FIVE ESTUARIES
OFFSHORE WIND FARM

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POLICY COMPLIANCE DOCUMENT

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TABLES

DEFINITION OF ACRONYMS

Term	Definition
AA	Appropriate Assessment
AfL	Agreements for Lease
AIS	Air Insulated Switchgear
ALC	Agricultural Land Classification
ATC	Air Traffic Controllers
BAT	Best Available Technique
BEIS	Business, Energy and Industrial Strategy
CAA	Civil Aviation Authority
CCUS	Carbon Capture, Usage and Storage
CFD	Contract for Difference
CIEEM	Chartered Institute of Ecology and Environmental Management
CIRIA	Construction Industry Research and Information Association
CNP	Critical National Priority
CoCP	Code of Construction Practice
COMAH	Control of Major Accident Hazards
CPNI	Centre for the Protection of National Infrastructure
DCO	Development Consent Order
DESNZ	Department for Energy Security and Net Zero
EACN	East Anglia Connection Node
ECC	Export Cable Corridor
EEZ	Exclusive Economic Zone
EIA	Environmental Impact Assessment
ENCA	Enabling a Natural Capital Approach
EPA	Environmental Protection Act
EPP	Evidence Plan Process
EPR	Environmental Permitting Regulations
ERCoP	Emergency Response Co-Cooperation Plan
ES	Environmental Statement
ESO	Electricity System Operator

Term	Definition
ETS	Emissions Trading Scheme
ExA	Examining Authority
VE	Five Estuaries Offshore Wind Farm
VE OWFL	Five Estuaries Offshore Wind Farm Ltd
FRA	Flood Risk Assessment
Galloper	Galloper Offshore Wind Farm
GES	Good Environmental Status
GIS	Gas Insulated Switchgear
GLVIA	Guidelines for Landscape and Visual Impact Assessment
GW	gigawatts
HAS	Hazardous Substances Authority
HDD	Horizontal Directional Drilling
HER	Historic Environment Record
HHA	Harwich Haven Authority
HRA	Habitats Regulations Assessment
HSE	Health and Safety Executives
IEMA	Institute of Environmental Management and Assessment
IROPI	Imperative Reasons of Overriding Public Interest
JNCC	Joint Nature Conservation Committee
LEDPP	Landscape and Ecology Design Principles Plan
LNG	Liquified Natural Gas
LNRS	Local Nature Recovery Strategy
LPA	Local Planning Authority
LVIA	Landscape and Visual Impact Assessment
MCA	Maritime and Coastguard Agency
MCAA	Marine Coastal Access Act
MCZ	Marine Conservation Zones
MDS	Maximum Design Scenario
MMO	Marine Management Organisation
MO	Met Office

Term	Definition
MOD	Ministry of Defence
MPA	Marine Protected Area
MPCP	Marine Pollution Contingency Plan
MPI	Multi-Purpose Interconnectors
MPS	Marine Policy Statement
MSA	Mineral Safeguarding Area
MW	Megawatts
NATS	National Air Traffic Services
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NRA	Navigational Risk Assessment
NRN	Nature Recovery Network
NRW	Natural Resource Wales
NSIP	Nationally Significant Infrastructure Project
NSWWS	National Severe Weather Warning Service
OLEMP	Outline Landscape and Ecology Management Plan
OLS	Ordinary Least Squares
O&M	Operational and Maintenance
ONR	Office for Nuclear Regulation
OnSS	Onshore Substation
ORJIP	Offshore Renewables Joint Industry Programme
OSP	Offshore Substation Platform
OTNR	Offshore Transmission Network Review
OWEC	Offshore Wind Evidence and Change
PA	Planning Application
PAMP	Public Access Management Plan
PEMP	Project Environmental Management Plan
PINS	Planning Inspectorate
PEIR	Preliminary Environmental Information Report
PLA	Port of London Authority
PPEIRP	Pollution Prevention and Emergency Incident Response Plan

Term	Definition
PPG	Planning Practice Guidance
PSA	Particle Size Analysis
PTS	Permanent Threshold Shift
REZ	Renewable Energy Zone
RIAA	Reform to Inform Appropriate Assessment
RLB	Red Line Boundary
RYA	Royal Yachting Association
SCADA	Supervisory Control and Data Acquisition
SCHAONB	Suffolk Coast and Heaths Area of Outstanding Natural Beauty
SEPA	Scottish Environment Protection Agency
SI	Site Investigation
SIP	Site Integrity Plan
SLVIA	Seascape, Landscape and Visual Assessment
SMP	Shoreline Management Plans
SMP	Soil Management Plan
SNCB	Statutory Nature Conservation Bodies
SoS	Secretary of State
SoCC	Statement of Community Consultation
SPZ	Source Protection Zones
SSSI	Site of Special Scientific Interest
SuDS	Sustainable Drainage Systems
SWMP	Site Waste Management Plan
TAG	Transport Analysis Guidance
TAN	Technical Advice Note
TCE	The Crown Estate
TDC	Tendring District Council
TTA	Traffic and Transport Assessment
TTS	Temporary Threshold Shift
UXO	Unexploded Ordinance
VEOWF	Five Estuaries Offshore Wind Farm
VTS	Vessel Traffic Services

Term	Definition
WFD	Water Framework Directive
WSI	Written Scheme of Investigation
WTGs	Wind Turbine Generators
WTP	Workforce Travel Plan

1 INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

1.1.1 The statutory framework for determining applications for Development Consent for Nationally Significant Infrastructure Projects (NSIPs) such as Five Estuaries Offshore Wind Farm (VE) is provided by the Planning Act (PA) 2008. Section 104 of the PA 2008 confirms the matters the Secretary of State (SoS) must have regard to in decision making where a national policy statement (NPS) has effect, such as for VE.

1.1.2 Five Estuaries Offshore Wind Farm Limited (the Applicant) notes that paragraph 1.1.2 of NPS EN-1 applies to DCO applications for energy NSIPs. It states that: *"for such applications this NPS, combined with any technology specific energy NPS where relevant, provides the primary policy for decisions by the Secretary of State."*

1.1.3 In deciding the Application for Development Consent for VEOWF, the relevant NPSs to which the SoS must have regard in accordance with Section 104(2) of the PA 2008, are:

- Overarching National Policy Statement for Energy EN-1 (NPS EN-1) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration of generic impacts in relation to such projects.
- National Policy Statement for Renewable Energy Infrastructure EN3 (NPS EN-3) which covers technology specific matters including offshore wind; and
- National Policy Statement for Electricity Networks Infrastructure EN5 (NPS EN-5) which covers technology specific matters but mostly relates to the provision of overhead lines and as such, is of limited relevance as no new overhead lines are proposed as part of the VE.

1.1.4 The Applicant has provided information on the VE in accordance with the NPSs (as well as other relevant plans and policies) in its Planning Statement and other application documents as set out in Sections 1.3 and 1.4 below. However, the Applicant recognises the potential usefulness of a Policy Compliance Statement to assist the Examining Authority (ExA) in making its recommendation, and the SoS in making its determination on the VE.

1.1.5 As such, this document has been produced as part of the Applicant's engagement in the PINS Early Adopters process (as described below in Section 1.7). The intention, based on engagement with PINS, is to undertake a line-by-line review of the relevant policy statements for the project to provide details of compliance or otherwise and signpost to where the relevant supporting information can be found in the application.

1.1.6 This exercise has proved to be more challenging than anticipated due to the very recent designation of the NPSs in January 2024 (until this point the specific wording in the policies was subject to potential revision) and the format of the NPSs which means that various points or topics of policy are addressed across EN-1, EN-3 and EN-5 and multiple times within each NPS.

1.1.7 The latter point leads to a high level of duplication when providing a line-by-line assessment of policy compliance. On reflection, it may have been more useful for future projects to organise the NPS policies into themes and address compliance across themes or topic (e.g. grid connection coordination, habitats regulations assessment, shipping and navigation, aviation and radar, benthic ecology, birds, marine mammals, fisheries etc) as it has been challenging to ensure consistency across this document with the time and resource available to the project in the period between January 2024 and submission. The Applicant looks forward to sharing lessons learnt with PINS on the process, and nonetheless considers the PCS a useful reference for both PINS and the SoS that demonstrates the Applicant's compliance with relevant planning policy.

1.2 UK MARINE POLICY STATEMENT AND MARINE PLANS

1.2.1 The UK Marine Policy Statement (MPS) was adopted in 2011 pursuant to the Marine Coastal Access Act (MCAA). The MPS is the framework for preparing marine plans and taking decisions affecting the marine environment. It aims to facilitate and support the formulation of marine plans, ensuring that marine resources are used in a sustainable way in line with a number of high-level marine objectives:

- Promote sustainable economic development;
- Enable the UK to move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects;
- Ensure a sustainable marine environment that promotes healthy, functioning marine ecosystems and protects marine habitats, species, and heritage assets; and
- Contribute to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues.

1.2.2 Marine plans translate the MPS into detailed policy and guidance for particular areas, intended to inform and guide decisions on marine and coastal development by conserving and enhancing the environment, reducing costs and increasing certainty for developers, and boosting economic and employment benefits.

1.2.3 Section 1.1.3 of EN-1 states that:

"Under the Planning Act 2008, where an NPS has effect, the Secretary of State must also have regard to any local impact report submitted by a relevant local authority, any relevant matters prescribed in regulations, the Marine Policy Statement (MPS) and any applicable Marine Plan, and any other matters which the Secretary of State thinks are both important and relevant to the planning decision."

1.2.4 Therefore, in addition to a review of the NPSs and relevant national and local policies within this document, the Applicant considers it useful to also provide an assessment of MPS compliance. This assessment is contained within Table 1.5 of this document.

1.3 NATIONAL AND LOCAL PLANNING POLICY

1.3.1 In addition to a review of the NPSs and MPS, the Applicant has also assessed relevant national and local policies within this document in Tables 6.1 – 6.3.

1.3.2 The Applicant has consulted with the Local Planning Authority (LPA) regarding compliance with local policy and this has informed the assessment.

1.4 THE PLANNING STATEMENT

1.4.1 The Applicant has submitted a Planning Statement (Document Reference 9.1) as part of the VE to provide an overview of the VE's compliance with relevant policy and to assist the ExA and SoS in their reviews of the VE in the context of relevant planning policy.

1.4.2 The Planning Statement sets out the need for the Application in the context of the NPSs and national and local policy, as well as a planning assessment considering the relationship between VE and the relevant policies.

1.4.3 It is important to note that a new policy presumption known as a critical national priority (CNP) for offshore wind, and supporting onshore and offshore network infrastructure, and related network reinforcements has been introduced to the newly adopted EN-1, EN-3 and EN-5 (EN-1 Paragraph 3.3.59). This means that these projects are essential for achieving the UK's net zero emissions target by 2050, are strongly support by Government and sets out that they should be progressed as quickly as possible.

1.4.4 This new policy means that, subject to any legal requirements, the urgent need for offshore wind to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.

1.4.5 For the reasons set out in the Planning Statement, the Applicant has demonstrated to the SoS that the VE would bring significant benefits under a range of national, international and local policy considerations, would be in accordance with relevant NPSs and legislation, and:

- Would not lead to the UK being in breach of any of its international obligations;
- Can be satisfied that the benefits of VE outweigh any adverse impacts; and
- That under the terms of S.104 of the PA 2008, the development should therefore be consented.

1.5 THE ENVIRONMENTAL STATEMENT

1.5.1 The Applicant has provided a full Environmental Impact Assessment (EIA), reported in the Environmental Statement (ES) that accompanies the VE, which includes information on the relationship between VE and the topic-specific planning policies outlined in the NPS(s).

1.5.2 As part of the EIA process, the scope of assessment work was undertaken in line with the NPS(s) to ensure that topic specific policy tests were met, and the VE is therefore in accordance with the relevant paragraphs of the relevant NPS(s). As set out in the Policy and Legislation chapter of the ES, relevant issues in NPS EN-1, EN-3 and EN-5 were identified and assessed in detail within the policy sections of the topic-specific onshore and offshore ES chapters.

1.5.3 Further detail on the need for the VE, the site selection process, and the iterative design process in the context of the NPS(s) has also been provided in the Site Selection and Alternatives chapter of the ES. Alongside the demonstrated accordance with the NPS(s) with regards the need for renewable energy, the ES and Planning Statement note in particular that VE will also meet the renewable energy goals set out in Section 14 'Meeting the challenge of climate change, flooding and coastal change' of the National Planning Policy Framework (September 2023). Paragraph 152 states that:

"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."

1.6 OTHER DOCUMENTS

1.6.1 The responses in the Policy Compliance Table signpost to other relevant documentation submitted as part of the application for development consent and provide a summary of the findings where appropriate. The following sources of information have been used to inform the responses to the Policy Compliance Table:

- Consultation Report (Document 5.1)
- Evidence Plan (Document 5.2)
- Flood Risk Assessment – Cable Route (Document 5.3.1)
- Flood Risk Assessment - Onshore Substation (Document 5.3.2)
- Report to Inform Appropriate Assessment (RIAA) (Document 5.4)
- Habitats Regulations Derogation (Document 5.5)
- Stage 1 Marine Conservation Zone Assessment (MCZA) (Document 5.6)
- Statement on Statutory Nuisance (Document 5.7)
- Offshore Project Design Principles (Document 9.3)
- Onshore Substation Design Principles (Document 9.4)
- Minerals Resource Assessment (Document 9.5)
- WFD Assessment - onshore (Document 9.6)
- WFD assessment - offshore (Document 9.7)
- Dredge Disposal Site Characterisation Report (Document 9.8)
- Cable Burial Risk Assessment (Document 9.9)
- Navigational Risk Assessment (Document 9.10)
- Equality Impact Assessment (Document 9.11)
- Cable Specification and Installation Plan (CSIP) (Document 9.12)
- Cable Protection Decommissioning Feasibility (Document 9.13)
- Outline Marine Mammal Mitigation Protocols (MMMP) (Document 9.14.1 and 9.14.2)

- Outline Southern North Sea Special Area of Conservation Site Integrity Plan (Outline SNS SAC SIP) (Document 9.15)
- Outline Fisheries Liaison and Co-existence Plan (Document 9.16)
- Outline Offshore Operations and Maintenance Plan (OOMP) (Document 9.17)
- Outline Project Environmental Management Plan (Document 9.18)
- Outline Marine Written Scheme of Investigation (Document 9.19)
- Outline Vessel and Traffic Management Plan (Document 9.20)
- Code of Construction Practice (CoCP) (Document 9.21)
- Outline Landscape and Ecological Management Plan (Document 9.22)
- Outline Onshore Written Scheme of Investigation (Document 9.23)
- Outline Construction Traffic Management Plan (CTMP) (Document 9.24)
- Outline Public Access Management Plan (Document 9.25)
- Outline Workforce Travel Plan (Document 9.26)
- Outline Skills and Employment Strategy (Document 9.27)
- Outline Landfall HDD Methodology (Document 9.28)
- Offshore Connection Scenario (Document 9.29)
- Co-ordination Document (Document 9.30)
- Schedule of Mitigation - Route Map (Document 9.31)
- Offshore In Principle Monitoring Plan (IPMP) (Document 9.32)
- Approach to Statements of Common Ground (SoCG) (Document 9.33)

1.7 EARLY ADOPTERS PROGRAMME

1.7.1 VE volunteered to participate in the Planning Inspectorates (PINS) Early Adopters Scheme. The Early Adopters Programme was established for development projects which are preparing their applications, to trial potential components of a future Enhanced Pre-Application Service. The intention is for this service to be available to all developers as a mechanism to optimise frontloading and contribute to smoother examinations.VE has been trialling three components of the scheme:

- COMPONENT 1: Use of Program Planning;
- COMPONENT 5: Production of Policy Compliance Document; and
- COMPONENT 10: Use of multipartite meetings.

1.7.2 The Applicant has engaged regularly with PINS during the production of the Policy Compliance Document (PCD). On the 12 November 2023 the Applicant provided a draft PCD, alongside a skeleton Planning Statement, for review and feedback on the approach being proposed. On 8 December 2023 the Project received the following observations:

"The Inspectorate's main observations are concerned with how the dPCD and dPS, as discrete tools, either complement or duplicate each other; with advice arising in respect of how future drafts of each document might mature to optimise the relationship between them.

The principal difference between the two documents is that the dPS adopts a themed approach, addressing all the relevant policy requirements under each theme; while the dPCD systematically works through all the policy requirements in each relevant NPS or other policy statement, completing one before moving on to the next. The Inspectorate considers that there is merit in both approaches, depending on the interest of the reader, and that the adoption of each approach in the context of each document is compatible with the vision for they should interact and add value.

However, as currently drafted, there is a great deal of repetition and duplication within both documents, particularly in reproducing NPS text. The Inspectorate advises the Applicant to consider how such repetition could be minimised in future drafts through a system of cross-referencing eg full version NPS text provided in the dPCD and signposted (hyperlinked) to the dPS at relevant sections. Related, both documents as they stand have a selective and unexplained approach to the identification of NPS content which requires a policy response from the Applicant. The Inspectorate advises for the Applicant to either provide text to explain/ justify the inclusion or omission of text or address all text on a paragraph-by-paragraph basis, which would remove any debate about why particular paragraphs have been included or ignored. This would provide assurance to those members of the public unfamiliar with the content of the NPS that the response to policy is comprehensive.

As currently drafted, the dPCD seeks to demonstrate how the application 'accords' or 'complies' with the policy framework, providing the reader with a guide to where in the ES a particular issue has been address, with a brief commentary on the nature of the evidence. While a guide to where evidence can be found is helpful, it may be of limited value during the examination. It provides more of a guide to 'process' rather than to 'outcome'. Value would be added if there were references to how addressing the policy context will affect the outcome, particularly at operational stage, and where in the draft Development Consent Order important actions resulting from the policy review are secured."

1.7.3 In response to the above comments, the Applicant has sought to reduce duplication between the Planning Statement and the Policy Compliance Document. Duplication has been reduced in the Planning Statement which now signposts and cross-references to the Policy Compliance Document, where this is considered appropriate to do so. The Applicant has ensured that where policy is not relevant, the reason for this omission is made clear. In addition, the Policy Compliance Document now provides further commentary on how the ES has addressed a particular policy and discussed the outcome.

1.7.4 It should be noted that the Policy Compliance Document is a 'working' document and may be subject to change during Examination. The Policy Compliance Document may therefore be updated once submitted in accordance with comments received and to reflect any amendments to VE, if required.

1.8 POLICY COMPLIANCE TABLES

POLICY CONTEXT

1.8.1 This Policy Compliance Document summarises the key aspects of policy contained in the relevant NPSs and how they apply to the determination of the application for VE. The statutory framework for determining applications for Development Consent such as VE is provided by the Planning Act 2008 (as amended). Section 104 of the Act confirms the matters the Examining Authority must have regard to in decision making where a national policy statement has effect, such as for VE.

1.8.2 In deciding the application for Development Consent for VE, the relevant NPSs to which the Secretary of State must have regard in accordance with Sections 104(2) and 104(3) of the 2008 Act, are:

1.8.3 Overarching National Policy Statement for Energy EN-1 (NPS EN-1) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration generic impacts in relation to such projects.

1.8.4 National Policy Statement for Renewable Energy Infrastructure EN-3 (NPS EN-3) which covers technology specific matters including offshore wind; and

1.8.5 National Policy Statement for Electricity Networks Infrastructure EN-5 (NPS EN-5) which covers technology specific matters but mostly relates to the provision of overhead lines and as such, is of limited relevance as no new overhead lines are proposed as part of the Project VE.

1.8.6 NPS EN-1 confirms that the above NPSs: Indicate that in the event of a conflict between development plan documents and a NPS, the NPS prevails (paragraph 4.5.12).

NATIONAL POLICY STATEMENTS: GENERIC IMPACTS AND TECHNOLOGY-SPECIFIC IMPACT POLICY (NPS EN-3 AND NPS EN-5)

1.8.7 It is acknowledged by NPS EN-3 that due to the complex nature of offshore wind farm development many details of the scheme may be unknown at the time of submission (paragraph 2.8.74). Guidance on how applicants should manage flexibility is set out at section 2.6 of NPS EN-3 and 4.3 of EN-1 and has been applied to VE.

1.8.8 It is further accepted by NPS EN-3, that wind farm operators are unlikely to know the precise details of turbines to be used on site prior to consent being granted. Where details are not known, it should be explained which elements of the scheme are not finalised and this may lead to a degree of flexibility in the consent. Under these circumstances, it needs to be ensured that the proposal has been properly assessed to identify any potential impacts (the 'Rochdale Envelope'). This will allow the maximum adverse case scenario to be assessed and this uncertainty should be allowed in the consideration of the application and consent (paragraph 2.6.2 of EN-3).

1.8.9 The ES (Volume 6 of the application) and the RIAA (Application Document 5.4) assess the impacts of VE and refer back to EN-3 to discuss accordance. The Policy Compliance Table outlines the relevant policies and demonstrates VEs accordance with these policy requirements based on the findings of the ES and RIAA.

OVERVIEW OF COMPLIANCE TABLES

1.8.10 The tables below provide the relevant elements of NPS EN-1, EN-3, EN-5, other national and local policy considerations and demonstrates the VE's accordance with them. In addition, section 5 draws out and discusses key national and local planning policies, which are considered to be applicable.

1.8.11 Each Table is structured as follows:

NATIONAL POLICY STATEMENTS (EN-1, EN-3 AND EN-5)

1.8.12 Tables 2.1-4.1 describe the requirements set out in the relevant NPSs, how it is anticipated that VE will meet these requirements and have regard to the policy. Each table includes key considerations for the SoS when having regard to VE compliance with relevant policy.

NATIONAL POLICY CONSIDERATIONS

1.8.13 Where relevant planning policy or legislative requirements have been identified beyond the NPSs, consideration of the regard to this is set out in Table 6.1.

LOCAL POLICY CONSIDERATIONS

1.8.14 Where relevant local planning policy has been identified beyond the NPSs or may conflict with the provisions of the NPS, considerations are set out in this Tables (6.2 and 6.3).

MARINE POLICY CONSIDERATIONS

1.8.15 Table 5.1 describes the requirements set out in the Marine Policy Statement and how it is anticipated that VE will meet these requirements and have regard to the policy. Marine plan compliance is covered separately in each of the ES chapters.

1.8.16 This policy accordance table should be referred to alongside the Planning Statement (Application Document 9.1) which sets out the relevant local, national and legislative context for VE and justifies the need for VE, drawing on the Marine Plans where relevant. The Planning Statement also includes a thematic policy review with considerations for the SoS across the NPSs and concludes that VE meets all of the relevant policy requirements.

2 EN-1 NPS COMPLIANCE TABLE

Table 2.1: NPS EN-1 Compliance.

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
EN-1 Part 3: The need for new nationally significant energy infrastructure projects			
3.1 – Introduction			
Introduction	EN-1 3.1.1 – 3.1.2	This Part of the NPS explains why the government sees a need for significant. amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent. However, as noted in Section 1.7, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.	The VE would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030. The new wind farm would include up to 79 wind turbine generators (WTGs), across two separate seabed areas in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. The VE will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy. The accompanying ES assesses any impacts and aims to mitigate these where possible. However, as noted in Section 1.7 of the NPS, given the large and complex nature of such schemes, it is not always possible to avoid having any adverse impacts. The need for the VE should therefore be ascribed substantial weight in the balance of considerations applying the presumption in favour of such developments.
3.2 – Secretary of State decision making			
Secretary of State decision making	EN-1 – 3.2.1	The government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and NDC.	Volume 9: Report 9.1: Planning Statement outlines the established need for the VE through reference to paragraphs that support such development within EN-1. The VE would deliver up to 79 WTGs which would support the government objective of increasingly supply of renewable energy. Moreover, projects like VE that deliver offshore wind will play a fundamental role in supporting the transition towards net zero; the movement has an ambition to deliver up to 50 GW of offshore wind by 2030, as per Paragraph 3.3.21 of EN-1. The VE has also had due regard to future climate change scenarios and considered relevant climate change policy (see Volume 6, Part 1, Chapter 2: Policy and Legislation. Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed.

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
			The VE has also adopted a Maximum Design Scenario approach to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Volume 6, Part 4, Chapter 1: Climate Change. Examples include: > Changes in air quality/composition > Changes in flood risk > Changes in wind speed Taking into account the above, the role of OWF, and VE in particular, in delivering both clean energy (to meet government targets) and significant economic benefits is therefore a material consideration in the planning balance for the proposed Project.
	EN-1 – 3.2.2	We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	As stated within Volume 9: Report 9.1: Planning Statement, the VE will contribute to the provision of different types of energy infrastructure, through the development of an offshore wind farm which will support the delivery of national renewable energy. Therefore, the VE is compliant with paragraph 3.2.2 of EN-1.
	EN-1 – 3.2.3	It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects within the strategic framework set by government. With the exception of new coal or large-scale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the government's ambitions in energy policy and other policy areas.	Section 5 of Document 9.1: Planning Statement highlights several policies/paragraphs with EN-1 that demonstrate the VE is in line with the Government's ambitions in terms of the energy system. Paragraphs 3.3.20- 3.3.24 shows there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and therefore the VE will play a significant role in providing such energy. For that reason, it is clear there is an established need for the VE in light of the NPS and thus substantial need should be place on this need by the Secretary of State.
	EN-1 – 3.2.6	The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	As noted in response to the NPS provisions made at paragraph 3.2.1 and 3.2.2 the VE is in accordance with the NPS with regards the contribution made to UK renewable energy targets and therefore the established need for the VE and substantial weight that the Secretary of State may place on this need, which is now considered to be 'urgent' under the new NPS revision. The need for the VE is further set out in Volume 9, Document 9.1: Planning Statement where the 'Need for the Project' is explained within Section 5. As such, the VE is considered to accord with the provisions of the set out under the new revision of the NPS
	EN-1 3.2.7	In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
	EN-1 3.2.9	This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	Please refer to the applicant's response to Paragraphs 3.2.5-3.2.6 of EN-1. The VE is in accordance with the NPS with regards to the contribution made to UK renewable energy targets and therefore the established need for the VE and substantial weight that the Secretary of State may place on this need.
3.3 – The need for new nationally significant electricity infrastructure			
The need for new nationally significant electricity infrastructure	EN-1 3.3.1	Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within Volume 6, Part 1, Chapter 1: Introduction, The VE will deliver up to 79 WTG, the project will have a capacity greater than 100 Megawatts and as such make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UKs energy system. This includes extreme weather events, which are discussed within Volume 6, Part 4, Chapter 1: Climate Change.
	EN-1 3.3.2	The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases overall costs of the system.	The VE will support the objectives within the NPS, including the UK national targets to achieve 40 GW of offshore wind by 2030; a figure which was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement. The VE will make a substantial contribution in meeting this demand of offshore wind energy, through the delivery of up to 79 WTGS, the project will have a capacity greater than 100 Megawatts, as stated within Volume 6, Part 1, Chapter 1: Introduction. It is also outlined within and Volume 6, Part 1, Chapter 2: Policy and Legislation that the VE will not result in unnecessary additional capacity; there is an established urgent need for VEs like VE which are considered a CNP and Volume 9, Report 9.1: Planning Statement outlines the offshore wind sector is maturing and showing very significant cost reductions.
	EN-1 3.3.3	To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610-800TWh in 2050.	As noted in response to the NPS provisions made at paragraph 3.2.1 and 3.2.2, the VE is in accordance with the NPS with regards to the contribution made to UK renewable energy targets. This is because as stated within Volume 6, Part 1, Chapter 1: Introduction, the VE will deliver up to 79 WTGS, the project will have a capacity greater than 100 Megawatts which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UKs electricity system. Given the nature of the proposals (offshore wind farm), the VE will increase flexibility within the energy system, whilst facilitating a degree of flexibility; as outlined in Volume 6, Part 1, Chapter 2:

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			Policy and Legislation the government has an ambition of delivering several different types of infrastructure to meet future demand and offshore wind farms like the proposed VEOWF are a key mechanism in aching this target. Taking into account the above, there is an established need for the VE and substantial weight by Secretary of State should be placed on this need. The need for the VE is further set out in Document 9.1: Planning Statement where 'the Need for the Project' is justified within Section 5.
The need for different types of electricity infrastructure	EN-1 3.3.4 – 3.3.7	There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation. New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply. Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity. Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.	As outlined within both Volume 9, Report 9.1: Planning Statement and Volume 6, Part 1, Chapter 2: Policy and Legislation, the government is seeking to meet the future increasing demand through several types of renewable sources, and the Government regards offshore wind farms, like the VEOWF as a key mechanism to achieving this target. Moreover, Volume 9, Report 9.1: Planning Statement also outlines that the Government is anticipates that large parts of the nation's heat and transport system will be electrified by 2050. Therefore, there is an established need for this VE which will provide up to 79 WTG, with a capacity greater than 100 Megawatts (see Volume 6, Part 1, Chapter 1: Introduction for further information re Taking into account the above, the VE supports a mix of electricity generation types by the nature of the VE being a renewable electricity generation project, which makes a substantive contribution to the UK's renewable energy and energy security targets. As such it is therefore considered that the VE is in accordance with paragraphs 3.3.4-3.3.7 of EN-1.

