon dataset and the actual extent of the titles shown on the HMLR title plans. Any required amends will be made to the existing parcels on ESRI to match the title plan extent where necessary.

Each of the registers that relate to a HMLR title located within the PEIR boundary will be reviewed to ensure any beneficiaries, rights, easements, covenants, provisions and restrictions are also listed under the appropriate parcels. Any interests identified that relate to only part of the parcel will require the DM GIS mapping team to create a spatial layer on ESRI to identify the part of the parcel to which the interest specifically relates.

Best Practice: *HMLR title interrogation to be carried out once Five Estuaries has finalised the land referencing boundary since this is an extremely time-consuming process and any unnecessary interpretation of HMLR titles will lead to a large amount of abortive work which is not beneficial for DM or Five Estuaries.*

Desk Based Interest Gap Identification and Filling

All unregistered parcels will be populated with an unknown freeholder occupier and unknown rights interest. Desktop research will be conducted and TraceIQ will be used to identify any occupying interests that are missing from the relevant parcels. Any assumed owners will also be added to these unregistered parcels. These interests include adjacent landowners, frontage (ad medium filum) interests, watercourse interests, railway interests and rights of access interests.

A utility search will be conducted by DM using a third-party company called Atkins, this is done as utility information needs to be refreshed periodically.

Best Practice: *Atkins offers a variety of time periods for receiving utility information. The smaller the time period for utility information, the more expensive it is to acquire. Also, the longer the period the more comprehensive the information received is so best practice is to order the utility information as soon as possible once the land referencing boundary is confirmed as this ensures the utility information is more likely to be complete and the costs to Five Estuaries reduced.*

A request for location of adopted highways, public rights of way (PROW), common land and pending planning applications within the PEIR boundary will be made to the relevant local authority/authorities. Any request for payment will be sent to Five Estuaries for approval before commencing the local authority searches.

Desktop research will be undertaken to identify land which could be classed as Special Category Land using Natural England environmental data. Aerial imagery of land within the land referencing boundary will be reviewed to identify any further potential Special Category Land. Any Special Category Land identified will be recorded on the relevant parcels on CONNECT.

Best Practice: *To ensure a full review and identification of and Special Category Land within the land referencing boundary, presumptions will be made as to what constitutes Special Category Land. Any ambiguity as to what constitutes Special Category Land will be investigated further to confirm presence of such land.*

Desktop research will be undertaken to identify and record any further interests in land using Environmental Stewardship, National Highways, Crown Estate, Environment Agency, Canal & River Trust and Internal Drainage Board data available online. Any further interests identified will be recorded on the relevant parcels on CONNECT.

Land Interest Questionnaires (LIQs)

Prior to sending out LIQs, cover letter, questionnaire and land plan templates will be provided to Five Estuaries for approval for use.

The DM land referencing team will send a Land Interest Questionnaire (LIQ) along with a land plan once all non-contact referencing has been conducted. This form asks landowners and other interested parties to clarify contact information and confirmation of ownership, occupiers, tenants, and any other party with an interest in their land such as rights of way or option agreements.

The other purpose of the LIQs is to ensure that land ownership boundaries of occupation are correctly identified. Recipients of the LIQs are able to identify if this boundary is incorrect and can amend the LIQ land plan. Any amendments to the land plan will be made to the parcels and reflected within CONNECT and ESRI.

Prior to sending out LIQs, any interests identified as clients of DM, contact will be made with the appropriate DM client lead using conflict of interest forms to establish the best method for sending LIQs to a particular individual via post or email.

Best Practice: *The LIQ cover letter should provide contact details for Five Estuaries should anyone have a query regarding the project itself and contact details for DM who can field any queries relating to the LIQ itself. A deadline for response is recommended to be at least 3 weeks. Any queries received by DM regarding the project that DM are unable to answer will be forwarded to Five Estuaries.*

Best Practice: *The LIQ will list details of how to return the LIQ to DM. Options provided should be via email, via post and via online form. A unique online code is to be provided for each LIQ so that recipients can complete the questionnaire online.*

LIQs will then be created for all interests (other than unknown interests) pre-populating the information that DM have already identified through desktop referencing and from LIQs. DM GIS mapping team will create all the necessary land plans showing the extent of each of the titles that individuals have an interest in.

Best Practice: *Once the LIQs have been created, a sense check is to be conducted to ensure the correct information is pulling through into the LIQ and has been printed in the correct format. A sample check of 10% of the LIQs and a check of all LIQs to ensure they are present is recommended. LIQs to be sent in the post 1st class and a freepost return envelope enclosed to encourage response.*

LIQ responses will be logged on CONNECT and any additional information provided will be added to CONNECT. Any additional interests identified in an LIQ response for which we have not sent an LIQ will require DM to send an LIQ to the new interest identified.

Best Practice: *If any information received on the LIQ is missing or ambiguous, contact is to be made with the interest to confirm the missing or ambiguous information either via email or phone call.*

LIQ reminder letters are to be sent to all interests that have not returned all their LIQs after the deadline for responses stated on the LIQ cover letter. This is to encourage response from the recipient, for recipients to make DM aware if they did not receive the original correspondence or to let us know if the recipient is no longer at the address.

Further LIQs will be issued to any interests identified within any additional land identified that falls within an updated boundary that previously was located outside of the PEIR boundary. For those additional interests who have returned LIQs before regarding other interests, LIQs are issued to their preferred method which can be a direct email address, a preferred contact, or an agent. To those interests who have not returned any correspondence sent, we ensure that we adhere to the procedures above mentioned for due diligence and consistency.

Unregistered Site Notice Erection & Monitoring

For those interests that we have identified through desktop referencing but have been unable to ascertain who the interest relates to, since we cannot send LIQs to these interests, a schedule of unknown interests will be prepopulated on the LIQ that is sent to landowners.

For unregistered land, a site notice will be erected. A site notice template will be sent to Five Estuaries for approval for use prior to erection. Unregistered land site notices will be accompanied by a plan showing the extent of the unregistered land. The notice will also provide full contact details for DM's land referencing team. A reference number will be shown on the plan and notice to ensure any data received is processed accurately on CONNECT.

The notice shall request that any party with an interest in the land to come forward and make claim to their interest and provide contact details. The DM land referencing team will then collate a LIQ letter to send to the claimant to confirm their interest and any further information that may not have been gathered on initial contact, these interests will then be able to receive formal notification of the DCO Application.

The ESRI Field Maps App is used by the DM GIS mapping team that shows the unregistered parcels on a phone app and allows the ability to log; the notice number, date/time of check, who checked the notices, action taken (erection, checked, replaced, removed), a photograph of the notice for each check and any relevant additional comments.

Best Practice: *Unregistered Site Notices are to be printed on waterproof paper and erected in publicly accessible areas nearest to the relevant parcel to ensure the highest visibility to the public. They are to be erected on street furniture or on wooden stakes as close to the unknown landed interest as possible. They are not to be erected on private roads, private fences, or gates.*

Best Practice: *Unregistered Site Notices are to be monitored weekly for 6 weeks and replaced if either weather damaged or removed.*

At the end of the monitoring period, all notices shall be removed from site, and materials recycled as far as is practical.

Contact Site Referencing

An analysis of those that are yet to return their LIQ(s) is to be conducted. Chasing of LIQ responses will be conducted either through phone calls, emails, further reminder letters sent in the post or site visits dependent on contact details sourced through desktop referencing. All attempts at contacting interests will be logged on CONNECT.

Best Practice: *A minimum of 3 attempts (by reminder letter, phone call, email) will be made to contact all interests within the land referencing boundary that have not responded to the LIQ sent. A combination of reminder letters, phone calls and emails will be used (where possible) to chase a single party to ensure all chase methods have been explored to obtain a response.*

Section 42 Consultation

Once the referencing tasks explained above have been completed, work is to be conducted for Section 42 consultation.

A refresh of the HMLR data will be conducted to ensure that any updates since sourcing the original HMLR data and documents are reflected in CONNECT. A request is made to HMLR to provide a current edition date spreadsheet for those titles identified as within the CPO boundary. Once received, DM will compare the current edition dates against the edition dates of the HMLR document originally sourced. For any with a new edition date identified the corresponding HMLR register will be ordered to identify the update and, if relevant, will be reflected in CONNECT.

UK Companies House and foreign Company House websites will be checked again to ensure that the registered address for organisations is current and correct.

Section 42 notice templates will be sent to DM for use. This will include a template for the Section 42 cover letter, the Section 48 notice, and any land plans to be enclosed within the letter. Consultees will also be able to request additional materials which explains how Five Estuaries reached a final decision on the selection of the substation site. It is a statutory requirement that a Section 42 notice article be placed in locally circulated newspapers also.

A recipient list of all individuals and organisations that have an interest within the PEIR boundary will be provided to Five Estuaries including names and addresses.

Five Estuaries is to provide any additional consultees beyond that provided by DM to collate a final recipients list for which DM can create, check and print the Section 42 notices. DM will confirm with Five Estuaries if there are any additional Category 3 consultees to which they would like to send a Section 42 notice to those that fall outside the PEIR boundary.

Best Practice: *Section 42 notices to be sent to all recipients within 1 week before consultation commences. Any additional Section 42 notices to be sent will need to be sent within 32 days before the end of the consultation period. If not, the consultation period is to be extended for these recipients that receive the Section 42 notice after this 32-day window.*

Best Practice: *Section 42 notices are statutory notices and therefore a check needs to be done to ensure every recipient receives a Section 42 notice and that it is complete with all necessary information enclosed.*

If any new interests have been revealed after the initial Section 42 notices have been served, they will receive a LIQ and Section 42 notice. If they have been identified early into the consultation period they will receive the original Section 42 notice. If they have been identified late an extended consultation will be provided for them.

Please note: *Feedback from interests in the initial consultation has been considered and used to develop Five Estuaries' DCO application. The DCO boundary may change to incorporate this feedback and reveal areas of additional land that were not included in the initial consultation. For these interests that fall within this additional land, an LIQ and a*

targeted Section 42 notice was issued. Targeted unregistered site notices for Section 42 were also erected. This gives another opportunity to provide any feedback to Five Estuaries on the application.

Section 42 Unregistered Site Notices

A Section 42 Unregistered site notice template will be sent to Five Estuaries for approval prior to erection.

A Section 42 Unregistered site notice is to be erected for unregistered land identified in the PEIR boundary. The unregistered site notice will be erected within the vicinity of these parcels and for a cluster of unregistered parcels a single site notice may be erected for all those within the cluster.

The ESRI Field Maps App is used by the DM GIS mapping team that shows the unregistered site notice locations on a phone app and allows the ability to log; the notice number, date/time of check, who checked the notices, action taken (erection, checked, replaced, removed), a photograph of the notice for each check and any relevant additional comments.

Best Practice: *Section 42 Unregistered Site Notices are to be printed on waterproof paper and erected in publicly accessible areas nearest to the relevant parcel to ensure the highest visibility to the public. It is advised to also erect generic Section 42 site notices throughout the length of the PEIR boundary to make as many people aware of the project and encourage comments regarding the proposed development. They are to be erected on street furniture or on wooden stakes as close to the unknown landed interest as possible. They are not to be erected on private roads, private fences, or gates.*

Best Practice: *Unregistered Site Notices are to be monitored weekly for the duration of the Section 42 consultation period and replaced if either weather damaged or removed.*

At the end of the monitoring period, all notices shall be removed from site, and materials recycled as far as is practical.

Site Walkover

A site walkover is conducted to identify any information not obtained from desktop research or contact site referencing. This can include any information that has recently changed or will change imminently or a change in land use.

Contact is to be made with the necessary landowners and occupiers to ensure they agree for DM to access their land prior to conducting the site walkover on land not publicly accessible within the DCO boundary. Any land where access has not been agreed will not be accessed as part of the site walkover.

The ESRI Field Maps App will be used to log any changes in land use that could result in a change of ownership or interest. Any evidence of additional interests will be recorded using the ESRI Field Maps App and incorporated on CONNECT. A photograph is to be taken for each parcel and for any features that suggest a change in land use or ownership/occupation.

The site walkover also gives DM the opportunity to review the plot descriptions for accuracy and add any finer detail required.

Book of Reference Production & Submission

Five Estuaries is to provide a finalised DCO boundary based on the recommendations from Section 42 consultation showing the land they intend to acquire, its acquisition type and any Category 3 land that will form the DCO boundary.

A refresh of the HMLR data will be conducted. For those HMLR titles with a more recent edition date, the new edition of the HMLR title is to be ordered to identify the changes made to the HMLR title. Any updated information, if relevant, will be reflected within CONNECT.

DM GIS will use this DCO boundary and the extent of different acquisition types to split up the parcels by the DCO boundary and acquisition type to create DCO plots.

DM will provide Five Estuaries with the BoR template for approval for use. Any comments or amends suggested by Five Estuaries will be made to the templates.

These plots will inform the DCO BoR Land Plans that show the plots within the DCO boundary and their associated acquisition type. Any special category land or crown land identified will have corresponding land plans created to show this land.

Each plot will be given a plot description by reviewing aerial imagery and photographs taken during the site walkover. This plot description will adhere to the required format as requested by Five Estuaries.

Each plot interest will be reviewed to ensure it is located within the extent of the plot. If this is not the case, the interest will be excluded from the plot and will not appear within the BoR. A review of the following information is to be conducted to ensure all information is correct.

- Land Registry titles
- LIQ responses
- Utility data
- Council (highway and PROW) data
- Registered Company Addresses
- Frontage interests
- Duplicate interests
- Site walkover information
- Plot descriptions

A review of any gaps in the information will trigger a check of all sources of information to ensure no further information can be obtained.

Once complete, a draft BoR is to be created. This will be used for DM to conduct a plot-by-plot review to ensure the information shown is correct. CONNECT will be updated accordingly with any changes required to the data shown in the BoR.

A draft BoR will be submitted to Five Estuaries for legal review. Any comments or amends required from Five Estuaries' legal review will be incorporated into the BoR and another plot-by-plot review will be conducted to ensure all amends requested have been incorporated before final submission.

Post Book of Reference Submission, Section 56 and 134 Notification

Section 55 of the Act

Upon submission of the DCO application, the Planning Inspectorate (PINS) has 28 days to accept or reject the application for examination. If the application is accepted a Section 55 is provided outlining and queries or points of clarification that is required. Should any of these relate to the BoR or the Land Plans, DM will review and confirm any changes with Five Estuaries.

Section 56 of the Act

If the DCO application is accepted, Section 56 notices are to be sent to all those interests listed in the BoR (unless identified as no longer having a landed interest post DCO submission) inviting them to make a representation during the DCO examination period.

In the first instance, a refresh of the HMLR data will be conducted. For those HMLR titles with a more recent edition date, the new edition of the HMLR title is to be ordered to identify the changes made to the HMLR title. Any updated information, if relevant, will be reflected within CONNECT.

A Section 56 notice template will be sent to DM for use. Section 56 notices are created, printed, and sent out via recorded 1st Class post.

Best Practice: *It is recommended to send the Section 56 notice by recorded delivery to ensure recipients have received the notice directly. Five Estuaries will then receive the delivery status of each of the letters sent from DM certifying all parties have successfully received notification.*

Site notices will be erected around the application area, a general rule is that they are placed in the same locations Section 42 site notices were placed. These notices shall be placed on public highways, any notices on bridleways or public footpaths will require the consent of the landowner. They will normally remain on site for a period of 6 weeks and be monitored using the ESRI Field Maps App.

DM will prepare a Schedule of Changes (SoC) that lists any further updates to the information to the BoR that have become apparent after submission and make the respective changes to the BoR in preparation for further requests for an updated BoR by PINS. Clean and tracked versions of the BoR reflecting any updated information received post BoR submission along with a Schedule of Changes listing the updates will be submitted when appropriate.

Section 134 of the Act

Once the order is confirmed granting development consent and the order includes provision authorising the compulsory acquisition of land, Section 1345 notices can be served.

In the first instance, a refresh of the HMLR data will be conducted. For those HMLR titles with a more recent edition date, the new edition of the HMLR title is to be ordered to identify the changes made to the HMLR title. Any updated information, if relevant, will be reflected within CONNECT.

Templates of the section 134 notices will be provided to DM and populated before seeking approval from Five Estuaries. Section 134 notices are created, printed, and sent out via recorded 1st Class post.

Best Practice: *It is recommended to send the Section 134 notice by recorded delivery to ensure recipients have received the notice directly. Five Estuaries will then receive the delivery status of each of the letters sent from DM certifying all parties have successfully received notification.*

Notices are maintained on site for a 6-week statutory period and will be monitored using the ESRI Field Maps App.

Undeliverable Mail

From time to time, LOQs, LIQs, Section 42 notices, Section 56 notices and Section 134 notices do not reach the intended recipient and are returned to DM.

An analysis as to why the letter did not reach the intended recipient will be conducted and any information that needs updating in order for the letter to be successfully delivered will be updated on CONNECT. TraceIQ, HMLR register, Companies House and desktop research checks will be used to conduct this analysis.

The letter will be re-issued appropriately to ensure that the letters reach the intended recipient.

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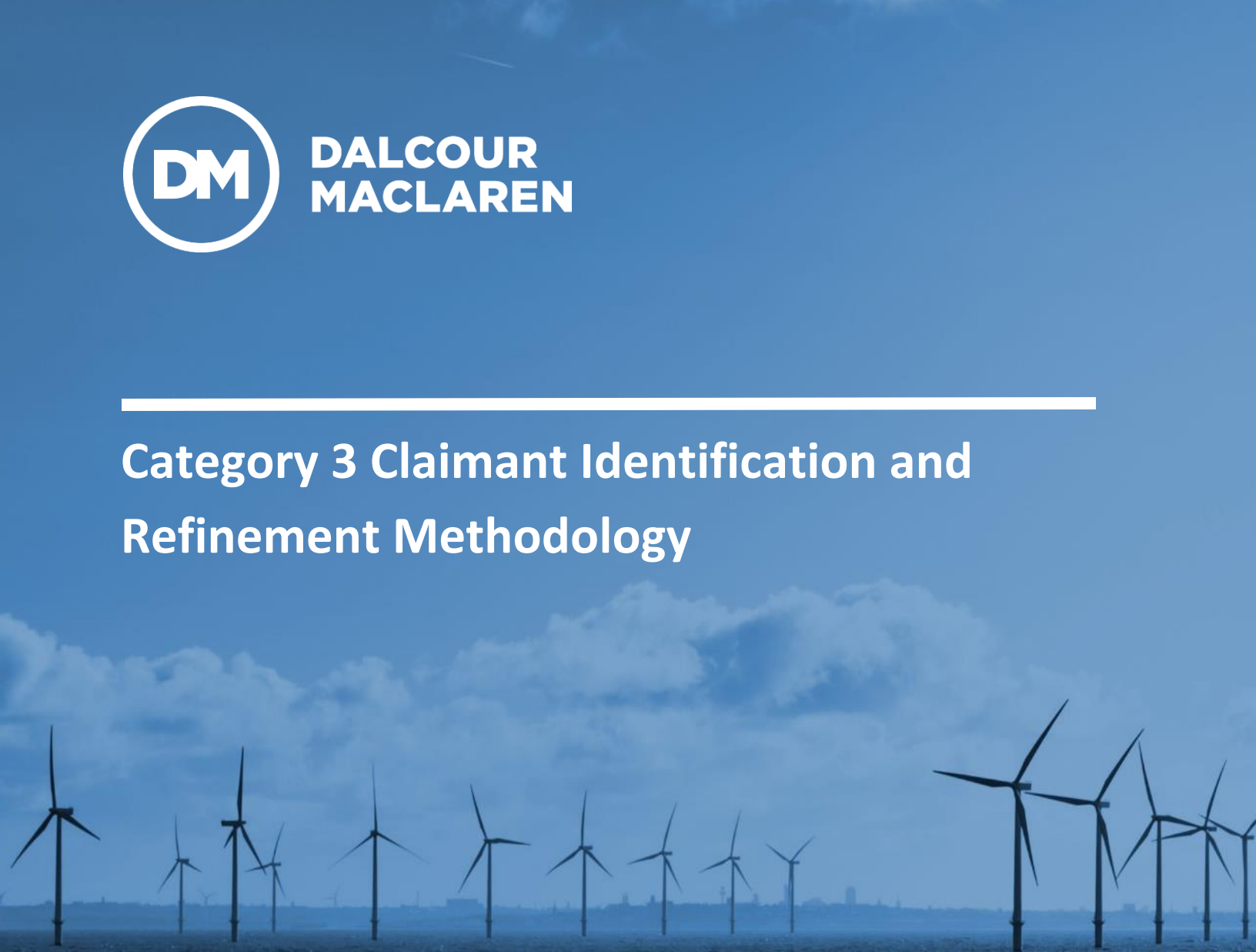
11.7 Category 3 Claimant Identification and Refinement Methodology

Category 3 Claimant Identification and Refinement Methodology



Client: RWE Renewables UK Limited

Project: Five Estuaries Offshore Wind Farm

Date: 1st March 2024

Project Details

Project Name	Five Estuaries OWF
Scheme Number	197210
Report Number	1
Version Number	2

Prepared by	
Rob Lees	Dalcour Maclaren
Approved by	
Adam Canning	Dalcour Maclaren

Contents

Introduction

Background

Five Estuaries Wind Farm (the 'Applicant') has during the pre-application phase of its Development Consent Order (DCO) application and under Section 42 of the Planning Act 2008 (the 'Act'), a duty to consult with each party set out in the categories in Section 44 of the Act. Upon acceptance of the application and in accordance with Section 56 of the Act, the applicant must give notice of the application to each person set out in categories Section 57. In both Section 44 and 57, one of the categories is "Category 3" which includes any persons that the applicant believes "would or might be entitled to make a relevant claim" if the "proposed application were to be made and fully implemented".

A Relevant claim is defined as any of the following:

- a claim for injurious affection under Section 10 of the Compulsory Purchase Act 1965
- a claim under Part 1 of the Land Compensation Act 1973
    - "noise, vibration, smell, fumes, smoke and artificial lighting and the discharge on to the land in respect of which the claim is made of any solid or liquid substance."
- a claim under Section 152 of the Act

For the application of compulsory acquisition powers within DCO, under section 7 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, a "Book of Reference" (BoR) must be submitted. The BoR describes all land over which it is proposed to exercise powers of compulsory acquisition and records and categorises all those with interest in said land, as such, all persons who are deemed to be Category 3 are detailed in the BoR.

The Applicant has undertook an initial referencing exercise to identify potential Category 3 claimants to be consulted at s.42. Following refinement of the Project's PEIR boundary to the proposed draft order limits, a further exercise has been undertaken to review and refine the list of Category 3 claimants to be incorporated into the BoR.

Relevant Claim

As set out above, there are three acts under which a relevant claim can be made. Further details on the nature of these possible claims are set out below.

Section 10 of the Compulsory Purchase Act (CPA) 1965 provides an entitlement to compensation, subject to meeting certain criteria, to the owners of a land interest who suffer damage to their property interest as a result of the execution of works. This entitlement arises where no land is acquired from the owner and equates to a restricted form of nuisance claim. Claimants can include those whose rights or easements over land are interfered with as a result of the works (for example, a right of way over land being occupied for the Project).

A claim under Part 1 of the Land Compensation Act 1973 would relate to the operation or use of the Project with some physical factor produced by the operation/use that results in a loss in the value of the claimant's property. Physical factors under Part 1 of the Land Compensation Act 1973 include noise, vibration, smell, fumes, smoke, artificial lighting and the discharge on to the land of any solid or liquid substance.

Section 158 of the Act gives the applicant a statutory defence for nuisance. Section 152, however, allows for injurious affection claims, subject to "McCarthy rules", as a remedy for any party who would otherwise be able to make a claim for loss in the value of the claimant's property caused as a result of nuisance and Section 10 of the Compulsory Purchase Act 1965 then applies.

The "McCarthy rules" for injurious affection claims are:

- Works must be pursuant to statutory powers.

- Claim must arise from "works" which would give rise to a nuisance claim but for the statutory defence.
- Works must directly affect the value of claimant's land/interest.
- Applies only in the execution of works not to their use or operation.

It is possible for temporary interference to be enough to substantiate a Category 3 injurious affection claim, however, not where the works are limited in duration or where operations were a normal and usual use of land in the locality. There is no cause of action in any event unless the scale of interference is more than it is reasonable to expect a landowner to suffer.

Methodology

Initial Identification of Potential Cat 3 Claimants for s.42 Consultation

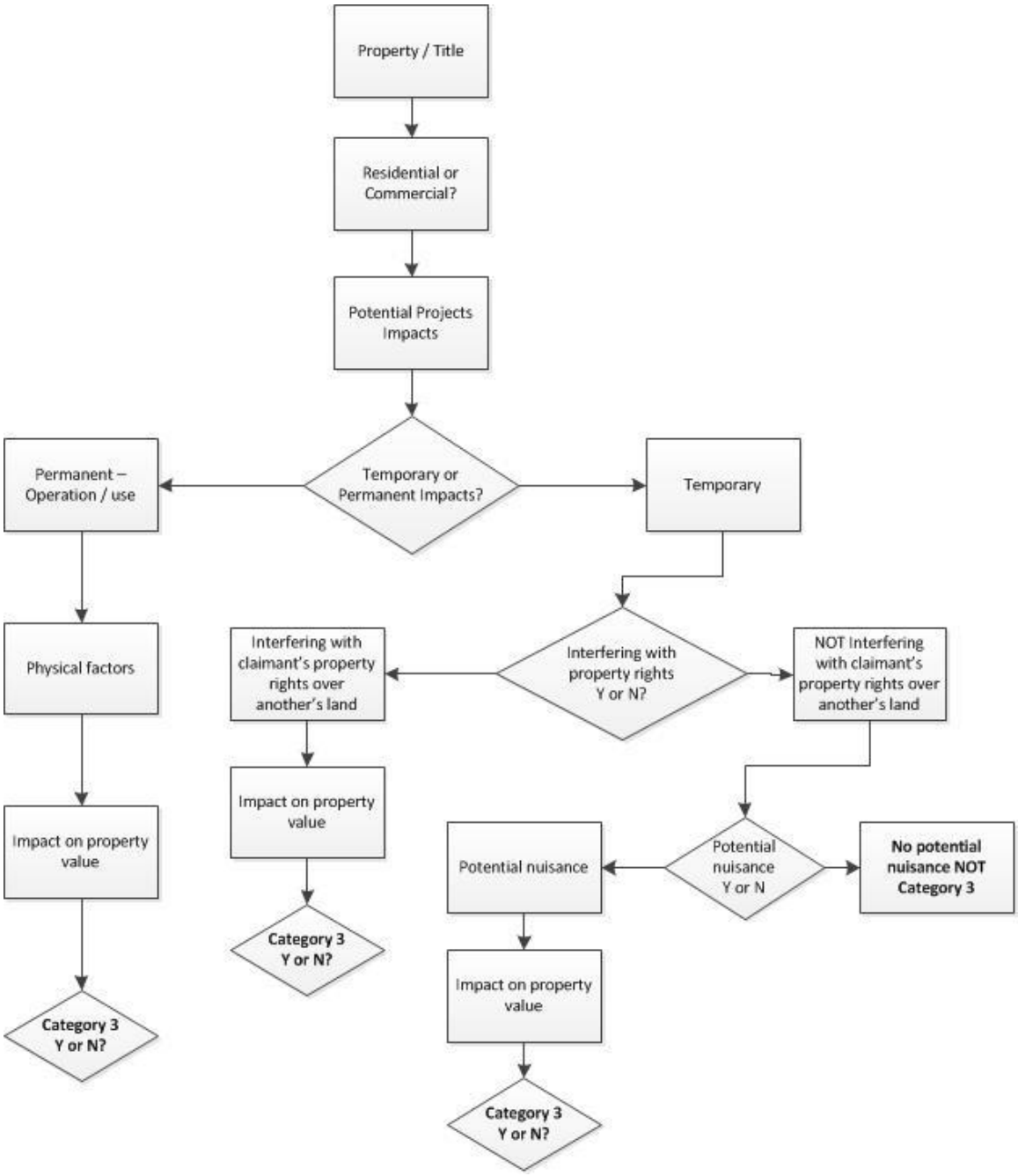
A multidisciplinary approach to the initial identification potential claimants at PEIR stage was deployed involving the following parties:

- Land Agency
    - The Applicant's appointed firm of land agents, Dalcour Maclaren, provided advice on what could constitute a relevant claim and undertook a GIS exercise to determine what property titles might potentially be able to make a claim based on the PEIR boundary and proximity to the substation and temporary construction areas.
- Environmental Consultants
    - The Applicant's appointed environmental consultants, SLR provided advice on matters arising from the construction or operation of the Project which may give rise to a claim.
- Five Estuaries Project and Lands Team
    - The Project and Lands team provided advice on matters arising from the construction or operation of the Project which may give rise to a claim.

The primary cause for potential claims during the construction period was determined to be noise emanating from the activities at landfall and from the construction and use of temporary construction compounds. The number of properties included in this assessment was increased due to the optionality presented at PEIR in respect of the cable route width.

Given the nature of the project, the potential for claims to arise in relation to the operation of the Project are limited to around the substation area. A precautionary approach was taken to include a number of residential properties in the vicinity of the proposed substation locations.

The flow chart below sets out the principles of the assessment of potential category 3 claimants:


Property / Title
Residential or Commercial?
Potential Projects Impacts
Temporary or Permanent Impacts?
Permanent – Operation / use
Temporary
Physical factors
Impact on property value
Category 3 Y or N?
Interfering with claimant's property rights over another's land
Interfering with property rights Y or N?
NOT Interfering with claimant's property rights over another's land
Impact on property value
Category 3 Y or N?
Potential nuisance
Potential nuisance Y or N
No potential nuisance NOT Category 3
Impact on property value
Category 3 Y or N?

Refinement Required Ahead of Submission

Following receipt of the draft Order Limits and associated works plans and ahead of drafting the BoR, the Project has undertaken a review of the updated red line boundary (RLB) in order to assess the impact of this refinement exercise on the list of potential category 3 claimants.

A GIS desktop assessment was undertaken to assess potential cat 3 claimants as before, however further project information was available to refine the assessment. As noise is likely to travel the furthest out of the listed named factors under The Land Compensation Act 1973, noise was used as the basis for the assessment as this likely to capture and exceed disturbance caused by other factors e.g. vibration. The parties involved in the initial review led this assessment again to ensure the consistency in the approach.

The following information was used in the desktop GIS assessment:

- The following noise contour buffers were used based on information from the latest draft Order Limits.
- Updates to the layout, location and size of temporary construction compounds.
- Updates to cable sections to be horizontally directionally drilled (HDD) and hours of operation.
- Any existing natural screening including topography.
- Any proposed noise mitigation measures proposed as part of the construction or operation of the Project.
- Detail on the landscaping options proposed around the substation.

Noise Buffer Applied*	Activity/Area Buffer Applied to
155m	Working cable width, this accounts for haul road and general construction activities.
207m	Temporary Construction Compound
83m	Day time HDD
324m	Evening HDD
660m	Night Time HDD
*Buffer may vary depended on natural screening, topgography and mitigation measures proposed by the project.	

Central
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Weston on the Green,
Oxfordshire OX25 3QU

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11.8 Webinar / presentation slides

Presentations have been given to stakeholders throughout the development of the project. In this section of the appendix, the following presentation slides are reproduced in order to give an indication of the kind of materials that were presented.

- Presentation to councillors ahead of Stage 2 Consultation that were carried out in January 2023.
- Stage 2 consultation webinar - 25 April and 26 April 2023
- Onshore focused public webinar pre-submission – 8 February 2024.

11.8.1 Presentation to councillors ahead of Stage 2 Consultation – January 2023

ESTUARIES
OFFSHORE WIND FARM

Five Estuaries Project Update

February 2023

Agenda

ESTUARIES
OFFSHORE WIND FARM

	TOPICS
01	Agenda and Introduction
02	The Five Estuaries Offshore Wind Farm Project
03	Offshore Development
04	Onshore Development
05	Local Benefits
06	Public Consultation
07	Questions

Introductions

ESTUARIES
OFFSHORE WIND FARM

Kieran Somers
Senior Consents Manager

Rachel McCall
Offshore Consents Manager

Vicki Harrison
Onshore Consents Manager

Adam Kendall
Land Manager

Ross Pearson
Consultation Manager

Nikki Berry
Engagement Manager

FIVE ESTUARIES OFFSHORE WIND FARM

Why the Project is Needed

ESTUARIES
OFFSHORE WIND FARM

The UK Government has set an ambitious target to deploy up to 50GW of offshore wind by 2030.

This is five times more than the 10GW we currently produce and enough to power every home at current electricity usage levels.

Offshore wind power will play an essential role in our future electricity generation as we work to tackle climate change and reduce emissions.

Offshore wind energy can also provide:

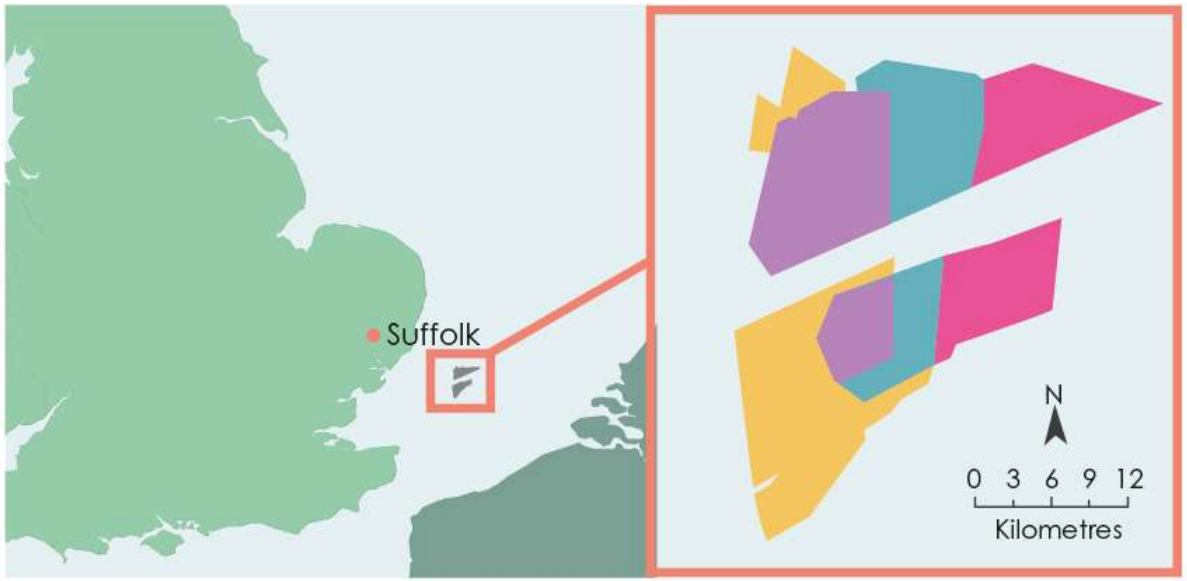
- National energy security
- Affordable Energy
- Maximised economic opportunities from energy infrastructure investment for the UK

Developing the Project

ESTUARIES
OFFSHORE WIND FARM

- Details of design evolution and options considered – presented in PEIR / EIA.
- Engagement to support project development began in 2019.
- Working with statutory stakeholders, such as:
  - Natural England
  - Local Port Authorities
  - Fishermen
  - Environment Agency
  - Local Councils
- Feedback from Stage 1 (non-statutory) Consultation – Summer 2022.
- Lessons learnt and experience from previous projects e.g. Galloper.
- Collaboration with North Falls project and National Grid

Development Location



Offshore wind farm legend

Wind farm sites in development

- Five Estuaries
- North Falls

Wind farms sites in operation

- Galloper
- Greater Gabbard

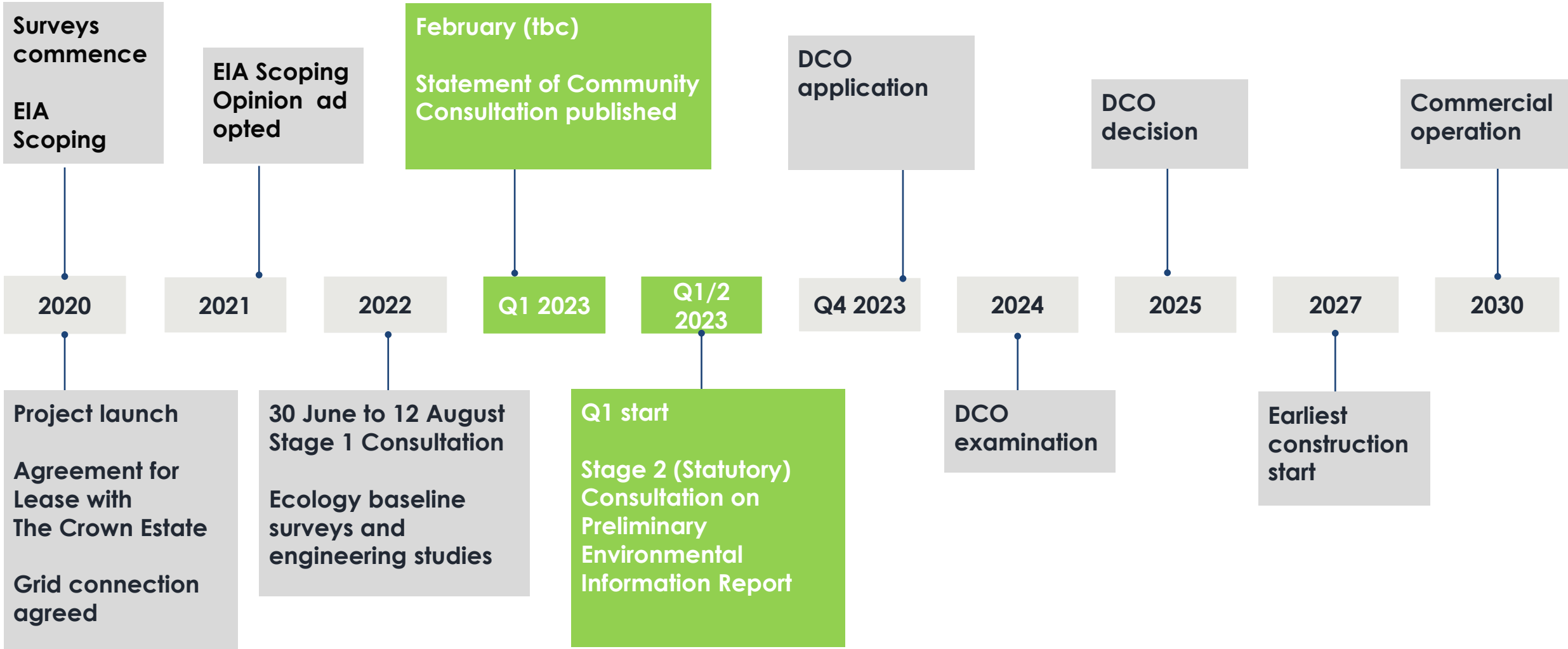
Project Summary

FIVE ESTUARIES OFFSHORE WIND FARM

- Max. 149km2 size of seabed area - refined to 128km2
- 37km closest distance to shore in Suffolk
- Up to 79 turbines across two separate sea bed areas
- One new onshore substation to connect the project into the National Grid proposed East Anglia GREEN Connection Substation
- Could power up to 380,000 UK households each year
- Project Partners – RWE (25%), a Macquarie-led consortium (25%), Siemens financing arm, Siemens Financial Services (25%), ESB (12.5%) and Sumitomo Corporation (12.5%). RWE is leading the development

Indicative Project Timeline

FIVE ESTUARIES OFFSHORE WIND FARM



Development Consent Order Process

FIVE ESTUARIES OFFSHORE WIND FARM

- As this project will generate over 100MW, it is therefore classified as a Nationally Significant Infrastructure Project.
- Development Consent Order (DCO) required under the Planning Act 2008. Planning Inspectorate makes a recommendation to the Secretary of State (SoS) for Business, Energy and Industrial Strategy (BEIS), who then takes a final decision.

Initial development phase

Surveys

Publicity and consultation prior to DCO application

1 month

Required standards?

Consultation adequate?

3 months

Interested Parties

Preliminary Meeting

Examination timetable set

6 months

Largely written process

Issue specific and public hearings

6 months

Inspectorate *- 3 months (recommend)*

Secretary of state decision *- 3 months*

6 weeks

Legal challenge window

Offshore Transmission Network Review

- Five Estuaries is currently engaged in the government-led Offshore Transmission Network Review (OTNR), which is looking into the feasibility of coordinated connections, consistent with the ambition to deliver net zero emissions by 2050.

- The viability of any coordinated connection is dependent on the progress made by the OTNR process and associated regulatory and commercial policy changes and the individual offshore connector projects involved.

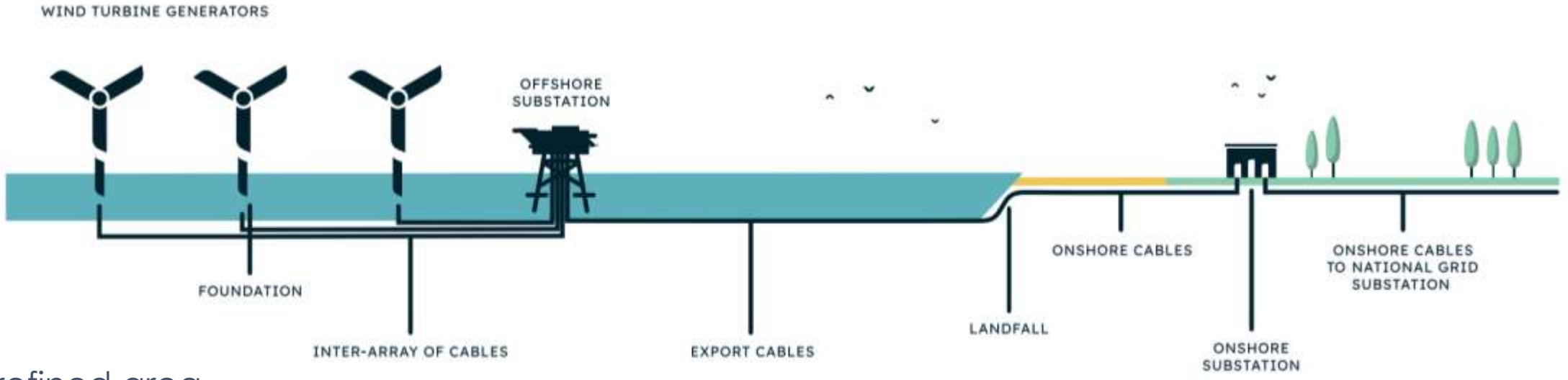
- We will continue to develop plans based on existing regulations to provide an onshore connection, ensuring no delay to our planned grid connection date and therefore continuing to support the UK Government's 2030 targets of 50GW.

OFFSHORE DEVELOPMENT

Offshore Overview

- Up to 41 or 79 turbines
- Up to 420m at the tallest point of blade tip above sea level
- Split across two sea bed areas
- Closest distance to shore is around 37km to the coast of Suffolk

- Foundations for the turbines will be installed into or on the seabed
- Up to 200km of inter-array cables connect the wind turbines to the offshore substation(s)
- Offshore substation platform/s collect and export the power generated by the turbines
- Up to four electrical circuits approx 75km long to connect the offshore substation(s) to shore.