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Alternatives to new electricity infrastructure.	EN-1 3.3.8 – 3.3.12	The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors. Reducing total demand for energy is a key element of the government's strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3). The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited. Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives. Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new large-scale electricity	It is clear that reducing demand for energy is a key Government strategy. However, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The VE will ensure that there is a sufficient supply of electricity to meet demand. In doing so, the VE would contribute to the delivery of the 30 GW of renewable energy envisaged in NPS EN1 and the ambition to deliver 40 GW of offshore wind by 2030 as set out in the UK Government's 2021 announcement; a figure which as noted within Volume 9, Document 9.1: Planning Statement was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement. As such, the VE is considered to accord with the provisions of the NPS.

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		infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.	
Delivering affordable decarbonisation	EN-1 3.3.16	If demand doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.	As per the responses made to the provisions for the NPS provisions made at paragraph 3.2.1 and 3.2.2, the VE will make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, as discussed within Volume 6, Part 1, Chapter 2: Policy and Legislation and Volume 9, Report 9.1: Planning Statement the government cites offshore wind farms, like the proposed VEOWF under this VE as key mechanisms to facilitating a transition to net zero. This VE will play a key role in achieving the above Government ambition because, as outlined within Volume 6, Part 1, Chapter 1: Introduction, and Volume 9, Report 9.1: Planning Statement. The VE will deliver up to 79 WTG, the project will have a capacity greater than 100 Megawatts and as such make a substantial contribution to meeting the demand for greater energy produced from renewable sources. Therefore, it is critical that the VE is given substantial weight by the Secretary of State, as the VE represents are excellent opportunity to increase the delivery of national renewable energy during a period of increasing energy demand.
	EN-1 3.3.19	Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As stated in the response to the NPS provisions made at paragraph 3.3.2, wind energy will play central role in the national transition to net zero and therefore the VE is compliant with this policy given the established need for the VE. Volume 6, Part 1, Chapter 2: Policy and Legislation and Volume 9, Report 9.1: Planning Statement provide commentary on the Governments ambition to increase supply of energy from renewable sources, and cites offshore wind farms, like the VEOWF proposed under this VE as key mechanism in supporting the transition towards net zero. Further to the above, the VE will make a substantial contribution in achieving the above ambition; The VE will deliver up to 79 WTG, the project will have a capacity greater than 100 Megawatts and as such make a substantial contribution to meeting the demand for greater energy produced from renewable sources. Moreover, given the nature of the VE, the VEOWF will also contribution to the delivery of a diverse mix electricity infrastructure,

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			which is affordable/low cost (as stated in Paragraph 3.3.19 and 3.3.20 of EN-1 within the NPS).
The role of wind and solar	EN-1 3.3.20 – 3.3.21	Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar. As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade.	The VE meets need in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK's current cumulative electricity supply deployment target for 2030, enough for hundreds of thousands of households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions. . The Application will have an overall capacity of greater than 100MW and is considered a NSIP. The VE will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy. As such, the VE is considered to accord with the provisions set out with the NPS.
	EN-1 3.3.22 – 3.3.24	However, it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine. Projects for onshore wind of all sizes should be consented outside of the Planning Act 2008 process unless the Secretary of State directs otherwise under section 35 of the Planning Act 2008. Projects for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	
The need for electricity generating capacity	EN-1 3.3.59	All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type) providing an affordable, reliable system (through the deployment of technologies with complementary characteristics) ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As outlined within Volume 6, Part 1, Chapter 2: Policy and Legislation, offshore wind Projects like the VEOWF proposed under this VE are critical in providing a secure, reliable, affordable, net zero consistent system by 2050. The VE would contribute to the delivery of the 50 GW of offshore wind renewable energy envisaged in the NPS EN1 as set out in the UK Government's 2022 Energy Security Statement announcement; a figure which as noted within the Volume 9, Report 9.1: Planning Statement. This is whilst supporting the achievement of the Government's carbon budgets, which are discussed within Section 2.4 of Volume 6, Part 1, Chapter 2: Policy and Legislation. The Project will make a substantial contribution in achieving the above ambition through the delivery of up to 79 WTGs, and have a capacity greater than 100 Megawatts. Furthermore, through the delivery of the above infrastructure and generating capacity, VE will increase national energy security which

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			will result in positive health impacts by lessening the level of pollution emitted into the atmosphere from fossil fuels which are experienced on the international level. In addition, VE will help alleviate low to medium income groups out of fuel poverty through the provision of affordable energy. This proclamation is outlined within Volume 6, Part 4, Chapter 1: Climate Change, which confirms that VE will assist the UK in reducing GHG emissions and the trajectory to net zero by 2050. The chapter also states that VE will be of a beneficial significant. As such, the VE is considered to accord with the provisions set out with the NPS.
	EN-1 – 3.3.60 – 3.3.62	Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include: > Offshore Wind (including floating wind) > Solar PV > Wave > Tidal Range > Tidal Stream > Pumped Hydro > Energy from Waste (including ACTs) with or without CCS > Biomass with or without CCS > Natural Gas with or without CCS > Low carbon hydrogen > Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants > Geothermal The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above. Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.	VE is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. As discussed in point 3.3.59 above, the need for VE in making a substantial contribution towards the UK's energy targets would provide national support in addressing a CNP. This is also considered within Section 6 of the Planning Statement (Volume 9, Document 9.1) which outlines that projects like VE should be viewed as being essential for achieving the UK's net zero emissions target by 2050 and should be progressed as quickly as possible. As such, the role of the application in meeting a CNP should be attributed significant weight by the SoS during the decision-making process.

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	EN-1 – 3.3.63	Subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure, and it should be progressed as quickly as possible.	Refer to point 3.3.59 above. In terms of weighting benefits and residual impacts, these are discussed in detail within Table 6.1 of Volume 9, Report 9.1: Planning Statement. Benefits include: > provision of security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type); > provision of an affordable, reliable system (through the deployment of technologies with complementary characteristics); and > helping ensure the system is net zero consistent. In terms of residual impacts, Table 6.1 of Volume 9, Report 9.1: Planning Statement also confirms there are no exceptional cases in terms of both HRA and MCZ and non-HRA and non-MCZ impacts and therefore the SoS should give less weight to those residual effects against the benefits of the proposed development. In relation to HRA, cumulative residual impacts have been assessed within the RIAA (Report to Inform Appropriate Assessment (Volume 5, Report 4: Report to Inform Appropriate Assessment). In relation to Lesser black-backed gull. Compensation will need to be provided. This compensation is outlined in more detail within. - Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap; and - Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. The Applicant accordingly submits that with the application of the compensatory measures for the conceded HRA effect, there is no residual unacceptable HRA impact which would prevent consent being granted. VE would contribute to addressing a CNP which the Government have described as being urgent and as outlined in Volume 9, Report 9.1: Planning Statement, VE meets the relevant tests to be considered a CNP and Section 7.3 of the document demonstrates that VE complies with relevant CNP policy.
The need for new electricity networks	EN-1 3.3.82 – 3.3.83	Government has committed to reduce emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from	As noted within Section 5 of the Planning Statement (Document 9.1), the VE can make a large, meaningful and timely contribution to decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life, thereby addressing important aspects of the UK's legal obligations and Government policy. Volume 6, Part 4, Chapter 1: Climate Change includes a GHG assessment from the lifetimes of the project (including how VE would

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		design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	lower emissions during the operations and maintenance phases). The GHG assessment is provided in Volume 6, Part 4, Annex 1.1: Greenhouse Gas Assessment which includes an assessment of the Projects embodied and operational carbon. The document also demonstrates the net benefit of VE regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were VE not to be developed. It is clear from the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Security Energy Strategy published in April 2022 where targets for offshore wind farm were extended to 50 GW by 2023. Decisions through the consenting system must be responsive to this changed position. Decision makers can do this by affording substantial weight in favour of consent to the energy policy objectives that will be met through projects like that proposed within this VE.
EN1 Part 4: Assessment Principles			
4.1 – General Policies and Considerations			
General Policies and Considerations	EN-1 4.1.2 – 4.1.4	The Energy White Paper and British Energy Security Strategy emphasises the importance of the government's net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs. Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.4 of this NPS.	The VE meets the requirements of the relevant NPSs, therefore the presumption in favour of granting consent should apply given the urgent need for this type of infrastructure. This is because the Project will deliver up to 79 WTGS, the project will have a capacity greater than 100 Megawatts, as stated within Volume 6, Part 1, Chapter 1: Introduction. Moreover, as outlined within both Volume 9, Report 9.1: Planning Statement and Volume 6, Part 1, Chapter 2: Policy and Legislation, the government cites offshore wind farms, like the proposed VEOWF as critical mechanisms in supporting the nation in transitioning to net zero. Regarding the benefits of VE, these are discussed in detail within Table 6.1 of Volume 9, Report 9.1: Planning Statement. Benefits include: > provide security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type); > provide an affordable, reliable system (through the deployment of technologies with complementary characteristics); and > help ensure the system is net zero consistent.

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			Furthermore, Volume 6, Part 4, Annex. 1.1: Green House Gas Assessment, specifically Section 1.4 demonstrates the net benefit of VE regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were VE not to be developed. Application Document 9.1: Planning Statement together with this document demonstrates that the VE accords with the relevant policies of the NPS.
Weighing impacts and benefits	EN-1 4.1.5	In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits; its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.	Section 7 of Volume 9, Report 9.1: Planning Statement sets out the planning balance for the VE, drawing together the benefits of the VE and the assessment of potential adverse effects. The Project will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. The Project will be a necessary part of the future generation mix, and as such will make a valuable contribution in the direction of adopted UK Government policy and achievement of decarbonisation commitments. The ES (both offshore and onshore within Volume 6) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the application. Alongside the overall environmental benefits, the VE which will contribute to further development in the offshore wind sector can support the delivery of a skilled, diverse workforce and strengthen the existing manufacturing base. One of these benefits is realised within Volume 9, Document 9.27: Skills and Employment Strategy which sets how the development of skills locally will be secured as a result of the as a result of the VE. Regarding adverse impacts, these are discussed across the ES and where required mitigation is proposed. Unfortunately, in some instances adverse impacts cannot be avoided. For example, proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit

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			skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. Table 6.1 within Volume 9, Report 9.1: Planning Statement also weights the benefits and adverse impacts of VE. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance.
	EN-1 4.1.6	In this context, the Secretary of State should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).	The Planning Statement (document reference 9.1) sets out the planning balance for VE drawing together the benefits of the scheme and the assessment of potential adverse impacts. It concludes that VE would bring significant benefits, would be in accordance with the NPS, Marine Plans and Local Policy and should therefore be consented. A review of both county council and local planning authority Development Plan Documents have been considered and there are no conflicts. In particular, allocations have been considered during the onshore site selection for VE (Volume 6, Chapter 4: Site Selection and Consideration of Alternatives) to avoid conflict with site specific planning allocations. When taking into account the evidence presented in this Planning Statement and Policy Compliance Document (Document Reference 9.2), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary compensatory measures are taken in to consideration. It has been demonstrated that VE is in accordance with both national and local planning policy.
	EN-1 4.1.7	Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.	Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. Table 6.1 within Volume 9, Report 9.1: Planning Statement also weights the benefits and adverse impacts of VE. Unfortunately, in some instances adverse impacts cannot be avoided. For example, proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance. VE would contribute to addressing a CNP which the Government have described as being urgent and

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			as outlined in Volume 9, Report 9.1: Planning Statement, VE meets the relevant tests to be considered a CNP and Section 7.3 of the document demonstrates that VE complies with relevant CNP policy.
Land Rights	EN-1 4.1.8 – 4.1.9	Where the use of land at a specific location is required to facilitate the development by providing for mitigation, landscape enhancement and biodiversity net gain, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land. The Secretary of State will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	The Statement of Reasons (application document 4.3) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations'). This Statement is required to support the Application because the draft DCO (application document 3.1), if made ('the Order'), would authorise the compulsory acquisition of interests or rights in land. The Order would also confer on the Applicant the additional powers below: > extinguishment of private rights over land; > acquisition of subsoil only; > rights under or over streets; > imposition of restrictive covenants; > temporary use of land for carrying out the authorised development; and > temporary use of land for maintaining the authorised development. The Statement of Reasons (application document 4.3) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including: > Draft Development Consent Order (application document 3.1); > Explanatory Memorandum (application document 3.2); > Land Plans (including Onshore Crown and Special Category Land Plans) (application documents 2.3, 2.17, 2.4 respectively); > Works Plans (onshore) (application document number 2.5); > Funding Statement (application document number 4.2); > Book of Reference (application document number 4.1); The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within application document 4.3. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the Order to secure the land and interests which are required for VE. The public benefit of allowing VE to proceed

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			outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised. With regards to BNG, to account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025), the BNG Metric will be re-run post-DCO consent, and the BNG Final Design Report shall be prepared including any required statutory documents. In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. However, land ownership constraints may limit the scope to provide sufficient enhancement to meet a 10% net gain target within the Order Limits. Discussions with several owners/ organisation within Essex are ongoing in respect of potential offset locations, in the event that 10% gain cannot be achieved within the Order Limits. Some possible locations were identified in early 2023 and have already been subject to baseline habitat survey to enable further work to establish their potential feasibility to be completed. If net gain cannot be delivered on or off-site, it may alternatively be achieved through the purchase of 'open market' biodiversity units, e.g. from a habitat bank or statutory biodiversity credits, or a combination of both sources. The option of buying statutory biodiversity credits is available as a last resort, where developers can demonstrate that they are unable to achieve BNG through the available on-site and off-site options.
Other documents	EN-1 4.1.10 – 4.1.12	The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the "benchmark" for what is, or is not, an acceptable nationally significant energy development). The energy NPSs have taken account of the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate. Other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.	The VE has considered the Development Plan Documents and the Local Development Framework within Section 4.5.5 of Document 9.1: Planning Statement. There is no conflict between the VE and the relevant Development Plans and Local Development Framework, should the VE be consented; indeed, it is the case that a positive determination would result in local development framework policies for renewable energy being met. Specific national, regional and local legalisation, policy and guidance are assessed in each topic chapter across the ES (Volume 6). Tables 5.1,6.1 – 6.3 provide an overview of how VE responds to relevant legalisation at the national, regional and local levels, with the following documents assessed in aforementioned tables: > Marine Policy Statement (MPS) (2011) > National Planning Policy Framework (NPPF) (2023) > Tendering District Local Plan 2013-2033 and Beyond-North Essex Authorities' Shared Strategic Section 1 Plan (Adopted January 2021)

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			> Tendering District Local Plan 2013-2033 and Beyond - Section 2 Plan (Adopted January 2022) Further information regarding relevant legalisation at the national, regional and local levels is considered within Section 4.5, Document 9.1: Planning Statement.
	EN-1 4.1.13	Where the project conflicts with a proposal in a draft Development Plan, the Secretary of State should take account of the stage which the Development Plan document in England or Local Development Plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented, or precluded. In the event of a conflict between these documents and an NPS, the NPS prevails for the purpose of Secretary of State decision making given the national significance of the infrastructure.	The Development Plan documents are considered at Table 1.6 – 1.7 and also considered within Section 4.5.5 of Volume 9, Document 9.1: Planning Statement., which confirms there is no conflict of interest with local policy. The Applicant can confirm that the VE does not conflict with the relevant LDPs as set out within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. For example, for the identification of the substation, a review of the strategic residential / commercial allocations within the Tendring District Council Local Plan was conducted and any areas where there would be a conflict of interest were excluded (Paragraph 4.12.10 of Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives).
	EN-1 4.1.15	In the event of a conflict between these documents and an NPS, the NPS prevails for the purpose of Secretary of State decision making given the national significance of the infrastructure.	
Development consent	EN-1 4.1.16 – 4.1.17	The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. The Secretary of State should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.	The draft DCO (Application Document 3.1) sets out the requirements that are considered as necessary to control the delivery of the VE and which meet the tests listed.
	EN-1 4.1.18	The Secretary of State may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the Application acceptable in planning terms, directly related to the Application, fairly and reasonably related in scale and kind to the Application, and reasonable in all other respects.	The Applicant recognises that there may be a need for certain planning obligations, in the meaning set out in the NPS, to be secured. Where such a need is identified Applicant will submit any such proposed planning obligation to the ExA and/or Secretary of State for consideration.
Early engagement	EN-1 4.1.19 – 4.1.20	Early engagement both before and at the formal pre-application stage between the applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly	As per Section 4.4 of Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, stakeholder consultation and engagement has played a fundamental role in shaping the VE.

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		encouraged in line with the Government's pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the Examining Authority and leading to a clear recommendation report to the Secretary of State. This is particularly so in the case of HRA matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the applicant to submit sufficient information to enable the Secretary of State to conduct an Appropriate Assessment if required.	A comprehensive account of all consultation undertaken to assist in the development of the VE is included within Application Document 5.1: Consultation Report. Stakeholder engagement with Statutory Consultees took place under the Evidence Plan Process (EPP). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provides a useful stakeholder engagement approach on key elements and outcomes of the ES process which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes. The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Application Document 5.2 Evidence Plan, which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters), as well as with the public through a public engagement exercise comprising two live events in Lawford and Frinton-on-Sea, Essex and a hybrid virtual exhibition from 30 June to 12 August 2022. An interim consultation response was issued by the applicant to the community in Autumn 2022. On 14 March 2023 the Applicant published a Preliminary Environmental Information Report (PEIR) in the format of a draft ES that formed the basis of the Application information submitted for statutory consultation under Sections 42 and 47 of the Planning Act 2008. This consultation period was open for eight weeks between 14 March 2023 and 14 May 2023 and consisted of 10 public information days and two webinars. Consultation feedback received has been carefully considered as the project design has been finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application. The Applicant has prepared this ES on the basis of the VE information submitted for statutory consultation under Sections 42, 47 and 48 of the Planning Act 2008. The consultation process described above informed several design/project changes. Table 14.1 within Volume 5, Report 5.1: Consultation report outlines the major changes made to VE as a result of consultation. Where feedback has led to changes in the proposals or application, these have been captured in full in the response tables in Appendices 8, 9.3 and 10.7 of Volume 5, Report 5.1: Consultation Report. Regarding HRA matter VE has followed all three stages of the HRA process. The RIAA (Volume 5, Report 5.4) concluded that, VE, in-combination with other plans and projects, would have no AEoI on any designated European site, apart from the following two sites:

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			> Alde-Ore Estuary (AOE) SPA – lesser black-backed gull (*Larus fuscus*) feature (collision during the O&M phase); and > Alde-Ore Estuary Ramsar – lesser black-backed gull feature (collision risk during the O&M phase). Although the RIAA (Volume 5, Report 5.4) concludes no AEoI, this conclusion is not agreed by Natural England. Therefore, the M&LS SAC is included in the derogation case (Volume 5, Report 5: Habitats Regulations Assessment 'Without Prejudice' Derogation Case) on a 'without prejudice' basis for if the SoS concludes otherwise. Compensatory measures regarding Habitat Regulations are set out in the following documents: > Volume 5, Report 5.1: Benthic Compensation Strategy Roadmap > Volume 5, Report 5.2: Outline Benthic In-Principle Monitoring Plan > Volume 5, Report 5.3: Lesser Black-Backed Gull Compensation – Evidence, Site Selection and Roadmap > Volume 5, Report 5.4: Kittiwake – Evidence, Site Selection and Roadmap > Volume 5, Report 5.5: Guillemot and Razorbill – Evidence, Site Selection and Roadmap > Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans > Volume 5, Report 5.7: Kittiwake Implementation and Monitoring Plans > Volume 5, Report 5, Annex 5.8: Guillemot and Razorbill Implementation and Monitoring Plans
Financial and technical viability	EN-1 4.1.21-4.1.22	In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the Application, within the market framework and taking account of government interventions. Where the Secretary of State considers that the financial viability and technical feasibility of the Application has been properly assessed by the applicant, it is unlikely to be of relevance in Secretary of State decision making	The Applicant has a demonstrable track record in successfully delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty. The Funding Statement (Application Document 4.2) confirms that the Applicant is confident that the VE will be commercially viable based on the assessments it has undertaken. As such the Secretary of State can conclude with confidence that the financial and technical feasibility of the VE is assured, and therefore it is considered that the VE is in accordance with paragraph 4.1.22 of EN-1.

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		(any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).	
4.2 - The critical national priority for low carbon infrastructure			
The critical national priority for low carbon infrastructure	EN-1 4.2.1-4.2.3	Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology. Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK's strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale. With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.	VE would contribute to decarbonizing the power system by 2035 and supporting 2050 net zero ambitions through the development of up to 79 WTG with a generating capacity greater than 100 Megawatts (see Volume 6, Part 1, Chapter 1: Introduction for further information of project details). In addition, Volume 6, Part 1, Chapter 2: Policy and Legislation and Volume 9, Report 9.1: Planning Statement provides commentary on the Governments ambition to increase supply of energy from renewable sources and the need for offshore wind farms, like the VEOWF, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels. Regarding the references made to smart and strategic planning in Paragraph 4.2.3, VE has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This process was conducted to ensure VE makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information that evidence that VE has undergone smart and strategic planning is found within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. In terms of high Environmental Standards, as outlined within Volume 6, Part 1, Chapter 2: Policy and Legislation, VE has been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of VE, due regard to topic-specific legislation, policy, guidance has been considered in each ES chapter (across Volume 6). Considering the above, VE is in accordance with the NPS in regards to the contribution made to UK renewable energy targets and therefore the established need for the Project and the substantial weight that the SoS should place on this need.
	EN-1 4.2.4 – 4.2.6	Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as	Offshore wind has been defined by Government as being a CNP and therefore VE constitutes a CNP project as outlined within Volume 9, Report 9.1: Planning Statement. The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.

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		set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means: > for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy, including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready > for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System > for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution > for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low > carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore > Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.	
	EN-1 4.2.7	The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and	VE has followed the statutory regulations in assessing the impacts of the project within the ES as outlined within Volume 6, Part 1, Chapter 1: Introduction and Volume 6, Part 1, Chapter 2: Policy and Legislation. No significant residual or cumulative effects have been identified within the ES. However residual effects have been identified within the three stage HRA that has been completed, however Volume 5, Report 5: HRA Derogation Case demonstrates

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		specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the Examining Authority when it is making its recommendation to the Secretary of State.	there are no alternative solutions to the project and that there are imperative reasons for overriding public interest for VE. Both these tests are required to be met for development consent to be granted. Additionally, compensatory measures are proposed that satisfy the Government objectives and have been developed in line with emerging advice, including advice on strategic measures set out by DEFRA.
	EN-1 4.2.8	During decision making, the CNP policy will influence how non-HRA and non-MCZ residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2	VE has followed the statutory regulations in assessing the impacts of the project within the ES as outlined within Volume 6, Part 1, Chapter 1: Introduction and Volume 6, Part 1, Chapter 2: Policy and Legislation. No significant residual or cumulative effects have been identified within the ES. Therefore, *the Project "should be progressed as quickly as possible"* in line with EN-1 Paragraph 3.3.63.
	EN-1 4.2.9	During decision making, the CNP policy also explains the Secretary of State's approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and IROPI tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	A MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ. In relation to HRA, cumulative residual impacts have been assessed within the Report to Inform Appropriate Assessment (RIAA) (Volume 5, Report 4: Report to Inform Appropriate Assessment). VE has concluded that Adverse Effect on Integrity (AEoI) cannot be ruled out for Lesser Black-Backed Gull (LBBG) in relation to the Alde Ore Estuary SPA. As such, the Applicant has conceded that a derogation case is required. Volume 5, Report 5.5: HRA Derogation Case demonstrates that: 1) There are no alternative solutions to the project; 2) There are imperative reasons of overriding public interest for VE; and 3) Compensatory measures are proposed that satisfy the Government objectives and have been developed in line with emerging advice, including strategic measures set out by DEFRA. Compensation for LBBG has been agreed in advance with Natural England and is outlined in more detail within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. The above tests are required to be met for development consent to be granted and it is demonstrated that the Projects meets these tests.

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Applicants Assessment	EN – 1 4.2.10	Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.	The Project has considered the NPS and relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, illustrated in the Planning Statement (Volume 9, Report 9.1). An ES (Volume 6), RIAA (Volume 5, Report 5.4) and Habitats Regulations Derogation (Volume 5, Report 5.5) has been prepared and provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The ES (Volume 6) and Habitats Regulations Derogation (Volume 5, Report 5.5) also show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy any other legal and regulatory requirements. In particular, the VE has concluded that AEoI) cannot be ruled out for LBBG in relation to the Alde Ore Estuary SPA. However, Volume 5, Report 5: HRA Derogation Case demonstrates that the HRA derogation tests to achieve development consent can be achieved. This includes the relevant compensatory measures that are set out within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans.
	4.2.11	Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.	As demonstrated throughout the ES, the RIAA (Volume 5, Report 5.4) and the Habitats Regulations Derogation (Volume 5, Report 5.5), any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. Full details on the consultation process undertaken for VE are detailed within Volume 5, Report 5.1 Consultation report. The consultation process informed several design/project changes. Table 14.1 within Volume 5, Report 5.1: Consultation report outlines the major changes made to VE as a result of consultation. Where feedback has led to changes in the proposals or application, these have been captured in full in the response tables in Appendices 8, 9.3 and 10.7 of Volume 5, Report 5.1: Consultation report. Topic specific consultation responses and the Applicant's approach to them is set out in each individual ES Chapter (throughout Volume 6). These demonstrate the regard that the Applicant has had to advice on the approach to assessment, mitigation and impacts. Consultation in relation to HRA followed statutory requirements set out under the Conservative of Habitats and Species Regulations 2017 (known as the Habitats Regulations). The Applicant has consulted the relevant statutory and non-statutory bodies in order to

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			gain evidence to inform its RIAA which accompanies the DCO application (document reference 5.4). Whist the Applicant has concluded that AEoI cannot be ruled out for Lesser Black-Backed LBBG, the derogation tests (set out within Habitats Regulations Derogation (Volume 5, Report 5.5)) have been met and compensation has been agreed in advance with Natural England and is outlined in more detail within: ▪ Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap; and ▪ Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans.
	4.2.12	Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	The ES sections and tables in the 'Summary of Effects' sections within the receptor chapters in the ES (Volume 6) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of the Project; no cumulative or residual effects have been identified. However, with regards to the three-stage HRA process conducted, the applicant is conceding cumulative and residual AEoI on LBBG which is identified within the RIAA (Volume 5, Report 5.4). However, Report 5.5: HRA Derogation Case, demonstrates that the derogation tests can be met including the provision of adequate compensation which has been developed in line with UK Government's current and emerging advice including strategic measures set out by DEFRA. Compensation for LBBG has also been agreed in advance with Natural England and is outlined in more detail within: ▪ Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap; and ▪ Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. As such it is considered that the ES for the Project is in accordance with paragraph 4.2.12 of EN-1.
	4.2.13	Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	A MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ.

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			In relation to HRA, cumulative residual impacts have been assessed and identified within the RIAA (Report to Inform Appropriate Assessment (Volume 5, Report 4: Report to Inform Appropriate Assessment) in relation to Lesser black-backed gull. A HRA Derogation Case (Volume 5, Report 5.5) has subsequently been prepared which demonstrates that the three derogation tests can be met, and are as follows: 1) There are no alternative solutions to the project; 2) There are imperative reasons for overriding public interest for VE; and 3) Compensatory measures are proposed that satisfy the Government objectives and have been developed in line with emerging advice, including strategic measures set out by DEFRA. Compensation for LBBG has been agreed in advance with Natural England and is outlined in more detail within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. The above tests are required to be met for development consent to be granted and it is demonstrated that the Projects meets these tests.
Secretary of State decision making	EN-1 4.2.14	The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant's assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	As described above, the Applicant's assessment, both EIA as set out in the ES (Volume 6) and HRA as set out in the RIAA (Volume 5, Report 5.5) demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met. Table 6.1 of Volume 9, Report 9.1: Planning Statement notes VE will help address the urgent need for new electricity infrastructure and help the UK decarbonising its economy (EN-1 paragraph 3.3.58). Benefits include: > provide security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type); > provide an affordable, reliable system (through the deployment of technologies with complementary characteristics); > help ensure the system is net zero consistent (by remaining in line with Government carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation and technology scenarios, including where there are difficulties with delivering any technology) (EN-1 paragraph 3.3.59).