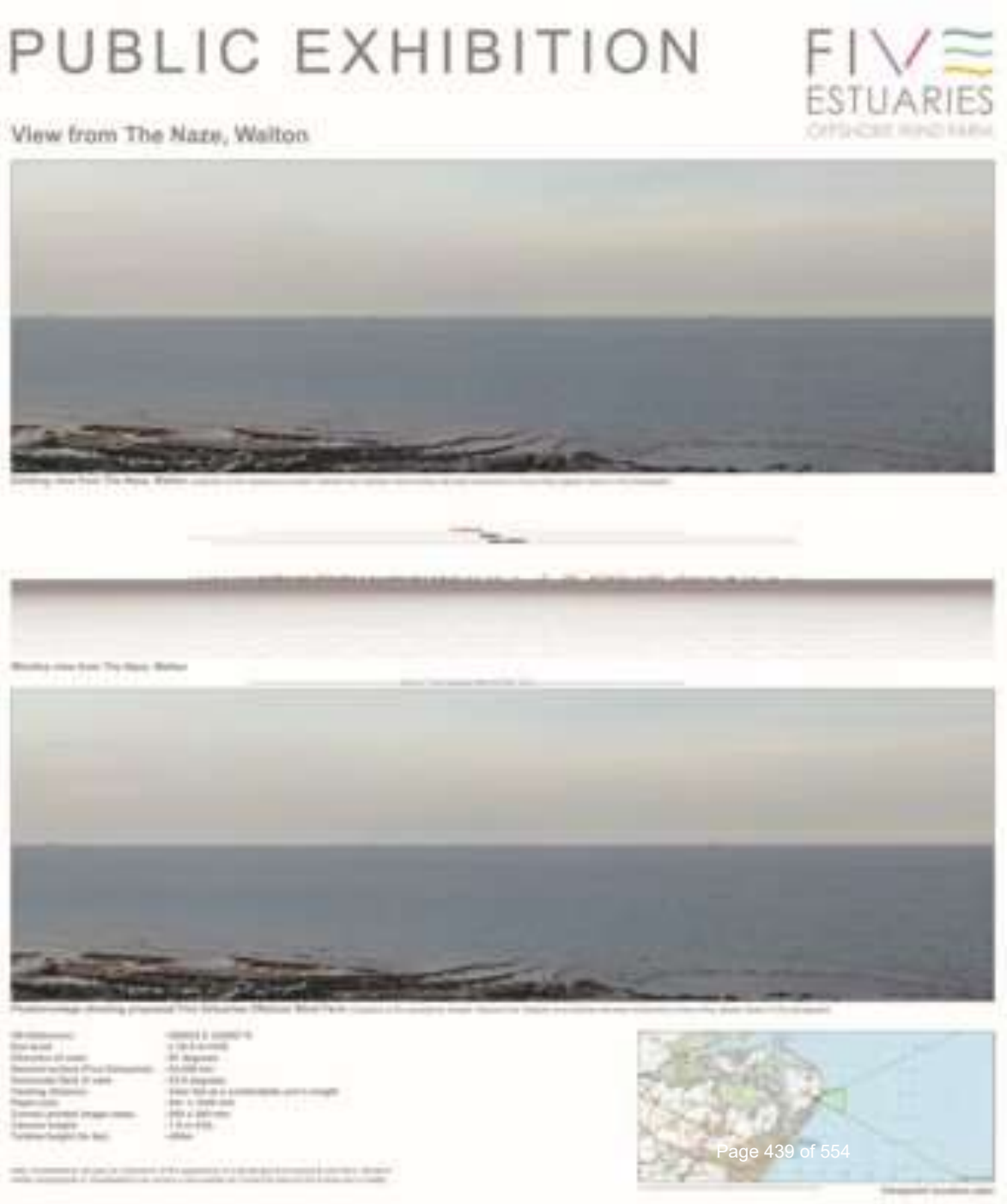


*refined area

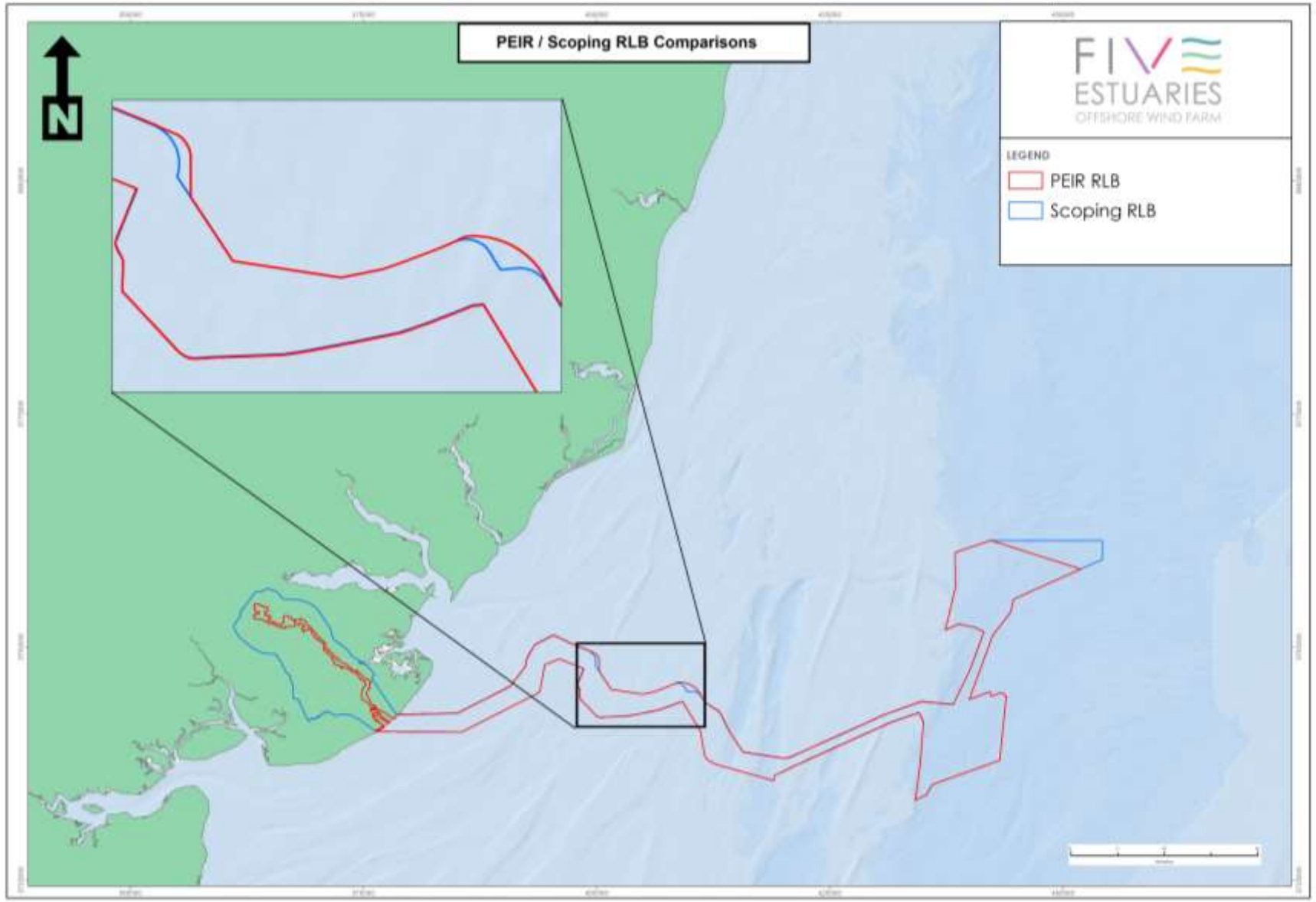
Stage 1 Feedback

- Limited public feedback on seascape/visual. One concern raised about 'concrete' coastline created by cumulative impact of turbines.

- **Suffolk Coast and Heaths AONB**
- Curtaining effect – addressed through change in boundary of northern array area. Also pays regard to AONB purpose.
- Impacts of the offshore element and in combination impacts on AONB - will be assessed in PEIR.
- Assessment will consider effects against the defined natural beauty and special qualities of the AONB.



Progress Since Stage 1 Proposals



The northern array's developable area has reduced by 22% since scoping; a 16% reduction of the total developable area.

The offshore export corridor has been widened to enable opportunities to reduce interaction/crossings with other sea users in the vicinity.

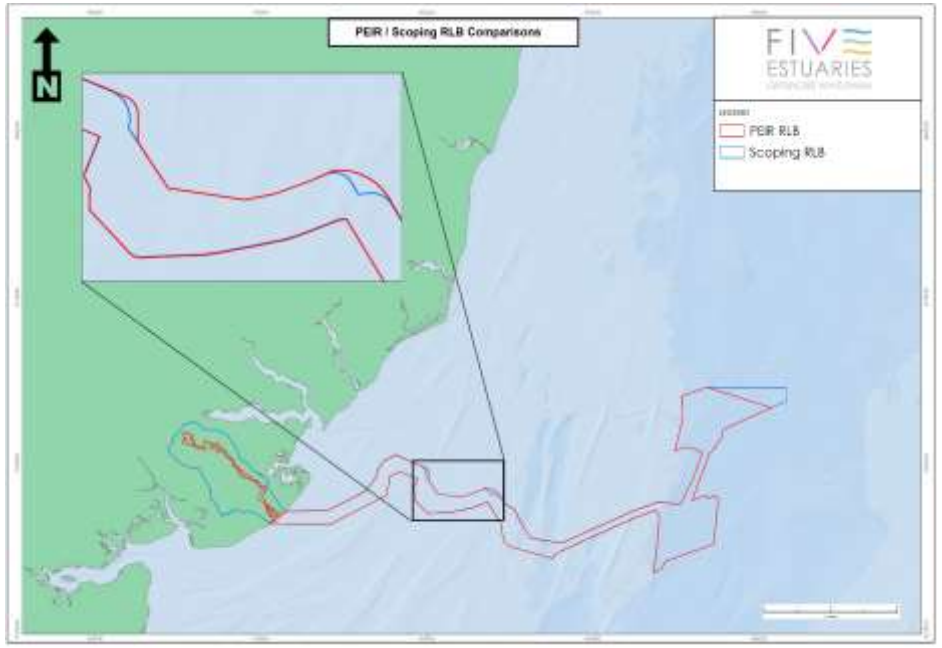
Maximum Design Scenario

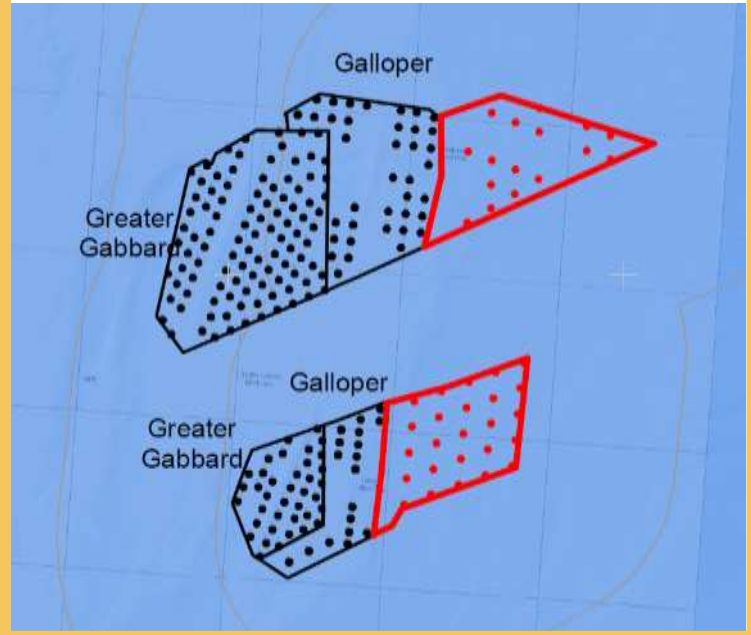
FIVE ESTUARIES OFFSHORE WIND FARM

Worst case parameters for agreement with stakeholders:

Parameter		SLVIA worst-case assumption:
Maximum Number WTG Installed	79	41
Max Rotor Diameter (m)	260m	360m
INDICATIVE Max Blade Tip Height (above mean high water)	324m	420m

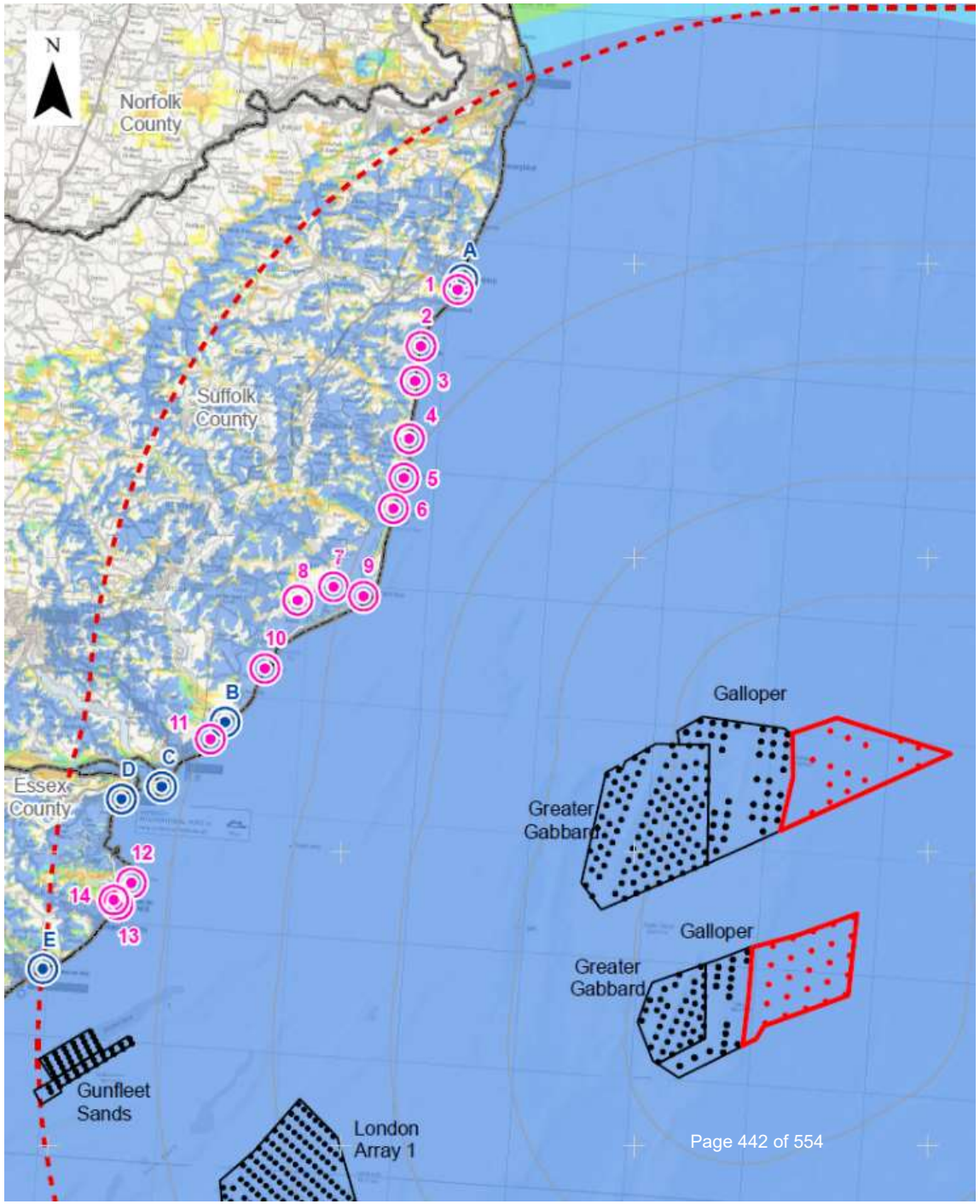
- Reduction in spatial extent of northern array area.
- Five Estuaries array area remains over 37km from Suffolk coast.
- Max turbine height increased from 402m.
- 60km Seascape, Landscape and Visual Assessment study area.



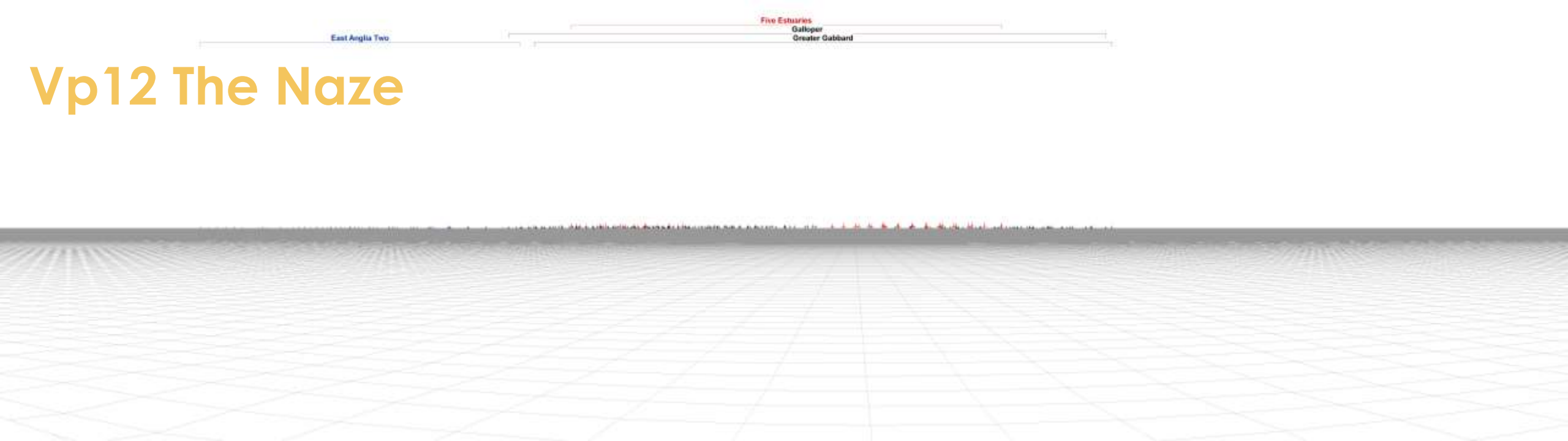


Viewpoints

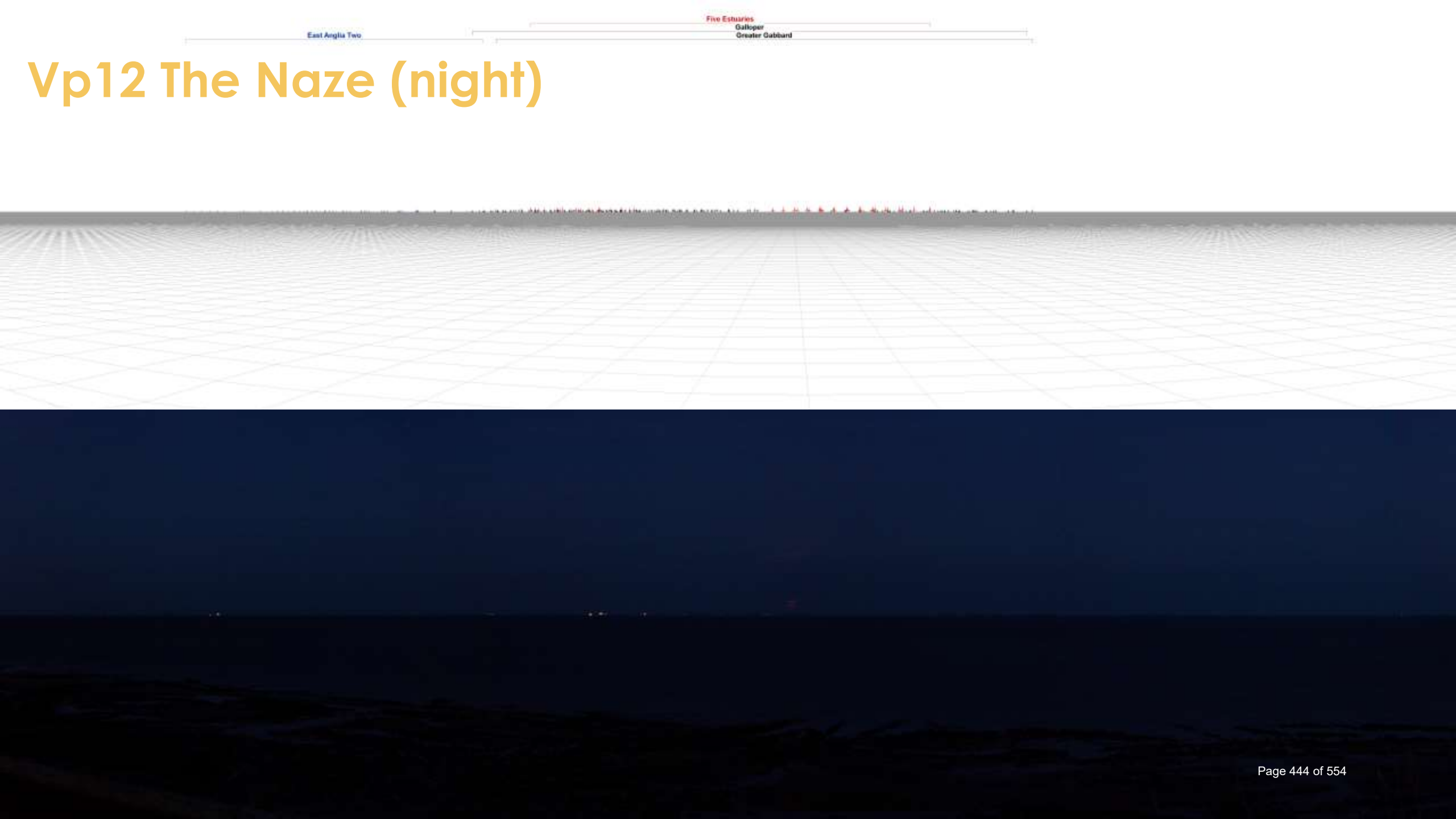
No	Viewpoint
1	Southwold (Gun Hill)
2	Dunwich (Beach)
3	Dunwich Heath (Coastguard Cottages)
4	Sizewell Beach
5	Thorpeness
6	Aldeburgh
7	Orford Castle
8	Burrow Hill (Suffolk Coast Path)
9	Orfordness (Roof - Bomb Ballistics Building)
10	Shingle Street
11	Old Felixstowe
12	The Naze (The Naze Tower)
13	Walton Pier (Walton-on-the-Naze)
14	Mill Lane, Walton
A	Southwold Pier
B	Bawdsey Manor
C	Landguard Fort
D	Harwich
E	Clacton-on-Sea
F	Foreness Point (Kent)
	Night time viewpoints:
2	Dunwich Beach
6	Aldeburgh
11	Old Felixstowe
12	The Naze (The Naze Tower)



Vp12 The Naze



Vp12 The Naze (night)



Minimising Offshore Impact to the Environment and Communities

FIVE ESTUARIES OFFSHORE WIND FARM

- A number of mitigation measures have been identified through PEIR, many of these are set out in draft plans, which will be secured through the DCO, including:
  - Refined northern array boundary following scoping feedback to resolve shipping and navigation impacts.
  - Marine Mammal Mitigation Plan
    - Sets out plans to mitigate impact of piling noise on marine mammals
  - Archaeological Written Scheme of Investigation, Protocol for Archaeological Discoveries and Archaeological Exclusion Zones.
    - Sets out proposed approach identify and avoid features of archaeological importance.
- Engaging with commercial fisheries on co-existence via our commercial fisheries working group.
- Ongoing engagement with shipping navigation and ports.

ONSHORE DEVELOPMENT

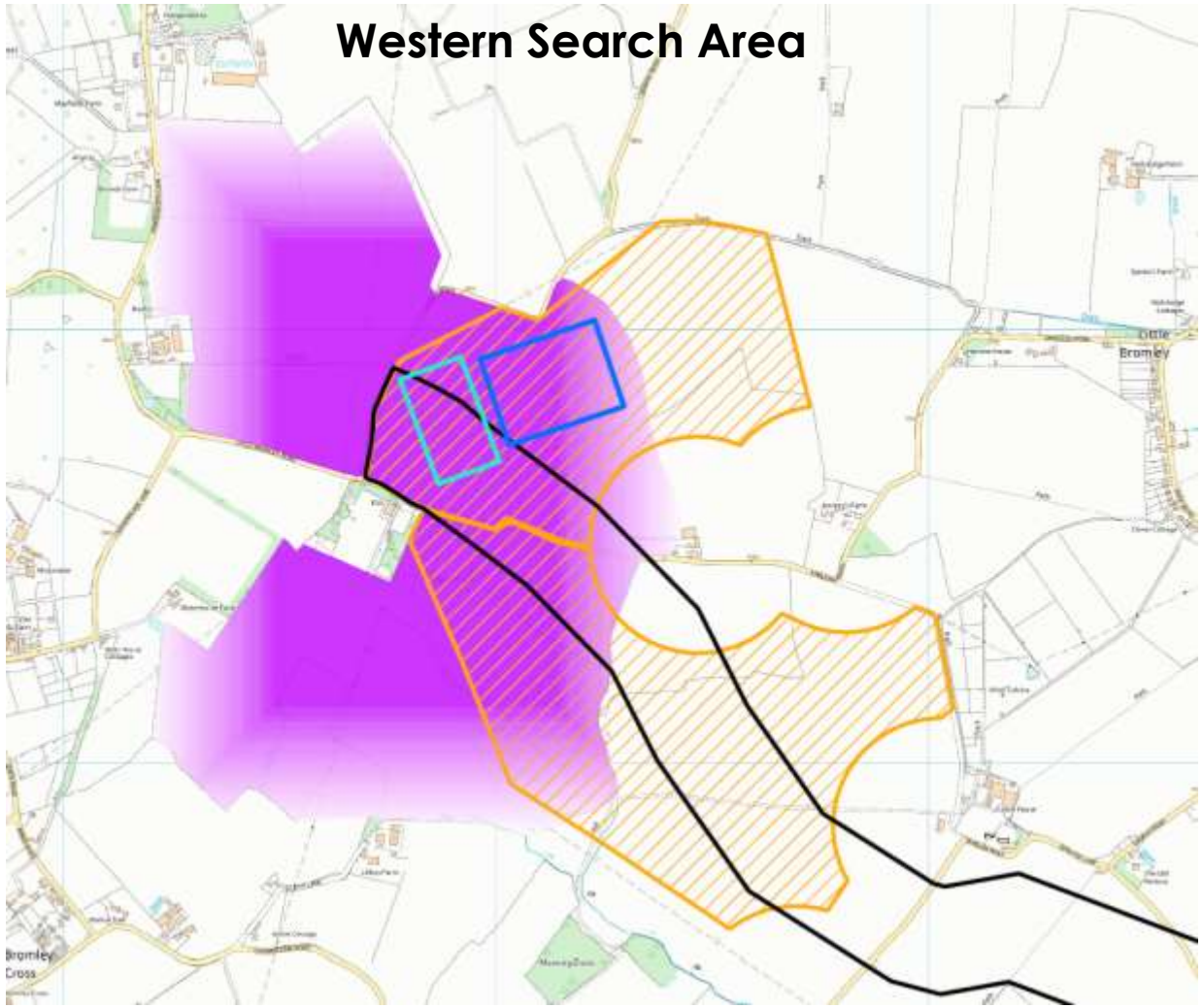
Onshore Route Corridor

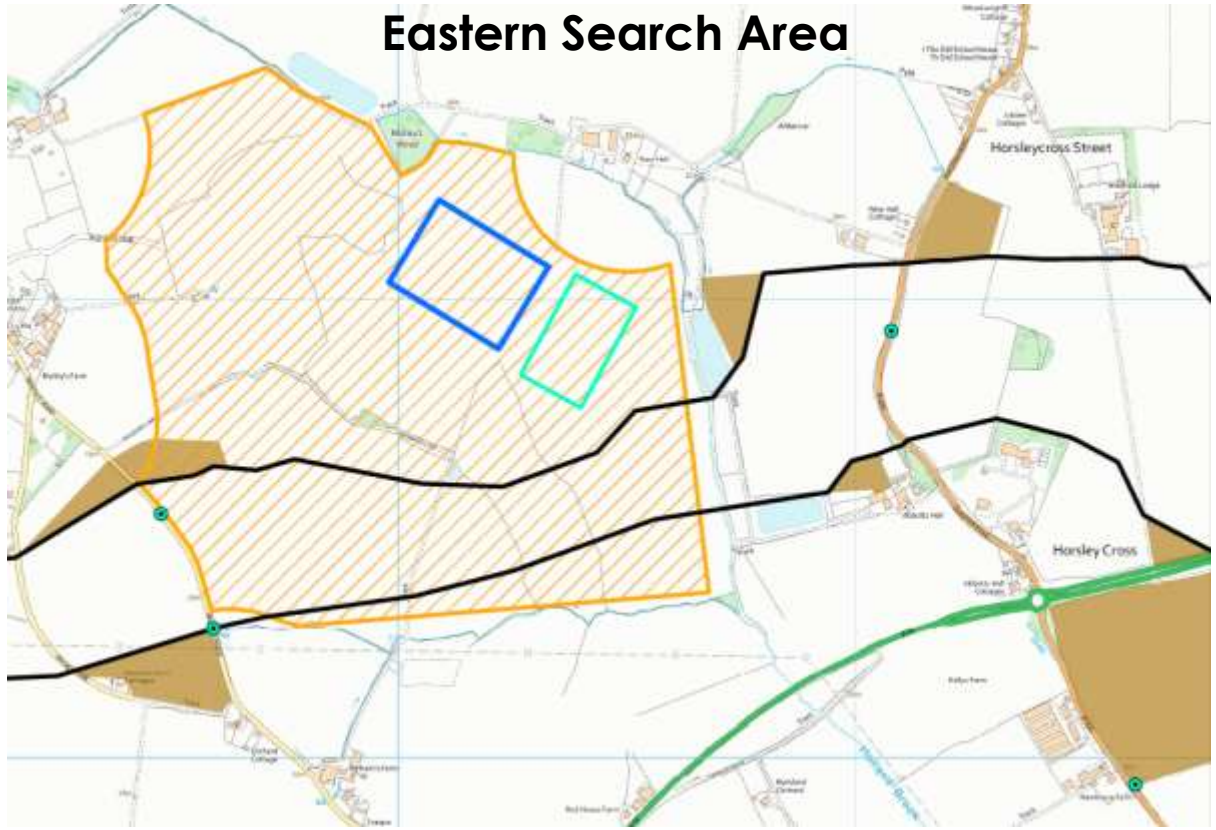
Route development has progressed taking account of further studies and feedback.

Further refinement ongoing and will consider feedback to the upcoming consultation alongside engineering work.

Onshore Substation Search Areas

FIVE ESTUARIES
OFFSHORE WIND FARM





Indicative substation construction compounds

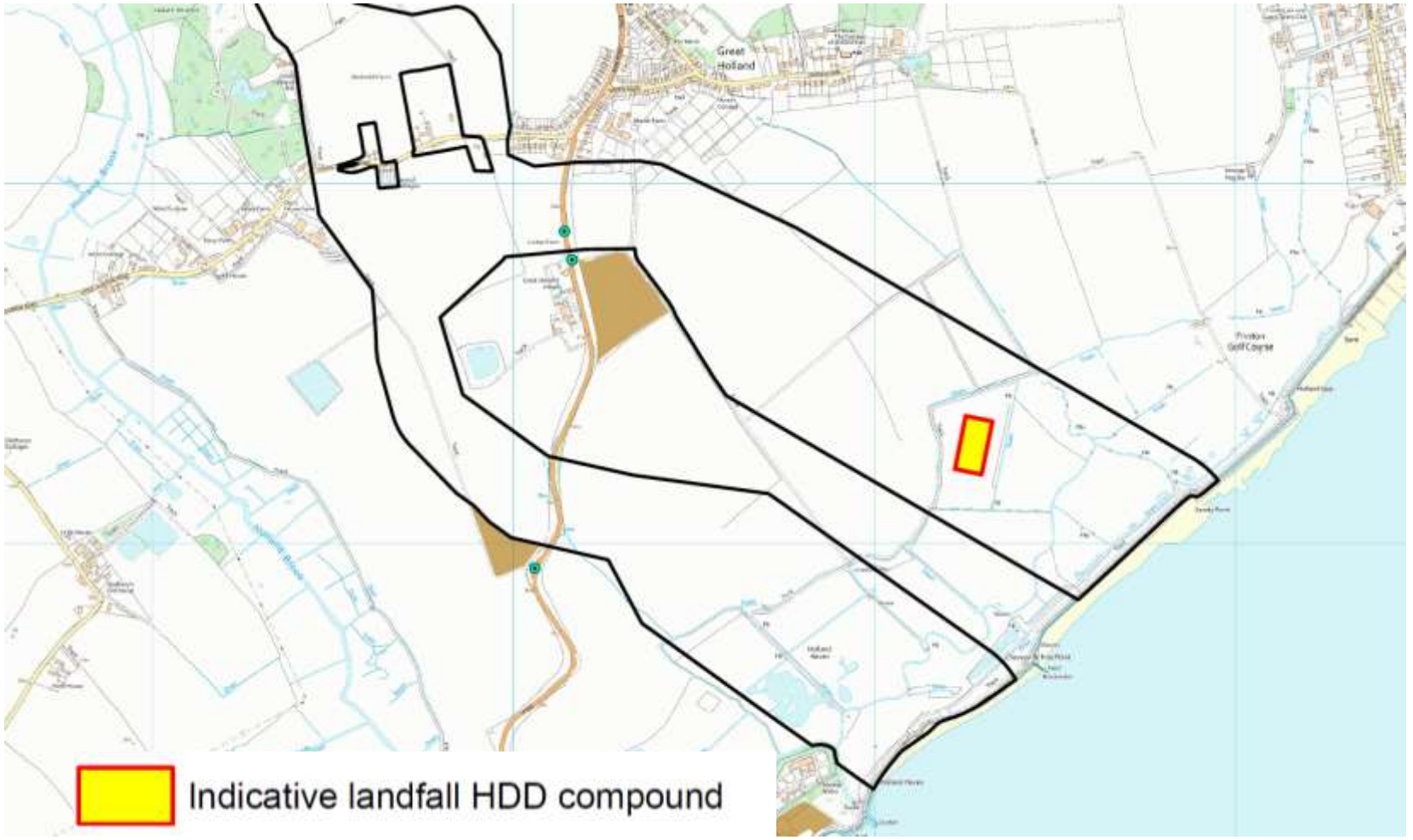
Indicative substation operational boundary

Five Estuaries substation search areas

National Grid substation search area

Landfall

ESTUARIES
OFFSHORE WIND FARM



Two options remain for landfall - Horizontal Direction Drill (HDD) or similar trenchless technique.

Indicative HDD compound shown to provide indication of size and location set back from the sea wall.

Cable ducts are expected to be 13-20m under the sea wall to offshore location to be determined either intertidal or subtidal.

Onshore Overview

ESTUARIES
OFFSHORE WIND FARM

- Landfall between Holland-on-Sea and Frinton-on-Sea.
  - Compound will be 100 x 200m, set back from the coast by approximately 500m.
- Approx. 22km onshore underground cable corridor.
- Commitment to HDD under sea wall and other significant crossings (e.g. railway and A120).
- A wide Red Line Boundary for the cable route (enables ability to accommodate 4 cables for both Five Estuaries and North Falls (up to 8 in total)) is included for PEIR flexibility.
  - For Five Estuaries* alone
    - Approx. 60m working width for a single project (4 circuits) for standard trenched sections.
    - Corridor will be wider (up to approx. 120m for a single project) when trenchless techniques used (e.g. HDD).
- One Five Estuaries onshore substation site – approximate footprint 280 x 210m.
  - Maximum building height 15m
  - Permanent access and operational drainage requirements
  - 37,500m² construction compound maximum area
- Underground 400kV connection to proposed National Grid substation.

*this is based on our project assumptions at this time

Key Areas of Assessment

ESTUARIES
OFFSHORE WIND FARM

- At PEIR assessments for various environmental topics will be presented covering, construction operation and decommissioning. It will consider cumulative impacts as far as practical.
- These topics include:
  - Traffic and transport
  - Ecology, landscape and visual impact
  - Socio-economic and tourism
  - Noise and Air Quality
  - Land use & Geology
  - Hydrology

Minimising Onshore Impacts to the Environment and Communities

ESTUARIES
OFFSHORE WIND FARM

- A number of mitigation measures have been identified through PEIR, many of these are set out in draft plans, which will be secured through the DCO, including:
  - Outline Construction Traffic Management Plan
    - Identifies construction routes and control measures to reduce impacts from construction traffic.
  - Outline Public Access Management Plan
    - Sets out proposed control measures to limit impacts on PRoW users.
  - Outline Workforce Travel Plan
  - Landscape and Ecology Design Principles (LEDP)
    - Sets out principles for mitigation and enhancement planting at the proposed onshore substation.
  - Draft Code of Construction Practice (CoCP)
    - Sets out control measures for noise, dust and lighting.
- Other plans will be developed to support the DCO application e.g. Skills and Employment Strategy.
- Exploring opportunities to collaborate with other developments on enhancement for Biodiversity Net Gain.
- Working with landowners to ensure disruption to land is minimised.

LOCAL BENEFITS

Working with the Local Community

- We want the project to become a part of the community.
- We welcome ideas and local knowledge at statutory consultation to inform the development of our plans.
- Our engagement strategy will include:
  - ongoing collaboration with local communities
  - opportunities to engage with local groups and organisations
  - education and skills activities to promote offshore wind and the career opportunities available
  - creation of community benefit package
  - commitments to further support the supply chain and local businesses.

Ensuring Benefits for the Area

FIVE ESTUARIES OFFSHORE WIND FARM

Five Estuaries would be an extension of Galloper Offshore Windfarm, which provides a good example of how we intend to work with and support the local community.

- Over **20 local suppliers** have provided goods and services to tier 1 suppliers.
- **700 jobs** created throughout construction.
- **60 long term, skilled local roles** to support operation.
- Team members have **transitioned** from the British Military, Steel Works and Property Facilities Management backgrounds.
- **5 apprentices** all living within 1 hour from the O&M.
- Tailored programme of **education and skills activity** along the East coast - shadowing days, mock interviews, STEM events, Internship scheme.
- **4 STEM ambassadors** work closely with local schools.
- Over **£120,000** provided in community funds and sponsorships to date.
- Around **£1.5 billion investment.**

PUBLIC CONSULTATION

Stage 1 Consultation

30 June to 12 August 2022

- Public project launch and first stage of consultation
- Focused around the areas of onshore infrastructure
- Engagement with over 14,000 stakeholders
- 139 responses

Interim Feedback Report to Stage 1 Consultation issued 17 October 2022

Top Issues Raised from Stage 1

Individual responses only

FIVE ESTUARIES OFFSHORE WIND FARM

General issues

1. Request for an offshore connection (32)
2. Concern about narrow roads (20)
3. General objection (13)
4. Concern regarding loss of farm land (13)
5. Statement of in principle support of renewables (9)

Specific issues

1. Request for more coordination between National Grid, North Falls and Five Estuaries (15)
2. Concern regarding well/spring water in Little Bromley (7)
3. Concern about viability of screening the substation (6)
4. Criticism of the scale of maps provided (5)*
5. Concern about the impact on Little Bromley (4)
6. Concern about the impact on Ardleigh (4)

* This was addressed through the publication of additional, larger scale maps on 21 July 2022.

Summary of findings

- Responses provided detailed information many EIA topics specifically ecology and transport.
- There were also concerns about the loss of arable land and soil restoration after trenching.
- Throughout, many individuals and organisations made requests for an offshore connection.

Statutory Consultation (Stage 2)

FIVE ESTUARIES OFFSHORE WIND FARM

- The **Preliminary Environmental Information Report** – the first output of the Environmental Impact Assessment process. This will contain many documents but will include a Non-Technical Summary.

- We are also keen to receive feedback on:
  - the offshore wind farm array
  - the proposed cable route corridor (both onshore and offshore)
  - the search areas and indicative site location for our onshore substation.

Stage 2 Consultation

FIVE ESTUARIES OFFSHORE WIND FARM

Details still being confirmed

- 8 week consultation starting in Q1 2023.
- 10 public information events
  - Frinton, Thorpe Le Soken, Ardleigh, Lawford and Tendring
  - Orford, Southwold, Aldeburgh, Felixstowe, and Margate.
- 2 webinars
- Promotion via press adverts, social media, press releases and direct emails.
- Feedback can be provided via feedback forms, the website, email and letters.

Statement of Community Consultation

FIVE ESTUARIES OFFSHORE WIND FARM

- We're planning to publish the Statement of Community Consultation (SoCC) in February (tbc).
- The SoCC sets out how we will consult with members of the local community on the proposals.
- It will include details of what we're consulting on, the documents we plan to publish, how to access information, engagement opportunities, and how to respond to the consultation.
- It will be published online and available at libraries in the areas we're engaging with.

Importance of Feedback

ESTUARIES
OFFSHORE WIND FARM

- Feedback is an important part of improving the quality of applications, both in refining our proposals and ensuring the robustness of our environmental assessments and mitigation plans.
- Due to the Planning Act 2008, we have a duty to consider the relevant responses we receive to the consultation.
- This is likely to be the last chance for stakeholders to comment on the proposals directly to us before we submit our application.
- Local authorities and parish councils are important stakeholders in this process and in helping raising awareness amongst the community.

ESTUARIES
OFFSHORE WIND FARM

QUESTIONS

ESTUARIES
OFFSHORE WIND FARM

GET IN TOUCH

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EMAIL: fiveestuaries@rwe.com
ADDRESS: FREEPOST FIVE ESTUARIES
(No stamp or further address details are required)

Registered in England & Wales 12292474
VAT number 347 5985 47

11.8.2 Stage 2 consultation webinar - 25 April and 26 April 2023

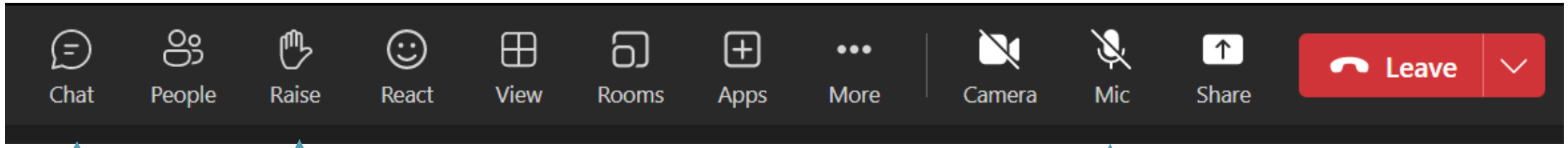
FIVE ESTUARIES
OFFSHORE WIND FARM

Five Estuaries Project Update - Onshore

February 2024

Welcome and housekeeping

ESTUARIES
OFFSHORE WIND FARM



Access the chat and ask questions

Raise your hand to ask a question during the Q&A session

Please stay on mute while the team is presenting

If you're experiencing problems, leave and re-join

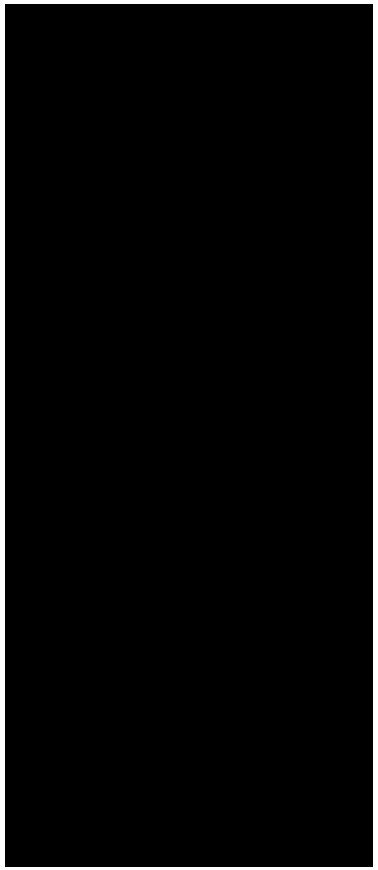
Agenda

ESTUARIES
OFFSHORE WIND FARM

	TOPICS
01	Welcome, housekeeping and introductions
02	Project overview, developer coordination and OCSS
03	Offshore development summary
04	Onshore development
05	Compensatory measures
06	Next steps
07	Questions

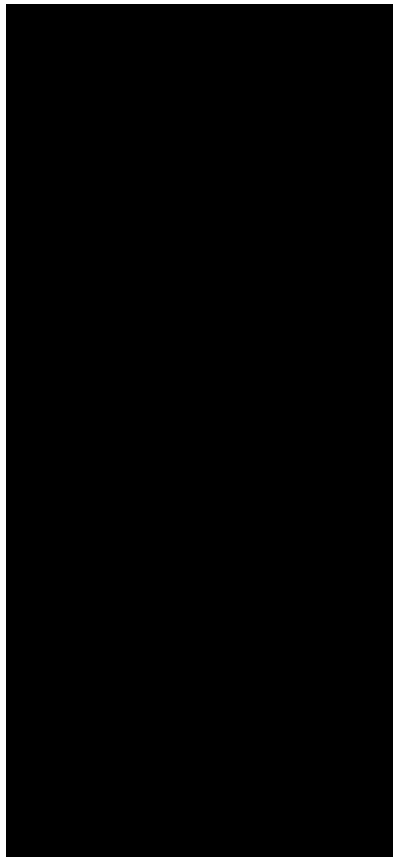
Introductions

ESTUARIES
OFFSHORE WIND FARM



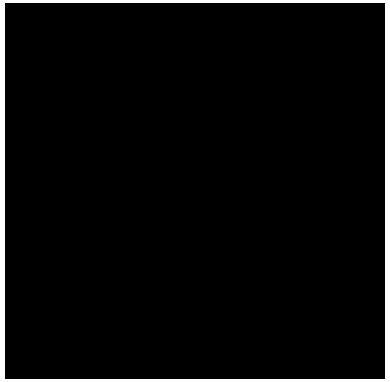
Diane Mailer
Project Lead

James Eaton
Onshore Consents Manager



Kieran Somers
Senior Consents Manager

Nikki Berry
Engagement Manager



Rachel McCall
Offshore Consents Manager

PROJECT OVERVIEW

Why the Project is Needed

ESTUARIES
OFFSHORE WIND FARM

The UK Government has set an ambitious target to deploy up to 50GW of offshore wind by 2030. This is five times more than the 10GW we currently produce and enough to power every home at current electricity usage levels.

Offshore wind power will play an essential role in our future electricity generation as we work to tackle climate change and reduce emissions.