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			In addition, as outlined throughout the ES, alongside its pertinent environment benefits through the delivery of clean and affordable energy, VE will also deliver significant social and economic benefits as outlined within Volume 6, Part 3, Chapter 3: Socioeconomics, Tourism and Recreation. This includes contributing to a skilled, diverse workforce and strengthen the existing manufacturing base which will be secured via the Outline Skills and Employment Strategy (Volume 9, Report 9.27).
Non-HRA–and non-MCZ residual impacts of CNP Infrastructure	EN-1 4.2.15–- 4.2.16	Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.	An ES supports the DCO application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated within Table 6.1 of Volume 9, Report 9.1: Planning Statement there are no non-HRA or non-MCZ residual impacts remaining after the mitigation hierarchy has been applied (EN-1 Paragraph 4.2.15). Therefore, the Project “should be progressed as quickly as possible” in line with EN-1 Paragraph 3.3.63.
	EN-1 4.2.17	This means that the SoS will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests: > where development within a Green Belt requires very special circumstances to justify development; > where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs; > where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and	In order to prioritise the conservation of the natural beauty of the landscape in accordance with the NPS EN-1, VE has avoided National Parks, Green Belt land, the Broads and AONBs. There are two Landscape Designations that lie outside the OnSS study area that will not be impacted as outlined in paragraph 2.7.21 of Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. Section 2.8 of Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. sets out the maximum design parameters that have been defined to ensure that the worst-case landscape and visual effects are assessed and mitigated.

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		> where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.	There will be no direct impact to any subtidal or intertidal SSSI features as identified in Figure 5.7 (Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology). Potential indirect impacts to neighbouring SSSI's have been discussed within the assessment of indirect impacts, Section 5.10 and 5.11 (Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology). The potential impacts to terrestrial SSSIs are described in Volume 6, Part 3, Chapter 4, Onshore Biodiversity & Nature Conservation. The Applicant has concluded that no significant impacts to SSSIs will occur as a result of VE. There will be no loss of significance to heritage assets as concluded in Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage and Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage.
HRA –derogations and MCZ assessments for CNP Infrastructure	EN-1 4.2.18–- 4.2.20	Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively. Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations. Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.	Regarding MCZ impacts, a MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ. In relation to HRA, cumulative residual impacts have been assessed and identified within the RIAA (Report to Inform Appropriate Assessment (Volume 5, Report 4: Report to Inform Appropriate Assessment) in relation to Lesser black-backed gull. A HRA Derogation Case (Volume 5, Report 5.5) has subsequently been prepared which demonstrates that the three derogation tests can be met, and are as follows: 1) There are no alternative solutions to the project; 2) There are imperative reasons for overriding public interest for VE; and 3) Compensatory measures are proposed that satisfy the Government objectives and have been developed in line with emerging advice, including strategic measures set out by DEFRA. Compensation for LBBG has been agreed in advance with Natural England and is outlined in more detail within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. The above tests are required to be met for development consent to be granted and it is demonstrated that VE meets those tests. There are also several cases without prejudice where is has not been agreed by Natural England that there is no AEoI. Details of proposed compensation measures for consideration by the Competent
	EN-1 4.2.21	For both derogations, the SoS will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change: • requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely	

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		to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and • are capable of amounting to IROPI for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.	Authority, should a conclusion of AEoI be reached are found in the following documents: > Volume 5, Report 5.1: Benthic Compensation Strategy Roadmap > Volume 5, Report 5.2: Outline Benthic In-Principle Monitoring Plan > Volume 5, Report 5.3: Lesser Black-Backed Gull Compensation – Evidence, Sitr Selection and Roadmap > Volume 5, Report 5.4: Kittiwake – Evidence, Site Selection and Roadmap > Volume 5, Report 5.5: Guillemot and Razorbill – Evidence, Site Selection and Roadmap > Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans > Volume 5, Report 5.7: Kittiwake Implementation and Monitoring Plans > Volume 5, Report 5, Annex 5.8: Guillemot and Razorbill Implementation and Monitoring Plans
	EN-1 4.2.22	For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.	Regarding MCZs, a MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ. In relation to HRAs, the applicant is conceding that it cannot rule out AEoI upon LBBG relating to the Alde-Ore Estuary SPA and the HRA Derogation Case (Volume 5, Report 5.5) is able to demonstrate that the three derogation tests can be met, as follows: 1) There are no alternative solutions to the project. > Section 4 of Volume 5, Report 5.5: and HRA Derogation Case examines the need for VE and whether there are any feasible Alternative Solutions to the Proposed Development. It is demonstrated with evidence to the SoS that there are no Alternative Solutions which meet VE's objectives. 2) There are imperative reasons for overriding public interest for VE. > Section 5 of Volume 5, Report 5.5: and HRA Derogation Case sets out a compelling case that VE must be carried out for IROPI in view of its social and economic benefits, which align with (and are needed to achieve) UK government policy aspirations and legal commitments. The case submitted demonstrates that VE can substantially contribute to the UK's

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			legally binding climate change targets by helping to decarbonise the UK's energy supply, whilst also contributing to the essential tasks of ensuring security of supply and providing low-cost energy for consumers in line with the UK government's national policies. VE will also provide substantial employment opportunities and skills development, particularly in coastal communities, whilst also playing a major role in supporting the UK's supply chain. 3) Necessary compensatory measures should be secured to ensure that the overall coherence of the network of European sites is protected. > Section 6 of Volume 5, Report 5.5: and HRA Derogation Case demonstrates that compensation measures are available for LBBG that satisfy the Government objectives and have been developed in line with emerging advice, including strategic measures set out by DEFRA. Compensation for LBBG has been agreed in advance with Natural England and is outlined in more detail within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. There are also several derogation cases provided without prejudice to the Applicant's conclusion that AEoI can be ruled out, where this conclusion has not been agreed by Natural England. Details of proposed compensation measures for consideration by the Competent Authority, should a conclusion of AEoI be reached are found in the following documents: > Volume 5, Report 5.1: Benthic Compensation Strategy Roadmap > Volume 5, Report 5.2: Outline Benthic In-Principle Monitoring Plan > Volume 5, Report 5.3: Lesser Black-Backed Gull Compensation – Evidence, Sitr Selection and Roadmap > Volume 5, Report 5.4: Kittiwake – Evidence, Site Selection and Roadmap > Volume 5, Report 5.5: Guillemot and Razorbill – Evidence, Site Selection and Roadmap > Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans > Volume 5, Report 5.7: Kittiwake Implementation and Monitoring Plans > Volume 5, Report 5, Annex 5.8: Guillemot and Razorbill Implementation and Monitoring Plans

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4.3– Environmental Effects/ Considerations			
Environmental Effects / Considerations	EN-1 4.3.1 – 4.3.3	All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.	The Applicant has prepared an ES (Volume 6) that forms part of the VE in accordance with the requirements of the regulations. The ES describes the aspects of the environment likely to be significantly affected by the VE, as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (EN010115). The ES assesses the likely significant effects of the VE, covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the VE is in accordance with paragraph 4.2.1-4.2.3 of EN-1. Regarding the topics outlined in Paragraph 4.3.2 of EN-1, no significant residual effects have been identified as confirmed in the Sections and Chapters below which set outs several migration measures: **Human Health** > Volume 6, Part 4, Chapter 2: Human Health and Major Disasters > A number of mitigations across the different topic chapters apply to human health and major disasters including the Construction Traffic Management Plan (Volume 9, Report 9.24) and Code of Construction Practice (Volume 9, Report 9.21) to reduce the impacts of the works on human health. **Biodiversity (onshore)** > Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation Mitigation includes the Code of Construction Practice (Volume 9, Report 9.21) and an Outline Landscape and Ecological Management Plan that details proposed mitigation, compensation and biodiversity enhancement measures (Volume 9, Report 9.22). Unfortunately, in some instances adverse impacts cannot be avoided. For example, proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open

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			arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance. VE would contribute to addressing a CNP which the Government have described as being urgent and as outlined in Volume 9, Report 9.1: Planning Statement, VE meets the relevant tests to be considered a CNP and Section 7.3 of the document demonstrates that VE complies with relevant CNP policy. **Biodiversity (offshore)** > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology > > Mitigation includes a Project Environmental Management Plan (Volume 9, Report 9.18) to ensure good practice is followed and A Cable Specification and Installation Plan (Volume 9, Report 9.12) which will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection. > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology > > Mitigation includes adhering to a piling Marine Mammal Mitigation Protocol (MMMP) (Volume 9, Report 9.14.1), which will be implemented during construction, a Project Environmental Management Plan (Volume 9, Report 9.18) will also be implemented to ensure the to ensure good practice is followed and a Cable Specification and Installation Plan (Volume 9, Report 9.12) which will set out appropriate cable burial depth in accordance with industry good practice > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology > > Mitigation includes the implementation of a Marine Mammal Mitigation Protocol (MMMP) (Volume 9, Report 9.14.1), which will minimise the impacts of piling and unexploded ordnance clearance (if required). This will sit alongside a Working in Proximity to Wildlife Plan to reduce the risk of disturbance from ships, boats and other vessels and the risk of them colliding with marine mammals. **Land Use and soil**

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			> Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use > Mitigation includes the Code of Construction Practice (Volume 9, Report 9.21) which includes measures to prevent pollution incidents and to manage soil effectively during stripping, handling and reinstating. It sets out what the Project should do in the event of encountering unexpected, contaminated material during construction. **Water (Onshore)** > Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk > Mitigation includes the Code of Construction Practice (Volume 9, Report 9.21) which includes measures to prevent pollution and to consider flood response, as well as the Project design which has been carefully routed to minimise the number of main river crossings. **Water (Offshore)** > Volume 6, Part 3, Chapter 3: Marine Water and Sediment Quality > Mitigation includes the Project Environmental Management Plan (Volume 9, Report 9.18) to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental managements measures are applied during construction and operation. **Air Quality** > Volume 6, Part 3, Chapter 10: Air Quality > Mitigation includes best practice measures contained in the Code of Construction Practice (Volume 9, Report 9.21) such as covering or seeding stockpiles and planning site layout to avoid dusty activities close to sensitive receptors. **Climate Change** > Volume 6, Part 4, Chapter 1: Climate Change > Mitigation includes project design measures, compliance with elements of good practice and use of standard protocols which also address risks posed by future climate change. **Landscape (Onshore)**

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			> Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment > Mitigation includes the use of trenchless crossing techniques such as horizontal directional drilling and planting and screening proposals set out in the Outline Landscape and Ecology Management Plan (Volume 9, Report 9.22). **Landscape (Offshore)** > Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment > For Seascape and Landscape impacts have been mitigated as far as practical by the refinement of the northern array boundary and reduction of the tallest tip height of the turbines from 420m above sea level to 399m above sea level **Material assets and cultural heritage (Onshore)** > Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage > Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets or deposits of geoarchaeological/ paleoenvironmental interest are identified and recorded. An outline version of the archaeological Written Scheme of Investigation is contained within Volume 9, Report 9.23. **Material assets and cultural heritage (offshore)** > Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage > Mitigation includes the introduction of archaeological exclusion zones to be considered in routing/layout activities in order to avoid/preserve identified marine heritage receptors. Additionally, an outline Written Scheme of Investigation (Volume 9, Report 9.19) has been produced to establish the approach to further survey work to be undertaken for the project. A Non-Technical Summary (NTS) (Application Document 6.1) accompanies the ES. The aim of the NTS is to provide an overarching summary of key topics discussed in the ES, using non-

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			technical language. The NTS is a standalone document containing high level summary information.
	EN-1 4.3.4	To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	An Environmental Statement has been submitted for this application which undertakes a thorough assessment including environmental, social and economic receptors. The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the following ES Chapters: **Employment** > Volume 6, Part 3, Chapter 6: Socio-Economic, Tourism and Recreation **Equality** > Volume 6, Part 4, Chapter 2: Human Health and Major Disasters > Volume 9, Report 9.11: Equality Impact Assessment **Biodiversity Net Gain** Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation; one of the annexes 6.6.4.18 Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report sets out the projects approach to BNG. In addition, an Outline Landscape and Ecological Management Plan that details proposed mitigation, compensation and biodiversity enhancement measures (Volume 9, Report 9.22). Unfortunately, in some instances adverse impacts cannot be avoided. For example, proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance. VE would contribute to addressing a CNP which the Government have described as being urgent and as outlined in Volume 9, Report 9.1: Planning Statement, VE meets the relevant tests to be considered a CNP and Section 7.3 of the document demonstrates that VE complies with relevant CNP policy.

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			Community Cohesion > Volume 6, Part 3, Chapter 6: Socio-Economic, Tourism and Recreation > Volume 6, Part 4, Chapter 2: Human Health and Major Disasters **Health and well-being** > Volume 6, Part 4, Chapter 2: Human Health and Major Disasters The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. Where necessary, the Environmental Statement shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy and in order to demonstrate how any this will be achieved a number of outline management plans are submitted with the application. These include: > Volume 9, Report 9.9: Outline Cable Burial Risk Assessment; > Volume 9, Report 9.12: Outline Cable Specification and Installation Plan; > Volume 9, Report 9.14.1: Outline Marine Mammal Mitigation Protocol – Piling; > Volume 9, Report 9.14.2: Outline Marine Mammal Mitigation Protocol – UXO; > Volume 9, Report 9.15: Outline Southern North Sea Special Area of Conservation Site Integrity Plan; > Volume 9, Report 9.16: Outline Fisheries Liaison and Co-existence Plan; > Volume 9, Report 9.17: Outline Offshore Operations and Maintenance Plan; > Volume 9, Report 9.18: Outline Project Environmental Management Plan; > Volume 9, Report 9.19: Outline Marine Written Scheme of Investigation for archaeology; > Volume 9, Report 9.2: Outline Navigation and Installation Plan; > Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan; > Volume 9, Report 9.23: Outline Onshore Written Scheme of Investigation for archaeology;

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			> Volume 9, Report 9.24: Outline Construction Traffic Management Plan; > Volume 9, Report 9.25: Outline Public Access Management Plan; > Volume 9, Report 9.26: Outline Workforce Travel Plan; > Volume 9, Report 5.5.2: Outline Benthic Implementation and Monitoring Plan. Overall, taking account of the measures proposed in the outline management plans, it is considered that there will be no significant effects on the above offshore receptors.
	EN-1 4.3.5 – 4.3.7	For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. Where the NPSs use the term 'environment' they are referring to both the natural and historic environments. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.	The ES onshore and offshore topic specific chapters (Volume 6 of the ES) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the VE during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion and subsequent consultation undertaken through the EIA Evidence Plan process (see Volume 5, Report 5.2.1: Evidence Plan). Both the natural and historic environments have been considered. The predicted effects at each of the VE stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for the VE is in accordance with paragraph 4.2.5-4.2.7 of EN-1
Applicant assessment	EN-1 – 4.3.10 – 4.3.11	The applicant must provide information proportionate to the scale of the project, ensuring the information is sufficient to meet the requirements of the EIA Regulations. In some instances, it may not be possible at the time of the application for development consent for all aspects of the Application to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the Application have yet to be finalised, and the reasons why this is the case.	It is considered that the level of detail provided is proportionate to the scale of the VE. Information has been prepared in accordance with the VE Scoping Opinion and subsequent consultation undertaken through the EIA Evidence Plan process (see Volume 5, Document 5.2.1: Evidence Plan). Where full details cannot be provided, the Applicant has explained in paragraphs 3.14 to 3.18 of Volume 6, Part 1, Chapter 3: EIA Methodology where flexibility needs to be maintained, and the reasons why this is the case. For example, the VE and the North Falls Offshore Windfarm Project ('North Falls') have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. In order to allow the flexibility for coordinated construction, the Development Consent Order for the Project has been drafted to allow for differing delivery scenarios and provides for two build options. The background to that, consenting options, and outline

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			construction methodologies is set out in more detail in the Coordination Document (Document ref: 9.30). To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the 'Maximum Design Scenario' (known as the 'Rochdale Envelope' approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. The design information is based on the best available information and the parameters outlined in the project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the 'realistic worst-case' scenario for each of the identified potential impacts, referred to as the Maximum Design Scenario (MDS). Further details are discussed in Volume 6, Part 1, Chapter 3: EIA Methodology.
	EN-1 – 4.3.12 – 4.3.13	Where some details are still to be finalised, the ES should, to the best of the applicant's knowledge, assess the likely worst-case environmental, social and economic effects of the Application to ensure that the impacts of the project as it may be constructed have been properly assessed. To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the project on the likely significant environmental, social, and economic effects.	The design information is based on the best available information and the parameters outlined in the project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the 'realistic worst-case' environmental, social and economic scenario (if relevant) for each of the identified potential impacts, referred to as the MDS. This approach is particularly advantageous for large-scale developments involving complex engineering and multi-year development programmes (including offshore wind) where it is not possible to identify the exact components to be used within the final development, as it provides for flexibility in design and construction within maximum extents and ranges assessed within the EIA. Therefore, the consent permits the use of any components so long as they are within the MDS assessed, rather than limiting the development to existing technology at the time of assessment, which may not be economically viable at the point of construction. This is of particular relevance to offshore wind development, where the technology is constantly improving, with larger and more efficient turbines being developed. The use of existing data and site-specific survey has enabled an adequate characterisation of the receiving environment to enable a robust assessment to be undertaken against a realistic worst-case 'Rochdale Envelope' approach to project design. Post-consent, further survey work including Site Investigation (SI) will be required to inform the final detailed design preconstruction.

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	EN-1 – 4.3.15 – 4.3.17	Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility. In some circumstances, the NPSs may impose a policy requirement to consider alternatives. Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.	Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives provides a description of the site selection process and the approach undertaken by Five Estuaries Offshore Wind Farm Limited (VE OWFL) to refine the design of the VE. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of VE. This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of VE. It also explains and details the main alternatives considered for the VE., including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations'). Where alternatives have been considered, the Environmental Impact Assessment (EIA) sets out the alternatives considered and explains the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in Volume 6, Part 1, Chapter 2: Policy and Legislation, and throughout this chapter where relevant to site selection and alternatives.
Secretary of State decision making	EN-1 4.3.18 – 4.3.19	The Secretary of State should consider the worst-case impacts in its consideration of the application and consent, providing some flexibility in the consent to account for uncertainties in specific project details. The Secretary of State should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the 'realistic worst-case' scenario for each of the identified potential impacts, referred to as the MDS. Each topic assessment has taken the maximum design scenario approach which considers the likely worst cast environmental, social and economic effects. In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of the VE have been considered across the specific ES chapters. The ES considers inter-related effects (Volume 6, Part 2, Chapter 14: Inter-relationships). This chapter of ES summarises the assessment of inter-related effects across the physical, biological and human environments during the construction, operation and

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			decommissioning phases of the project. Each ES chapter also assesses cumulative effects. Each ES chapter also considers mitigation provides mitigation and where required proposed additional mitigation measures for construction, operation and decommissioning. The EIA Regulations require a consideration of cumulative effects, which is to say that the overall impact of the project must be considered together with the impact of other proposed developments in the area. Cumulative effects are assessed and reported within each topic chapter of the ES Overall, the inter-related effects assessment for the VE has not identified any significant effects that are not already identified in the topic-specific chapters. As such it is considered that the ES for the VE is in accordance with paragraphs 4.2.19
	EN-1 – 4.3.22	Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; only alternatives that can meet the objectives of the Application need to be considered	To assist the SoS, Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives provides a description of the site selection process and the approach undertaken by Five Estuaries Offshore Wind Farm Limited (VE OWFL) to refine the design of the VE. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of VE. This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of VE. It also explains and details the main alternatives considered for the VE, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations'). Where alternatives have been considered, the Environmental Impact Assessment (EIA) sets out the alternatives considered and explains the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in Volume 6, Part 1, Chapter 2: Policy and Legislation, and throughout this chapter where relevant to site selection and alternatives.
	EN-1 – 4.3.23 – 4.3.24	The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the Application. The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.	
	EN-1 – 4.3.25 – 4.3.28	Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision.	

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		As the Secretary of State must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the Secretary of State concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State's decision. Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision. Alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.	
	EN-1 – 4.3.29	It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect the applicant to have assessed it.	Where alternatives have been considered, the Environmental Impact Assessment (EIA) sets out the alternatives considered and explains the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in Volume 6, Part 1, Chapter 2: Policy and Legislation, and Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the Evidence Plan, or specific evidence plan meetings. The approach taken to site selection and alternatives allowed for options for methods of construction, Operations and Maintenance (O&M) and decommissioning to be considered alongside different technologies and materials within each individual ES chapter in order to assess and compare, so far as possible at this stage in the project, the potential environmental effects. The stages of the design iteration from inception through to the current point of ES DCO submission followed the following process:

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
			> Stage 1 – identification of the array area; > Stage 2 – identification of proposed grid connection location; > Stage 3 – identification of the landfall zones; > Stage 4 – identification of offshore cable route; > Stage 5 – identification of the onshore infrastructure area of search; > Stage 6 – offshore refinement of project from Scoping to ES; statutory consultation); > Stage 7 – onshore refinement of project from Scoping to ES; statutory consultation; > Stage 8 – Offshore Order Limits and Design Envelope Refinement for ES Assessment and DCO Application; and > Stage 9 – Onshore Order Limits and Design Envelope Refinement for ES Assessment and DCO Application. Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (Volume 5, Report 1: Consultation Report) and provides a record of how VE has had due regard to the responses received.
4.4 – Health			
Health	EN-1 – 4.4.1	Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health.	Potential risks to human health which may arise during the construction, operation and decommissioning phases of the VE are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed in within Volume 6, Part 4, Chapter 2: Human Health, Major Disasters & Climate Change. Overall, it is considered that there will be no significant negative effects upon Human Health and Major Disasters. VE provides significant public health benefits in relation to energy security are expected for population health in the operational phase. The assessment of human health drew on assessments from other chapters including air emissions, ground water quality and flood risk, significant effects. Vulnerability to major disasters is also considered. These include consideration of risks to aviation, shipping and navigation, flood risk, coastal erosion at the landfall, and future climate change scenarios/projections that could increase vulnerability.

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
			The potential for emissions of dust from the construction phase of the VE are presented in Volume 6, Part 3, Chapter 10: Air Quality. Using IAQM guidance, the assessment of dust emissions considers the risk of emissions based on the nature and magnitude of construction activities, the proximity to receptors and their sensitivity, existing baseline levels of dust and the mitigation measures required to limit residual effects to be not significant. Paragraph 10.17.7 of Volume 6, Part 3, Chapter 10: Air Quality concludes that effects will only be temporary and are only likely to materialise if certain activities and/ or meteorological conditions coincide. In addition, with the use of effective mitigation measures are included within the CoCP, secured as a requirement of the DCO. Further consideration of these is presented within Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration, where after the use of mitigation, no significant residual effects are expected. VE is supported with an Equality Assessment (Volume 9, Report 11: Equalities Impact Assessment), which has found that with the implementation of mitigation measures set out within the ES chapters and supplementary documentation, VE would not have a differential or disproportionate impact on people with protected characteristics, differently to the general population.
Applicant assessment	EN-1 4.4.4 – 4.4.6	As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society as a whole.	Potential risks to human health which may arise during the construction, operation and decommissioning phases of the VE are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed in within Volume 6, Part 4, Chapter 2: Human Health and Major Disasters. The cumulative impacts on health are considered and mitigation proposed where necessary. The Human Health and Major Disasters chapter addresses potential risks which includes indirect risks to humans through aviation, shipping and navigation, flood risk, coastal erosion at the landfall, and future climate change scenarios/projection. The conclusion is that overall, it is considered that there will be no significant negative effects upon Human Health and Major Disasters. Across the ES no cumulative effects on health and wellbeing were found to arise as a result of VE. The Equality Assessment (Volume 9, Report 11: Equalities Impact Assessment) also found that VE would not have a differential or disproportionate impact on people with protected characteristics, differently to the general population with the implementation of mitigation measures. An outline PAMP (Volume 9, Report 25), which sets out the anticipated mechanisms

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
			for managing the use of PRoW, an Outline Skills and Employment Strategy (Volume 9, Report 27), Outline Construction Transport Management Plan (Volume 9, Report 24) a strategy for access will be produced that seeks to reduce the impact of traffic upon local communities and the creation of an Outline Workforce Travel Plan (Outline WTP) to limit the impacts of the workforce upon the highway. These are all secured through the DCO.
Secretary of State decision making	EN-1 – 4.4.7 – 4.4.8	Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008. However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.	Across the ES no cumulative effects on health and wellbeing were found to arise as a result of VE. The Equality Assessment (Volume 9, Report 11: Equalities Impact Assessment) also found that VE would not have a differential or disproportionate impact on people with protected characteristics, differently to the general population with the implementation of mitigation measures.
4.5– Marine Considerations (EN-1 only)			
Marine Considerations	EN-1 – 4.5.1	The Marine Policy Statement (MPS) is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.	The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development. The marine plans and MPS have been considered in developing the Application for consents for the VE. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the VE is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter. As concluded within the Planning Statement (Volume 9, Report 9.1), each offshore ES Chapter and this Policy Compliance Document (Table 1.4: Marine Plans). There is no conflict with the Marine Plans.
	EN-1 – 4.5.2 – 4.5.3	Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations. The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to	The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development. The marine plans and MPS have been considered in developing the Application for consents for the VE. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter, with focus on the

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
		evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.	East Inshore and East Offshore Marine Plans, where the VE is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter. As concluded within the Planning Statement (Volume 9, Report 9.1), each offshore ES Chapter and this Policy Compliance Document (Table 1.4: Marine Plans). There is no conflict with the Marine Plans.
	EN-1 – 4.5.5 – 4.5.6	The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on Marine Protected Areas (MPAs), including applying the mitigation hierarchy and using strategic approaches.111 The guidance will not extend to waters where the devolved administrations have competence for managing MPAs VEA deemed marine licence can be granted as part of the Development Consent Order and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and offshore substations. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea. Further information on marine licencing is provided in section 1.2 of this NPS and paragraphs 2.3.16 to 2.3.24 of EN-3.	Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures. This work is also supported by groups such the Collaboration on Offshore Wind Strategic Compensation (COWSC) which is working to develop measures which can be applied if compensation is required, particularly if a more strategic approach is required. A draft DCO is submitted as part of the Application which identifies requirements that may be applied to the VE, and also incorporates deemed marine licences that would otherwise be required under the Marine and Coastal Access Act 2009, and which identify conditions that may be applied to the VE. The MMO have been engaged through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process. Monthly meetings have also facilitated with providing further updates, as necessary. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter. As concluded within the Planning Statement (Volume 9, Report 9.1), each offshore ES Chapter and this Policy Compliance Document (Table 1.4: Marine Plans). There is no conflict with the Marine Plans.
	EN-1 – 4.5.7	Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their Development Consent Order application.	
Applicant Assessment	EN-1 – 4.5.8	Applicants for a development consent order must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent.	The Government's Marine Plans have been considered in developing the VE. Marine Plans are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the VE is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter.