Revised Energy National Policy Statements recently designated. (17 Jan 2024)

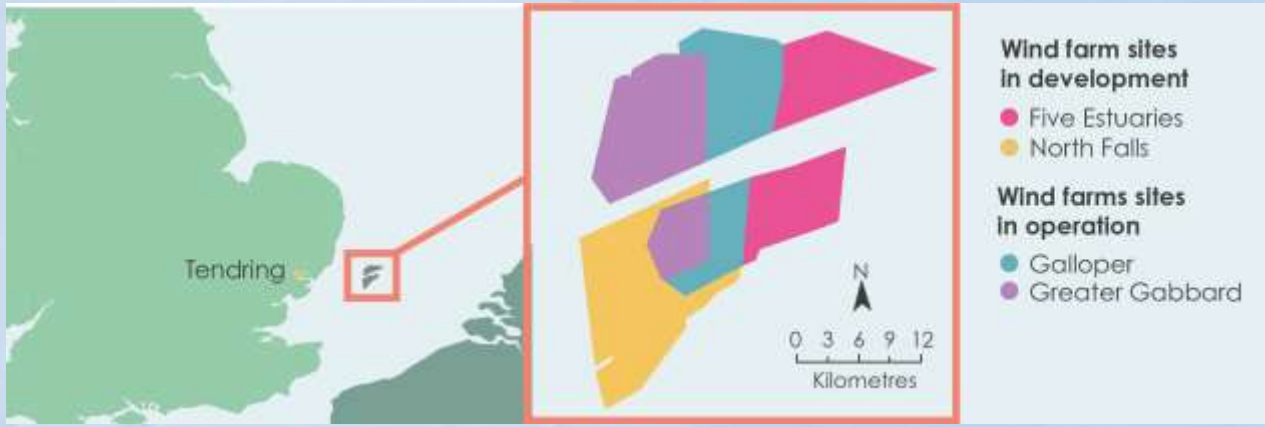
Offshore wind energy can provide:

- National energy security
- Reduction in greenhouse gas emissions
- Production of affordable energy
- Maximised economic opportunities from energy infrastructure investment for the UK

Project Summary

ESTUARIES
OFFSHORE WIND FARM

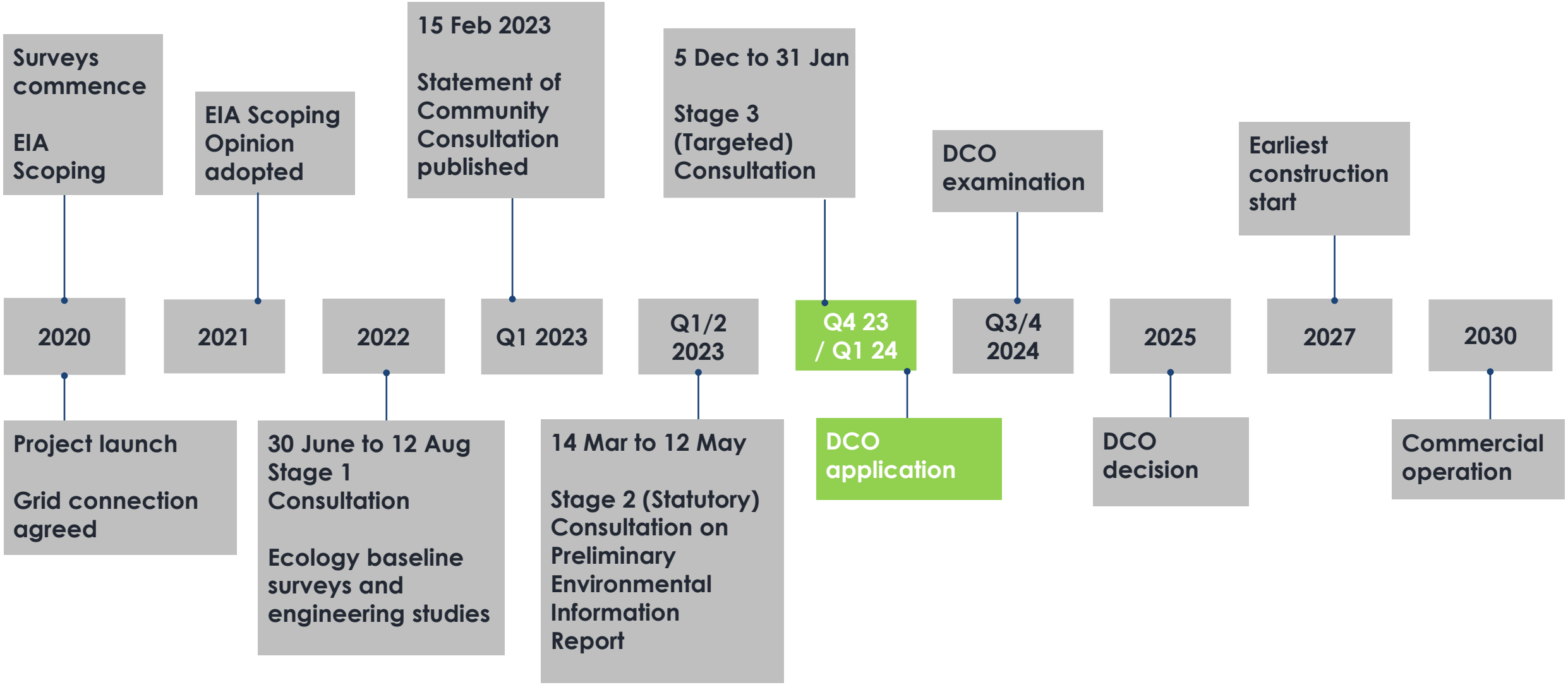
- Wind farm area -128km^2
- 37km closest distance to shore in Suffolk
- Up to 79 turbines across two separate seabed areas
- One new onshore substation to connect the project into the National Grid proposed Norwich to Tilbury substation
- Could power hundreds of thousands UK households each year
- Project Partners – RWE (25%), a Macquarie-led consortium (25%), Siemens financing arm, Siemens Financial Services (25%), ESB (12.5%) and Sumitomo Corporation (12.5%). RWE is leading the development



Stowmarket
Needham Market
River Deben
Rendlesham
Woodbridge
Ipswich
Shingle Street
Bawdsey
Felixstowe
Manningtree
Harwich
Colchester
Frinton on Sea
Frinton-on-Sea
Clacton-on-Sea

Indicative Project Timeline

ESTUARIES
OFFSHORE WIND FARM



Developing the Project

ESTUARIES
OFFSHORE WIND FARM

- Engagement to support project development began in 2020.
- Working with the local community and statutory stakeholders, such as:
  - Natural England
  - Local Port Authorities
  - Fishermen
  - Environment Agency
  - Local Councils
- Feedback from Stage 1 Consultation in Summer 2022, Stage 2 Consultation in Summer 2023 and now targeted Stage 3 Consultation due to complete 31 Jan.
- Lessons learnt and experience from previous projects e.g. Galloper.
- Engagement/Coordination with neighbouring projects such as North Falls

Project Coordination

ESTUARIES
OFFSHORE WIND FARM

- Distinct projects with separate shareholdings.
- Both North Falls and Five Estuaries recognise the need to co-ordinate activities and developments, particularly onshore.
- Both parties signed a 'good neighbour agreement' in summer 2023, which has enabled closer liaison, information sharing and joint planning.
- Through coordination, we have been able to:
  - Almost fully align the onshore export cable corridors;
  - Identify possible shared works accesses and construction compounds;
  - Exchange data and share surveys e.g. ecology and archaeology;
  - Agree on a shared location for each project's substation and identify possible shared access and screening concepts;
  - Increase the coordination of engagement with landowners;
  - Share our navigational risk assessments and measures to ensure vessel coordination during construction; and
  - Exchange information on project design at an early stage to carry out cumulative seascape, landscape and visual impact assessments

OCSS and OTNR

ESTUARIES
OFFSHORE WIND FARM

- Sea Link, North Falls and Five Estuaries were awarded funding under the Offshore Coordination Support Scheme (OCSS) in December 2023.
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ESTUARIES
OFFSHORE WIND FARM

Questions – Project overview, coordination and OCSS

OFFSHORE DEVELOPMENT

Offshore Overview

ESTUARIES
OFFSHORE WIND FARM

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- Split across two seabed areas
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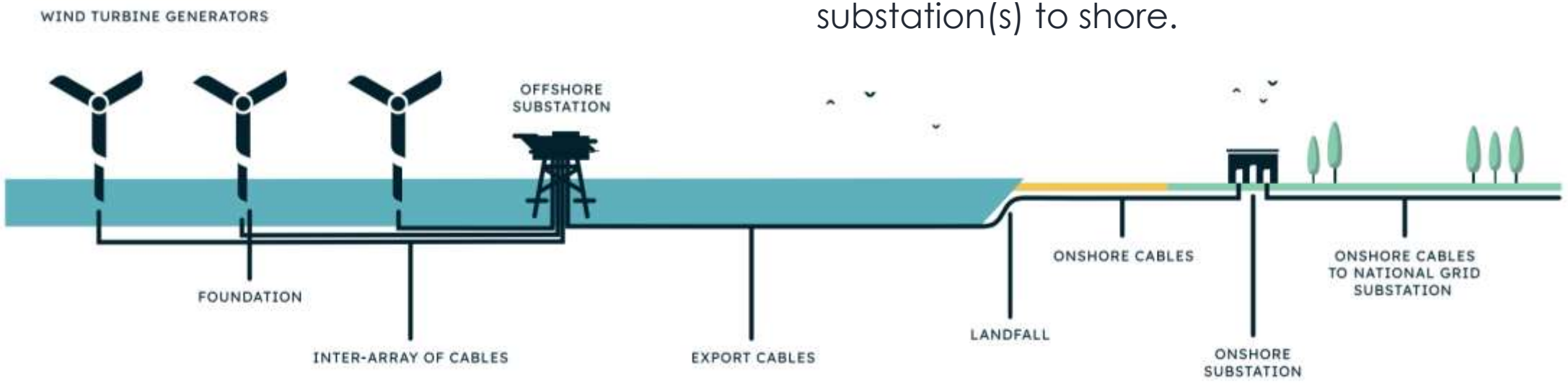

Minimising Offshore Impact to the Environment and Communities

ESTUARIES
OFFSHORE WIND FARM

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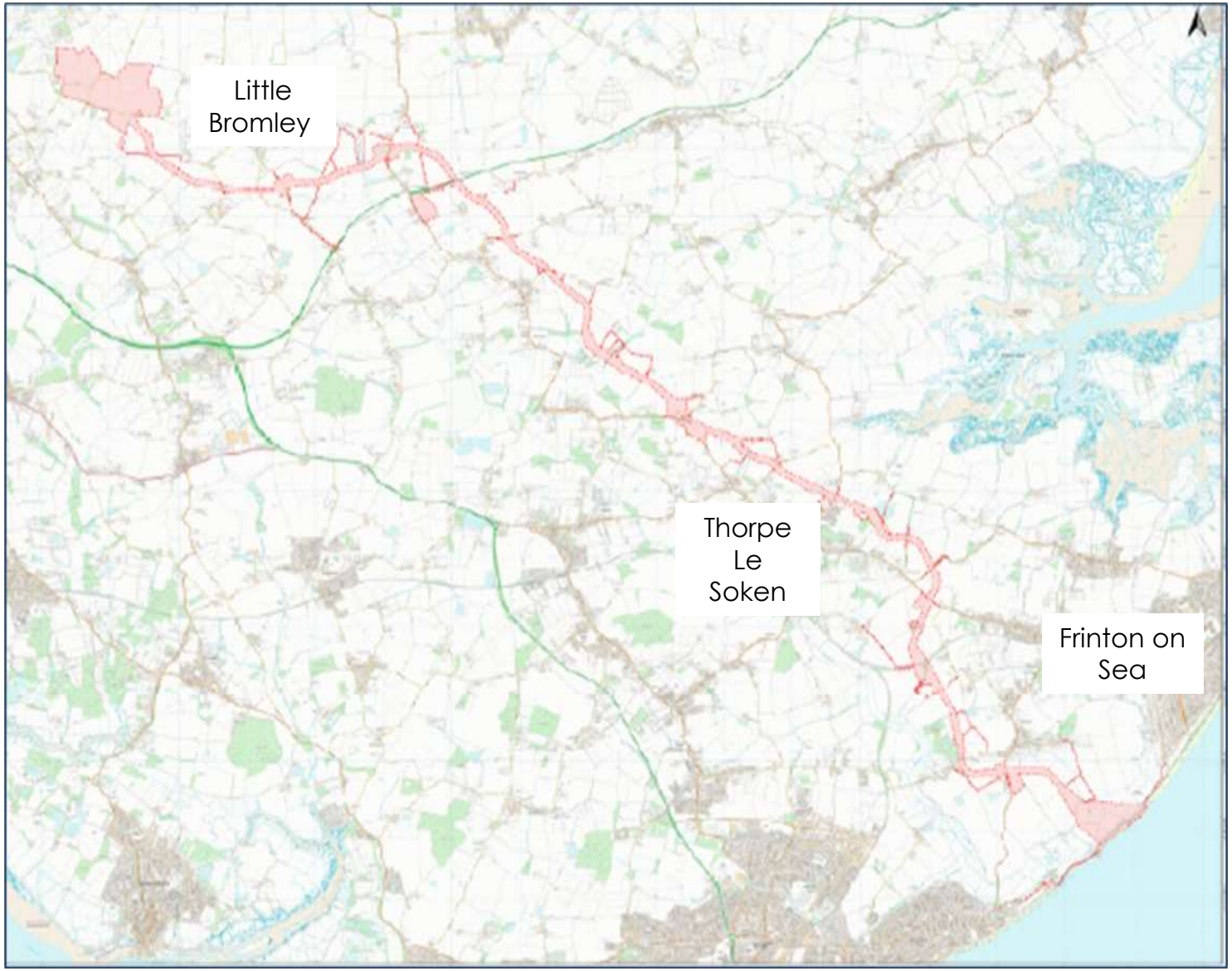
ESTUARIES
OFFSHORE WIND FARM

Questions – Offshore

ONSHORE DEVELOPMENT

Onshore Overview

ESTUARIES
OFFSHORE WIND FARM



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- Approx. 22km onshore underground cable corridor from landfall to the National Grid substation
- Cable corridor predominately 90m wide
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Landfall

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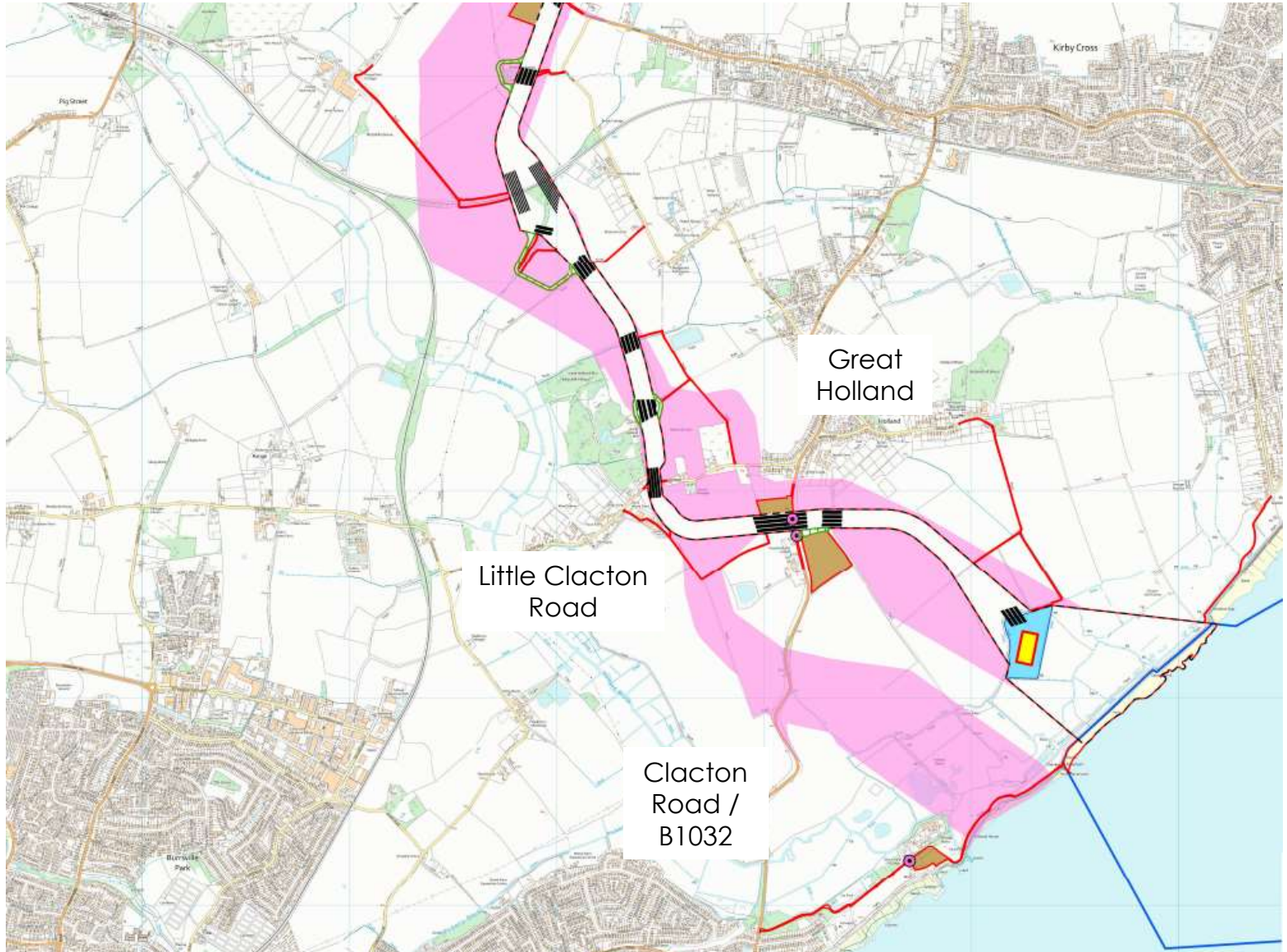
OFFSHORE WIND FARM



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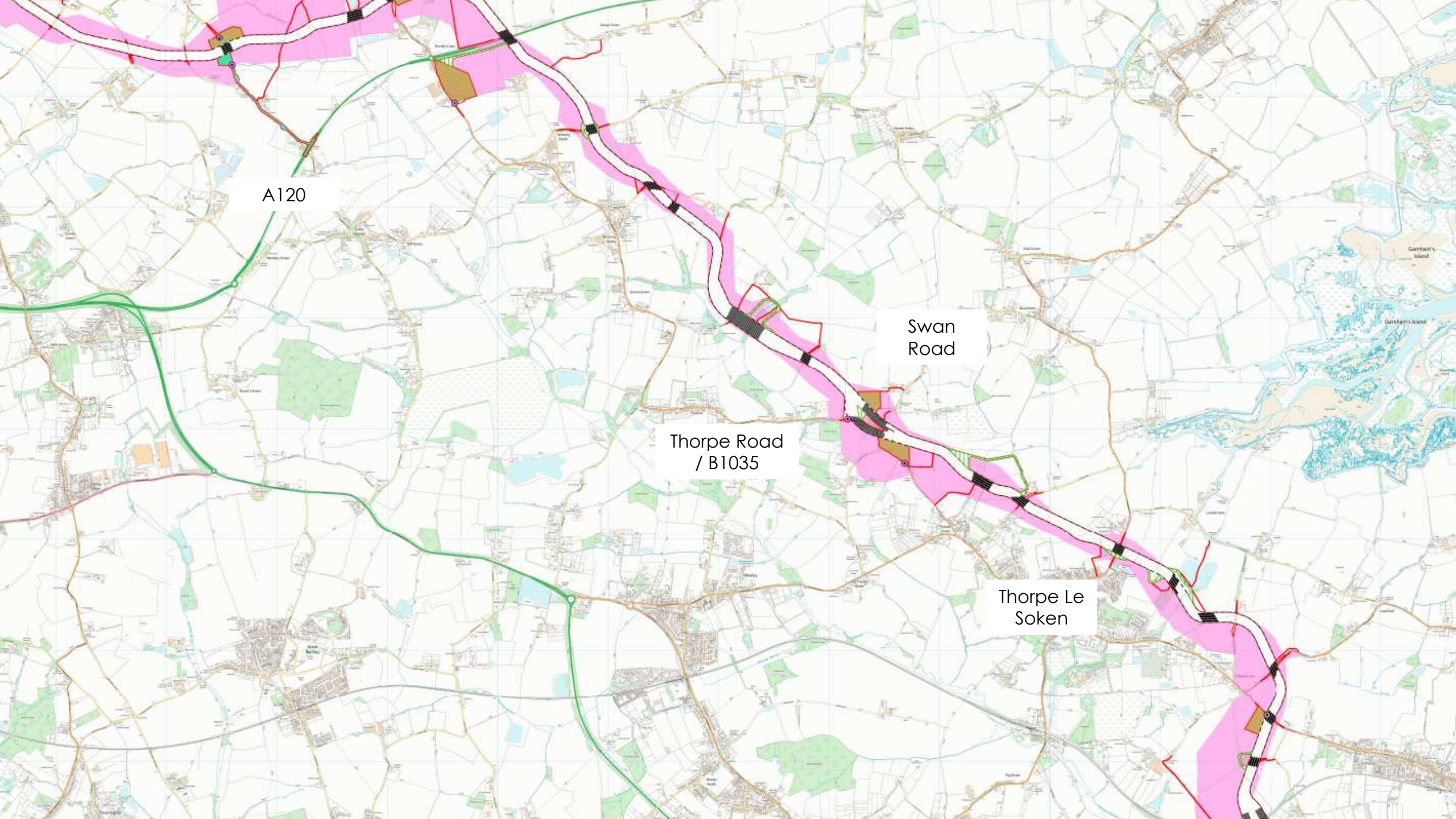
A120
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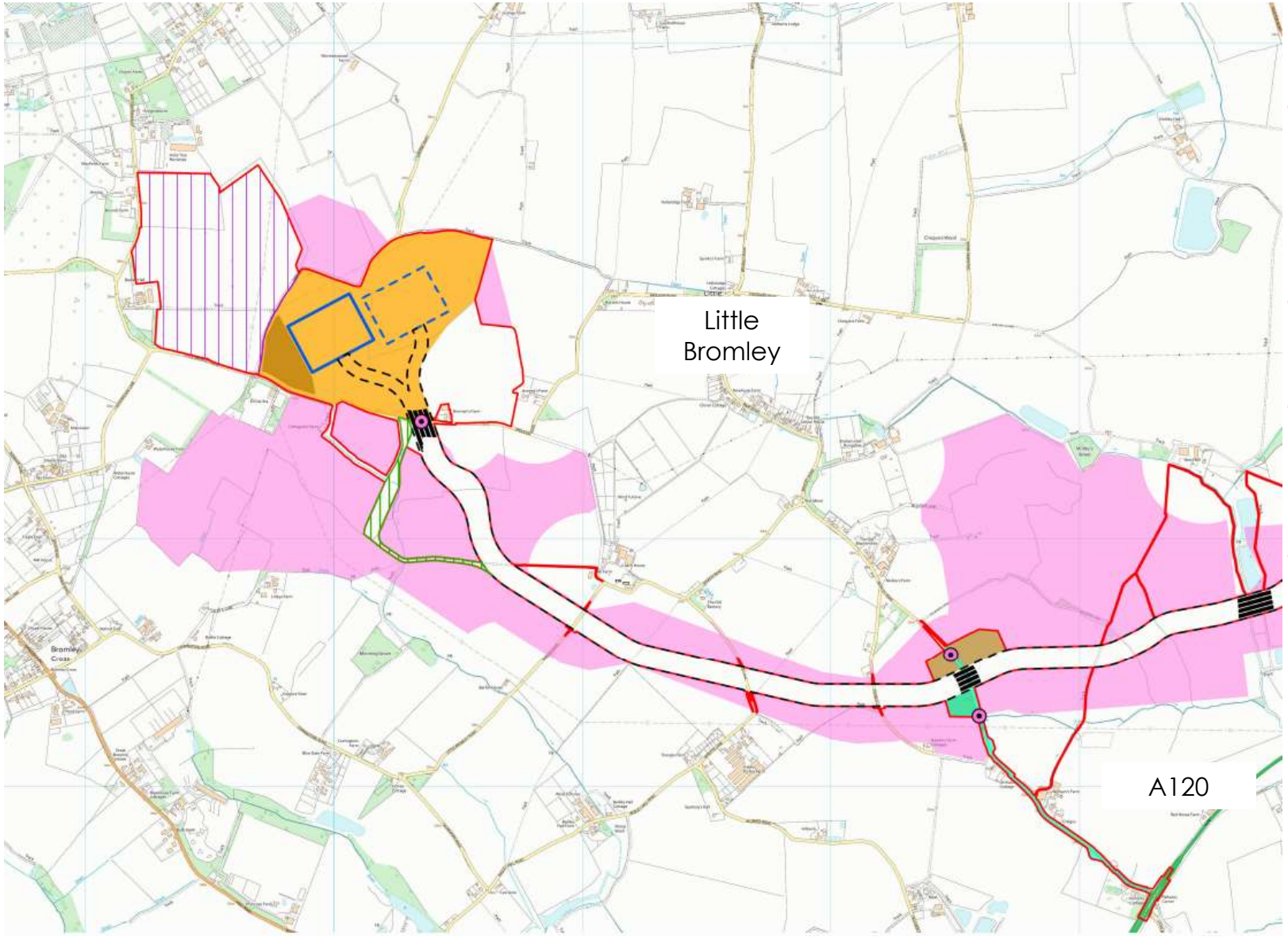
Onshore Substation