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
			Each offshore chapter provides an assessment of the potential environmental effects and identifies approaches to mitigation and monitoring during the construction phase, O&M phase, and decommissioning phase. The assessment has had regard to the relevant requirements for assessment set out in NPS EN-1 and has been carried out in accordance with those requirements. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter. As concluded within the Planning Statement (Volume 9, Report 9.1), each offshore ES Chapter and this Policy Compliance Document (Table 1.4: Marine Plans). There is no conflict with the Marine Plans.
	EN-1 – 4.5.9	Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.	The Government's Marine Plans have been considered in developing the Application. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the VE is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter. Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the VE to refine and avoid impacts upon other users and the marine environment, where possible. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter. As concluded within the Planning Statement (Volume 9, Report 9.1), each offshore ES Chapter and this Policy Compliance Document (Table 1.4: Marine Plans). There is no conflict with the Marine Plans.
Secretary of State decision making	EN-1 – 4.5.10 – 4.5.12	Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a development consent order where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas. In making a decision, the Secretary of State is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies. In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.	The Government's Marine Plans have been considered in developing the VE. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the VE is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter. Each offshore chapter provides an assessment of the potential environmental effects and identifies approaches to mitigation and monitoring during the construction phase, O&M phase, and decommissioning phase. The assessment has had regard to the relevant requirements for assessment set out in NPS EN-1 and has been carried out in accordance with those requirements. The Government's Marine Plans are considered within Section 2 of each offshore topic chapter. As concluded within the Planning Statement (Volume 9, Report 9.1), each offshore ES Chapter and

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
			this Policy Compliance Document (Table 1.4: Marine Plans). There is no conflict with the Marine Plans.
4.6 – Environmental and Biodiversity Net Gain (EN-1 only)			
Environmental and Biodiversity Net Gain	EN-1 – 4.6.1 – 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only mitigate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. Biodiversity net gain is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.	The Applicant has provided positive ecological enhancement proposals within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, the local areas as well out areas outside of the red-line boundary. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance. This is alongside the implementation of several mitigation and compensation measures to preserve existing ecological structures that will be subject to ongoing monitoring and management. Further commentary in relation to biodiversity net gain approach, can be found in within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan.
	EN-1 – 4.6.3	Currently biodiversity net gain policy in England only applies to terrestrial and intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by the Government, who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for biodiversity net gain and are not considered in relevant ES reports.
Applicant Assessment	EN-1 – 4.6.6 – 4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, or the wider environment where possible. In England applicants for onshore elements of any development are encouraged to use the most current version of the Defra biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	The Applicant has provided positive ecological enhancement proposals within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, the local areas as well out areas outside of the red-line boundary. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance. This is alongside the implementation of several mitigation and compensation measures to preserve existing ecological structures that will be subject to ongoing monitoring and management. Further commentary in relation to biodiversity net gain approach, can be found in within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan.

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	EN-1 – 4.6.10 – 4.6.12	Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent. When delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use.	
	EN-1 4.6.13 – 4.6.14	In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as > reductions in GHG emissions, > reduced flood risk, > improvements to air or water quality, > climate adaptation, > landscape enhancement, or > increased access to natural greenspace including trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.	The VE is brought forward to meet climate change, and therefore GHG targets at the local-national scales. The VE has also been the subject of an iterative site selection process within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives which has sought to avoid the most heavily constrained sites (i.e. sites that comprises designated sites). Each ES chapter also includes mitigation which will contribute to the delivery of wider environmental gains and benefit to communities and national priorities. Mitigation across the ES has been informed by: > Regular and/or ad hoc calls with key stakeholders (NE, shipping navigation stakeholders, etc); > Expert Topic Group (ETG) meetings; and > Public consultation. The wider societal benefits of reductions in GHG emissions are considered in Volume 6, Part 4, Chapter 1: Climate Change and Volume 6, Part 4, Chapter 1: Annex 1.1 Greenhouse Gas Assessment.

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		The Environment Act 2021 mandated the preparation of Local Nature Recovery Strategies (LNRSs) across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRSs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRSs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government's 25 Year Environment Plan.	Hydrology and flood risk are considered in Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk Improvements to air quality are considered in Part 3, Chapter 10: Air Quality. climate adaptation, Landscape enhancement is captured in the captured in an Outline Landscape and Ecological Management Plan Proposals for biodiversity enhancement are presented within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. Further details are also included in Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual. The Applicants approach to BNG is set out in more detail in Volume 6, Part 5, Annex 4.28 Biodiversity Net Gain Approach Note. With regards to LNRSs, these are not yet currently available. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRSs should be in place across the whole of England.
	EN-1 4.6.15	Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project.	An ES (Volume 6) accompanies the application which sets out opportunities for net gain can be achieves as a result of VE. Proposals for biodiversity enhancement are presented within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. Further commentary of VEs approach to biodiversity can be found within Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report Additional information on how VE has adopted good design principles can also be found within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, which outlines that VE has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts.

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	EN-1 4.6.16	Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', Defra's guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	The Policy, legislation and guidance that has informed the assessment relating to natural capital assets and ecosystems services is outlined within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation and includes: > Conservation of Habitats and Species Regulations 2017 > Ramsar Convention > Environment Act 2021 > Natural Environment & Rural Communities Act 2006 > BS42020: Biodiversity – Code of Practice for Planning and Development. > 'Guidelines for Preliminary Ecological Appraisal', 2nd edition, (CIEEM, 2017). > 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'. (CIEEM, 2022). It is however important to note that VE has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.
	EN-1 4.6.17	Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	VE has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. The ES also sets out the alternatives considered and explains the main reasons for the choice between alternatives. Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives describes and consider the site-specific details of the stages of the design iteration from inception through to the current point of ES DCO submission. Environmental net gain has been a key consideration across the following stages: > Stage 1 – identification of the array area; > Stage 2 – identification of proposed grid connection location; > Stage 3 – identification of the landfall zones; > Stage 4 – identification of offshore cable route; > Stage 5 – identification of the onshore infrastructure area of search;

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			> Stage 6 – offshore refinement of project from Scoping to ES; statutory consultation) Where appropriate, as concluded within the Planning Statement (Volume 9, Report 9.1) compensation has been set out to ensure there is no significant residual environmental effects.
	EN-1 4.6.18	Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	Across each ES chapter (Volume 6) opportunities for environmental, social, and economic enhancements, protection and mitigation measure have been set out. Mitigation is outlined in the Volume 9, Report 9.31: Schedule of Mitigation – Routemap and Volume 9, Report 9.1: Planning Statement concludes that there will be no significant residual effects following the implementation of the proposed mitigation.
Secretary of State Decision Making	EN-1 4.6.1	Although achieving biodiversity net gain is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for Development Consent Order unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	The Applicant has provided positive ecological enhancement proposals within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, the local areas as well out areas outside of the red-line boundary. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance. This is alongside the implementation of several mitigation and compensation measures to preserve existing ecological structures that will be subject to ongoing monitoring and management. Further commentary in relation to biodiversity net gain approach, can be found in within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. This includes Volume 6, Part 6 Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report that outlines the VE's biodiversity net gain approach.
	EN-1 4.6.2	The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.	
	EN-1	The Secretary of State should give appropriate weight to environmental and biodiversity net gain, although any	

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	4.6.3	weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.	
4.7 – Criteria for good design for Energy Infrastructure			
Criteria for good design for Energy Infrastructure	EN-1 4.7.1	The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.	Design decisions in terms of the VE's infrastructure and location are set out within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. This chapter shows how design principles have been established from the outset of the VE to guide the development from conception to operation. The approach to design for the onshore substation is set out in the Onshore Substation Design Principles Document (Application Document 9.4). . Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the onshore substation is outlined within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. With regards to offshore design, details can be found within Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 9, Chapter 3: Offshore Project Design Principles. As such, in so far as practicable, it is considered that the VE is in accordance with paragraph 4.6.6.
	EN-1 4.7.2	Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.	Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives outlines that VE has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Key sensitive features such as heritage and landscape have been avoided where possible as part of the site selection process. The approach to design for the onshore substation is set out in the Onshore Substation Design Principles Document (Application Document 9.4).
	EN-1 4.7.3	Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.	As outlined within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, VE committed to considering trenchless technologies, such as Horizontal Directional Drilling (HDD) at the landfall, in order to bring cables from the marine environment to the onshore environment, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. This would be subject to ground investigations and associated feasibility studies. The approach to design for the onshore substation is set out in the Onshore Substation Design Principles Document (Application

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			Document 9.4), proposes to use Life Cycle Assessment in design decisions.
	EN-1 4.7.4	Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.	As outlined within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, VE has been the subject of an iterative design and site selection process from the outset, since the production of the Scoping Report in September 2021, through to the PEIR and then to final ES stage. Across these stages principles of good design have been applied via engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (Volume 5, Report 1: Consultation Report) and provides a record of how VE has had due regard to the responses received.
Applicant assessment	EN-1 4.7.5 – 4.7.6	To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent. Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.	The approach to design for the onshore substation is set out in the Onshore Substation Design Principles Document (Application Document 9.4). The DCO secures that the final design shall be in accordance with these. With regards to offshore design, details can be found within Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 9, Chapter 3: Offshore Project Design Principles. In so far as practicable, it is considered that VE is in accordance with paragraphs 4.6.6 and 4.6.10-6.6.11 of EN-1.
	EN-1 4.7.7	Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.	As outlined in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, the Site Selection and Desing process has been iterative and informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (Volume 5, Report 1: Consultation Report) and provides a record of how VE has had due regard to the responses received. The Site selection process began with the identification of the offshore wind farm array location and, with the identification by

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			National Grid of the onshore connection point, which in turn informed the placement of the onshore infrastructure. The iterative process, of constraints mapping, assessment and continued consultation on the work undertaken was key in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation which was then taken forward to the next stage of the EIA process. Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives also demonstrates why VEs onshore and offshore infrastructure elements have been selected in their chosen locations through consideration of alternatives. Whilst there is no legal requirement to consider alternatives, where they have been considered, the Environmental Impact Assessment (EIA) should set out the alternatives considered for a proposed development and explain the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). Further information relating to design can be found within: > Volume 9, Report 3: Offshore Project Design Principles; and > Volume 9, Report 4: Onshore Substation Design Principles Document.
	EN-1 4.7.8	Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.	Volume 5, Report 5.1: Consultation Report shows that the Design Council have been consulted and their views have been incorporated into the design of VE. The Onshore Substation Design Principles Document (Volume 9, Report 4) sets out the proposed approach to onshore design, including identifying guidance. VE has engaged the Design Council for England jointly with North Falls on the proposed design of the co-located substations. A joint workshop, led by North Falls, was held with The Design Council for England on 04 December 2023. Feedback was received on 18 December 2023. This has been incorporated into the Onshore Substation Design Principles Document (Volume 9, Report 4) where applicable. A further session is proposed with the Design Council for England on 25 March 2024.
	EN-1 4.7.9	Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.	This is noted by the applicant, and discussed within the relevant NPS section where applicable.
Secretary of State decision making	EN-1 4.7.10 – 4.7.11	In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints,	Good design and sustainability have been central in the development of the VE proposals. As stated within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, VE has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable

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		are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be. In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.	energy targets whilst minimising environmental impacts and following principles of good design. In addition to the above, key sensitive features such as landscape, seascape and public amenity have been avoided where possible as part of the site selection process. Where this is not possible, mitigation has proposed, which Volume 9, Report 9.1: Planning Statement concludes that there will be no residual effects. Details on the mitigation can be found within Volume 9, Report 9.31: Schedule of Mitigation – Route map.
	EN-1 4.7.12 – 4.7.15	In considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The Secretary of State should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the Application rather than a shorter time period. The Secretary of State should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects. Further advice on what the Secretary of State should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	Landscape and environmental factors have informed the design process; as stated within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternative, landscape and seascape area that are considered sensitive have been avoided. Where this is not possible, mitigation has proposed, which Volume 9, Report 9.1: Planning Statement concludes that there will be no residual effects. Details on the mitigation can be found within Volume 9, Report 9.31: Schedule of Mitigation – Route map. VE has engaged the Design Council for England jointly with North Falls on the proposed design of the co-located substations. A joint workshop, led by North Falls, was held with The Design Council for England on 04 December 2023. Feedback was received on 18 December 2023. This has been incorporated into the Onshore Substation Design Principles Document (Volume 9, Report 4) where applicable. A further session is proposed with the Design Council for England on 25 March 2024.
4.10 – Climate Change Adaptation and Resilience			
Climate Change Adaptation and Resilience	EN-1 4.10.1	Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	The ES takes into account climate change and ensures that natural hazards have been taken into account. Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of the VE. The VE includes within Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 6, Part 3, Chapter: Onshore Project
	EN-1 4.10.2	Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will	

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		be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	Description how the Application has adopted a Maximum Design Scenario (MDS), which is illustrative of the VE's resilience to environmental changes anticipated during the lifetime of the VE. The MDS for the VE has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Volume 6, part 4, Chapter 1: Climate Change. Examples include: > Changes in air quality/composition > Changes in flood risk > Changes in wind speed Once construction is complete, the O&M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime. As such, with regards climate change effects, it is considered that the VE is in accordance with paragraphs 4.9.1-4.9.13 of EN-1. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by: > employing a high-quality design; > the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications; > the protection of the quality, quantity and availability of water resources; > reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses; incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site. The Flood Risk Assessment for the onshore substation (Application Document 5.3.2) and the outline drainage design included in the Onshore Substation Design Principles Document (Application Document 9.4)
	EN-1 4.10.3	To support planning decisions, the government produces a set of UK Climate Projections146 as well as hazard-specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power147 will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.	
	EN-1 4.10.4	The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	
Applicant assessment	EN-1 4.10.5	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques	
	EN-1 4.10.6	Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.	
	EN-1 4.10.7	In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity	

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		benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	
	EN-1 4.10.8	New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g. site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	
	EN-1 4.10.9	The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments,148 Climate Impacts Tool, 149 and British Standards for climate change adaptation, 150 in accordance with the EIA Regulations.	
	EN-1 4.10.10	Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.	The MDS for the VE has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Volume 6, part 4, Chapter 1: Climate Change. Examples include: > Changes in air quality/composition > Changes in flood risk > Changes in wind speed
	EN-1 4.10.11	Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.	The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by: > employing a high-quality design; > the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all ‘Major’ applications; > the protection of the quality, quantity and availability of water resources; > reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses;

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			> incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.
	EN-1 4.10.12	Where energy infrastructure has safety critical elements, the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.	Safety critical elements have been assessed as part of the Volume 6, part 4, Chapter 1: Climate Change. Table 1.15 provides a climate vulnerability and resilience assessment with mitigation For example the OnSS design includes a surface water drainage system to manage rainfall runoff from the proposed OnSS. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk
Secretary of State decision making	EN-1 4.10.13	The Secretary of State should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections151 and associated research and expert guidance (such as the EA's Climate Change Allowances for Flood Risk Assessments152 or the Welsh Government's Climate change allowances and flood consequence assessments153) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.	The VE has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by: employing a high-quality design; the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications; the protection of the quality, quantity and availability of water resources. The characterisation of the flood risk baseline and future baseline has been established using the EA Flood Map for Planning, the local authority SFRA and data from recent hydraulic models, which take into account climate change effects. This information is contained in FRA reporting within Volume 5, Report 4.3.2: Flood Risk Assessment- Onshore Substation and Volume 5, Report 5.3.1: Flood Risk Assessment-Cable Route. Flood risk has also been considered for the life of the development (from the construction- decommissioning stages in Section 6.7.63 to Section 6.7.67 within Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk. This includes (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase. The VE is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which:
	EN-1 4.10.14	Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.	
	EN-1 4.9.15 – 4.9.19	The Secretary of State should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or	

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		coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. Any adaptation measures should be based on the latest set of UK Climate Projections, the government's latest UK Climate Change Risk Assessment, when available, and in consultation with the EA's Climate Change Allowances for Flood Risk Assessments, or the Welsh Government's Climate change allowances and flood consequence assessments. The Secretary of State may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure. Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the Secretary of State may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls)	demonstrate that the vulnerability of the proposed use is compatible with the flood zone; identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source; propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime; include appropriate flood warning and evacuation procedures where necessary (referring to the County's evacuation routes plan), which have been undertaken in consultation with the authority's emergency planning staff; incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives); demonstrates that the VE will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall; demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development; ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure. As such, with regards climate change effects, it is considered that the VE is in accordance with paragraphs 4.9.13. Further details can be found within Volume 6, Part 4, Chapter 4: Climate Change.
4.11 – Network Connection			
Network Connection	EN-1 4.11.1 – 4.11.4	The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.	This VE includes infrastructure required to connect the new power station to the National Grid. The Applicant has secured a grid connection in agreement with National Grid. The Applicant and the North Falls Offshore Windfarm Project ('North Falls') have been allocated the same connection point to the national electricity transmission network by the Connection and Infrastructure Options Note process. This point is; the East Anglia Connection Node Substation, which forms part of National Grid Energy Transmission's proposed Norwich to Tilbury Reinforcement project.

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		To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission. Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in 2.8.8 of EN-3 and 2.12.7 of EN-5.	The offshore and onshore aspects of the VE are outlined within Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 6, Part 3, Chapter 1: Onshore Project Description. These chapters present the description of the onshore and offshore transmission system and the associated infrastructure and are as follows: - Array cables - Up to two offshore substation platforms (OSPs) - Offshore and onshore export cables - Onshore substation (OnSS) - Connection to the national grid A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the onshore substation (OnSS) is provided within Volume 6, Part 3, Chapter 1: Onshore Project Development Description. The Applicant has secured a grid connection in agreement with National Grid and it is considered that the VE is in accordance with this paragraph. Only one single application will be submitted to the SoS for consideration in line with Paragraphs 4.10.7 – 4.10.8. Further commentary is provided within the following documents: Volume 9, Document 9.9: Cable Burial Risk Assessment Volume 9, Document 9.12: Outline Cable Specification and Installation Plan (CSIP) Volume 9, Document 9.13: Cable Protection Decommissioning Feasibility Volume 9, Document 9.4: Onshore Substation Design Principles Document The VE would contribute to addressing a CNP which the Government have described as being urgent. The VE is in accordance with the NPS with regards to the contribution made to UK renewable energy targets and therefore the established need for the VE and substantial weight that the Secretary of State may place on this need.
Applicant assessment	EN-1 4.11.5 - 4.11.6	The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional DNO or TSO to secure a grid connection. Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application. In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.	
	EN-1 4.11.7 – 4.11.8	The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in	This DCO application includes infrastructure required to connect the new power station to the National Grid. The onshore aspects of the VE are outlined within Volume 6, Part 3, Chapter 1: Onshore Project Development Description and are as follows: > Landfall > Onshore export cable corridor

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		a single application to the Secretary of State or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall. On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.	> Onshore substation (OnSS) > Connection to the national grid, which will include 400Kv underground circuit(s) running from the proposed OnSS A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the onshore substation (OnSS) is provided within Volume 6, Part 3, Chapter 1: Onshore Project Development Description. The Applicant has secured a grid connection in agreement with National Grid and it is considered that the VE is in accordance with this paragraph. Only one single application will be submitted to the SoS for consideration in line with Paragraphs 4.10.7 – 4.10.8. The VE and the North Falls Offshore Windfarm Project ('North Falls') have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. In order to allow the flexibility for coordinated construction, the Development Consent Order for the Project has been drafted to allow for differing delivery scenarios and provides for two build options. The background to the scenarios, consenting options, and outline construction methodologies is set out in more detail in the Coordination Document (Volume 9, Document 9.30). To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the 'Maximum Design Scenario' (known as the 'Rochdale Envelope' approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. The design information is based on the best available information and the parameters outlined in the project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the 'realistic worst-case' scenario for each of the identified potential impacts, referred to as the Maximum Design Scenario (MDS). Cumulative effects are assessed and reported within each topic chapter of the ES with a coordinated approach taken with North Falls Offshore Wind Farm Ltd, as the two projects propose to have an adjacent onshore cable route and co-located onshore substations. Three scenarios for onshore delivery with North Falls Offshore Wind Farm have been considered within the assessments: Further details are discussed in Volume 6, Part 1, Chapter 3: EIA Methodology.
	EN-1 4.11.9 - 4.11.10	If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections. It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms161 as outlined in EN-5	

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Secretary of State decision making	EN-1 4.11.12 – 4.11.13	The Secretary of State should consider guidance contained within EN-5. The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted. Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State's ability to take subsequent decisions on any related projects.	It is confirmed that appropriate network connection arrangements will be in place via the Norwich to Tilbury Reinforcement Project and the associated EACN substation. A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the onshore substation (OnSS) is provided within Volume 3, Chapter 1: Onshore Project Development Description and the following documents: > Volume 9, Document 9.9: Cable Burial Risk Assessment > Volume 9, Document 9.12: Cable Specification and Installation Plan (CSIP) > Volume 9, Document 9.13: Cable Protection Decommissioning Feasibility The Applicant has secured a grid connection in agreement with National Grid
4.12 – Pollution Control and Other Environmental Regulatory Regimes			
Pollution Control and Other Environmental Regulatory Regimes	EN-1 4.12.3 – 4.12.4	Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016 (EPR). The EPR requires industrial facilities to have an EP and meet limits on allowable emissions to operate. Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are will now be determined through a new UK-specific BAT process.	As detailed within Volume 5, Report 5.8: Details of other consents and licences, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides Information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of VE. The project falls outside the current UK specific BAT process.
Applicant assessment	EN-1 4.12.5	Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.	The Government's Marine Plans have been considered in developing the VE. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the VE is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter. Through scoping to the application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the VE to refine and avoid impacts upon other users and the marine environment, where possible. As outlined in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, the Site Selection and Desing process has been iterative and informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. The Consultation Report, accompanying the DCO application (Volume 5, Report 5.1:

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			Consultation Report) provides a record of how the Applicant has had due regard to the responses received. Consultation with the MMO is covered in Chapter 6.2 of the Consultation Report (Volume 5, 5.1). The MMO have been consulted in situ with VE iterative consultation process that was held across the following stages: > Stage 1: Non-statutory consultation – 30 June to 12 August 2022; > Stage 2: Statutory consultation – 14 March to 12 May 2023; and > Stage 3: Focused consultation – 5 December 2023 to 31 January 2024. In addition to the multi-stage consultation process set out above and throughout this Consultation Report, the Applicant set up a series of Expert Topic Groups (ETGs) to engage technical experts throughout the development of the proposals. Engagement through the ETGs started in November 2019. A summary of the key stages of engagement with the ETGs and their membership is set out in chapter 3.4. This was part of the Evidence Plan (Volume 5, Report 5.2). As such, it is considered that the VE is in accordance with paragraph 4.11.5 of EN-1
	EN-1 4.12.6	Many projects covered by this NPS will be subject to the EP regime, which also incorporates operational waste management requirements for certain activities. When an applicant applies for an EP, the relevant regulator (usually EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.	As detailed within Volume 5, Report 5.8: Details of other consents and licences, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. This document identifies all the relevant consents that are likely to be required and sets out the Applicant's strategy for meeting all relevant EP requirements.
	EN-1 4.12.7 – 4.12.8	Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for EPs and other consents. Early contact with relevant regulators is strongly encouraged to ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the Secretary of State. Wherever possible, applicants should submit applications for EPs and other necessary consents at the same time as applying to the Secretary of State for development consent.	As detailed within Volume 5, Report 5.8: Details of other consents and licences, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. This document may be updated during the examination to demonstrate progress made on obtaining any other necessary consents, licences or permits. The Applicant has undertaken comprehensive early consultation as discussed within the following reports: > Volume 5, Consultation Report (Document Ref: 5.1)

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			> Volume 5, Consultation Report Appendices (Document Ref: 5.2) > Volume 5, Evidence Plan ((Document Ref: 5.2.1) > Volume 5, Consultation Compliance supporting documents (Document Ref: 5.2.3) As well as engaging with the relevant consenting bodies early in the pre-application stages, the Applicant has followed the principles contained in the Planning Inspectorate's Advice Note 11 'Working with Public Bodies' about twin-tracking some consents in parallel with the DCO application where feasible.
Secretary of State decision making	EN-1 4.12.9 – 4.12.10	In considering an application for development consent the Secretary of State should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves. The Secretary of State should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The Secretary of State should act to complement but not seek to duplicate them.	The development is an acceptable use of land and sea and the supporting ES confirms that no significant impact occurs with mitigation from the use proposed. In addition, the VE includes Volume 9, Document 18: Outline Project Environmental Management Plan and Volume 9, Document 21: Code of Construction Practice which provide the framework for the project controlling its emissions and discharges to the offshore and onshore environment by the project respectively. All onshore contractors and subcontractors will work in accordance with the is Code of Construction Practice. All offshore contractors will work under a PEMP, produced in accordance with the outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures. As such, it is considered that the VE is in accordance with paragraphs 4.12.9 – 4.12.10 of EN-1.
	EN-1 4.12.11 – 4.12.13	The Secretary of State's consent may include a deemed marine licence and the MMO, or NRW, will advise on what conditions should apply to the deemed marine licence. The Secretary of State and the MMO, or NRW, should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation. In considering the impacts of the project, the Secretary of State may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	As set out in Volume 6, Part 2: Chapter 1: Offshore Project Description, conditions will apply to the deemed marine licences in ensuring the VE complies with the relevant environmental legalisation. Across the different offshore chapters throughout Volume 3, different conditions have been recommended that should be incorporated in the deemed marine licences. As such, it is considered that the VE is in accordance with paragraph 4.11.11-4.11.13 of EN-1

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	EN-1 4.12.14 – 4.12.15	The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the Secretary of State should be satisfied, before consenting any potentially polluting developments, that: the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the Application is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with the VE, specifically with regards potential pollution in the offshore and onshore environment. The relevant ES chapters conclude that no likely significant effect would occur either from the VE alone, or cumulatively with other plans and projects, from any sources of pollution. Regarding bullet 2 of Paragraph 4.12.15, VE has proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below: > Volume 9, Report 9.21: Code of Construction Practice which incorporates measures to prevent pollution; > A Pollution Prevention and Emergency Incident Response Plan (PPEIRP) will be prepared and held on all construction sites to follow in the event of an environmental emergency; and > Volume 9, Report 9.18 Outline Project Environment Management Plan which will control the release of contaminations. The final PEMP will also include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence. This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the VE, if consented. As such, it is considered that the ES for the VE is in accordance with paragraphs 4.11.14 - 4.11.15
	EN-1 4.12.16	The Secretary of State should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the Secretary of State to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	
4.13 – Safety			
Safety	EN-1 4.13.3 – 4.13.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear) and the EA acting jointly in England and by the HSE and NRW acting jointly in	Refer to Paragraph EN-1 4.11.17 – 4.11.18. The Project is not subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. HSE wrote to the Applicant on the 21 October 2021 to confirm that the proposed DCO application boundary is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the VE does not fall under the COMAH Regulations 2015. Notwithstanding this the Applicant has provided an account of the likely major accidents, disasters and climate change effects that

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		Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	have the potential to arise as a result of the VE in Volume 6, Part 4, Chapter 2: Human Health and Major Disasters which includes the Applicant's approach to accidents and disasters. The document reports negligible risk of major disaster for aviation, navigation, Flood Risk and Coastal erosion, climate change and other health matters.
Applicant Assessment	EN-1 4.13.5 – 4.13.7	Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	As discussed in Paragraph 4.11.17-4.11.18. HSE have been consulted under Section 42 of the Planning Act 2008. In their response dated 25.04.2023, HSE advised that: "*according to HSE's records, the proposed DCO application boundary for this Nationally Significant Infrastructure Project is not within any consultation zones of major accident hazard sites or major accident hazard pipelines*". In light of the consultation response from HSE the Applicant does not consider that VE, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. The VE is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the VE does not fall under the COMAH Regulations 2015. As such, the Applicant is not seeking to develop infrastructure subject to the COMAH regulations and a safety report is not required.
Secretary of State decision making	EN-1 – 4.13.8	The Secretary of State should be satisfied that a safety assessment has been done, where required, and that the Competent Authority has assessed that it meets the safety objectives described above.	As discussed in the Applicant's scoping request to the SOS, a standalone document/assessment has not been provided to discuss potential major accidents and hazards. Instead, the ES where relevant includes the likely significant effects resulting from accidents and disasters applicable to VE using appropriate guidance (like the 2015 COMAH regulations) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential major accidents and hazards. Instead, the ES chapters (where relevant) include a description and assessment of the likely significant effects resulting from accidents and disasters applicable to the VE. Specifically, Volume 6, Part 4, Chapter 2: Human Health and Major Disasters includes the Applicant's approach to accidents and disasters. At Table 2.20: Summary of Major Disasters with an overview of the mitigation the document reports negligible risk of major disaster for aviation, navigation, Flood Risk and Coastal erosion, climate change and other health matters. The Applicant has made 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.

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			The description and assessment considers the vulnerability of the VE to a potential accident or disaster and also the VEs potential to cause an accident or disaster. The assessment specifically assesses significant effects resulting from the risks to human health, cultural heritage and the environment/climate change concluding that there is negligible risk of major disaster for aviation, navigation, Flood Risk and Coastal erosion, climate change and other health matters. The document reports negligible risk of major disaster for aviation, navigation, Flood Risk and Coastal erosion, climate change and other health matters.
4.14 – Hazardous substances			
Hazardous Substances	EN-1 4.14.1 – 4.14.2	All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' The Hazardous Substances Authority (HSA) has responsibility for deciding whether the risk of storing hazardous substances is tolerable for the community. The HSA will usually be the local planning authority. In some circumstances, the county council are the HSA.	Please refer to Paragraph 4.11.17-4.11.18. It is not the intention of the Applicant to apply for Hazardous Substance Consent.
	EN-1 4.14.3	HSE is a statutory consultee on applications for hazardous substances consent. HSE is required to undertake detailed assessment work before producing its public safety statutory advice and the supporting consultation distances. This involves HSE considering the compatibility of the proposal outlined in the application (e.g. to store defined quantities of each hazardous substance in specific locations on site) against the risks to the offsite population. HSE advice takes into account existing and potential developments in the area. The aim of HSE's advice is to mitigate the effects of a major accident on the populations around a major hazard site or pipeline.	
	EN-1 4.14.4	Where HSE does not advise against the Secretary of State granting the consent, it will also recommend whether the consent should be granted subject to any requirements.	The Project is not subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. HSE wrote to the Applicant on the 21 October 2021 to confirm that the proposed DCO application boundary is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the VE does not fall under the COMAH Regulations 2015.
Applicant Assessment	EN-1 4.14.5	Applicants must consult the HSA and HSE at pre-application stage if the project is likely to need hazardous substances consent. Hazardous substances consents	

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		are a part of the planning regime which contributes to public safety.	Notwithstanding this the Applicant has provided an account of the likely major accidents, disasters and climate change effects that have the potential to arise as a result of the VE in Volume 6, Part 4, Chapter 2: Human Health and Major Disasters which includes the Applicant's approach to accidents and disasters. The document reports negligible risk of major disaster for aviation, navigation, Flood Risk and Coastal erosion, climate change and other health matters.
	EN-1 4.14.6	HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.	
Secretary of State Decision Making	EN-1 4.14.7	Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent.167 The Secretary of State should consult HSE about this.	
4.15 – Common Law Nuisance and Statutory Nuisance			
Applicant Assessment	EN – 1 4.15.5	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be identified by the applicant so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).	Section 4 of Volume 5, Report 5.7: Statutory Nuisance Statement identifies and assessment forms of statutory nuisance. The categories of statutory nuisance considered are as follows: > Any dust, steam, smell or other effluvia arising on industrial, trade or business premises and being prejudicial to health or a nuisance; > Artificial light emitted from premises so as to be prejudicial to health or a nuisance; > Noise emitted from premises so as to be prejudicial to health or a nuisance; and > Noise that is prejudicial to health or a nuisance and is emitted from or caused by a vehicle, machinery or equipment in a street. The construction elements of the Project which have the potential to engage a statutory nuisance under the EPA are as follows: > Site preparatory works, site investigation activities
Secretary of State decision making	EN-1 4.15.6 – 4.15.7	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the Secretary of State so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration). The Secretary of State should note that the defence of statutory authority is subject to any contrary provision	

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		made by the Secretary of State in any particular case in a Development Consent Order (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the Secretary of State can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.	> Construction works for the landfall, transition joint bays and associated onshore works for the connection of the offshore transmission cables > Construction works for the onshore cable corridor, joint bays, link boxes > Temporary construction accesses and highway crossing points, off route haul roads, temporary construction compounds, compounds for trenchless crossings, cable stringing out areas and soil storage areas, > Construction of the onshore substation and associated operational access, including road improvements and widening, including Bentley Road > Installation of permanent landscaping and habitat measures. The only operational element of the Project which has the potential to engage a statutory nuisance under the EPA is the operation of the onshore substation. The statement of statutory nuisance (Volume 5, Report 5.7) also sets out the likelihood of nuisance under s79 arising and is included within the application. The Planning Statement (Volume 9, Report 9.1) confirms that VE will not give rise to any residual effects in terms of statutory nuisance. This is a consequence of the proposed mitigation, which is listed below and also set out within Volume 9, Report 9.31: Schedule of Mitigation – Routemap: **Construction air quality** Section 4 mitigation. of the Code of Construction Practice (Application Document 9.21) provides specific mitigation measures which will be applied to minimise air quality impacts associated with construction activities. These principally relate to the suppression of dust generated from construction activities and controlling emissions from NRMM. Implementation of the air quality controls included in the Code of Construction Practice is secured through requirement 8 (Code of construction practice) of the draft development consent order (Application Document 3.1). **Operational air quality mitigation** Operational activities will be minimal and infrequent; these are unlikely to cause an air quality impact. NRMM may be used during the O&M phase. NRMM will be operated in accordance with the controls measures outlined within Department for Environment Food and Rural Affairs (Defra) Local Air Quality Management 2022 (LAQM.TG(22)) guidance. These measures represent standard practice and are included within the Code of Construction Practice for reference.

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			As such, Chapter 10: Air Quality of the environmental statement (Volume 6, Part 3, Chapter 10) concludes that the operational stage of the Project will not give rise to any significant air quality effects. **Construction lighting mitigation** Section 3.9 of the Code of Construction Practice (Application Document 9.21) provides specific mitigation measures which will be applied in respect of artificial lighting. Where dark hours lighting is required, the lighting will be designed to minimise light spillage as far as possible, while providing the necessary levels of light for safety requirements. While a lower level of lighting would remain overnight for security purposes, this would be motion activated. The limited occurrence of dark hours lighting combined with the measures to reduce its impact on the occasions it may be required and the low levels of security lighting mean that its effect on visual receptors will be especially limited and therefore potential effects have been scoped out of the detailed assessment Compliance with the artificial lighting mitigation measures included in the Code of Construction Practice is secured through requirement 8 (Code of construction practice) of the draft development consent order (Application Document 3.1). **Operational lighting mitigation** Chapter 2: Landscape and visual impact assessment of the environmental statement (Volume 6, Part 3, Chapter 2) concludes that although there will be lighting associated with the onshore substation during the operational phase, this will be limited in extent and usage, and of a low intensity such that it will not give rise to any likely significant effects. Requirement 5 (Substation works) of the draft development consent order (Application Document 3.2) requires that details of operational lighting, which should be in accordance with the onshore substation design principles document (Application Document 9.4, section 4.6) are provided to the relevant planning authority for approval in advance of construction of that works. **Construction noise and vibration mitigation** Section 4.3 and Appendix F of the Code of Construction Practice (Application Document 9.21) provides specific mitigation measures which will be applied in respect of noise. Further, Section 3.2 of the Code of Construction Practice (Application Document 9.21) provides for restrictions on construction working hours. Construction works will be undertaken in accordance with best practicable means (as defined in section 72 of the Control of Pollution Act 1974) to minimise noise and vibration effects.

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			Compliance with the noise and vibration mitigation measures included in the Code of Construction Practice is secured through requirement 8 (Code of construction practice) of the draft development consent order (Application Document 3.1). A temporary speed limit reduction to 40mph along Bentley Road is sought under Part 4 of Schedule 4 of the draft development consent order (Application Document 3.1). **Operational noise and vibration mitigation** Operational noise from the onshore substation has the potential, cumulatively with operational noise from the onshore substation forming part of the proposed North Falls Offshore Wind Farm and the East Anglia Connection Node substation forming part of the Norwich to Tilbury project, to have significant effects at numerous noise sensitive receptors. Requirement 17 (Control of noise during the operational stage) of the draft development consent order (Application Document 3.2) provides a noise rating level for the standard operation of the onshore substation which cannot be exceeded.
4.16 – Security Considerations			
Applicant Assessment	EN-1 4.16.6 – 4.16.7	Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	The Applicant has consulted with CPNI, ONR (for civil nuclear) and/or DESNZ identify if any security measures need to be considered in the design process and that adequate consideration has been given to the management of security risks. The Consultation Report (Volume 5, Document 5.1) provides confirmation of the consultation. Volume 6, Part 2, Chapter 13: Military and Civil Aviation confirms that the Applicant has been and will continue to engage with the MOD during the application process seeking to identify agreed mitigation for the ADR systems. The assumption that suitable mitigation will be agreed with the MOD, if needed, reduces the impact (magnitude of effect) created by the projects to minor adverse significance, which is not significant in EIA terms.
Security considerations	EN-1 4.16.8 – 4.16.10	If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the Secretary of State, it will provide confirmation of this to the Secretary of State. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence	As mentioned in Paragraph 4.15.6-4.15.7 there are no security implications. Therefore, the SoS does not need to give not need to give any further consideration to the details of the security measures.

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		may take place in a closed session as set out under Examination Procedure Rules. The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government's Environmental Improvement Plan 2023.	
EN1 Part 5: Generic Impacts			
5.2 – Air Quality and emissions			
Applicant Assessment	EN-1 5.2.8 – 5.2.9	Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES. The ES should describe: > existing air quality levels and the relative change in air quality from existing levels; > any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; > the predicted absolute emission levels of the proposed project, after mitigation methods have been applied; and > any potential eutrophication impacts.	Air quality is assessed within Volume 6, Part 3, Chapter 10: Air Quality. Section 10.7 of the Chapter provides a characterisation of the existing environment and future baseline conditions. Section 10.10 to 10.15 of the Chapter assesses potential impacts. This includes the consideration of impacts associated with road traffic emissions generated by VE for all phases, where information is available. Road traffic movements generated by VE have been assessed, where available and requested via the consultation process. This has comprised an initial screening exercise to determine if further detailed assessment to quantify impacts is necessary. Further detailed assessment has been undertaken with respect to potential impacts on human receptors as a result of construction road traffic movements. This has comprised the prediction of absolute road traffic emissions, concentration changes and absolute concentrations. These are presented in full in Volume 6, Part 6, Annex 10.4: Road Traffic Dispersion Modelling and summarised in Section 10.10. The assessment outcomes indicate resultant effects are considered not significant. The assessment has considered measures detailed in Table 10.21 that are part of the project design. Based upon the outcomes of the assessment, no additional mitigation is needed as no residual effects have been identified. Mitigation proposed is as follows: > The site selection process contained within Volume 6, Part 1, Chapter 4: Site Selection & Alternatives; The Order Limits were developed in consideration of environmental factors, including air quality. This included avoiding, where possible, close proximity to sensitive receptors such as residential buildings and designated sites for the substation and onshore ECC > The Code of Construction Practice (Volume 9, Report 9.21): Development of, and adherence to, a CoCP that sets out best practice air quality management measures, commitments and

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			working standards proposed to be adopted and implemented throughout the construction process. The assessment outcomes have informed the selection of construction measures to minimise impacts. > Best practice construction measures: Decommissioning works would be undertaken in accordance with best practice measures that are proportional to the likely impacts.
	EN-1 5.2.10	In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.	A summary of legislative regimes currently in effect within England is provided in Section 10.2 of Volume 6, Part 3, Chapter 10: Air Quality. This has informed the selection of AQALs considered in this assessment. Due consideration has been given to legislation that will be operable throughout the VE lifecycle. In instances where AQALs have been considered, they are based on the legislative regimes anticipated to be in operation at the time of the activity under consideration.
	EN-1 5.2.11	Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and the applicant should ensure these are current at the point of an application. The applicant's assessment should be consistent with this but may include more detailed modelling and evaluation to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the Examining Authority along with the source.	The applicant's assessment is consistent with Defra's national projections (refer to Volume 6, Part 3, Chapter 10: Air Quality). As outlined in Section 10.2 of Volume 6, Part 3, Chapter 10: Air Quality, VE has been developed in situ with statutory/legislate regimes and where required, the applicant has proposed mitigation to ensure no air quality limits or thresholds are breached. Mitigation comprises: > The site selection process contained within Volume 6, Part 1, Chapter 4: Site Selection & Alternatives; The Order Limits were developed in consideration of environmental factors, including air quality. This included avoiding, where possible, close proximity to sensitive receptors such as residential buildings and designated sites for the substation and onshore ECC > The Code of Construction Practice (Volume 9, Report 9.21): Development of, and adherence to, a CoCP that sets out best practice air quality management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The assessment outcomes have informed the selection of construction measures to minimise impacts. > Best practice construction measures: Decommissioning works would be undertaken in accordance with best practice measures that are proportional to the likely impacts.

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	EN-1 – 5.2.12	Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	Refer to comment for Paragraph EN-1 5.2.7 – 5.2.8. The VE will not lead to a breach in the air quality thresholds.
	EN-1 5.2.13	The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy172 in England, or the Clean Air Plan for Wales in Wales173, or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	Volume 6, Part 3, Chapter 10: Air Quality determines that the VE will not lead to a breach of statutory air quality limits. This is a consequence of several mitigation measures, including the CoCP (Volume 9, Report 9.21) that sets out best practice air quality management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. As such it is considered that the VE is in accordance with paragraph 5.2.11 of EN-1. With regards to when the project is operational, activities will be limited to maintenance and the associated transport to the infrastructure elements of VE. This is assessed within Section 10.3 of Volume 6, Part 3, Chapter 10: Air Quality which outlines planned maintenance will be minimal and would comprise 1 visit per week, which may increase to daily for a 2-week period per year during annual maintenance. As such, based on the above information, effects associated with operational NRMM emissions are considered to be not significant in terms of the EIA Regulations.
	EN-1 5.2.14	The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	Volume 6, Part 3, Chapter 8: Traffic and Transport sets out a number of mitigation measures that will be beneficial in reducing air emissions from transport. These measures include: > Volume 9, Report 26: Outline CTMP that sets out the key principles and types of measures to be implemented during construction of VE; > Volume 9, Report 26: Outline WTP which includes a range of demand management measures including a target car share ratio; and > A strategy for access that has selected routes that where possible, seek to reduce the impact of traffic upon local communities
Secretary of State decision making	EN-1 5.2.15 – 5.2.16	Many activities involving air emissions are subject to pollution control. The considerations set out in Section	Refer to comment for Paragraph EN-1 5.2.7 – 5.2.8. The VE shall not lead to a breach in the air quality thresholds. Volume 6, Part 3,

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		4.12 on the interface between planning and pollution control therefore apply. The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government's Environmental Improvement Plan 2023. The Secretary of State should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives or targets.	Chapter 10: Air Quality has considered all sensitive receptors and no significant impacts have been concluded.
	EN-1 5.2.17 – 5.2.18	The Secretary of State should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent.	Refer to comment for Paragraph EN-1 5.2.7 – 5.2.8. The VE shall not lead to a breach in the air quality thresholds. The site selection process contained within Volume 6, Part 1, Chapter 4: Site Selection & Alternatives has been iterative, involving several stages and multiple rounds of consultation which has played a role in ensuring, where possible, close proximity to sensitive receptors such as residential buildings and designated sites for the substation and onshore ECC has been avoided. Volume 6, Part 1, Chapter 4: Site Selection & Alternatives also explains and details the main alternatives considered for the project, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations) Where the project is located in near receptors, appropriate mitigation has been proposed to ensure there are no significant residual effects with respect to air quality. These measures are outlined in Volume 6, Part 3, Chapter 10: Air Quality and include: > The Code of Construction Practice (Volume 9, Report 9.21): Development of, and adherence to, a CoCP that sets out best practice air quality management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The assessment outcomes have informed the selection of construction measures to minimise impacts. > Best practice construction measures: Decommissioning works would be undertaken in accordance with best practice measures that are proportional to the likely impacts.

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	EN-1 5.2.19	In all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent.	Refer to comment for Paragraph EN-1 5.2.7 – 5.2.8. The VE shall not lead to a breach in the air quality thresholds.
5.3 – Greenhouse Gas Emissions (EN-1 only)			
Applicant Assessment	EN-1 5.3.4	All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.2). This should include: > A whole life GHG assessment showing construction, operational and decommissioning GHG impacts. > An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages. > Measurement of embodied GHG impact from the construction stage. > How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures. > How operational emissions have been reduced as much as possible through the application of best available technology for that type of technology. > Calculation of operational energy consumption and associated carbon emissions. > Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. > Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed	A GHG assessment is included in the Volume 6, Part 4, Annex 1.1: GHG Assessment. The scope of the GHG assessment considered impacts across the whole life cycle, from the production of the raw materials used to construct the facility, all the way through to the recycling or disposal of those same materials after decommissioning at the end of its lifetime. Several measures to drive down climate change at each stage of the project has been proposed and is set out within Volume 6, Part 4, Chapter 1: Climate Change and includes: **General** > The iterative project design and site selection process that has ensured the impacts on the environment and climate are minimised as far as reasonably practical. > The Outline Cable Specification and Installation Plan (Volume 9, Report 9.12) which sets out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission. The Outline Cable Burial Risk Assessment (Volume 9, Report 9.9) which enables informed judgements regarding burial depth to optimise the chance of cables remaining buried whilst seeking to limit the amount of sediment disturbance to that which is necessary. > Marine coordination will be implemented to manage project vessels and proximity to wildlife, as per the principles set out in the Navigation and Installation Plan (NIP) (Volume 9, Report 20: NIP) and Volume 9, Report 18.1: Working in Proximity to Wildlife. **Construction** > The CoCP (Volume 9, Report 21: CoCP) which will ensure best practice measures will be followed. > An OnSS Surface Water Drainage scheme (provided in Volume 5, Report 3.2) to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates.

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			> An Application for Safety Zones that will be applied for post-consent including up to 500 m around ongoing activities during construction and up to 50 m for installed structures pre commissioning. Where appropriate, guard vessels will also be used to ensure adherence with Safety Zones or advisory passing distances, as defined by risk assessment, to mitigate any impact which poses a risk to surface navigation. **Operation** > The design parameters for project components are designed to accommodate maximum temperature scenarios; The development of a Scour Protection Plan (SPP) post consent, will consider the need for scour protection where there is the potential for scour to develop around wind farm infrastructure, including turbine and substation/ platform foundations and cables. > An Application for Safety Zones that will be applied for post-consent. **Decomissioning** > A Decommissioning Programme will be developed to cover the decommissioning phase as required under Chapter 3 of the Energy Act 2004. The likely significant effects of the Project on the climate are assessed through the GHG impact assessment. GHG emissions including embodied and operational carbon are provided in Volume 6, Part 4, Annex 1.1, Section 1.4. This section also demonstrates the net benefit of VE regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were VE not to be developed. Section 1.3 of the GHG assessment provides calculations on energy consumption and associated carbon emissions. Overall Volume 6, Part 4, Chapter 1: Climate change concludes that there will be no significant effects with regards to climate change. However, there will be a significant positive impact from the reduction in carbon emissions via clean energy production, which will also help to meet UK ambitions for Net Zero and low cost, secure sources of energy.
Mitigation	EN-1 5.3.5 – 3.5.6	A GHG assessment should be used to drive down GHG emissions at every stage of the Application and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always	A GHG assessment has been submitted as part of the ES at Volume 6, Part 4, Chapter 1, Annex 1.1. This shows that emissions have been minimised as far as possible. The scope of the GHG assessment considered impacts across the whole life cycle, from the production of the raw materials used to construct the facility, all the

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		remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the Application to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	way through to the recycling or disposal of those same materials after decommissioning at the end of its lifetime. Several measures to drive down climate change at each stage of the project has been proposed and is set out within Volume 6, Part 4, Chapter 1: Climate Change and includes: **General** > The iterative project design and site selection process that has ensured the impacts on the environment and climate are minimised as far as reasonably practical. > The Outline Cable Specification and Installation Plan (Volume 9, Report 9.12) which sets out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission. The Outline Cable Burial Risk Assessment (Volume 9, Report 9.9) which enables informed judgements regarding burial depth to optimise the chance of cables remaining buried whilst seeking to limit the amount of sediment disturbance to that which is necessary. > Marine coordination will be implemented to manage project vessels and proximity to wildlife, as per the principles set out in the Navigation and Installation Plan (NIP) (Volume 9, Report 20: NIP) and Volume 9, Report 18.1: Working in Proximity to Wildlife. **Construction** > The CoCP (Volume 9, Report 21: CoCP) which will ensure best practice measures will be followed. > An OnSS Surface Water Drainage scheme (provided in Volume 5, Report 3.2) to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates > An Application for Safety Zones that will be applied for post-consent including up to 500 m around ongoing activities during construction and up to 50 m for installed structures pre commissioning. Where appropriate, guard vessels will also be used to ensure adherence with Safety Zones or advisory passing distances, as defined by risk assessment, to mitigate any impact which poses a risk to surface navigation. **Operation** > The design parameters for project components are designed to accommodate maximum temperature scenarios;

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			The development of a Scour Protection Plan (SPP) post consent, will consider the need for scour protection where there is the potential for scour to develop around wind farm infrastructure, including turbine and substation/ platform foundations and cables. > An Application for Safety Zones that will be applied for post-consent. **Decomissioning** A Decommissioning Programme will be developed to cover the decommissioning phase as required under Chapter 3 of the Energy Act 2004 The VE meets needs in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK's current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions. The new wind farm would include up to 79 wind turbine generators (WTGs), across two separate sea bed areas in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. The VE will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy. As such, the VE is considered to accord with the provisions set out with the NPS.
	EN-1 5.3.7	Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, hedgerow creation and restoration, peatland restoration and through other natural habitats.	Refer to comment for Paragraph 5.3.5 – 3.5.6.
Secretary of State decision making	EN-1 5.3.8 – 5.3.9	The Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The Secretary of State should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	Refer to comment for Paragraph 5.3.5 – 3.5.6.
	EN-1 5.3.10	The Secretary of State should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the Application.	Refer to comment for Paragraph 5.3.5 – 3.5.6.

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		However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	EN-1 5.3.11 – 5.3.12	Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4 and 2.5 above), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	Refer to comment for Paragraph 5.3.5 – 3.5.6.
5.4 – Biodiversity and geological conservation			
Applicant Assessment	EN-1 5.4.17 – 5.4.18	Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project.	There are a number of designated sites relatively close to the study area, including Special Protection Areas, Ramsar sites, Sites of Special Scientific Interest, Local Nature Reserves and Local Wildlife Sites. Effects on these internationally, nationally and locally designated sites of ecological conservation importance have been assessed (where relevant), on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity, both onshore and offshore. Chapters of relevance are: > Volume 5, Chapter 4: Report to Inform Appropriate Assessment > Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation

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			> Volume 6, Part 6, Annex 4.1: Preliminary Ecological Appraisal (Onshore) Report. > Volume 6, Part 2: Chapter 4: Offshore Ornithology > Volume 6, Part 2: Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2: Chapter 6: Fish and Shellfish Ecology Volume 6, Part 2: Chapter 7: Marine Mammals Mitigation measures include good project design, compliance with elements of good practice and use of standard protocols. This included careful routing onshore to avoid key areas of sensitivity. Licences will be required where temporary works affect habitat used by protected species. The draft Code of Construction Practice includes a number of measures to minimise the impact to ecology during construction. A Landscape and Ecological Management Plan will be produced to detail any proposed mitigation, compensation and biodiversity enhancement measures. Principles have been provided in the Landscape and Ecological Design Principles Plan. With regards to onshore, overall, in the majority of cases there are no impacts upon Onshore Biodiversity and Nature Conservation. However, additional mitigation/ compensation for the permanent loss of arable habitat supporting skylark and corn bunting at the OnSS is not possible within the Order Limits due to a lack of potentially suitable land available. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The presence of high-grade agricultural land throughout much of the ECC (see Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use) also limits the potential for management for these species, as it would require taking small areas of the best and most versatile land out of production. With regards to the offshore environment, and as highlighted within the RIAA (Volume 5, Chapter 4: Report to Inform Appropriate Assessment), VE is proposing compensation in relation to LBBG Appropriate compensation measures have been developed and put forward within the DCO Application to compensate for any impacts.
	EN-1 5.4.19 – 5.4.21	The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures.	Areas of biodiversity and geological interest have been avoided in the design of the VE through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives.

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		As set out in Section 4.6, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.5 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project.	Proposals for biodiversity enhancement are presented within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. All ecological enhancement efforts as part of the VE will provide a minimum of 10% net gain for biodiversity, as measured Defra Metric 3.1 or its successor. However, additional mitigation/ compensation for the permanent loss of arable habitat supporting skylark and corn bunting at the OnSS is not possible within the Order Limits due to a lack of potentially suitable land available. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The presence of high grade agricultural land throughout much of the ECC (see Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use) also limits the potential for management for these species, as it would require taking small areas of the best and most versatile land out of production. Further commentary on the VE's approach to biodiversity is provided within Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report, which includes wider ecosystem services and the benefits of natural capital.
	EN-1 5.4.22	The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.	The following chapters within the VE have considered the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure: Volume 6, Part 2, Chapter 4: Offshore Ornithology; Volume 6, Part 2, Chapter 5: Benthic Subtidal and Intertidal Ecology; Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology and Volume 6, Part 2, Chapter 7: Marine Mammal Ecology.
	EN-1 5.4.23	Energy projects will need to ensure vessels used by the project follow existing regulations and guidelines to manage ballast water.	The VE will ensure vessels used by the project follow existing regulations and guidelines. The COLREGs are the rules and regulations that help regulate vessel traffic movements throughout the world. It is therefore important that the navigation corridor does not prevent a vessel from being able to comply with these regulations. Although the COLREGs do not make specific provision for a separation between OWFs such as a navigation corridor, they

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			do lay down rules for navigating within a narrow channel which may be somewhat applicable. All vessels operating in the area are expected to comply with international flag state regulations (including the COLREGs and SOLAS) and will have a raised level of awareness of construction and decommissioning activities given the promulgation of information relating to the application including the charting of the construction/ decommissioning areas on relevant nautical charts and the use of safety zones. The buoyed construction/ decommissioning areas will also serve to maximise awareness. Likewise, during the O&M phase, infrastructure will be appropriately marked on relevant nautical charts and awareness of the operational arrays will be very high and continue to increase with the longevity of VE. It is assumed that third-party vessels will comply with the COLREGs, and in particular Rule 9a, 9b and 9c. In addition, Rule 18(b)(ii) shall be complied with which states that “a sailing vessel underway shall keep out of the way of a vessel restricted in her ability to manoeuvre” (IMO, 1972/77) thus minimising the likelihood of an encounter between a third-party vessel and project vessel. Further information is contained within Volume 6, Part 2, Chapter 9: Shipping and Navigation and the Navigational Risk Assessment (see Volume 9, Document 9.10).
Applicant assessment -Habitats Regulation	EN-1 5.4.25	The applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an Appropriate Assessment (AA) is required. Applicants can request and agree ‘Evidence Plans’ with SNCBs, which is a way to agree and record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.	The Applicant has liaised with SNCB and is in discussions about any required compensatory measures. This has been submitted as part of the application in Volume 5, Document 5.2.1, Evidence Plan. Document number 5.4 (Report to Inform Appropriate Assessment)) and Document number 5.5 (Habitats Regulations Derogation) support the VE. In addition, as a result of refined project design parameters and in response to comments received from consultees during the public consultation (particularly advice from Statutory Nature Conservation Bodies (SNCBs)) during the Evidence Plan (EP) Process, this document constitutes the second version of the VE HRA Screening Report. It presents the updated screening of the potential for LSE on European and Ramsar sites, both alone and in-combination with other plans or projects. The Evidence Plan (Volume 5, Document 5.2.1) has sought agreement on key assessment steps; including the baseline approach, assessment methodology, assessment outcomes, and mitigation.
	EN-1 – 5.4.26 – 5.4.27	If, during the pre-application stage, the SNCB indicate that the Application is likely to adversely impact the integrity of HRA sites, the applicant must include with their application such information as may reasonably be	Document number 5.4 (Report to Inform Appropriate Assessment (RIAA)) and Document number 5.5 (Habitats Regulations Derogation) support the VE.