ESTUARIES
OFFSHORE WIND FARM



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- The largest structure will be the substation building, with a maximum height of 15m above existing ground level (assuming a GIS design).
- All other equipment (e.g. transformers, switchgear) is designed not to exceed a height of 15m above existing ground level with the exception of slender lightning masts which would be up to 18m in height.
- The total land requirement for the substation (assuming AIS layout) to the perimeter fence is 58,800m^2, as well as additional land required for the construction compounds, roads, drainage and cut/fill.
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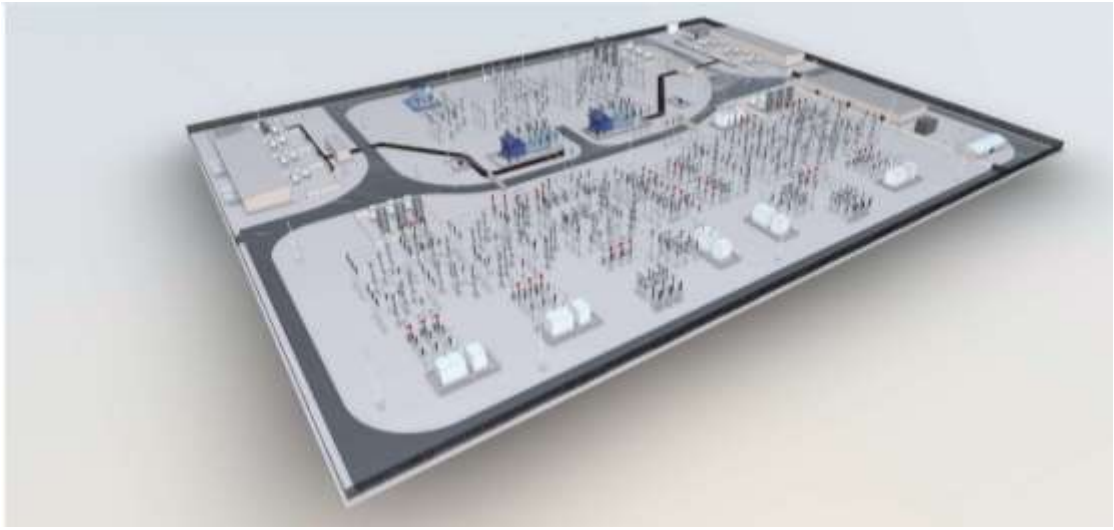

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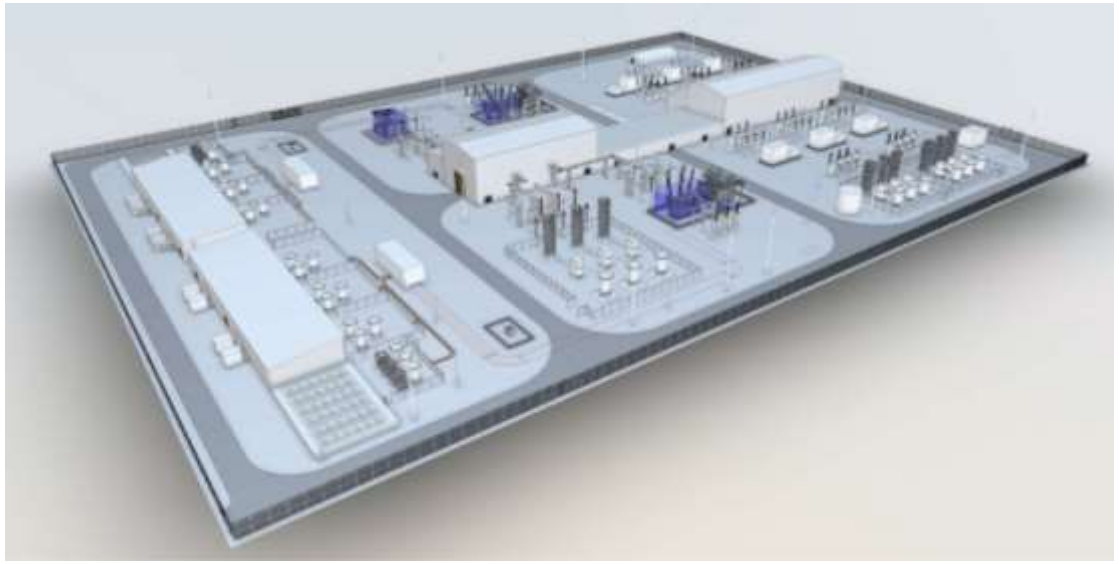

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OFFSHORE WIND FARM

Scenario 1

- Project 1 proceeds to construction and undertakes the additional onshore cable trenching and ducting works for Project 2 as part of a single civils campaign (ducting for four electrical circuits).
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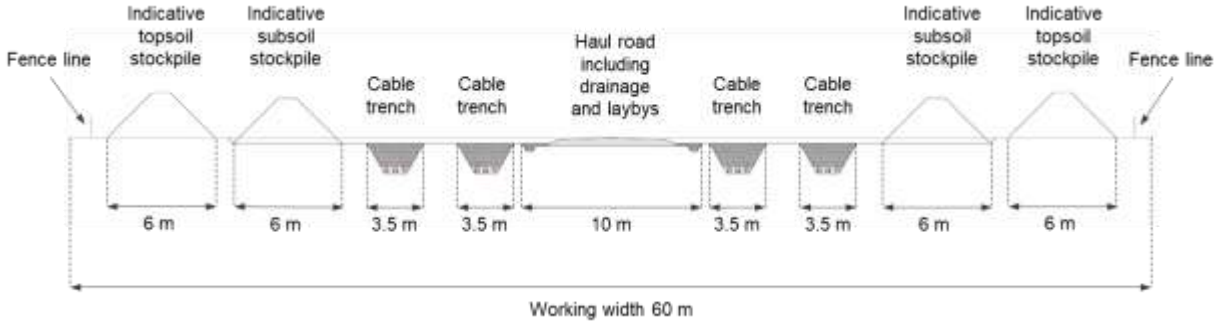
Scenario 2

- Both Projects proceed to construction on different but overlapping timescales (between 1 and 3 years apart), with civil works undertaken independently with opportunities for reuse of enabling infrastructure e.g. haul roads / site accesses etc. with the other project reinstating.

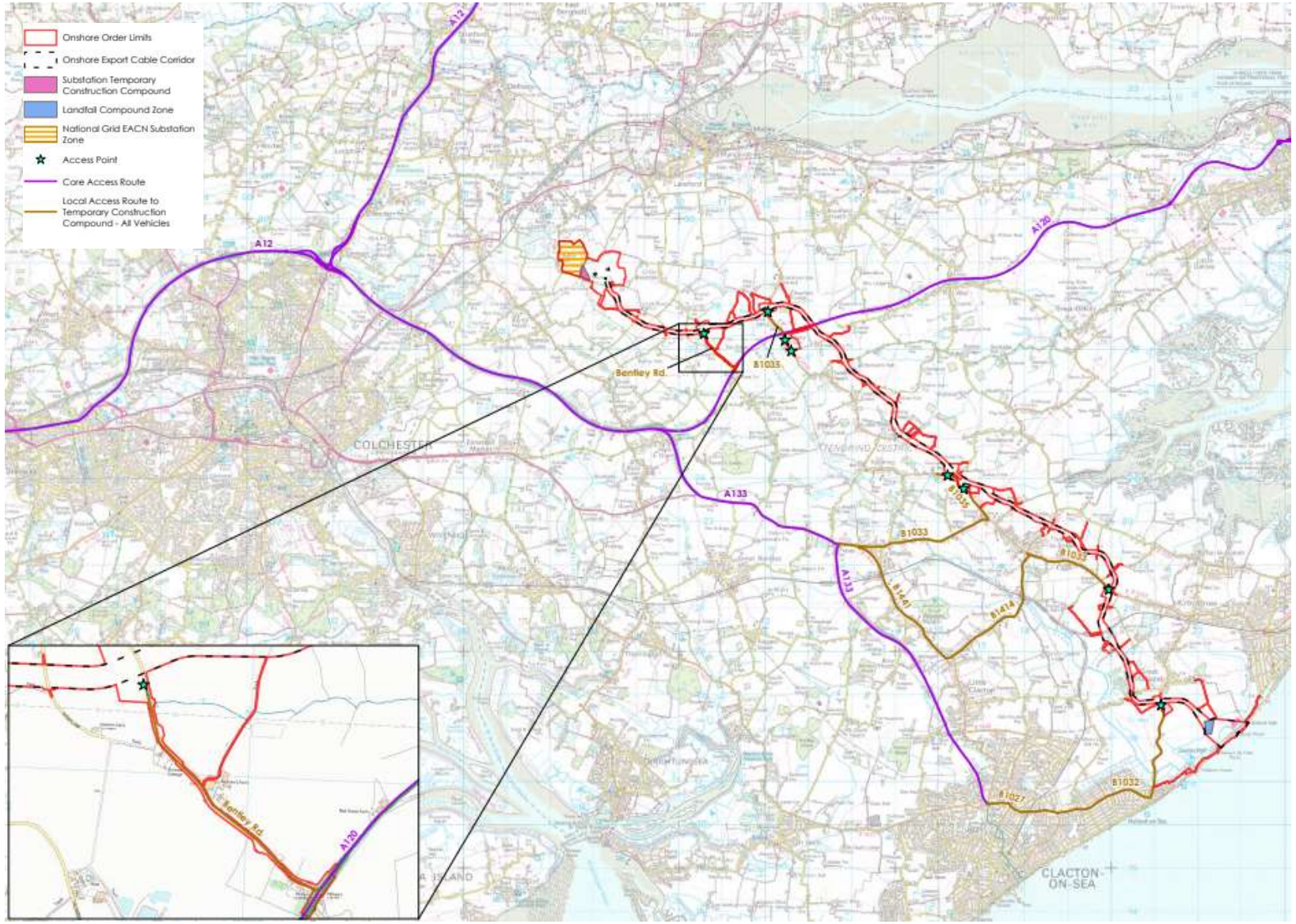
Scenario 3

- Project 2 does not proceed to construction; or both Projects proceed to construction on significantly different programmes (over 3 years apart).
- In the latter case the significantly different programmes would mean haul roads and TCC's are reinstated prior to the second project proceeding. In such case cumulative impacts are for a potential construction period of 6 years+.
- No reduction in overall impacts for the schemes from sharing of infrastructure.



Traffic and Transport

ESTUARIES
OFFSHORE WIND FARM



- Temporary haul roads along the cable route corridor.
- Designated access routes for construction traffic when traveling to and from the construction corridor.
- Trenchless crossings proposed for almost all roads.
- Outline Construction Traffic Management Plan.
- Outline Workforce Travel Plan
- Outline Public Access Management Plan.
- Coordinated substation access with North Falls and National Grid.

Reinstatement Examples

ESTUARIES
OFFSHORE WIND FARM

Before construction

During construction

After reinstatement

ESTUARIES
OFFSHORE WIND FARM

Questions – Onshore

COMPENSATORY MEASURES - ORNITHOLOGY

Need for Compensatory Measures

ESTUARIES
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- Potential impact on Lesser Black-Backed Gulls (LBBG), which are associated with the Alde Ore Estuary Special Protection Area (SPA).
- LBBGs are a qualifying feature of the SPA.
- Habitats Regulations state that where a protected site is impact, and effects cannot be avoided, compensation is required.
- Therefore compensatory measures are required for the predicted impact (around ten birds annually).

Compensatory Sites – Location

ESTUARIES
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- Site search focused around Orford Ness and the Alde-Ore SPA.
- Sites selected for connectivity to existing colonies, suitable habitats and where disturbance / predation has occurred.
- Stakeholder feedback considered and site now refined
- Also considering other measures/sites outside of DCO boundary

Compensatory Sites – Proposals

ESTUARIES
OFFSHORE WIND FARM

- The works associated with the compensatory measures will primarily be predator exclusion fencing around the perimeter of the site.

Management of the site

- Strimming of grass once or twice a year (outside of nesting season);
- Routine maintenance to check fencing once a year;
- Annual monitoring by an ornithologist.

Construction and Access

ESTUARIES
OFFSHORE WIND FARM

- Fence installation would take approximately three weeks with up to six personnel on site.
- Construction access to sites on Orford Ness would be by boat from Orford Quay, and then using existing tracks. Access to site VE4 would be via Gedgrave Road.
- Materials and machinery would be delivered to the site using standard low-loaders. Machinery is expected to be a small excavator and dump truck.
- Any work would be carried out outside of the nesting season.

Potential Impacts

ESTUARIES
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- Due to the limited nature of the works and the remote location of the sites, our initial assessments indicate no significant environmental impacts.
- Fencing would be approximately 2m high. Fencing at any site would not be visible from Orford.
- We are aware of Orford Ness's history and will be carrying out extensive surveys for unexpected ordinance.

ESTUARIES
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Questions – Compensatory measures

Next Steps

Development Consent Orders

ESTUARIES
OFFSHORE WIND FARM

- As this project will generate over 100MW, it is therefore classified as a Nationally Significant Infrastructure Project.
- Development Consent Order (DCO) required under the Planning Act 2008. The Planning Inspectorate makes a recommendation to the Secretary of State (SoS) for the Department Energy Security and Net Zero (DESNZ)then takes a final decision.

Pre-application	Acceptance	Pre-examination	Examination	Decision	Post-decision
Initial development phase Surveys Engagement and consultation prior to DCO application	**1 month** Required standards? Consultation adequate?	**3 months** Interested Parties Preliminary Meeting Examination timetable set	**6 months** Largely written process Issue specific and public hearings	**6 months** Inspectorate *- 3 months (recommend)* Secretary of state decision *- 3 months*	**6 weeks** Legal challenge window

Working with the Local Community

- We continue to welcome ideas and local knowledge
- We are developing an Outline Skills and Employment Strategy as part of our application.
- Our ongoing engagement will include:
  - ongoing collaboration with local communities
  - engagement with local groups and organisations
  - facilitating opportunities for employment and skills throughout the region
  - education and skills activities to promote offshore wind and the career opportunities available
  - creation of community benefit package
  - commitments to further support the supply chain and local businesses through the RWE Supplier Transparency & Engagement Programme (STEP)

Keeping the Community Updated

ESTUARIES
OFFSHORE WIND FARM

- Pre-submission information events
  - In person: 29 January Lawford / 30 January Tendring
  - Webinars: 7 February onshore / 8 February offshore
- Regular updates as we progress through the examination phase, informing of key milestones
  - Register on our website **fiveestuaries.co.uk**
- Continued engagement and open channels of communication

ESTUARIES
OFFSHORE WIND FARM

Questions

FIVE ESTUARIES
OFFSHORE WIND FARM

KEEP IN TOUCH

PHONE: 0800 800 800
EMAIL: fiveestuaries@rwe.com
ADDRESS: Five Estuaries Offshore Wind Farm Ltd
Windmill Hill Business Park
Whitehill Way
Swindon
Wiltshire
SN5 6PB

Registered in England & Wales 12292474
VAT number 347 5985 47

11.8.3 Onshore focused public webinar pre-submission – 8 February 2024

FIVE ESTUARIES
OFFSHORE WIND FARM

Five Estuaries Project Update - Onshore

February 2024

Welcome and housekeeping

ESTUARIES
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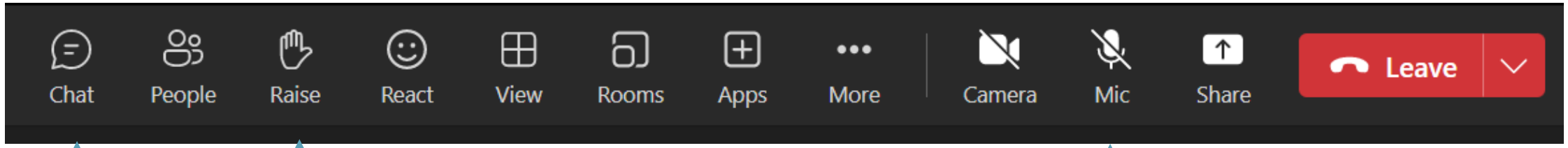


Access the chat and ask questions

Raise your hand to ask a question during the Q&A session

Please stay on mute while the team is presenting

If you're experiencing problems, leave and re-join

Agenda

ESTUARIES
OFFSHORE WIND FARM

	TOPICS
01	Welcome, housekeeping and introductions
02	Project overview, developer coordination and OCSS
03	Offshore development summary
04	Onshore development
05	Compensatory measures
06	Next steps
07	Questions

Introductions

ESTUARIES
OFFSHORE WIND FARM

[redacted]

Diane Mailer
Project Lead

James Eaton
Onshore Consents Manager

[redacted]

Kieran Somers
Senior Consents Manager

Nikki Berry
Engagement Manager

[redacted]

Rachel McCall
Offshore Consents Manager

PROJECT OVERVIEW

Why the Project is Needed

ESTUARIES
OFFSHORE WIND FARM

The UK Government has set an ambitious target to deploy up to 50GW of offshore wind by 2030. This is five times more than the 10GW we currently produce and enough to power every home at current electricity usage levels.

Offshore wind power will play an essential role in our future electricity generation as we work to tackle climate change and reduce emissions.

Revised Energy National Policy Statements recently designated. (17 Jan 2024)

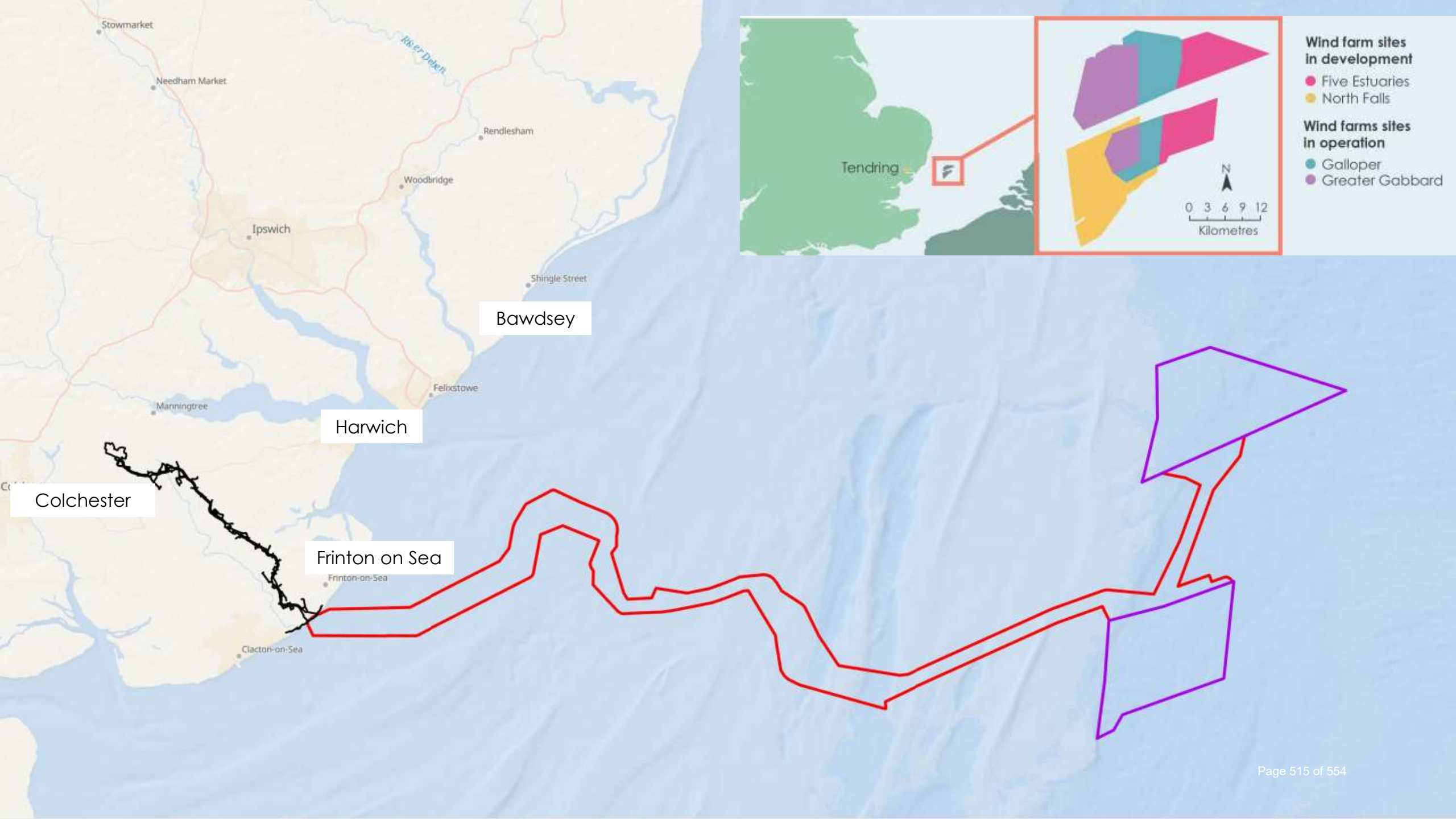
Offshore wind energy can provide:

- National energy security
- Reduction in greenhouse gas emissions
- Production of affordable energy
- Maximised economic opportunities from energy infrastructure investment for the UK