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		required to assess a potential derogation under the Habitats Regulations. If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before the close of the examination. This information must include assessment of alternative solutions, a case for Imperative Reasons of Overriding Public Interest (IROPI) and appropriate environmental compensation.	The Applicant has liaised with SNCB, Defra and Natural England and are in discussions about any required compensatory measures. The Consultation Report (Volume 5, Document 5.1) provides full details as to the level of consultation. The Applicant has provided a detailed consideration of the potential effects on MPAs and has concluded that there will be no adverse effects on any site. The conservation objectives for designated sites are referred to within the RIAA. While the RIAA conclusion is no potential for an AEoI, in relation to physical habitat loss/ disturbance from the VE alone, a without prejudice derogation case is being presented for sandbanks to address the risk that the SoS disagrees with the RIAA conclusion. The following Derogation documents have been prepared and consulted on: > Compensation longlist report > Compensation measures ranking approach note > Compensation options shortlist note > Compensation shortlisted options next steps > LBBG compensation ecological evidence and roadmap > LBBG site selection note public
	EN-1 – 5.4.29 – 5.4.30	It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process. Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.	The Applicant has liaised with SNCB and Defra and are in discussions about any required compensatory measures. The Consultation Report (Volume 5, Document 5.1) provides full details as to the level of consultation. The following Derogation Documents were consulted on: > Compensation longlist report > Compensation measures ranking approach note > Compensation options shortlist note > Compensation shortlisted options next steps > LBBG compensation ecological evidence and roadmap > LBBG site selection note public With regards to the offshore environment, and as highlighted within the RIAA (Volume 5, Chapter 4: Report to Inform Appropriate Assessment), the VE is conceding a significant effect upon LBBG in relation to the Alde Ore Estuary SPA. Appropriate compensation measures have been developed and put forward within the

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			application to compensate for any impacts. As such it is considered that the VE is in accordance with paragraphs 5.4.17 – 5.4.18.
	EN-1 5.4.31	Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	The Applicant has liaised with SNCB and Defra and are in discussions about any required compensatory measures. Please refer to Paragraph 5.4.29-5.4.30 for further information.
Ancient woodland, veteran trees, and other irreplaceable habitats	EN – 1 5.4.32	Applicants should include measures to mitigate the direct and indirect effects of development on ancient woodland, veteran trees or other irreplaceable habitats during both construction and operational phases.	Furthermore, within sections 4.6, 4.8, 4.11 of Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation, ancient woodland has been included within the ecological evaluation and impact assessment. It is concluded that no direct impacts will accrue to ancient woodland. Indirect impacts are considered within Sections 4.5, 4.6, Table 43, Table 44, Table 414 and Section 4.11 of the Chapter which also concludes that there will be no significant residual effects following the proposed mitigation.
Protection and enhancement of habitats and other species	EN – 1 5.4.33-5.4.33	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	VE will leave the natural environment in a measurably better state than beforehand. VE has considered opportunities for enhancements and it is envisaged that this would be the subject of a DCO Requirement, and that the project will seek a minimum of 10% BNG. Proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. Although additional mitigation/ compensation for the permanent loss of arable habitat supporting skylark and corn bunting at the OnSS is not possible within the Order Limits due to a lack of potentially suitable land available. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species.

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			Further information is available in the Planning Statement (Document Reference 9.1), Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Outline Landscape and Ecology Management Plan included in Volume 9.
Mitigation	EN-1 – 5.4.35	Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the Application. In particular, the applicant should demonstrate that: > during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; > the timing of construction has been planned to avoid or limit disturbance; > during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; habitats will, where practicable, be restored after construction works have finished; opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised. > mitigations required as a result of legal protection of habitats or species will be complied with.	The VE includes Volume 9, Chapter 21: Code of Construction Practice which meets the aims of minimising the construction areas required for the works, the planning of the timing of construction and construction best practice. In addition, the Applicant has provided an Outline Project Environmental Management Plan (Document Reference 9.18) to ensure that offshore environmental impacts are minimised. The Outline PEMP has been produced as part of the DCO application in line with dML conditions. Condition 12 of Schedule 10 and Condition 13 of Schedule 11. Other mitigation measures for offshore include the production and implementation of a MMMP which will minimise the impacts of piling and unexploded ordnance clearance (if required) (outline versions are included with the application at 9.14.1 and 9.14.2). A Working in Proximity to Wildlife Plan (9.18.1), sits alongside the PEMP and will reduce the risk of disturbance from ships, boats and other vessels and the risk of them colliding with marine mammals. The VE proposals also include detail of habitat restoration where practicable after construction works have finished in Volume 6, Part 6, Annex 4.18: VE Onshore Biodiversity Net Gain Indicative Design Stage Report. Where direct habitat restoration is impracticable, new habitats of value are outlined within site landscaping proposals, with the Applicant committed to 10% Biodiversity Net Gain. Further information on BNG is available in Application Document 6.6.4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. Proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan). The following mitigation measures outlined within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation will ensure each of the bullets within Paragraph 5.4.35 are addressed: **Project design:** Careful routing of the onshore ECC and design of key crossing points (sea defence structures, main rivers, non-main and ordinary watercourses, roads) to avoid key areas of sensitivity (see Volume 6, Part 1, Chapter 4: Site Selection and Alternatives); GCN European Protected Species Licence (EPSL): An EPSL from NE will be required for temporary works affecting terrestrial habitat

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			used by GCN along the route. his approach has been discussed and agreed with NE as part of the evidence plan process; it is anticipated that NE will issue an Impact Assessment and Conservation Payment Certificate (IACPC) for countersigning based upon the MDS used to inform this assessment, which will be included at Volume 6, Part 6 Annex 4.20: Five Estuaries Offshore Wind Farm: GCN District Level Licencing Impact Assessment and Conservation Payment Certificate (unsigned) and associated documents.; **Construction** All construction work will be undertaken in accordance with the CoCP (Volume 9, Annex 9.21 Code of Construction Practice) and OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan. Biosecurity and INNS Management: All construction work will be undertaken in accordance with the INNS control measures set out in the CoCP (Volume 9, 9.21: Code of Construction Practice). Pollution Prevention and Emergency Incident Response: The draft CoCP (Volume 9, 9.21 Draft Code of Construction Practice) sets out pollution control principles, which would be implemented by the project during construction. **Operation** The OLEMP includes commitments for additional mitigation and compensation measures including woodland planting, pond creation and hedgerow planting at the OnSS, through its indicative planting proposals. Operational practices will incorporate measures to prevent pollution and increased flood risk, including emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff. These measures will be included within the LEMP. **Decommissioning** Provision of an onshore decommissioning plan, including a revised CoCP, in advance of decommissioning works will be a requirement of the DCO, to include protection of ecological features, based on up-to-date survey information and relevant guidance in place at the time of decommissioning. The above mitigation will ensure in the major of cases that there will be no impacts on biodiversity. However, additional mitigation/ compensation for the permanent loss of arable habitat supporting skylark and corn bunting at the OnSS is not possible within the Order Limits due to a lack of potentially suitable land available. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would

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			benefit a range of other bird species. The presence of high grade agricultural land throughout much of the ECC (see Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use) also limits the potential for management for these species, as it would require taking small areas of the best and most versatile land out of production.
	EN-1 – 5.4.36 – 5.4.38	Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages. In the design of any direct cooling system the locations of the intake and outfall should be sited to avoid or minimise adverse impacts on the receiving waters, including their ecology. There should also be specific measures to minimise impact to fish and aquatic biota by entrainment and impingement or by excessive heat or biocidal chemicals from discharges to receiving waters. To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.	Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation includes a Biodiversity Management Strategy which meets the aims of this paragraph. This strategy is referred to as the Outline Landscape and Ecological Management Plan (Volume 9, Report 9.22) which comprises measures and additional mitigation and compensation measures, beyond those covered in the outline CoCP (Volume 9, 9.21: Draft Code of Construction Practise), including woodland planting, pond creation and hedgerow planting at the OnSS. This is alongside details of proposed biodiversity enhancements. Further commentary on biodiversity can be found within Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. The effects on geodiversity are considered within Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use. Overall, through the implementation of mitigation measures, including those specified Volume 9, Document 9.21: Code of Construction Practice, it is considered that the likely overall effect of The VE on geodiversity and land use throughout the construction, operation and decommissioning of the VE is not significant in EIA terms. Regarding impacts on fish and aquatic biota, mitigation is set out within Section 6.11 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology including the project design, which was made following a series of constraints analyses, with the array area and offshore ECC route selected to ensure the impacts on the environment and other marine users are minimised as far as reasonably practicable. Accordingly, a GMS is not considered to be necessary in this case.
Secretary of State decision making	EN-1 5.4.39 – 5.4.41	The government's 25 Year Environment Plan190 and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government's Environmental Improvement Plan 2023, and in Wales the objectives of the Nature Recovery Plan, and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere. In addition, in exercising functions in relation to Wales, the Secretary of State should consider Section 6 of the	As noted within Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use, with the exception of Route 1, there are no sites designated sites of geological interest that fall within the routing of the onshore Export Cable Corridor (ECC) and siting of the OnSS. Further to this the Applicant has submitted an Outline Landscape and Ecological Management Plan (OLEMP) as part of the DCO application which provides the approach to enhancement of biodiversity. In addition, commentary on the VE's approach to biodiversity is provided within Volume 6, Part 6, Annex 4.18: Five Estuaries

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		Environment (Wales) Act 2016 and seek to maintain and enhance biodiversity, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of the Secretary of State's functions. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.	Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report, which includes wider ecosystem services and the benefits of natural capital. As such the VE is in accordance with this NPS provision, and the Secretary of State may place weight on not only the benefits associated with this low carbon energy proposal but also the biodiversity benefits proposed. This includes net benefits for biodiversity as well as the potential for enhancements.
	EN-1 5.4.42 – 5.4.43	As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.	VE has applied the mitigation hierarchy and in most cases any adverse impacts are avoided through mitigation. This is discussed in more detail in the Planning Statement (Document Reference: 9.1). Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation; one of the annexes 6.6.4.18 Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report sets out the projects approach to BNG. In addition, an Outline Landscape and Ecological Management Plan that details proposed mitigation, compensation and biodiversity enhancement measures (Volume 9, Report 9.22). Unfortunately, in some instances adverse impacts cannot be avoided. For example, proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. In addition, the Applicant has proposed compensatory measures in relation to LBBG. The Applicant accordingly submits that with the application of the compensatory measures for the conceded HRA effect, there is no residual unacceptable HRA impact which would prevent consent being granted. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance. VE would contribute to addressing a CNP which the Government have described as being urgent and as outlined in Volume 9, Report 9.1: Planning Statement, VE meets the relevant tests to be considered a CNP and Section 7.3 of the document demonstrates that VE complies with relevant CNP policy.

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			As such it is considered that the VE is in accordance with paragraph 5.4.42-5.4.43 of EN-1
	EN-1 5.4.44	The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.	The Applicant has provided positive ecological enhancement proposals within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, the local areas as well out areas outside of the red-line boundary. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance. To account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025), the BNG Metric will be re-run post-DCO consent, and the BNG Final Design Report shall be prepared including any required statutory documents. It is envisaged that this would be the subject of a DCO Requirement, and that the project will seek a minimum of 10% BNG. The detailed LEMP, to be produced post-consent, will include the final requirements for monitoring of areas within the Order Limits against the BNG objectives set out in the Metric assessment, and any associated management actions. It is envisaged that monitoring and management requirements for off-site areas (if needed) would be dealt with separately. In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. Providing BNG on-site may also enable BNG to be constructively added to other mitigation proposals, such as habitat-based mitigation for protected species. However, land ownership constraints may limit the scope to provide sufficient enhancement to meet a 10% net gain target within the Order Limits. Discussions with several owners/ organisation within Essex are ongoing in respect of potential offset locations, in the event that 10% gain cannot be achieved within the Order Limits. Some possible locations were identified in early 2023, and have already been subject to baseline habitat survey to enable further work to establish their potential feasibility to be completed. Offset areas located off-site would also be subject to a minimum 30-year monitoring and management plan. If net gain cannot be delivered on or off-site, it may alternatively be achieved through the purchase of ‘open market’ biodiversity units, e.g. from a habitat bank or statutory biodiversity credits, or a

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			combination of both sources. The option of buying statutory biodiversity credits is available as a last resort, where developers can demonstrate that they are unable to achieve BNG through the available on-site and off-site options. In relation to LBBG compensation, these measures form part of the DCO Application. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents.
	EN-1 5.4.45	The Secretary of State will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The Secretary of State will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	The Applicant has liaised with SNCB and is in discussions about any required mitigation and compensatory measures. This has been submitted as part of the application in Volume 5, Document 5.2.1, Evidence Plan. The Evidence Plan (Volume 5, Document 5.2.1) has sought agreement on key assessment steps; including the baseline approach, assessment methodology, assessment outcomes, and mitigation. A full summary of how consultation with statutory bodies has influenced the design of the Project is contained within Volume 5, Report 5.1: Consultation Report. The MMO have been engaged through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process. Monthly meetings have also been helping to provide further updates, as necessary. Document number 5.4 (Report to Inform Appropriate Assessment)) and Document number 5.5 (Habitats Regulations Derogation) support the VE. Although the Applicant's RIAA concludes no AEoI, this conclusion is not fully agreed by Natural England. Therefore, the M&LS SAC is included in the derogation case (Volume 5, Report 5: Habitats Regulations Derogation Case) on a 'without prejudice' basis for if the SoS concludes otherwise. Appropriate compensation measures have been developed with Natural England in relation to LBBG and put forward within the Application to compensate for any impacts (Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap). Licences will be required where temporary works effect habitat used by protected species. For example, a EPSL from NE will be required for temporary works affecting terrestrial habitat used by GCN along the route. This approach has been discussed and agreed with NE as part of the evidence plan process; it is anticipated that NE will issue an Impact Assessment and Conservation Payment Certificate

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			(IACPC) for countersigning based upon the MDS used to inform this assessment, which will be included at Volume 6, Part 6 Annex 4.20: Five Estuaries Offshore Wind Farm: GCN District Level Licencing Impact Assessment and Conservation Payment Certificate (unsigned) and associated documents. Volume 5, Report 5.8: Details of other consents and licences and Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation should be referred to for further information.
	EN-1 5.4.46	Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The Secretary of State should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.	As outlined in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives outlines that VE design and site selection process has been iterative, involving several stages and multiple rounds of consultation which in part has sought to maximise potential for beneficial biodiversity and geological features. The Applicant has provided positive ecological enhancement proposals within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, the local areas as well out areas outside of the red-line boundary. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance. All ecological enhancement efforts as part of the VE will provide a minimum of 10% net gain for biodiversity, as measured Defra Metric 3.1 or its successor. Proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance. VE would contribute to addressing a CNP which the Government have described as being urgent.
	EN-1 5.4.47	When considering proposals, the Secretary of State should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering biodiversity net gain as part of or in addition to the approach set out at Section 4.6.	No directly relevant- this is a consideration for the Secretary of State.

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	EN-1 5.4.48	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	The Applicant has assessed the likely significant effects on the conservation objectives through an ecological evaluation and impact assessment approach based on CIEEM Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland ("CIEEM guidelines") (CIEEM, 2022), which are widely regarded as industry best practice. Effects on internationally, nationally and locally designated sites, on protected species and on habitats and other species identified as being of importance for the conservation of biodiversity are assessed in Sections 4.11-4.14 and in Volume 5, Annex 5.4 Report to Inform Appropriate Assessment (RIAA). Section 4.17 of Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation concludes that with the implementation of appropriate mitigation measures, no significant effects on effects on internationally, nationally and locally designated sites of ecological conservation importance. With regards to the offshore environment, designated sites and the potential impacts from the VE are discussed within the following chapters: > Volume 5, Chapter 4: Report to Inform Appropriate Assessment > Volume 6, Part 2: Chapter 4: Offshore Ornithology > Volume 6, Part 2: Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2: Chapter 6: Fish and Shellfish Ecology > Volume 6, Part 2: Chapter 7: Marine Mammals As is highlighted within the RIAA, the VE is conceding a significant effect upon LBBG in relation to the Alde Ore Estuary SPA. Appropriate compensation measures have been developed and put forward within the application to compensate for any impacts.
Habitat Regulations	EN-1 5.4.49	The Secretary of State must consider whether the project may have a likely significant effect on a protected site which is part of the National Site Network (an HRA Site), a Marine Protected Area (MPA), or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects	Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation concludes there to be no adverse effects on SSSIs as a result of the VE. All ecological enhancement efforts as part of the VE will provide a minimum of 10% net gain for biodiversity, as measured Defra Metric 3.1 or its successor. Proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. Additional mitigation/ compensation for the permanent loss of arable
Sites of Special Scientific Interest (SSSI)	EN-1 5.4.50	The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	

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			habitat supporting skylark and corn bunting at the OnSS is not possible within the Order Limits due to a lack of potentially suitable land available. However, the requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. In relation to HRA, cumulative residual impacts have been assessed and identified within the RIAA (Report to Inform Appropriate Assessment (Volume 5, Report 4: Report to Inform Appropriate Assessment) in relation to Lesser black-backed gull. A HRA Derogation Case (Volume 5, Report 5.5) has subsequently been prepared which demonstrates that the three derogation tests can be met, and are as follows: 1) There are no alternative solutions to the project; 2) There are imperative reasons for overriding public interest for VE; and 3) Compensatory measures are proposed that satisfy the Government objectives and have been developed in line with emerging advice, including strategic measures set out by DEFRA. Compensation for LBBG has been agreed in advance with Natural England and is outlined in more detail within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans. The above tests are required to be met for development consent to be granted and it is demonstrated that the benefits of VE are outweighed by the residual cumulative impacts relating to HRA. There are also several cases without prejudice where is has not been agreed by Natural England that there is no AEoI. Details of proposed compensation measures for consideration by the Competent Authority, should a conclusion of AEoI be reached are found in the following documents: > Volume 5, Report 5.1: Benthic Compensation Strategy Roadmap > Volume 5, Report 5.2: Outline Benthic In-Principle Monitoring Plan > Volume 5, Report 5.3: Lesser Black-Backed Gull Compensation – Evidence, Sitr Selection and Roadmap > Volume 5, Report 5.4: Kittiwake – Evidence, Site Selection and Roadmap

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			> Volume 5, Report 5.5: Guillemot and Razorbill – Evidence, Site Selection and Roadmap > Volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans > Volume 5, Report 5.7: Kittiwake Implementation and Monitoring Plans > Volume 5, Report 5, Annex 5.8: Guillemot and Razorbill Implementation and Monitoring Plans. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents.
Marine Conservation Zones	EN-1 5.4.51	The Secretary of State is bound by the duties in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	The VE has carried out an MCZ assessment to assess the potential impacts upon relevant sites (Volume 5, Chapter 6, Marine Conservation Assessment). It should be noted that no significant effects are predicted. The VE offshore ECC and array areas do not cross any MCZs. Where any potential indirect impacts might occur to neighbouring Kentish Knock East MCZ and Blackwater, Crouch, Roach and Colne Estuaries MCZ, this has been discussed within the assessment of indirect impacts within Section 5.10 and 5.11. The MCZ assessment concluded that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ, either alone or cumulatively and therefore a stage 2 assessment is not required.
Regional and Local Sites	EN-1 5.4.52	The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	The Applicant has provided a detailed consideration of the potential effects on MPAs within the following documents: > Volume 5, Chapter 4: Report to Inform Appropriate Assessment > Volume 6, Part 2: Chapter 4: Offshore Ornithology > Volume 6, Part 2: Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2: Chapter 6: Fish and Shellfish Ecology > Volume 6, Part 2: Chapter 7: Marine Mammals It should be noted, the VE is conceding a significant effect upon LBBG in relation to the Alde Ore Estuary SPA and is seeking

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			derogation. Appropriate compensation measures have been developed and put forward within the application to compensate for any impacts. Compensatory measures proposed satisfy the Government objectives and have been developed in line with emerging advice, including strategic measures set out by DEFRA. Compensation for LBBG has been agreed in advance with Natural England and is outlined in more detail within Volume 5, Report 5.3: LBBG Compensation: Evidence, Site Selection and Roadmap and volume 5, Report 5.6: Lesser Black Backed Gull Implementation and Monitoring Plans The Applicant has provided a detailed consideration of the potential effects on MPAs and has concluded that there will be no adverse effects on any site. The conservation objectives for designated sites are referred to within the RIAA. While the RIAA conclusion is no potential for an AEoI, in relation to physical habitat loss/ disturbance from the VE alone, a without prejudice derogation case is being presented for sandbanks to address the risk that the SoS disagrees with the RIAA conclusion.
Ancient woodland, veteran trees, and other irreplaceable habitats	EN-1 5.4.53	The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient and veteran trees unless there are wholly exceptional reasons192 and a suitable compensation strategy exists.	VE will leave the natural environment in a measurably better state than beforehand. VE has considered opportunities for enhancements and it is envisaged that this would be the subject of a DCO Requirement, and that the project will seek a minimum of 10% BNG. Volume 6, Part 2, Chapter 5: Ground Conditions and Land Use considers geological conservation. There is one local designated site, Great Holland Pits Nature Reserve. Great Holland Pits Nature Reserve and potential Local Geological Site (LGS) is located near the western boundary of the VE. The sensitivity of the Great Holland Pits Nature Reserve LGS is determined as low. Where the boundary of VE is in very close proximity to the LGS control of working areas and marking out of the site boundary would be employed to avoid disturbance to these areas from construction plant and activities. The controls which would be adopted at site in accordance with the final Code of Construction Practice and best practice. This would ensure that impacts would be low. Volume 6, Part 2, Chapter 4: Onshore Biodiversity and Nature Conservation assesses the potential impact of the VE on Onshore Biodiversity and Nature Conservation receptors. The Chapter complies with the biodiversity conservation requirements set out in this NPS. There are a number of regional and local designated sites relatively close to the study area, including, Local Nature Reserves and Local Wildlife Sites.

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			Effects on regional and local designated sites, are assessed in Sections **Error! Reference source not found.**-**Error! Reference source not found.** of Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. In addition, a comprehensive desk-based data search has been undertaken and is described in the Preliminary Ecological Appraisal (Volume 9, Part 6, Annex 4.1). This included gathering details for statutory and non-statutory designated sites for nature conservation, as well as pre-existing ecological records for protected and notable species. Mitigation measures are set out in Section **Error! Reference source not found.** of Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation which set out how the VE will enhance biodiversity, whilst also preserving sensitive ecological areas. All the proposed measures within the chapter, are compliant with elements of good practice and use of standard protocols.
Protection and enhancement of habitats and other species	EN-1 5.4.54	The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.	The MDS includes the maximum development footprint (temporary and permanent) and therefore the largest possible area of disturbance to ecological receptors. It also assumes use of the technologies likely to cause most damage where the technology to be used is still uncertain, e.g., trenched crossings of smaller watercourses, and that the most ecologically sensitive habitats would be affected, where there are different routing options. The mitigation contained in Table 4.11 of Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation, are mitigation measures or commitments that have been identified and adopted as part of the evolution of the project design, these include project design measures (careful routing of the ECC, the design of key crossing points which avoids sensitive areas (further information is found within Volume 6, Part 1, Chapter 4: Site Selection and Alternatives for further details on alternatives and site selection), compliance with elements of good practice and use of standard protocols. General mitigation measures, which would apply to all parts of the project, are set out first. Thereafter mitigation measures that would apply specifically to onshore biodiversity and nature conservation issues associated with the landfall, onshore ECC and OnSS, are described separately. Where the assessment determined significant effects accounting for mitigation, further measures may be required, which are presented as additional mitigation. Table 4.11 presents additional mitigation measures. These have typically been put forward where: ➢ Specific mitigation / compensation measures to reduce impacts in relation to potential habitat loss (e.g. important hedgerows, arable field margins, lowland meadow, woodland etc); and

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			➢ Specific mitigation measures to reduce impacts on protected and/or notable species (e.g. Fisher's estuarine moth, bats, badger, otter, water vole, dormouse). Careful routing of the onshore ECC and design of key crossing points (sea defence structures, main rivers, non-main and ordinary watercourses, roads) to avoid key areas of sensitivity, including Holland Haven Marshes SSSI, Tendring Brook, important hedgerows and woodlands, wherever possible (see Volume 6, Part 1, Chapter 4: Site Selection and Alternatives for further details on alternatives and site selection). The SoS should refer to Volume 5, Report 5.8: Details of other consents and licences for further details of licences.
	EN-1 5.4.55	The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate. The Secretary of State should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.	Across the construction, operation and decommissioning stages, Tables 4.18 and 4.19 within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation shows that with the implementation of mitigation measures will have no significant impacts to species and habitats in a majority of cases. Proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. Table 6.1 within Volume 9, Report 9.1: Planning Statement also weights the benefits and adverse impacts of VE. The Planning Statement (Document Reference 9.1) concludes that the SoS should give appropriate weight to the benefits of VE when considering the planning balance. Mitigation measures include good project design, compliance with elements of good practice and use of standard protocols. This included careful routing onshore to avoid key areas of sensitivity. Licences will be required where temporary works effect habitat used by protected species. The Code of Construction Practice (Volume 9, Report 9.21) includes a number of measures to minimise the impact to ecology during construction and an Outline Landscape and Ecological Management plan (Volume 9, Report 9.22) details proposed mitigation, compensation and biodiversity enhancement measures Moreover, given the VE will make a significant contribution to the nation's renewable energy targets, the Secretary of State should

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			give substantial weight to the VE, if any harm to such protected habitats/species is anticipated. As such the VE is in accordance with this NPS provision.
5.5 – Military and Civil Aviation and Defence Interests			
Applicant Assessment	EN-1 5.5.37 – 5.5.40	Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3). The requirement for ATC and non-cooperative surveillance – i.e. radar/tracking technologies – forms part of the environmental baseline for proposed developments. The applicant should consult the MOD, Met Office, Civil Aviation Authority (CAA), NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests. Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.	The assessment for Military and Civil Aviation impacts is contained within Volume 6, Part 2, Chapter 13: Military and Civil Aviation. This chapter has considered several possible effects including the wind turbines causing interference on civil and military radar systems, where air traffic controllers and air defence controllers might be unable to provide an effective surveillance service due to interference on radar displays. Furthermore, the wind turbines could act as aviation obstacles due to their size and number. Kent International Airport is located 38 NM (70.3 km) from the closest point of the south array boundary. The airport is presently closed; however, the UK Government has granted approval (but subject to Judicial Review (JR) at the time of writing) for redevelopment of the airport. The future aviation related infrastructure, Communication, Navigation and Surveillance (CNS) or future Instrument Flight Procedures (IFP), which will assist the operation of the airport are not, as yet, available; it is possible that the two projects may interact due to the proximity of the VE to the airport. For further details on the assessment which is included in the ES Chapter 13: Military and Civil Aviation, please see Impact 7: Potential impact to Kent International Airport from para 13.7.15. It is expected that Kent International Airport infrastructure, including any new CNS equipment and the establishment of IFPs would be capable of being operated safely within the existing environment. It is similarly expected that in establishing a safe airport operating environment at the reopened airport, the operation of VE and other planned and operational wind farms which may impact the safe operation of the airport would be similarly considered. The same principles for the safe operation of ATC radar and the interaction of other projects likely to impact that radar (as detailed in paragraph 13.13.4) would equally apply. With mitigation in place there will be no residual impacts. Consultation regarding aviation has been conducted prior to the publication of the VE and throughout the scoping process. Both The Defence Infrastructure Organisation (DIO), Ministry of defence (MOD) and CAA have been consulted prior to submission and will be consulted should any relevant changes be made to the VE. Key responses from the CAA are shown in full detail in the ES Chapter 13: Military and Civil Aviation, with responses from NATS, MOD DIO

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			Norwich Airport and Southend Airport which were received as a result of our PEIR consultation (March – May 2023). Table 13.2 within Volume 6, Part 2, Chapter 13: Military and Civil Aviation sets out comments received in Section 4.7 of the PINS Scoping Opinion, and the section 42 (S42) responses, specific to military and civil aviation and how these have been addressed in this ES Chapter and VE to date. Civil radar receptors will continue to be engaged to establish if a perceived impact is expected through radar detection of operational wind turbines. The present position of the MOD regarding mitigation is discussed in paragraph 13.11.13 et seq, of Volume 6, Part 2, Chapter 13: Military and Civil Aviation.
	EN-1 5.5.41	In addition, consideration of developments near aerodromes should take into account the following factors: > Bird Strike Risk - Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings, and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary). > Building Induced Turbulence - If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure. > Thermal Plume Turbulence - This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.	Volume 6, Part 2, Chapter 4: Offshore Ornithology assesses impacts on offshore seabirds. Annex 4.1 – 4.11 considers bird risk. In particular, Annex 4.8 considers Collision Risk Modelling Inputs and Outputs. The risk of bird strike to aircrafts are low and as outside 13km do not apply. Volume 6, Part 2, Chapter 13: Military and Civil Aviation considers effects of aviation lighting required on wind turbine generators which can act as obstacles to birds. Marking and lighting for aviation will be agreed post consent with the appropriate bodies including the MCA, CAA and the MOD with regard of the relevant guidance. The requirement for approved marking and lighting post consent will be as agreed with the regulator (CAA). Regarding airports scoped in assessment, see paragraph 13.4.1 of Volume 6, Part 2, Chapter 13: Military and Civil Aviation, impacts on Southend Airport, Norwich Airport and London Stansted Airport Primary Surveillance Radars have been scoped out of the assessment (Planning Inspectorate, 2021) due to distance of the offshore array to the airports. Volume 6, Part 2, Chapter 4: Offshore Ornithology assesses impacts on offshore seabirds including relevant methodology of assessment, Collision Risk Zone (CRZ) modelling, for species identified within the offshore array. Regarding the third bullet of Paragraph 5.5.41 of EN-1, VE does not involve power plants and therefore no compliance is required.
	EN-1 5.5.42	If any relevant changes are made to proposals during the pre-application and determination period, it is the	Consultation regarding aviation has been conducted prior to the publication of the VE and throughout the scoping process. Both the

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		responsibility of the applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	DIO, MOD and CAA have been consulted prior to submission and will be consulted should any relevant changes be made to the VE. In addition, post consent consultations will be undertaken. For example, marking and lighting for aviation will be agreed post consent with the appropriate bodies including the MCA, CAA and the MOD with regard of the relevant guidance. Marking and lighting of the wind turbines and infrastructure will be in line with current industry standards and regulations. Table 13.2 within Volume 6, Part 2, Chapter 13: Military and Civil Aviation sets out comments received in Section 4.7 of the PINS Scoping Opinion, and the section 42 (S42) responses, specific to military and civil aviation and how these have been addressed in this ES Chapter and VE to date.
Mitigation	EN-1 – 5.5.43 – 5.5.45	The applicant should include appropriate mitigation measures as an integral part of the proposed development. Mitigation for infringement of OLS may include: agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome. Applicants should engage airport operators at an early stage of the planning process to understand the potential impacts of development on aviation operations and develop mitigations if appropriate; or installation of obstacle lighting and/or by notification in Aeronautical Information Service publications	A range of mitigation measures are included within the VE Table 13.9 of Volume 6, Part 2, Chapter 13: Military and Civil Aviation, and listed below: **General** > An Emergency Response Co-operation Plan (ERCoP) secured by a requirement of the DCO will be in place for the construction, operation and decommissioning phases of VE. The ERCoP is completed initially in discussion between the developer and the MCA, SAR and Navigation Safety Branches. Detailed completion of the plan will then be in cooperation with the Maritime Rescue Coordination Centre (MRCC), responsible for maritime emergency response. The ERCoP must then be submitted to and approved by the Maritime Coastguard Agency (MCA). The ERCoP would detail specific marking and lighting of the wind turbines. The Search and Rescue (SAR) helicopter bases would be supplied with an accurate chart of the VE wind turbine locations, helicopter access positions and spacing between wind turbines. Furthermore, the arrangements of liaison between the wind farm developer and HM Coastguard in the event of an emergency response would be detailed together with an explanation of procedures and processes carried out. **Construction** > 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 any construction equipment to be used, prior to the start of construction, to allow inclusion on Aviation Charts. A Notice to Aviators (NOTAM) will be provided ahead of construction activity.