Project Summary

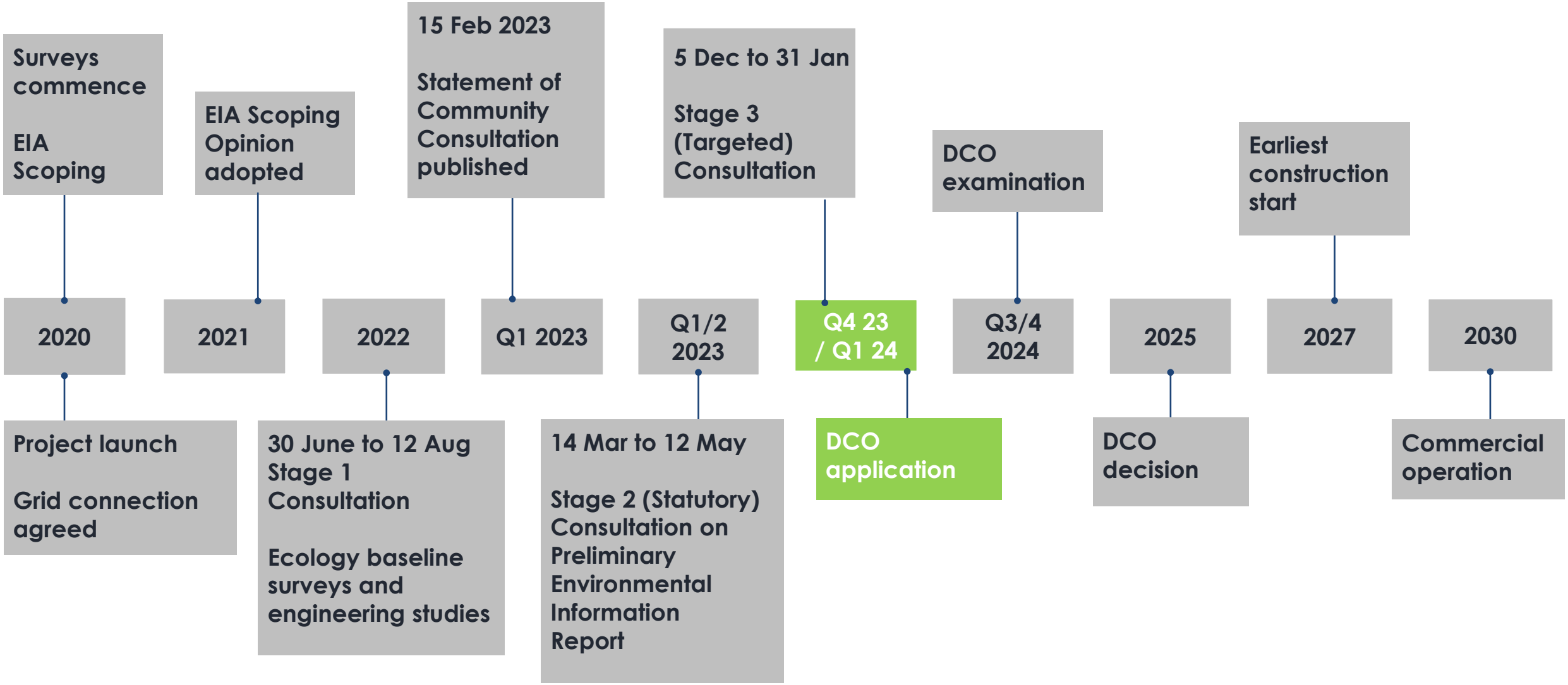
ESTUARIES
OFFSHORE WIND FARM

- Wind farm area -128km^2
- 37km closest distance to shore in Suffolk
- Up to 79 turbines across two separate seabed areas
- One new onshore substation to connect the project into the National Grid proposed Norwich to Tilbury substation
- Could power hundreds of thousands UK households each year
- Project Partners – RWE (25%), a Macquarie-led consortium (25%), Siemens financing arm, Siemens Financial Services (25%), ESB (12.5%) and Sumitomo Corporation (12.5%). RWE is leading the development


Stowmarket
Needham Market
River Deben
Rendlesham
Woodbridge
Ipswich
Shingle Street
Bawdsey
Felixstowe
Manningtree
Harwich
Colchester
Frinton on Sea
Frinton-on-Sea
Clacton-on-Sea
Tendring
0 3 6 9 12
Kilometres
Wind farm sites in development
Five Estuaries
North Falls
Wind farms sites in operation
Galloper
Greater Gabbard

Indicative Project Timeline

ESTUARIES
OFFSHORE WIND FARM



Developing the Project

ESTUARIES
OFFSHORE WIND FARM

- Engagement to support project development began in 2020.
- Working with the local community and statutory stakeholders, such as:
  - Natural England
  - Local Port Authorities
  - Fishermen
  - Environment Agency
  - Local Councils
- Feedback from Stage 1 Consultation in Summer 2022, Stage 2 Consultation in Summer 2023 and now targeted Stage 3 Consultation due to complete 31 Jan.
- Lessons learnt and experience from previous projects e.g. Galloper.
- Engagement/Coordination with neighbouring projects such as North Falls

Project Coordination

ESTUARIES
OFFSHORE WIND FARM

- Distinct projects with separate shareholdings.
- Both North Falls and Five Estuaries recognise the need to co-ordinate activities and developments, particularly onshore.
- Both parties signed a 'good neighbour agreement' in summer 2023, which has enabled closer liaison, information sharing and joint planning.
- Through coordination, we have been able to:
  - Almost fully align the onshore export cable corridors;
  - Identify possible shared works accesses and construction compounds;
  - Exchange data and share surveys e.g. ecology and archaeology;
  - Agree on a shared location for each project's substation and identify possible shared access and screening concepts;
  - Increase the coordination of engagement with landowners;
  - Share our navigational risk assessments and measures to ensure vessel coordination during construction; and
  - Exchange information on project design at an early stage to carry out cumulative seascape, landscape and visual impact assessments

OCSS and OTNR

ESTUARIES
OFFSHORE WIND FARM

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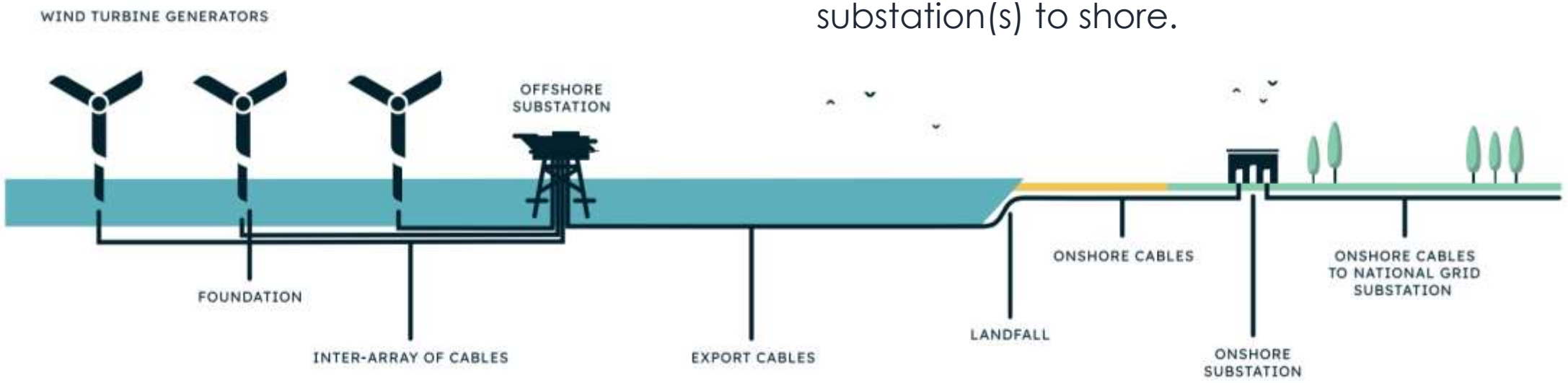

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ESTUARIES
OFFSHORE WIND FARM

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ONSHORE DEVELOPMENT

Onshore Overview

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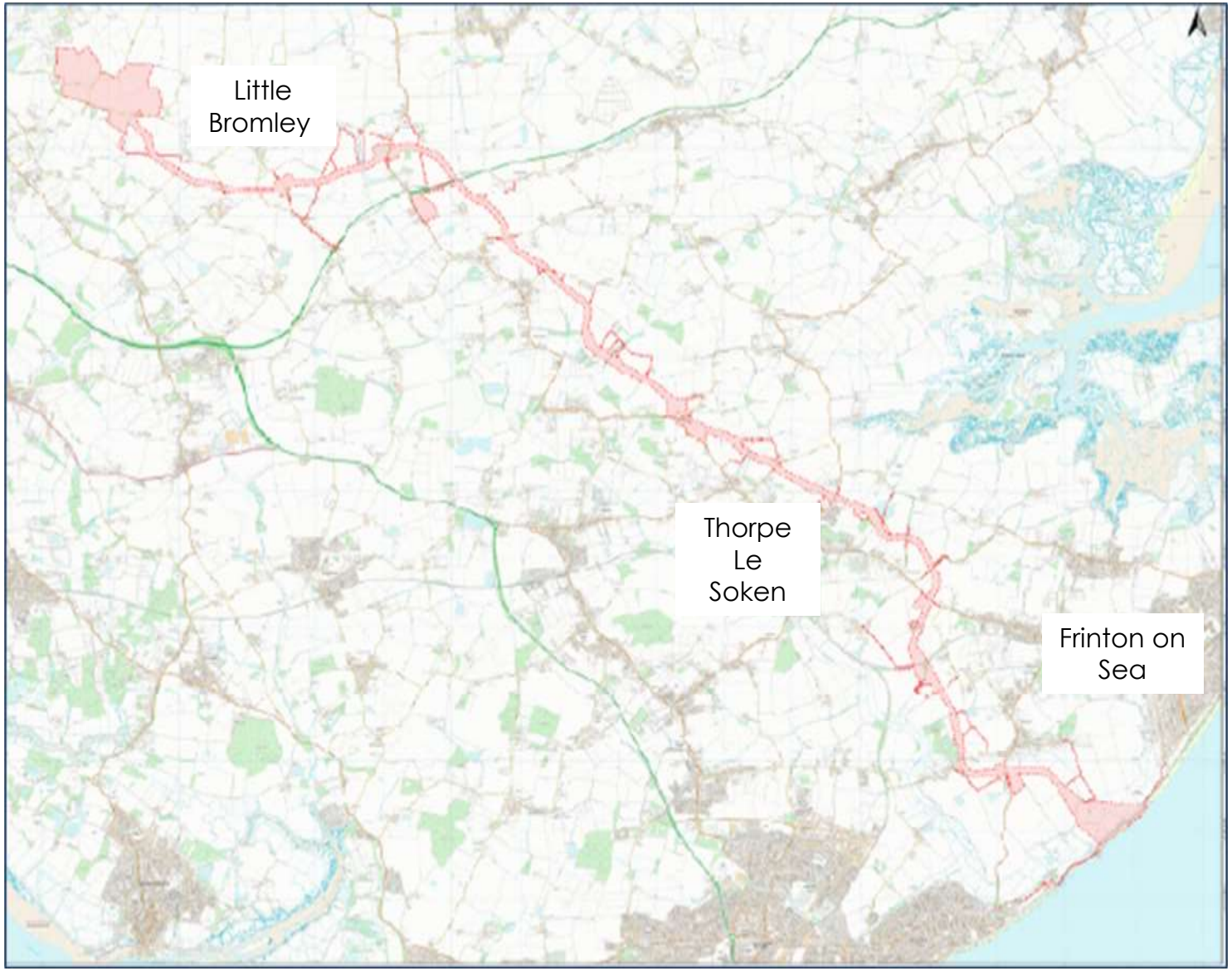

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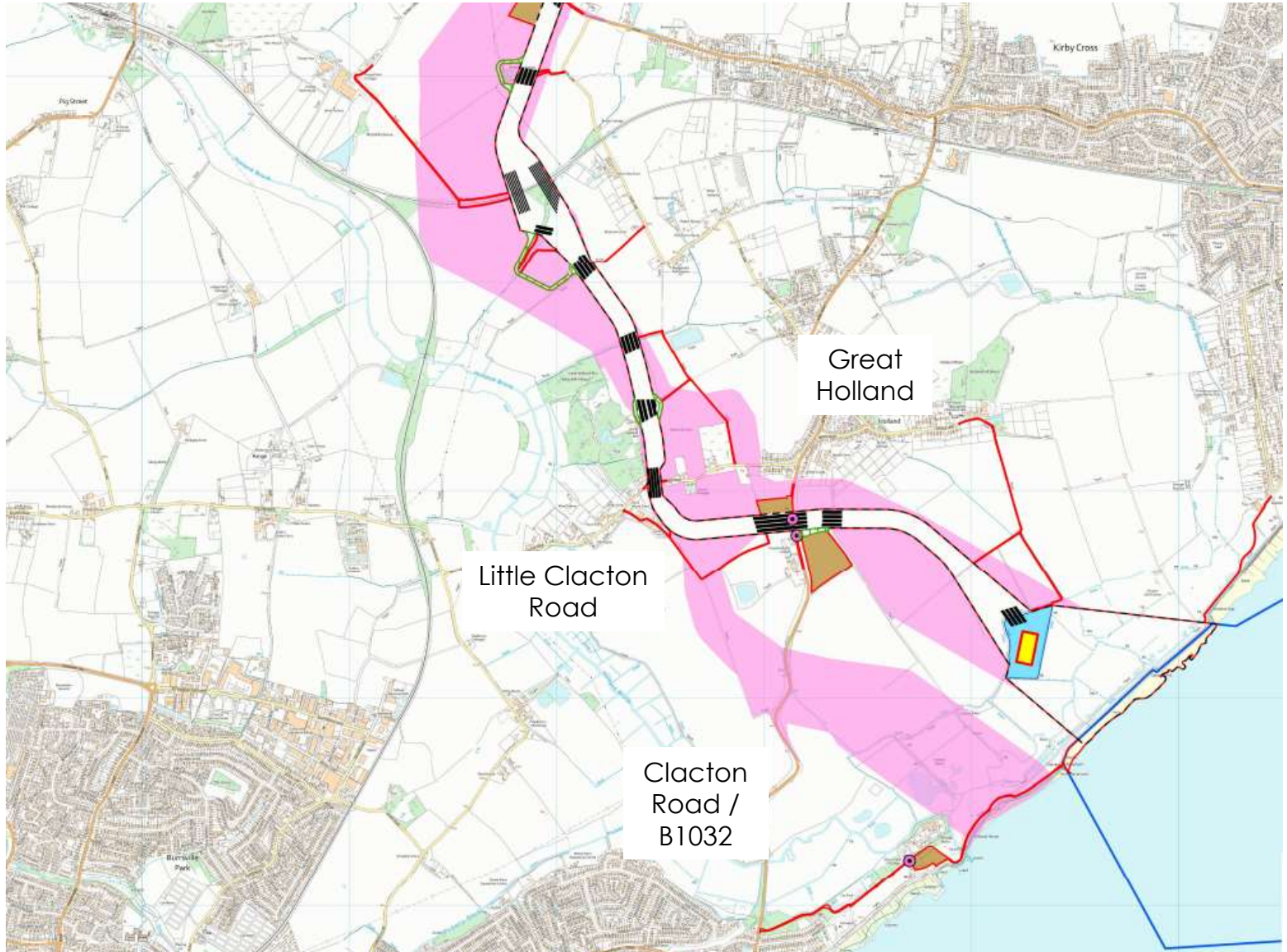

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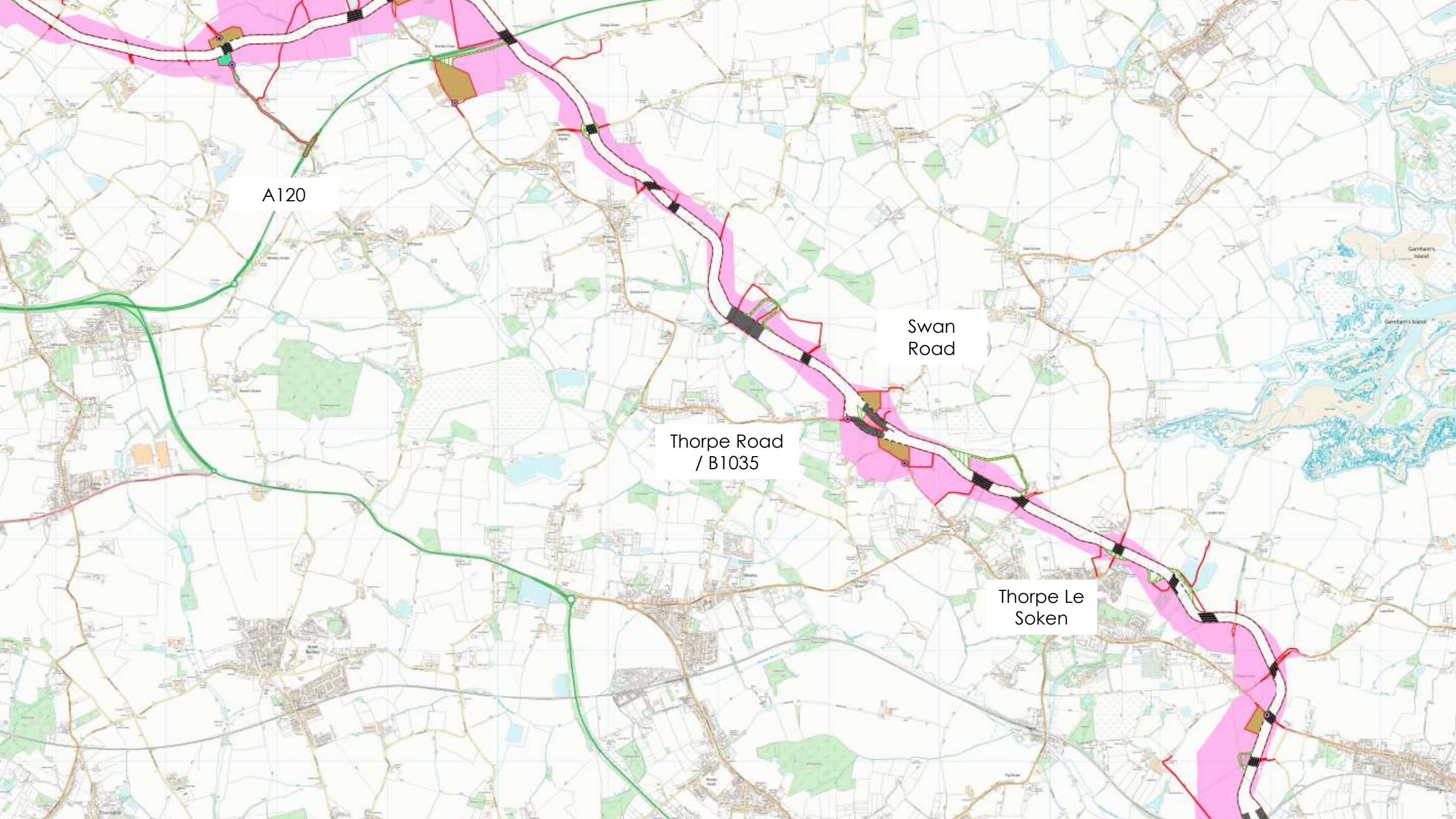
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Onshore Substation

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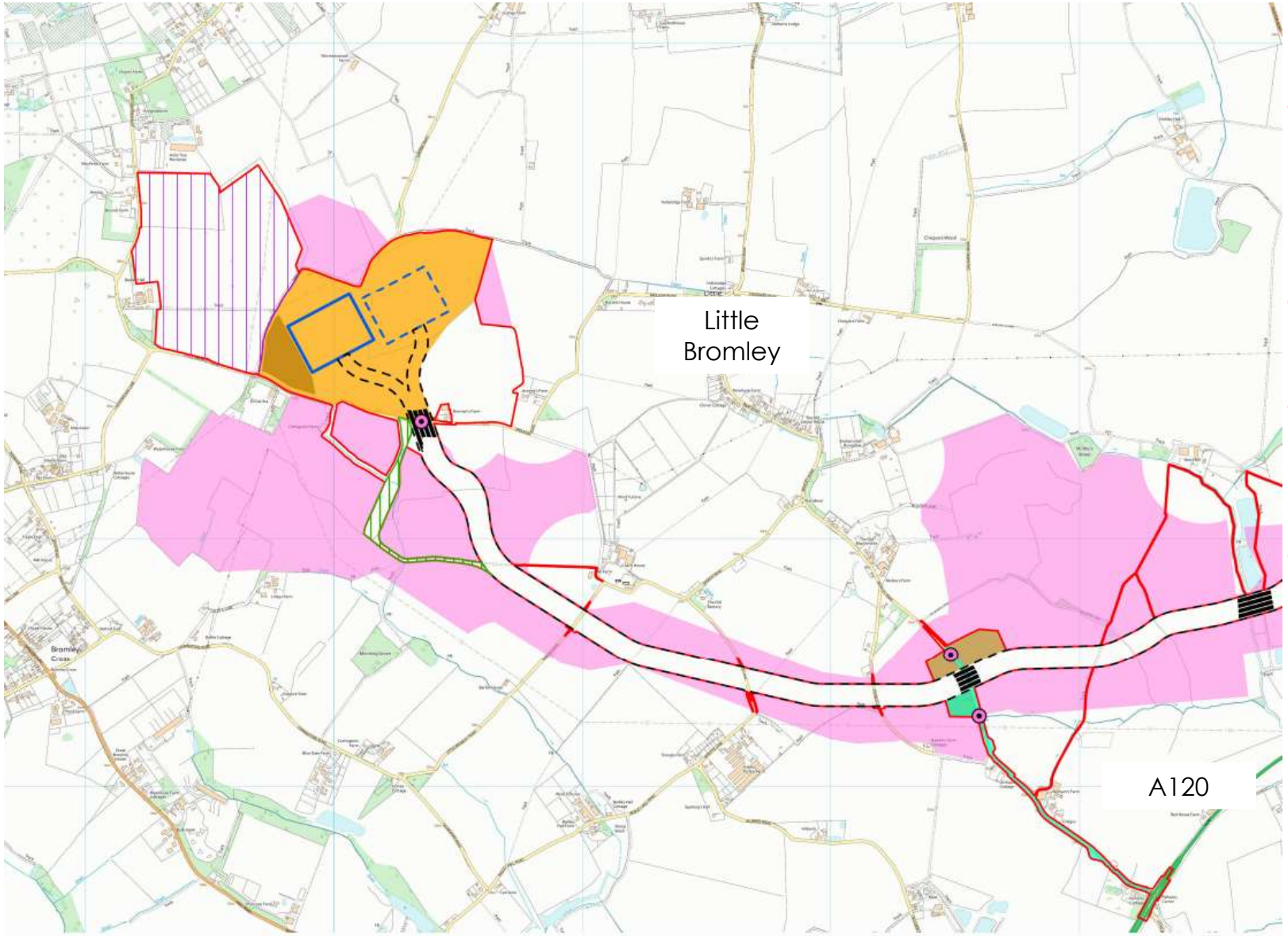