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			Operation > The Applicant is committed to marking and lighting the project in accordance with relevant industry guidance and as advised by relevant stakeholders including the MCA, CAA and Trinity House. Marking and lighting of the wind turbines and infrastructure will be in line with current industry standards and regulations; Article 223 of the ANO (2016, as amended 2022), the lighting of wind turbine generators in United Kingdom territorial waters. **Decomissioning** > Notification to aviation stakeholders (same as the mitigation set out in the construction phase). The mitigation will be supported by additional mitigation measures, including consultation with the airport safeguarding teams London Southend and Norwich airports which will commence with an aim to reach a mutually agreeable mitigation solution (if required) to remove any impact created by the projects. As such it is considered that the VE is in accordance with paragraphs 5.5.38-5.5.45 of EN-1.
	EN-1 – 5.5.45 – 5.5.46	For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: > operational airspace changes; > agreement to upgrade CNS infrastructure, the cost of which the applicant may reasonably be required to contribute in part or in full until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the applicant may be required to contribute in part or in full to any future upgrade for the lifetime of the wind farm. Costs should be reflective of need and impact of the energy installation on the monitoring equipment; > introducing radar mitigation technology to the development, e.g., by using non-radar reflecting materials to manufacture wind turbine blades. > Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development.	The assessment of civil and military aviation infrastructure and flight patterns is included in Section 13.14 et seq., and cumulative impacts within Section 13.18 within of Volume 6, Part 2, Chapter: 13 Military and Civil Aviation. Kent International Airport is located 38 NM (70.3 km) from the closest point of the south array boundary. The airport is presently closed; however, the UK Government has granted approval (but subject to Judicial Review (JR) at the time of writing) for redevelopment of the airport. The future aviation related infrastructure, Communication, Navigation and Surveillance (CNS) or future Instrument Flight Procedures (IFP), which will assist the operation of the airport are not, as yet, available. Compliance with MGN 654 mitigates any operational air space changes. Please see ES Chapter 13: Military and Civil Aviation, Impact 7: Potential impact to Kent International Airport. As radar may be part of the infrastructure included in the development of the airport, a maximum radar cumulative effect is calculated within a representative 100 km buffer of the VE array areas. Through compliance, notification and embedded design (including aviation lighting) there are no effects on meteorological radar and CNS systems. As such it is considered that the VE is in accordance with paragraph 5.5.46 of EN-1.

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	EN-1 5.5.47 – 5.5.48	There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity. Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.	Kent International Airport is located 38 NM (70.3 km) from the closest point of the south array boundary. The airport is presently closed; however, the UK Government has granted approval (but subject to Judicial Review (JR) at the time of writing) for redevelopment of the airport. The future aviation related infrastructure, Communication, Navigation and Surveillance (CNS) or future Instrument Flight Procedures (IFP), which will assist the operation of the airport are not, as yet, available; it is possible that the two projects may interact due to the proximity of VE to the airport. Based on the previous operations of the site it is expected that the airport will provide a full range of ATC services including the use of surveillance radar. There is potential for the VE operational wind turbines to be detected by a Kent International Airport ATC PSR system located at the airport, equally, there is potential for the proposed development to affect the IFP associated with future airport flight operations. It is expected that if an impact is apparent the operator of the airport would consider the magnitude of impact to be medium. The VE includes mitigation measures identified and adopted as part of the evolution of the VE's design (embedded into the project design) and that are relevant to military and civil aviation are listed in Table 13.9 of Volume 6, Part 2, Chapter: 13 Military and Civil Aviation. The mitigation includes measures such as design changes and applied mitigation which is subject to further study or approval of details. The mitigation measures proposed are considered adequate, with no material residual impact on radar, communications and navigational systems predicted. As such it is considered that the VE is in accordance with paragraph 5.5.47 – 5.5.48 of EN-1
Secretary of State decision making	EN-1 5.5.49 – 5.5.50	The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets have been addressed by the applicant and that any necessary assessment of the Application on aviation, NSWWS or defence interests has been carried out. In particular, the Secretary of State should be satisfied that the Application has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It may also be appropriate for operators of the aerodrome to examine the possibility of agreeing to make reasonable changes to operational procedures.	VE, due to the project design and mitigation will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Volume 6, Part 2, Chapter: 13 Military and Civil Aviation. As such it is considered that the VE is in accordance with paragraphs 5.5.50 – 5.5.51 of EN-1.

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	EN-1 – 5.5.51	When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.	The VE will not have a significant effect on civil or military aviation and/or defence assets, the VE includes detail in Volume 6, Part 2, Chapter 13: Military and Civil Aviation. The assessment of civil and military aviation flight patterns and infrastructure is provided in section 13.10 et seq. of the ES Chapter. Cumulative effects are discussed within section 13.13. Table 2 of Volume 6, Part 2, Chapter 13: Military and Civil Aviation provides the results of consultation activity. As such it is considered that VE is in accordance with paragraphs 5.5.52.
	EN-1 – 5.5.52 – 5.5.53	In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised. If there are conflicts between the government's energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK's energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.	Refer to comment for Paragraph 5.5.52. The VE will not have a significant effect on civil or military aviation and/or defence assets, the VE includes detail in Volume 6, Part 2, Chapter 13: Military and Civil Aviation.
	EN-1 5.5.54	There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.	Refer to comment for Paragraph 5.5.52. The VE will not have a significant effect on civil or military aviation and/or defence assets, the VE includes detail in Volume 6, Part 2, Chapter 13: Military and Civil Aviation. CAP 393 Article 223 (CAA, 2021) sets out the mandatory requirements for lighting of offshore wind turbines, these requirements will be considered by the Applicant in the development of the VE's lighting scheme in the development of the final design, post consent. Further details on lighting requirements are provided in Volume 6, Part 2, Chapter 13: Military and Civil Aviation.
	EN-1 5.5.55 – 5.5.56	Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to	Refer to comment for Paragraph 5.5.52. The VE will not have a significant effect on civil or military aviation and/or defence assets, the VE includes detail in Volume 6, Part 2, Chapter 13: Military and Civil Aviation. CAP 393 Article 223 (CAA, 2021) sets out the mandatory requirements for lighting of offshore wind turbines, these requirements will be considered by the Applicant in the development of the VE's lighting scheme in the development of the final design,

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		any government guidance which emerges from the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force.	post consent. Further details on lighting requirements are provided in Volume 6, Part 2, Chapter 13: Military and Civil Aviation. Please see paragraph 13.11.13 of the ES chapter further details on the Joint Task Force, which is formed by the MOD, DESNZ, The Crown Estate and OWIC, of which RWE are actively engaged.
	EN-1 5.5.57 – 5.5.58	Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for implementation of the Development Consent Order. Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of 'Grampian conditions', or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.	Refer to comment for Paragraph 5.5.52. The VE will not have a significant effect on civil or military aviation and/or defence assets, the VE includes detail in Volume 6, Part 2, Chapter 13: Military and Civil Aviation.
	EN-1 5.5.59	Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the Secretary of State should consider that: a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs it would cause harm to aerodromes' training or emergency service needs, the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UKs flood agencies	Refer to comment for Paragraph 5.5.52. The VE will not have a significant effect on civil or military aviation and/or defence assets, the VE includes detail in Volume 6, Part 2, Chapter 13: Military and Civil Aviation.

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	EN-1 – 5.5.60	Provided that the Secretary of State is satisfied that the impacts present risks to national security and physical safety, such that they outweigh the urgent need for an acceleration in the deployment of offshore wind, or other technology; and provided that the Secretary of State is satisfied that all efforts have been made by the parties to find an acceptable mitigation of the impact, and that such mitigation is not available, consent should not be granted.	As stated in the applicant's response to EN-1 5.5.50-5.5.51, the VE will not have any significant effects meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets and therefore will not result in any risks to national security and physical safety. The VE would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favour of such developments should apply. As such it is considered that the VE is in accordance with paragraph 5.5.56 of EN-1.
5.6 – Coastal Change			
Applicant Assessment	EN-1 5.6.10	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	Predictions of change to physical processes that could arise from construction, O&M and decommissioning of The VE are presented in Paragraph 2.10.1 et seq. (for the construction phase), Paragraph 2.11.1 et seq. (for the O&M phase) and Paragraph 2.12.1 et seq. (for the decommissioning phase) within Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes. As such it is considered that the VE is in accordance with paragraph 5.6.11 of EN-1.
	EN-1 5.6.11	The ES (see Section 4.2) should include an assessment of the effects on the coast, tidal rivers, and estuaries. In particular, applicants should assess: the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which provide a large-scale assessment of the physical risks associated with coastal processes and present a long term policy framework to reduce these risks to people and the developed, historic and natural environment in a sustainable manner), any relevant Marine Plans, River Basin Management Plans, and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas the effects of the proposed project on marine ecology, biodiversity, protected sites, and heritage assets	The impact of the VE on coastal processes and geomorphology is considered in Paragraph 2.10.1 et seq. (for the construction phase), Paragraph 2.11.1 et seq. (for the O&M phase) and Paragraph 2.12.1 et seq. (for the decommissioning phase) within Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes. The implications of the VE on strategies for managing the coast are considered within the landfall assessment, as presented in Section 2.11, Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes. The effects of the VE on marine ecology, biodiversity and protected sites are set out across the ES chapters, in particular in Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. The effects of the VE on maintaining coastal recreation sites and features are set out in Volume 3, Part 2, Chapter 12: Other Maine Users and Activities. All known and potential marine heritage receptors in the marine zone that may be affected by the proposed VE development and their archaeological significance have been described in detail in Volume 4, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report, and summarised in Section 11.7. Potential impact on the marine heritage receptors of the proposed development is discussed in Sections 11.12 to 11.18.

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		how coastal change could affect flood risk management infrastructure, drainage, and flood risk the effects of the proposed project on maintaining coastal recreation sites and features. the vulnerability of the Application to coastal change, taking account of climate change, during the project's operational life and any decommissioning period	The vulnerability of the VE to coastal change is not assessed because any such vulnerability would be inherently mitigated to a suitable degree by the engineering design process and standards. As such it is considered that the VE is in accordance with paragraph 5.6.12 of EN-1.
	EN-1 5.6.12	For any projects involving dredging or deposit of any substance or object into the sea, the applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with Liquified Natural Gas (LNG) tanker deliveries to LNG import facilities.	The Applicant has consulted with the MMO and Historic England as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a dredge disposal characterisation assessment which provides the regulator with adequate information to designate a disposal site for the construction phase. As such it is considered that the VE is in accordance with paragraph 5.6.13 of EN-1
	EN-1 5.6.13	The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Protected Areas (MPAs). These could include MCZs, HRA Sites including Special Areas of Conservation and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identity any effects on the special character of Heritage Coasts.	Through the Route Planning and Site Selection (RPSS) process, the guiding principles of site selection (using a proportional approach) included avoiding key sensitive features Volume 1, Chapter 4: Site Selection and Alternatives. There will be no direct impact to any subtidal or intertidal SSSI features as identified in Figure 5.7 (Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology). Potential indirect impacts to neighbouring SSSI's have been discussed within the assessment of indirect impacts, Section 5.10 and 5.11 (Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology). An assessment of the potential impacts on MCZs is provided in Volume 5, Report 6: MCZ Assessment. Several of the benthic ecological qualifying broadscale habitat features of the MCZs were found within the VE array areas and offshore ECC (although there is no spatial overlap with the MCZ sites) and have therefore been assessed for both direct and indirect impacts, as per the normal assessment. Where features of the MCZs were not found within array areas and offshore ECC, these features have only been assessed under the indirect impact assessment. Assessment found VE doesn't have effect on Heritage Coasts. The predicted changes to physical processes have been considered in relation to indirect effects on other receptors elsewhere in the ES, in particular in Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. The Applicant has provided a detailed consideration of the potential effects on MPAs and has concluded that there will be no adverse effects on any site. The conservation objectives for designated sites are referred to within the RIAA. While the RIAA conclusion is no

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			potential for an AEoI, in relation to physical habitat loss/ disturbance from the VE alone, a without prejudice derogation case is being presented for sandbanks to address the risk that the SoS disagrees with the RIAA conclusion.
	EN-1 5.6.14	Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.	The VE includes Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future baseline scenario with regards climate change. Section 2.9 specifically provides the relevant mitigation measures that were identified and adopted as part of the evolution of the VE's design (embedded into the project design) and that are relevant to physical processes are listed in Table 2.9. As such it is considered that the VE is in accordance with paragraph 5.6.15 of EN-1.
Mitigation	EN-1 – 5.6.15	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Application Document 5.2 Evidence Plan, which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters). Mitigation measures have been consulted on and no objections have been raised by the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups. Volume 9, Document 31: Schedule of Mitigation and Monitoring summarises, all mitigation proposed in the ES for VE. The Chapter lists measures proposed and signposts to relevant parts within the Documents, ES Chapters and supporting documents where the commitments are made. The Chapter also explains how they are secured within the draft DCO & dML and associated documents.
Secretary of State decision making	EN-1 5.6.16	The Secretary of State should be satisfied that the Application will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period. Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	The impact of The VE on coastal processes and geomorphology is considered in the VE Paragraph 2.10.1 et seq. (for the construction phase), Paragraph 2.11.1 et seq. (for the O&M phase) and Paragraph 2.12.1 et seq. (for the decommissioning phase). The implications of the VE on strategies for managing the coast are considered within the landfall assessment, presented in Paragraph 2.11.71 et seq. within Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes. Small theoretical changes that are predicted as a consequence of storm waves and as a consequence of climate change, are expected to exceed those which theoretically could occur as a result of the presence of the operational wind farms. Moreover, the VE is resilient to coastal erosion by virtue of the relevant infrastructure (export

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			cables) being buried and the coastal interface, with the burial depth informed by detailed coastal and bedform migration analyses to ensure the burial depth is adequate to protect the export cables throughout the lifetime of the VE As such it is considered that the VE is in accordance with paragraph 5.6.17 of EN-1.
	EN-1 5.6.17	The Secretary of State should not normally consent new development in areas of dynamic shorelines where the Application could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	Please see response to EN-1 5.6.17 above with regards the proposed burial depth of coastal project infrastructure. There is no adverse impact on coastal processes at other locations. and the risk of exposure (and the concomitant risk of the infrastructure impeding bedform and sediment flow processes) is therefore minimized. As such it is considered that the VE is in accordance with paragraph 5.6.18 of EN-1
	EN-1 5.6.18	The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration.	The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (Document no. 9.12) which will capture the proposed approach to installation and reinstatement of the intertidal zone following installation of the VE ‘s infrastructure. As such it is considered that the VE is in accordance with paragraph 5.6.19 of EN-1. Volume 9, Document 31: Schedule of Mitigation and Monitoring summarises, all monitoring proposed in the ES for VE. The Chapter lists measures proposed and signposts to relevant parts within the Documents, ES Chapters and supporting documents where the commitments are made. The Chapter also explains how they are secured within the draft DCO & dML and associated documents.
	EN-1 5.6.19	The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e., coast on site, and site on coast.	The baseline receiving environment, and the predicted impact of VE on coastal processes (including coastal protection) and geomorphology is considered in Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes and Volume 6, Part 5, Annex 2.1: Physical Processes Baseline Technical Report for the construction, operations and maintenance (O&M) and decommissioning phases respectively. The chapter concludes that there will be no significant effect as a result of the VE. As such it is considered that the VE is in accordance with paragraph 5.6.20 of EN-1.
	EN-1 5.6.20	The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO	Consultation on the approach to assessment for physical processes has been carried out with MMO as the relevant marine licencing body. Details of the approach to consultation are provided in Table

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		or NRW may also be involved in considering other projects which may have related coastal impacts.	2.2 within Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes. The suitability of the Proposed Development to coastal change is considered in the context of the project design, in Volume 6, Part 2, Chapter 1: Offshore Project Description. It is considered that VE is not an inappropriate development. As such it is considered that the VE is in accordance with paragraph 5.6.21 of EN-1.
	EN-1 5.6.21	In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.	The VE includes section 2.2 of Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes which provides a detailed account of the NPS and non NPS policy tests of relevance to the consideration of marine physical processes. Table 2.1. specifically provides reference to the relevant SMP. As such it is considered that the VE is in accordance with paragraph 5.6.22 of EN-1.
	EN-1 5.6.22 – 5.6.23	The Secretary of State should also have regard to any relevant Shoreline Management Plans. Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that the applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.2.1 to 4.2.9 of this NPS, taking account of the potential effects of climate change on these risks.	The VE includes Volume 6, Part 2, Chapter 2 Marine Geology, Oceanography and Physical Processes which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the risks of flooding and coastal erosion, and the future baseline scenario with regards climate change. Moreover section 2.9 sets out the mitigation measures that have been included within the VE design. As such it is considered that the VE is in accordance with paragraph 5.5.16 of EN-1.
5.7 – Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation			
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation	EN-1 5.7.3	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State.	The potential for emissions of dust from the construction phase of VE (including removal of temporary facilities and reinstatement of the land) are presented in Volume 6, Part 3, Chapter 10: Air Quality. The assessment of dust emissions considers the following works: demolition, earthwork, construction and track out. Further details of the dust assessment can be found within Volume 6, Part 6, Annex 10.1: Construction Dust Assessment Methodology. With the use of effective mitigation measures, as outlined in CoCP (Volume 9, Document 9.21), including general works measures, earthworks, trackout and maintenance and monitoring of the site residual effects are considered to be not significant in terms of the EIA regulations. The statement of statutory nuisance sets out the likelihood of nuisance under s79 arising. A Nuisance Plan has been submitted as part of Volume 5, Report 7. Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment provides a detailed assessment of the landscape and

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			visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting during the hours of darkness; no significant impacts will arise from the VE, proving appropriate mitigation measures are put in place. The applicant has also considered the inter-related effects of the above topics/matters which could result in nuisance. Volume 6, Part 4, Chapter 3: Interrelationships-Related Effects shows inter-related effects are not anticipated to interact in such a way as to result in combined effects of greater significance than the assessments presented for each individual project phase. As such the VE can be considered to be in accordance with paragraphs 5.7.3 of EN-1
	EN-1 5.7.4	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	VE has assessed the potential impacts on amenity, such as within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation and Volume 6, Part 3, Chapter 2, Human Health and Major Disasters. The ES has noted a number of potential impacts associated with public rights of way such as footpaths and cycle paths. As a result of the linear nature of the VE it has not been possible to full avoid public rights of way given there is an abundance of such features within the study area (see Table 3.21), however no public rights of ways will be closed without offering a diversion or alternative route. Diversions will be a maximum of 200m in length and will be fenced and clearly signposted to provide safe access. In addition, the applicant has put forward an Outline Public Access Management Plan (PAMP) to be drawn up as part of the Code of Construction Practice (CoCP). The PAMP ensures impacts on amenity are as low as practicable, and acceptable (see Volume 9, Document 9.25: Outline Public Access Management Plan). This is secured through the draft DCO. As such the VE is considered to be in accordance with paragraph 5.7.4 of EN-1.
Applicant Assessment	EN-1 5.7.5	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	Please refer to the applicant's response to Paragraph 5.7.3 of EN-1.
	EN-1 5.7.6	In particular, the assessment provided by the applicant should describe: > the type, quantity, and timing of emissions > aspects of the development which may give rise to emissions;	Please refer to the applicant's response to Paragraph 5.7.3 of EN-1. The chapters referenced with these sections outlined how the applicant has meet the criteria outlined within 5.7.6

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		> premises or locations that may be affected by the emissions; > effects of the emission on identified premises or locations; > measures to be employed in preventing or mitigating the emissions	
	EN-1 5.7.7	The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	The Applicant has consulted with the relevant local planning authority regarding the air quality assessment. As per, Volume 6, Part 3, Chapter 10: Air Quality, the scope of the air quality assessment has comprised: Submission of a Scoping Report (OWFL, 2021); and VE Evidence Plan (Air Quality Expert Topic Group (ETG)) process, comprising discussions with Natural England and Essex County Council. It is important to note that Essex County Council is representing TDC as part of the consultation process. In addition, a Scoping Opinion for The VE was sought from the Planning Inspectorate (PINS) which included relevant responses from statutory consultees. A Technical Note was also issued to relevant Air Quality ETG members detailing the extent of the methodology proposed for the ES in which Natural England and TDC (on behalf of Essex County Council) both agreed to the proposed approach via email. The consultation, and agreement on approach is therefore in accordance with NPS EN-1 paragraph 5.7.7.
Mitigation	EN-1 – 5.7.8	Mitigation measures may include one or more of the following: engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated; lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material; administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.	The Applicant has committed to provision of Construction Method Statements that capture the applicable requirements of Paragraph 5.7.8. The Applicant has also submitted information limiting operating times; restricting activities allowed on the site and implementing management plans and site maintenance, management and monitoring. The Project Development Consent Order (Practice (Volume 9, Document 9.21) secures this CoCP through Requirement 8. During construction the application may seek to amend this CoCP through submission of a revised version to the local planning authority.
	EN-1 – 5.7.9	Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	The Applicant has committed to provision of Construction Method Statements that capture all requirements of Paragraph 5.7.9. In addition, construction emissions have been considered as part of Volume 6. Part 3, Chapter 10: Air Quality. Volume 6, Part 4, Chapter 1.1, Greenhouse Gas Assessment also supports the VE to ensure that emissions have been considered in both construction and operation.

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			The Applicant has put forward a Code of Construction Practice (Volume 9, Document 9.21) which ensures that control measures will be implemented throughout the main construction and are provided below. The Project Development Consent Order (DCO) secures this CoCP through Requirement 8. During construction the application may seek to amend this CoCP through submission of a revised version to the local planning authority. A Statutory Nuisance Statement (Application 5.7) has bene prepared to accompany the application.
	EN-1 – 5.7.10 -5.7.11	Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. A construction management plan may help clarify and secure mitigation.	No demolition is proposed as part of the project proposals. The Applicant has put forward a Code of Construction Practice (Volume 9, Document 9.21) which ensures that control measures will be implemented throughout the main construction and are provided below. The Project Development Consent Order (DCO) secures this CoCP through Requirement 8. During construction the application may seek to amend this CoCP through submission of a revised version to the local planning authority.
Secretary of State decision making	EN-1 5.7.12	The Secretary of State should satisfy itself that: an assessment of the potential for artificial light, dust, odour, smoke, steam, and insect infestation to have a detrimental impact on amenity has been carried out; that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts	Management strategies proposed are adequate to minimise any detrimental impacts not otherwise designed out and are adequately secured within the DCO to ensure impacts are minimized. The VE is therefore in accordance with NPS EN-1 paragraph 5.7.12
	EN-1 5.7.13	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the Development Consent Order.	A Statutory Nuisance Statement (Application Document 5.7) that supports the inclusion of a defence of statutory authority against nuisance actions has been submitted that details the possible sources of statutory nuisances and how they may be mitigated or limited, through embedded design or management measures. As discussed in Table 6.1 of the Planning Statement (Document Reference 9.1), no residual impacts in relation to statutory nuisances have been identified. Under article 9(2) of the draft development consent order (Application Document 3.1), compliance with the controls and measures relating to noise, vibration, dust or artificial lighting in the Code of Construction Practice (Application Document 9.21) will be sufficient.
	EN-1 5.7.14 – 5.7.15	Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements	With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation,

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		to the development consent, to secure certain mitigation measures. In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	through implementation of the outline Code of Construction Practice, and other relevant management plans. Some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum. It is therefore considered that the VE is in accordance with paragraph 5.7.15 of EN-1. As discussed in Table 6.1 of the Planning Statement (Document Reference 9.1), no residual impacts in relation to statutory nuisances have been identified. Under article 9(2) of the draft development consent order (Application Document 3.1), compliance with the controls and measures relating to noise, vibration, dust or artificial lighting in the Code of Construction Practice (Application Document 9.21) will be sufficient.
5.8 – Flood Risk			
Applicant Assessment	EN-1 5.8.13 – 5.8.14	A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the EA or NRW as having critical drainage problems; land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future; land that may be subject to other sources of flooding (for example surface water); where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems. This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.	The characterisation of the flood risk baseline and future baseline has been established using the EA Flood Map for Planning, the local authority Strategic Flood Risk Assessment (SFRA) and data from recent hydraulic models, which take into account climate change effects. This information is contained within Volume 5, Report 5.3.2: Flood Risk Assessment- Onshore Substation and Report 5.3.1: Flood Risk Assessment- Cable Route. Flood risk has been considered for the life of the development in Section 6.7.63 to Section 6.7.67, of Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk. Moreover, FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach. The OnSS outline drainage design, included in the OnSS FRA and the OnSS Design Principles Document (Application Document 9.4) includes a SuDS based surface water drainage scheme which will manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area. The mitigations measures outlined in the FRA's are secured in the in the CoCP, (Volume 9, Document 9.21) Overall, through the implementation of mitigation measures, the likely overall effect of the onshore elements of VE on water quality and flood risk throughout the construction, operation and decommissioning of VE is not significant in EIA terms. Considering the above and the referenced chapters, the criteria outlined within EN-1 5.8.13 -5.8.14 has been met and therefore, the VE is compliant with the NPS.

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	EN-1 5.8.15	The minimum requirements for Flood Risk Assessments (FRA) are that they should: be proportionate to the risk and appropriate to the scale, nature, and location of the project; consider the risk of flooding arising from the project in addition to the risk of flooding to the project; take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made; be undertaken by competent people, as early as possible in the process of preparing the Application; consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance; consider the vulnerability of those using the site, including arrangements for safe access and escape; consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration; identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management; consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding; consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems. Information should include:	FRA reporting undertaken in consultation with the EA and local authorities, compliant to NPS EN-1, paragraph 5.8.15: Volume 5, Report 5.3.1: Onshore ECC FRA. Volume 5, Report 5.3.2: OnSS FRA.