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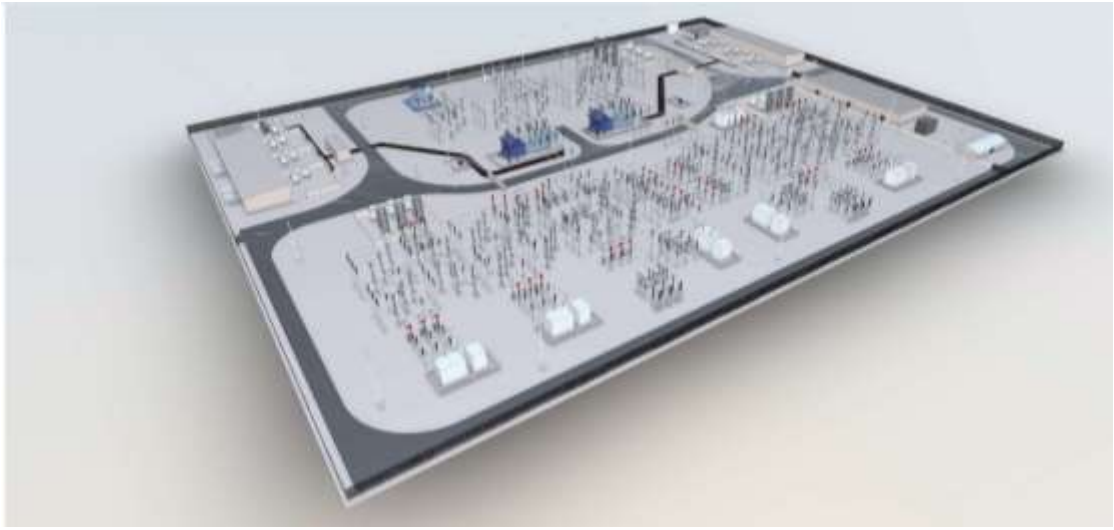

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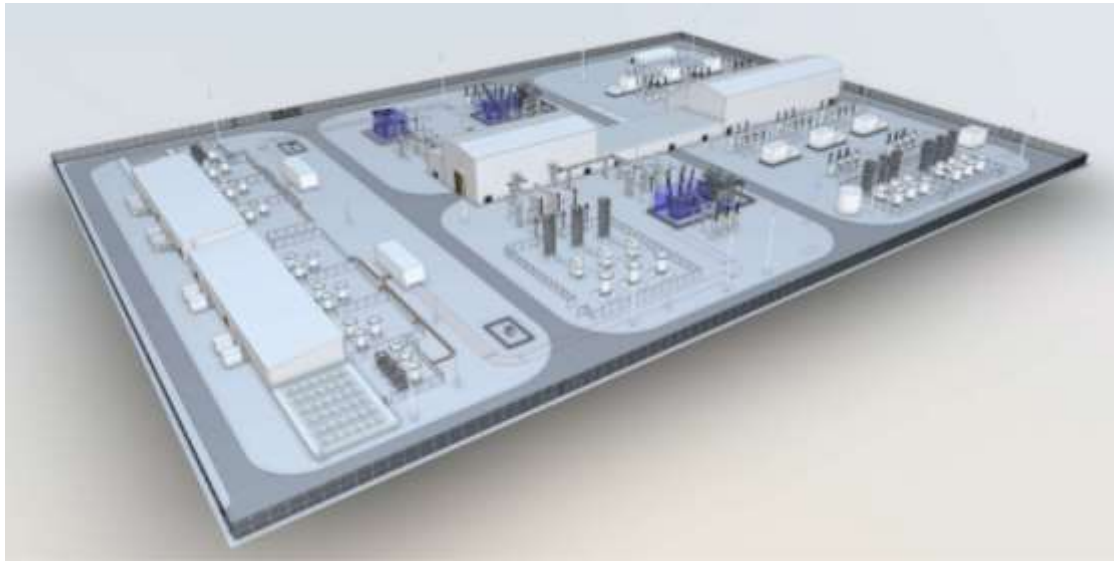

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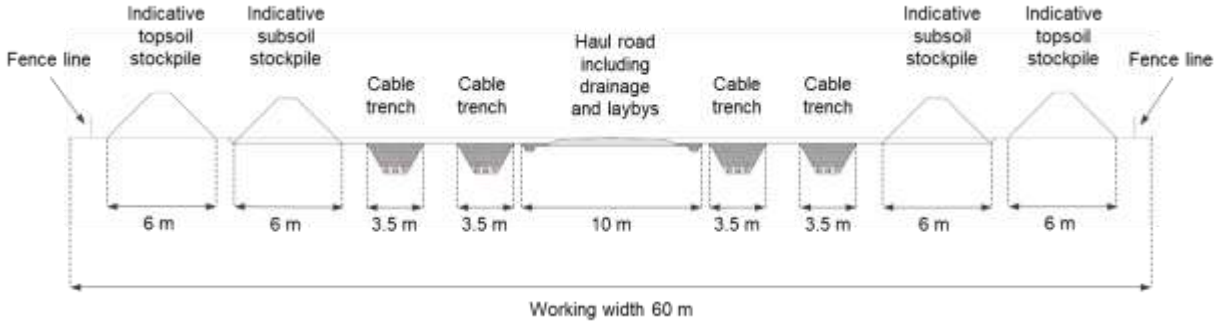
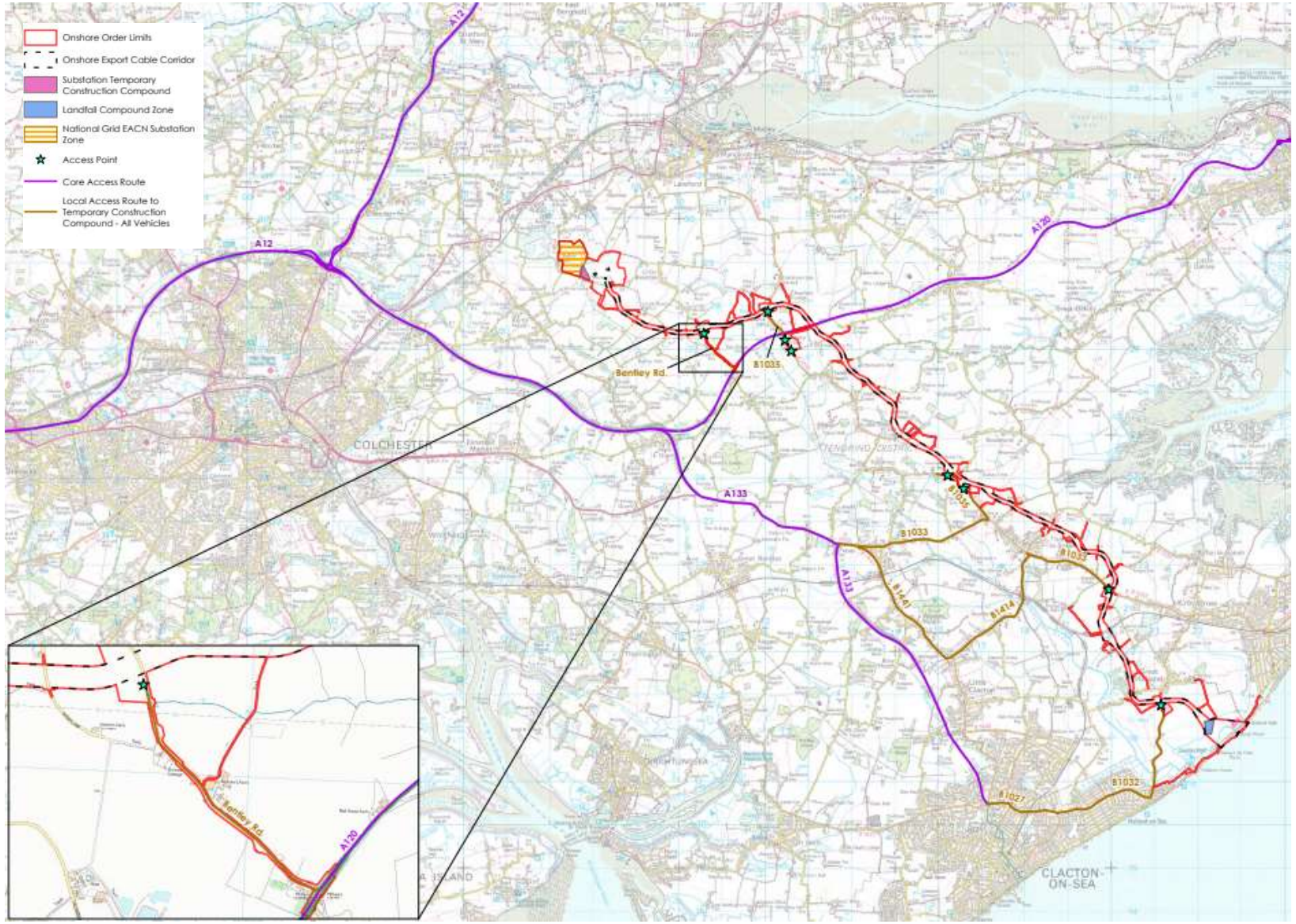
Scenario 3

- Project 2 does not proceed to construction; or both Projects proceed to construction on significantly different programmes (over 3 years apart).
- In the latter case the significantly different programmes would mean haul roads and TCC's are reinstated prior to the second project proceeding. In such case cumulative impacts are for a potential construction period of 6 years+.
- No reduction in overall impacts for the schemes from sharing of infrastructure.



Traffic and Transport

ESTUARIES
OFFSHORE WIND FARM



- Temporary haul roads along the cable route corridor.
- Designated access routes for construction traffic when traveling to and from the construction corridor.
- Trenchless crossings proposed for almost all roads.
- Outline Construction Traffic Management Plan.
- Outline Workforce Travel Plan
- Outline Public Access Management Plan.
- Coordinated substation access with North Falls and National Grid.

Reinstatement Examples

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Before construction

During construction

After reinstatement

ESTUARIES
OFFSHORE WIND FARM

Questions – Onshore

COMPENSATORY MEASURES - ORNITHOLOGY

Need for Compensatory Measures

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- Potential impact on Lesser Black-Backed Gulls (LBBG), which are associated with the Alde Ore Estuary Special Protection Area (SPA).
- LBBGs are a qualifying feature of the SPA.
- Habitats Regulations state that where a protected site is impact, and effects cannot be avoided, compensation is required.
- Therefore compensatory measures are required for the predicted impact (around ten birds annually).

Compensatory Sites – Location

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- Site search focused around Orford Ness and the Alde-Ore SPA.
- Sites selected for connectivity to existing colonies, suitable habitats and where disturbance / predation has occurred.
- Stakeholder feedback considered and site now refined
- Also considering other measures/sites outside of DCO boundary

Compensatory Sites – Proposals

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- The works associated with the compensatory measures will primarily be predator exclusion fencing around the perimeter of the site.

Management of the site

- Strimming of grass once or twice a year (outside of nesting season);
- Routine maintenance to check fencing once a year;
- Annual monitoring by an ornithologist.

Construction and Access

ESTUARIES
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- Fence installation would take approximately three weeks with up to six personnel on site.
- Construction access to sites on Orford Ness would be by boat from Orford Quay, and then using existing tracks. Access to site VE4 would be via Gedgrave Road.
- Materials and machinery would be delivered to the site using standard low-loaders. Machinery is expected to be a small excavator and dump truck.
- Any work would be carried out outside of the nesting season.

Potential Impacts

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- Due to the limited nature of the works and the remote location of the sites, our initial assessments indicate no significant environmental impacts.
- Fencing would be approximately 2m high. Fencing at any site would not be visible from Orford.
- We are aware of Orford Ness's history and will be carrying out extensive surveys for unexpected ordinance.

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Questions – Compensatory measures

Next Steps

Development Consent Orders

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OFFSHORE WIND FARM

- As this project will generate over 100MW, it is therefore classified as a Nationally Significant Infrastructure Project.
- Development Consent Order (DCO) required under the Planning Act 2008. The Planning Inspectorate makes a recommendation to the Secretary of State (SoS) for the Department Energy Security and Net Zero (DESNZ)then takes a final decision.

Pre-application	Acceptance	Pre-examination	Examination	Decision	Post-decision
Initial development phase Surveys Engagement and consultation prior to DCO application	**1 month** Required standards? Consultation adequate?	**3 months** Interested Parties Preliminary Meeting Examination timetable set	**6 months** Largely written process Issue specific and public hearings	**6 months** Inspectorate *- 3 months (recommend)* Secretary of state decision *- 3 months*	**6 weeks** Legal challenge window

Working with the Local Community

- We continue to welcome ideas and local knowledge
- We are developing an Outline Skills and Employment Strategy as part of our application.
- Our ongoing engagement will include:
  - ongoing collaboration with local communities
  - engagement with local groups and organisations
  - facilitating opportunities for employment and skills throughout the region
  - education and skills activities to promote offshore wind and the career opportunities available
  - creation of community benefit package
  - commitments to further support the supply chain and local businesses through the RWE Supplier Transparency & Engagement Programme (STEP)

Keeping the Community Updated

ESTUARIES
OFFSHORE WIND FARM

- Pre-submission information events
  - In person: 29 January Lawford / 30 January Tendring
  - Webinars: 7 February onshore / 8 February offshore
- Regular updates as we progress through the examination phase, informing of key milestones
  - Register on our website **fiveestuaries.co.uk**
- Continued engagement and open channels of communication

ESTUARIES
OFFSHORE WIND FARM

Questions

FIVE ESTUARIES
OFFSHORE WIND FARM

KEEP IN TOUCH

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Wiltshire
SN5 6PB

Registered in England & Wales 12292474
VAT number 347 5985 47

11.9 Example letter to PILs after Stage 2 consultation

Letters were sent to landowners who had responded to the Stage 2 consultation to provide an initial response from the Applicant to the issues they had raised.

Our Ref: 197210/156085

[redacted]

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Bicester
Oxfordshire
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T: 0333 188 3514
E: fiveestuaries@dalcourmaclaren.com

16 October 2023

Dear [redacted]

Five Estuaries Offshore Wind Farm – Statutory Consultation Response

Thank you for submitting a response to the Five Estuaries statutory consultation. As part of the Development Consent Order application, Five Estuaries will be submitting a Consultation Report which will record how feedback has been considered. Ahead of publication of this report, please find below Five Estuaries' comments on feedback received and how these have been or will be addressed as they finalise their plans in relation to your land.

1. **Scheme Proposal** - Each cable circuit will consist of three onshore electricity cables as well as up to three fibre optic cables and one earth cable. The Project had considered up to four circuits as, depending on the electrical configuration, this number may have been necessary to carry the full power from the wind farm. The exact number of circuits depends on the export voltage adopted and the final capacity of the windfarm. The amount of power that can be carried by a single cable is limited due to thermal effects, meaning it Is not possible just to increase the size of a single cable to carry all the power. Export cable technology is rapidly evolving and to allow for potential technologies the windfarm had allowed for between 1 and 4 cables.

   Following feedback received by a number of landowners, both at the consultation events and via appointed land agents, the Project challenged their engineering team to review and optimise the electrical transmission infrastructure, and specifically to discount solutions that required the Project to have four circuits. Five Estuaries have since collaboratively reviewed the electrical options and design with North Falls Offshore Wind Farm, and carried out further optimisation work. This activity has resulted in both Projects no longer proceeding with the four-circuit-per-project option. Each project will now have a maximum of two circuits.

   This decision means that the onshore cable corridor width during construction will now be smaller. In addition, the width of the legal easement will be significantly reduced. By including a maximum of two circuits per project, the projects will reduce and minimise the impact on both landowners and the onshore environment.

2. **Collaborative Working** - Working together to streamline design and minimise local impacts is important to both Five Estuaries and North Falls. To ensure this the projects have now signed what is called a 'good neighbour agreement' that enables closer liaison, information sharing and joint planning. The primary goal of this coordination is to reduce the potential impact of building the onshore connection to the national electricity transmission network for the two projects.

3. **Mental Health -** We understand that the Project's potential impacts and the length of the development process can create uncertainty and stress. We take our role as a responsible developer seriously, and concerns and

feedback will be considered throughout the development of the Project and the consenting process. We are also always happy to answer enquiries from landowners and members of the public. Looking further ahead, we will ensure that our construction practices respond to these concerns as much as possible, and how we intend to do this will be set out in the Construction Management Plan submitted as part of our application.

4. **Commerical Shoot** - Discussions with landowners on their shooting business will form part of commercial negotiations.

5. **Other Farm Business Income** - Discussions with landowners on their other none agricultural businesses will form part of commercial negotiations.

6. **Soil Analysis** - Reasonable requirements for soil management will be incorporated into the Code of Construction Practice (and any associated management plan (e.g. Soil Management Plan)).

   A schedule of condition survey will be carried out to accurately record the condition of the land prior to entry. Five Estuaries will also commission pre- and post-construction soil sampling to record changes in soil health (if any), and to inform any measures that may be required to bring the soil back to its previous condition. Sub soil and top soil will be excavated and stored separately.

   All soil handling, storage, replacement and management will be undertaken in line with best practice, such as DEFRA's 2009 Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, or latest relevant available guidance, ensuring the working area is reinstated to its pre-existing condition as far as reasonably practical.

7. **Five Estuaries and North Falls Collaboration** - Working together to streamline design and minimise local impacts is important to both Five Estuaries and North Falls. To ensure this the projects have now signed what is called a 'good neighbour agreement' that enables closer liaison, information sharing and joint planning. The primary goal of this coordination is to reduce the potential impact of building the onshore connection to the national electricity transmission network for the two projects.

8. **Location of Substations** - Feedback on substation screening will be considered by the Project team as the design is further developed ahead of the Project's application for a Development Consent Order (DCO).

9. **Drainage** - Discussions with landowners on existing drainage and irrigation schemes will form part of commercial negotiations.

10. **Private Water Supplies** - The subject of private water supplies is covered in the Preliminary Environmental Information Report (PEIR) Volume 3, Chapter 6 "Hydrology, Hydrogeology and Flood Risk". How Five Estuaries has assessed the impact of the Project on private water abstractions is contained within the chapter. The conclusion drawn is that since the excavations for the cable route will be relatively shallow, groundwater is unlikely to be encountered, and any contamination would be limited to sediment only (page 87 of Volume 3, Chapter 6, "Impact 4: Pollution or disruption of flow to groundwater through ground excavations or Piling".) The PEIR formed part of our statutory consultation.

    Five Estuaries will continue to explore this issue ahead of the Project's application for a Development Consent Order (DCO).

11. **Irrigation and Boreholes** - Discussions with landowners on existing drainage and irrigation schemes will form part of site specific commercial negotiations.

12. **Cable Depth** - Feedback on preference for cable depths will be considered by the Project team as the design is further developed ahead of the Project's application for a Development Consent Order (DCO).

13. **Carbon** - VE will be pleased to discuss specific proposals for bio-diversity net gain and/or carbon offsetting, for areas of land directly affected by the Project, as part of individual discussions with landowners.

14. **Cropping** - Discussions with landowners on cropping will form part of site specific commercial negotiations.

15. **Landowners Time** - During the recent consultation meetings and events, the Projects have received queries from land interests and their agents concerning the reimbursement for landowner time. As previously advised, we encourage all landowners to keep a comprehensive and detailed log of time spent interacting with the Projects as this could be recovered as part of a successful claim for compensation should your land be affected. It is important that the time be specified as being relevant to North Falls, Five Estuaries, or both.

    While there is no obligation for a developer to reimburse land interest time until a statutory liability arises, we can confirm that the Projects have agreed to make an interim ex-gratia payment based on £40 per hour upon signing of option agreements in recognition of time spent cooperating with the Projects where supported by detailed and descriptive timesheets. Please note that any time spent objecting to the Projects or processes around them will not be reimbursed.

    As specified above, such payments are ex-gratia and not made as an acceptance that an actual and tangible loss has been incurred.

    In exceptional circumstances, it is acknowledged there may be cases where cooperating with the Projects results in a tangible loss being incurred that is higher than the rate applied to the ex-gratia calculation. Where this is the case, the Projects welcome submission of substantiated claims to evidence the actual loss incurred with detailed and descriptive timesheets.

16. **Farm Management –** Discussions with landowners on farming practices and management schemes will form part of commercial negotiations.

17. **Link Boxes** - The requirement for joint pits and associated link boxes is covered in the Onshore Project Description, sections 1.4.25 to 1.4.27. The Onshore Project Description formed part of our statutory consultation and will be submitted as part of the Project's Development Consent Order (DCO) application.

18. **Heat** - Many famers have asked us what impact the heat dissipated by the cables could have on their crop yields. Scientific studies* have determined that the heat from the underground cables has no negative impact.

    The degree to which the soil actually heats up depends on various factors including the transmission technology, the insulation of the cables and the bedding material that the cables are laid in. Key roles are also played by the ability of the soil itself to conduct heat, the degree to which the cable is being used and seasonal and weather-related fluctuations in temperature in the soil.

    What has been found is that any heat from the cables dissipates quickly as it rises and temperatures in the top layers of soil, where roots are found, are similar to those measured in reference points away from the cable system.

*Conducted by soil ecologist Prof. Dr. Peter Trüby of Freiburg University

19. **Radiation & Electromagnetic Field** - Electro-Magnetic Fields (EMFs) are produced both naturally and as a result of certain human activities. The earth has a magnetic field produced by currents deep inside the core of the planet; the earth is also subject to electric fields produced by electrical activity in the atmosphere such as thunderstorms. The Earth's magnetic field is approximately 50 µT (microteslas) in the UK.

    EMFs are inevitable wherever electricity is produced, distributed, and used, including electrical substations, power lines and from household electrical equipment but the level of the magnetic field produced by alternating current (AC) underground power cables is less than the Earth's magnetic field in the UK. Moreover, EMFs from the electricity grid are low frequency and non-ionising. This term means that they do not have enough energy to cause damage to human or animal cells in the same way ionising radiation does. The World Health Organization states there is no evidence to conclude that exposure to low-level EMFs is harmful to human health.

    More information on EMF's is available in Section 28 of the Five Estuaries Project Scoping Report.

Please note that specific landowner matters such as crop loss or compensation will be covered under the upcoming commercial negotiations once the project has been further refined.

If you would like any further information regarding the project or wish to keep up to date with the latest project news then please visit www.fiveestuaries.co.uk

A guide to the documents included in Five Estuaries' statutory consultation can be found at https://fiveestuaries.co.uk/wp-content/uploads/2023/03/Guide-to-the-Preliminary-Environmental-Information-Report.pdf

We look forward to continuing to work with you.

Yours sincerely

[redacted]

Dalcour Maclaren, for and on behalf of Five Estuaries Offshore Wind Farm

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OFFSHORE WIND FARM

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