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		Describe the existing surface water drainage arrangements for the site; Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the Applications for restricting discharge rates; Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate; Demonstrate how the hierarchy of drainage options has been followed; Explain and justify why the types of SuDS217 and method of discharge have been selected and why they are considered appropriate. Where cost is a reason for not including SuDS, provide information to enable comparison with the lifetime costs of a conventional public sewer connection; Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site; Describe the multifunctional benefits the sustainable drainage system will provide; Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system; Explain how run-off from the completed development will be prevented from causing an impact elsewhere; Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development. detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere; identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and	

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		be supported by appropriate data and information, including historical information on previous events.	
	EN-1 5.8.16	Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	Section 6.2 of Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk considers relevant policy alongside the NPPF. It is therefore considered that the VE is in accordance with paragraph 5.7.6 of EN-1.
	EN-1 5.8.18 – 5.8.20	Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed. If the EA, NRW or another flood risk management authority has reasonable concerns about the Application on flood risk grounds, the applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the Application might be amended, or additional information provided, which would satisfy the authority's concerns.	FRA reporting undertaken in consultation with the EA and local authorities, compliant to NPS EN-1, paragraph 5.7.5: Volume 6, Annex 6.1: Onshore Export Cable Corridor Flood Risk Assessment. Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP) ETG meetings and the EIA scoping process (VE, 2022). Consultation has taken place with Essex County Council, the LLFA and the EA. Comments have been appropriately addressed within Volume 6, Part 3 Table 62. As identified in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives Volume 6, Part 3, Chapter 1: Onshore Project Description, the Project design envelope has been refined and will be refined further prior to DCO submission. This process is reliant on stakeholder consultation feedback. Non statutory consultation also took place within August 2022 and there were no significant issues raised at this point.
	EN-1 – 5.8.21 – 5.8.22	The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas. The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential	FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach: Volume 5, Report 5.3.1: Onshore ECC FRA. Volume 5, Report 5.3.2: OnSS FRA includes consideration of the sequential approach.

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		Test, provided the Applicant is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.	
Mitigation	EN-1 – 5.8.24 – 5.8.25	To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property. In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: source control measures including rainwater recycling and drainage; infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns; filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed; basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.	FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach: Volume 5, Report 5.3.1: Onshore ECC FRA. Volume 5, Report 5.3.2: OnSS FRA includes consideration of the sequential approach. The OnSS design includes a SuDS based surface water drainage scheme which will manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area. In the outline design four attenuation ponds are proposed (two could be permanent and two temporary) in the south to southwest of the site, to attenuate surface water outfalls created by VE and North Falls OnSS. In addition, swales are proposed to be installed along the OnSS access road and adjacent, south of Ardleigh road. The attenuation ponds and swales are based on restricted runoff rates of the 1% AEP plus climate change surface water runoff scenario. It is noted that the Early Design report at Appendix B of Volume 5, Report 5.3.2 Flood Risk Assessment stipulates a 10% increase in peak rainfall intensity for the drainage design during the construction phase.
	EN-1 – 5.8.26 – 5.8.29	Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts. The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect. It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage	Volume 5, Report 3.2 Flood Risk Assessment confirms prior to commencement of the construction works, a number of surveys and studies will be undertaken to inform the development of the final surface water drainage design such as ecological surveys, geotechnical investigations and existing land drainage assessments. Consultation with the LLFA will also form part of the design process. Surface water drainage requirements will be dictated by the final surface water drainage plan and will be designed to meet the requirements of the NPPF, NPS EN-1, NPS EN-5 and local guidance, with runoff limited through the use of SuDS and infiltration techniques, where feasible. To demonstrate compliance with the SuDS discharge hierarchy, Infiltration testing is proposed during the design phase of the development, in line with the methodology in BRE Digest 365. The surface water drainage plan will be developed and submitted to discharge a DCO requirement. The plan will be implemented to minimise water within the working areas, ensuring ongoing drainage

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		to be provided outside the project site, if necessary, through the use of a planning obligation. The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.	of surrounding land and that there is no increase in surface water flood risk. Development of the plan will assess the current and proposed runoff rates, volume of storage required and the proposed approach for discharge of water from the site. The surface water drainage system for the permanent works (transformers, buildings, internal roads, car parks and external access road) shall be designed and constructed so that flooding does not occur in any part of the site in any event up to and including the 3.3% AEP return period design storm flood frequency, with no flooding of the operational area during a 1% plus climate change return period design storm flood frequency. The upper climate change sensitivity of 45% will be applied. FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach: > Volume 5, Report 5.3.1: Onshore ECC FRA. > Volume 5, Report 5.3.2: OnSS FRA. The OnSS design includes a SuDS based surface water drainage scheme which will manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area.
	EN-1 – 5.8.30 – 5.8.32	Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided. Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site. Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.	Volume 5, Report 3.2 Flood Risk Assessment confirms that the surface water drainage system will be designed in order to ensure that there is no direct flooding caused elsewhere, and no residual risk of flooding elsewhere, for all events up to and including the 1% AEP plus climate change rainfall event. This will form part of the detail design stage and is secured by DCO requirement.
	EN-1 5.8.33	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should	Volume 9, Report 9.21: CoCP identifies that contractors will require a flood response plan (or similar) to ensure that procedures are in place in the event of a flood warning or the onset of flooding during the construction phase. Through measures such as the ceasing of

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		be in place for those areas at an identified risk of flooding.	works, relocation or securing of sensitive equipment and/ or materials and evacuation of workforce personnel, the CoCP will reduce the likelihood of construction activities resulting in incidents detrimental to water quality occurring in the event of flooding and reduce the magnitude of the impact of any such incidents. All areas discussed as being potentially at risk of coastal flooding are located within areas served by EA Flood Alerts and Flood Warning System, for potential fluvial and/or tidal flood events.
	EN-1 5.8.34	The applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The inclusion of an emergency flood plan is included at Volume 5, Report 5.3.1: Onshore ECC FRA. All areas discussed as being potentially at risk of coastal flooding are located within areas served by EA Flood Alerts and Flood Warning System, for potential fluvial and/or tidal flood events. The CoCP (Volume 9, Report 9.21: CoCP) includes measures such as contractors having a flood response plan to ensure that procedures are in place in the event of flooding during the construction phase. Through measures such as the ceasing of works, relocation or securing of materials and evacuation of workforce personnel, the CoCP reduces the likelihood of construction activities resulting in incidents detrimental to water quality occurring in the event of flooding and will reduce the magnitude of the impact of any such incidents.
	EN-1 5.8.35	Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	Volume 5, Report 5.3.1: Onshore ECC FRA. Volume 5, Report 5.3.2: OnSS FRA. The CoCP (Volume 9, Report 9.21: CoCP) requires that flood response awareness and procedures will be included in the principal contractor's emergency response planning where there are works near to or within a flood zone or area of residual risk existing from coastal flood defence failure. This plan would include a procedure for evacuation of personnel and the securing or relocating sensitive equipment and/ or materials stored in bulk.
Secretary of State decision making	EN-1 5.8.36	In determining an application for development consent, the Secretary of State should be satisfied that where relevant: > the application is supported by an appropriate FRA; > the Sequential Test has been applied and satisfied as part of site selection; > a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk; > the Application is in line with any relevant national and local flood risk management strategy;	Please see response to EN-1 5.8.13-5.8.14. As outlined within Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk a sequential approach has been undertaken: FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach (see Volume 5, Report 3.1: FRA ECC. Construction of the onshore ECC will require temporary management of surface water during construction. Control measures will be included within the CoCP to minimise the risk of water pollution.

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		> SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate; > in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.18); > the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development; > land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation, or maintenance.	Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk concludes that through the implementation of mitigation measures, including those specified in the CoCP, it is considered that the likely overall effect of the onshore elements of The VE on water quality and flood risk throughout the construction, operation and decommissioning of VE is not significant in EIA terms. FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach Volume 5, Report 5.3.2: OnSS FRA includes consideration of the sequential approach. The OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area. Flood risk has been considered for the life of the development in Section 6.7.63 to Section 6.7.67, of Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk and notes that following construction and reinstatement there will be no risk. Moreover, FRA reporting has been undertaken in consultation with the EA and local authorities which includes consideration of the sequential approach. The CoCP (Volume 9, Report 9.21: CoCP), secured by requirement in the DCO, requires that flood response awareness and procedures will be included in the principal contractor's emergency response planning where there are works near to or within a flood zone or area of residual risk existing from coastal flood defence failure. This plan would include a procedure for evacuation of personnel and the securing or relocating sensitive equipment and/ or materials stored in bulk.
	EN-1 5.8.37 – 5.8.39	For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the Development Consent Order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.	As stated within Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk, the OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area. The Outline Onshore Substation Design Principles Document (Application Document 9.4) provides detail on this provision. The surface water drainage scheme is required to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates. The detailed (post-consent) design of the surface water drainage scheme would be based on a series of infiltration/soakaway tests carried out on site and the required attenuation volumes will be outlined in the supporting OnSS FRA. The tests will be undertaken prior to construction and in accordance with the BRE Digest 365 Guidelines in order to determine the suitability of ground for accepting a drainage discharge.

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		Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.	It is therefore considered that the VE is in accordance with paragraphs 5.8.37 – 5.8.39 of EN-1.
	EN-1 5.8.40	If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the authority to try to resolve the concerns.	As per Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk the EA provided a scoping response and have been consulted during the pre-application phase. VE has drawn upon advice within the scoping response and have sought to include any proposals within the project design. At this time, there no flood management concerns that have been raised by the EA that have not been addressed. As such, VE is in accordance with paragraphs 5.8.40 of EN-1.
	EN-1 5.8.41 – 5.8.42	Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows. Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.	The onshore project is not located within in Flood Zone 3b. Areas of the ECC at landfall and inland into Holland Haven Marshes and Frinton Golf Course are detailed on the EA Flood Map for Planning (FMfP) to be within Flood Zone 3. EA Flood Zone 3 is defined as 'high risk' areas which are at risk of flooding, in the absence of flood defences, for 1 in 100-year event (1% AEP) or greater from fluvial sources; or with a 1 in 200- year event (0.5% AEP) or greater from sea flooding. Areas inland from the coastal defences, along the alignment of the Onshore ECC, through Great Holland northwards, are located within Flood Zone 1. The EA Flood Zone 1 is defined as a 'low risk' and represents land which has a less than 0.1% AEP of flooding. Therefore, VE can be considered to be in accordance with the NPS.
5.9 – Historic environment			
Historic Environment	EN-1 5.9.5	There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:	Effects on designated and non-designated heritage assets have been considered within Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage.

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		> those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate; > those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation. > those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites.	Following the implementation of avoidance, through site selection, micrositing during detailed design and an approved programme of mitigation measures through preservation by record or preservation *in situ* (if appropriate), no significant residual effects are anticipated (reduced to a minor adverse effect). All known and potential marine heritage receptors in the marine zone that may be affected by the proposed VE development and their archaeological significance have been described in detail in Volume 4, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report and summarised in Section 11.7. Potential impact on the marine heritage receptors of the proposed development is discussed in Sections 11.12 to 11.18. Outline Onshore WSI (Application Document 9.23) and Outline Marine WSI (Application Document 9.19) have been provide din support of the application and are secured in the draft DCO. As such, VE can be considered to be in accordance with EN-1 5.9.5
	EN-1 5.9.6	Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments should be considered subject to the policies for designated heritage assets. The absence of designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance.	Effects on designated and non-designated heritage assets are considered at Sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage. In terms of non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments, a series of cropmarks identified as a potential henge to the south of Little Bentley has been put forward for scheduling by Historic England in recognition of its high heritage significance. As such this has been treated the same as a designated archaeological asset and included as part of the initial assessment of setting in Volume 6, Part 6, Annex 7.6: GPA3 Exercise and Technical Note-Onshore project area. This has also been excluded from the Onshore Red Line Boundary and will be preserved in situ. In addition, a cropmark of a henge monument has been put forward for scheduling by Historic England in recognition of its high heritage significance. As such this has been treated in the same way as a designated heritage asset for the assessment of setting presented in Annex 7.6 and has been excluded from the Onshore Red Line Boundary (RLB). As such, the VE can be considered to be in accordance with EN-1 5.9.6.
	EN-1 5.9.7 – 5.9.8	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision-making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets	Effects to non-designated heritage assets have been considered in Sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage. As such, the VE can be considered to be in accordance with EN-1 5.9.7 – 5.9.8.

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		are of lesser significance than designated heritage assets. Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPSs.	
Applicant Assessment	EN-1 5.9.9	The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	Effects on designated and non-designated heritage assets are considered at Sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage. This includes assets above, at and below ground level. Consideration is given to the possible impacts, including cumulative, on the wider historic environment. All known and potential marine heritage receptors in the marine zone that may be affected by the proposed VE development and their archaeological significance have been described in detail in Volume 4, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report and summarised in Section 11.7. Potential impact on the marine heritage receptors of the proposed development is discussed in Sections 11.12 to 11.18. Issues discussed in Chapter 7 take reference from other chapters including Chapter 2: Onshore Landscape and Visual Impact Assessment and Volume 6, Part 2, Chapter 10: Seascape Landscape and Visual Impact Assessment. As such, the VE is considered to accord with the provisions of the NPS.
	EN-1 5.9.10	As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the Application, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the Application on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the Application's impact.	The heritage significance of historic assets is set out in Sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage and has been informed by desk-based studies, supplemented by walkover survey and specific receptor visits as well as ongoing geophysical surveys. The significance of different heritage assets is described throughout the chapter. A summary of consultation relating to onshore archaeology and cultural heritage is presented in Table 7.2 Effects such as noise, vibration and light have been considered as part of the assessment of indirect effects in Section 7.10 as appropriate. As stated within Section 7.6 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage, the assessment of effects arising from change within settings follows the approach set out by Historic England in the guidance outlined above (The Setting of Heritage Assets, 2017). As such, the VE is considered to accord with the provisions of the NPS.

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	EN-1 5.9.11	Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.	The heritage significance of historic assets is set out in Sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage and has been informed by desk-based studies, supplemented by walkover survey and specific receptor visits as well as ongoing geophysical surveys. Accurate representative visualisations have been prepared and presented within Volume 6, Part 6, Annex 7.10: Cultural Heritage Wirelines and Viewpoints. Further commentary can be found within Volume 6, Part 6 Annex 7.1: Historic Environment Desk-Based Assessment and Volume 6, Part 6 Annex 7.3: Geoarchaeological Environment Desk-Based Assessment. Therefore, the VE can be considered to be in accordance with paragraph 5.9.11 of EN-1.
	EN-1 5.9.12	The applicant should ensure that the extent of the impact of the Application on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.	Rather than just characterising the potential effects of the VE, the assessment has recognised the need to understand the effects on the heritage significance of heritage assets and/or significant places. Within Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage., the heritage significance of the asset is determined by reference to heritage interests as set out in NPPG (2019; Paragraph: 006 Reference ID: 18a-006-20190723) and restated in Historic England's 'Statements of Heritage Significance; Analysing Significance in Heritage Assets' (2019; p.16). These are as follows: > Archaeological interest; > Architectural interest; and > Historic interest. For the purposes of assessing the significance of effects in EIA terms, heritage significance has also been assigned to one of the five classes, with reference to the heritage interests described above and relying on professional judgement as informed by policy and guidance. Indirect effects during the construction phase could arise from activities such as construction traffic, flashing lights on moving vehicles, noise and dust created by construction activities. It is not anticipated that the operational phase will have any direct physical effects to any archaeological assets within the proposed Order Limits. The effects to archaeological sites identified as sensitive receptors during the construction phase will have been mitigated prior to and during that phase and no further effects during the operational phase are envisaged.

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			It is not anticipated that the operational phase will have any direct physical effects to historic hedgerows within the proposed Order Limits. The effects to historic hedgerows have been avoided during the construction phase through the use of HDD (or other trenchless technique). No significant effects are assessed upon heritage assets with As such the VE can be considered to be in accordance with paragraph 5.9.12 of EN-1.
	EN-1 5.9.13	The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible: > enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected; > considering where required the development of archive capacity which could deliver significant public benefits; > considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme	The assessment considers the negative effects on setting to be limited spatially both geographically and in the context of individual assets including Conservation Areas and Would Heritage sites. In addition, the temporal scale of effects has been considered in terms of impacts being either be direct or indirect, temporary, or permanent (see Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage). No cases have been identified where substantial harm to the significance of a designated heritage (a Major or Moderate adverse effect in EIA terms) asset would arise. A small number of minor adverse effects (less than substantial harm) have been identified and these have been balanced against the public benefits of the VEs as part of the decision-making process. This is summarised within Volume 9, Document 9.1: Planning Statement. Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage provides detail on the archive capacity increased through the project delivering significant public benefits through preservation by record consisting of an approved programme of archaeological fieldwork and recording which will lead to the creation of an archaeological archive so that the remains can be preserved by record for future generations. A programme of post-fieldwork assessment and analysis of the archive generated by fieldwork will be agreed, leading to publication and dissemination of the results of that work and the creation and deposition of a project archive in a suitable receiving museum or other body. The applicant has sought to minimise effects wherever possible through mitigation measures across the construction-decommissioning stages. For example, within the construction stage, where practicable archaeological remains of high heritage significance will be avoided and preserved in situ through careful route design. Furthermore, an agreed programme of archaeological investigation work will be put into place to ensure that any heritage assets or deposits of geoarchaeological/ paleoenvironmental interest that may be present could be identified and recorded. This is secured as a requirement of the DCO and detailed within an Outline Onshore WSI (Application Document 9.23) which has been prepared
	EN-1 5.9.14	Careful consideration in preparing the Application will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	
	EN-1 5.9.15	Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.	

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			in consultation with the Development Control Archaeologist advising the LPA. The applicant is also committed to the retention and restoration of existing screening planting where practicable and the implementation of new/additional planting and/or landscaping. This is part of a scheme of landscape mitigation secured as a requirement of the DCO. Indicative planting proposals are included in the Outline LEMP (Application Document 9.22), which is secured as a requirement in the draft DCO. As such the VE can be considered to be in accordance with the NPS.
Mitigation	EN-1 5.9.16	A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.	This is noted, flexibility has been built in to the design of the onshore project to
	EN-1 5.9.17	Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.	The Applicant has agreed to undertake archaeological investigation work to ensure that any heritage assets or deposits of geoarchaeological/ paleoenvironmental interest that may be present could be identified and recorded and will be secured within the draft DCO. A WSI will be undertaken for both onshore and offshore matters, with outline schemes found in the documents below: > Volume 9, Report 9.19: Outline Marine Written Scheme of Investigation for archaeology > Volume 9, Report 9.23: Outline Onshore Written Scheme of Investigation
	EN-1 5.9.18	Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.	The offshore and onshore WSIs (Volume 9, Report 9.19 and Report 9.23) have been prepared with statutory consultees and sets out details of post-consent assessment and mitigation measures. This will be supplemented by detailed WSI's for each phase of investigation as these come forward for completion, post-consent and overall enable the archaeological work to be undertaken in a timely manner. Volume 9 Document 31: Schedule of Mitigation and Monitoring summarises, all mitigation proposed in the ES for VE and outlines that the WSIs will be secured within the draft DCO.
	EN-1 5.9.19	Where the loss of significance of any heritage asset has been justified by the applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:	Both Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage and Volume 6, Part 3, Chapter 7: Onshore

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		imposing a requirement in the Development Consent Order requiring the applicant to enter into an obligation	Archaeology and Cultural Heritage conclude that there are no significant impacts upon any Archaeology and Cultural Heritage Receptors. This is a consequence of the proposed mitigation measures. Volume 9 Document 31: Schedule of Mitigation and Monitoring summarises, all mitigation proposed in the ES for VE. The Chapter lists measures proposed and signposts to relevant parts within the Documents, ES Chapters and supporting documents where the commitments are made. The Chapter also explains how they are secured within the draft DCO & dML and associated documents. Mitigation for the offshore historic environment is outlined within Volume 6, Part 2, Chapter 11: Offshore Archaeology. Mitigation includes the introduction of archaeological exclusion zones to be considered in routing/ layout activities in order to avoid/ preserve identified marine heritage receptors. Additionally, a Written Scheme of Investigation has been produced (document reference 9.19). Mitigation for the onshore historic environment is outlined within Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage. A Written Scheme of Investigation has been produced (document reference 9.23) to ensure that any heritage assets or deposits of geoarchaeological/ paleoenvironmental interest are identified and recorded. It should also be noted that VE has the potential to have positive impacts on the historic environment, The Written Scheme of Investigations (see document references 9.19 and 9.23) for both onshore and offshore will be secured through the DCO which will make positive contributions to knowledge and enhancement of understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming Method Statements.
	EN-1 5.9.20	That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.	
	EN-1 5.9.21	Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	As discussed above, mitigation for the offshore historic environment is outlined within Volume 6, Part 2, Chapter 11: Offshore Archaeology includes the introduction of archaeological exclusion zones to be considered in routing/ layout activities in order to avoid/ preserve identified marine heritage receptors. Additionally, a Written Scheme of Investigation has been produced (document reference 9.19). Mitigation for the onshore historic environment is outlined within Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage a Written Scheme of Investigation has been produced (document reference 9.23) to ensure that any heritage assets or deposits of geoarchaeological/ paleoenvironmental interest are identified and recorded.

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			The Written Scheme of Investigations (see document references 9.19 and 9.23) for both onshore and offshore will be secured through the DCO which will make positive contributions to knowledge and enhancement of understanding of the historic environment. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming Method Statements.
Secretary of State decision making	EN-1 5.9.22	In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the Application, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the Application), taking account of: > relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application; > any designation records, including those on the National Heritage List for England; > historic landscape character records; > the relevant Historic Environment Record(s), and similar sources of information; > representations made by interested parties during the examination process; > expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.	The assessment presented in sections 7.10.7.12 13 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage has regard to the significance of heritage assets. The assessment as present considers a range of factors, including the designation records, Historic Environment Record (HER), heritage assets, and consultation with relevant stakeholders, and applies expert judgement with regards the likelihood of a significant effect occurring. The VE has also considered effects to offshore archaeology and cultural heritage, which is outlined within Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage. Table 7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage provides a summary of all potential significant effects to onshore historic assets resulting from the VE together with mitigation measures that could be employed to reduce these effects. No cases have been identified where substantial harm to the significance of a designated heritage (a Major or Moderate adverse effect in EIA terms) asset would arise. A small number of minor adverse effects (less than substantial harm) have been identified and have to be balanced against the public benefits of the VEs as summarised within Volume 9, Document 9.1: Planning Statement. As such the VE can be considered to be in accordance with paragraph 5.9.20 of EN-1.
	EN-1 5.9.23	The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	Please refer to the Applicant's response to Paragraph EN-1 5.9.12 which outlines the process the VE has undertaken in relation to Archaeology and Cultural Heritage.
	EN-1 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	The assessment presented in sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. As such the VE can be considered to be in accordance with paragraph 5.9.22 of EN-1.
	EN-1 5.9.25 – 5.9.26	The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their	Additional commentary can be found within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives in which

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		settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets. The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).	the selection process sought to ensure that any effect is minimized through an iterative approach. Within the site selection process, as per Paragraph 4.12.2, direct significant impacts with landscape (AONBs and Heritage Coasts) and cultural heritage designations (Scheduled Monuments Conservation Areas, Listed Buildings, Registered Parks and Gardens, chartered wrecks and Registered Battlefield) have been avoided where possible. Visitors to historic environment assets such as Dunwich Heath, Orford Ness, Orford Castle, Landguard Fort and the series of Martello Towers along the Suffolk coast have been assessed within the SLVIA (Volume 6, Part 2, Chapter 10). No significant effects were assessed.
	EN-1 5.9.27 – 5.9.30	When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional. Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional.	As set out in the Planning Statement and Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage, the VE would not lead to substantial harm to or total loss of significance of any designated asset. No cases have been identified where substantial harm to the significance of a designated heritage (a Major or Moderate adverse effect in EIA terms) asset would arise. A small number of minor adverse effects (less than substantial harm) have been identified. Where less than substantial harm to the heritage significance of a heritage asset has been identified, this is considered in the Planning Statement and has been weighed against the benefits of the VE. The (minor adverse) harm is to be weighed against the benefits of the VE, which are summarised within Volume 9, Document 9.1: Planning Statement. The benefits of the VE are overwhelmingly greater than the residual adverse effects, including the less than substantial harm identified to the significance of heritage assets. As such the VE can be considered to be in accordance with paragraphs 5.9.25 – 5.9.28 of EN-1.
	EN-1 5.9.31	Where the Application will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:	As set out in the within Volume 9, Document 9.1: Planning Statement, the VE would not lead to substantial harm to or total loss of significance of any designated asset. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise (only cases of minor adverse harm have been identified). Where less than substantial harm to the

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		the nature of the heritage asset prevents all reasonable uses of the site; no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; the harm or loss is outweighed by the benefit of bringing the site back into use.	heritage significance of a heritage asset has been identified, this is considered in the Planning Statement. The (less than substantial) harm is to be weighed against the benefits of the VE which are summarised in the Volume 9, Document 9.1: Planning Statement. The benefits of the VE are overwhelmingly greater than the residual adverse effects, including the less than substantial harm identified to the significance of heritage assets. As such the VE can be considered to be in accordance with the NPS.
	EN-1 5.9.32	Where the Application will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the Application, including, where appropriate securing its optimum viable use.	
	EN-1 5.9.33	In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.	
	EN-1 5.9.34	Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	The contribution of different elements of area designations has been considered within the assessment set out at sections 7.10-7.12 of Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage. The contribution of different elements of a conservation area have been considered within the assessment and within Volume 6, Part 6, Annex 7.5: GPA3 Exercise and Technical Note -Offshore Array and Volume 6, Part 6, Annex 7.6: GPA3 Exercise and Technical Note-Onshore project area as appropriate. As such the VE can be considered to be in accordance with paragraph 5.9.32 of EN-1.
	EN-1 5.9.35	Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision	The assessment of potential effects Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage has taken a precautionary approach, assuming a reasonable worst case scenario (that is any archaeological remains will have some value and, where present, this will likely be damaged or destroyed by construction related activities such as groundworks and earthmoving which could take place anywhere within the Onshore RLB); design has been undertaken and mitigation proposed as appropriate, with this in mind. As such the VE can be considered to be in accordance with paragraph 5.9.33 of EN-1.
	EN-1	When considering applications for development affecting the setting of a designated heritage asset, the Secretary	Please refer to the Applicant's response to Paragraphs 5.9.13-5.9.15 of EN-1.

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	5.9.36	of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	
5.10 - Landscape and visual			
Applicant Assessment	EN-1 5.10.16 – 5.10.17	The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	As outlined within Section 2.5 of Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment, the assessment of the potential landscape and visual impacts of the VE has been based upon the Guidelines for Landscape and Visual Impact Assessment (GLVIA) and the scope of the assessment has also been informed by ongoing consultation and engagement with statutory consultees. As per Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Assessment the SLVIA has been prepared using updated guidance, which are referred to in Volume 6, Part 7, Annex 10.1: SLVIA Methodology. The SLVIA is based on a Rochdale Envelope Approach, which has defined a maximum design scenario for assessment, as agreed through stakeholder consultation. As such the VE can be considered to be in accordance with paragraphs 5.10.15-5.10.17 of EN-1.
	EN-1 5.10.18 – 5.10.19	For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them. The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised and incorporated into the design, delivery and operation of the scheme.	A seascape, landscape and visual impact assessment of the VE array areas has been undertaken within this ES. Volume 6, Part 2, Chapter 10. The guidance that has been considered/ followed in preparing this chapter is set out in Volume 6, Part 7, Annex 10.1: SLVIA Methodology and summarised in paragraph 10.5.2. Local development plan policies, landscape character and seascape character assessments are also considered and identified within the relevant baseline data sources (Table 10.6). Volume 6, Part 1, Chapter 4: Site Selection and Alternatives sets out the iterative process that has influenced the design of VE and how the design process was conducted. Section 10.9 of this Chapter sets out the mitigation that is included in VE project design in respect of seascape, landscape and visual receptors. The offshore design principles document (Volume 9, Report 3: Offshore Design Principles) also sets out all considerations that informed the offshore design for the array and the guidance that will be considered going forward.

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	EN-1 5.10.20	The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas'.	A seascape, landscape and visual impact assessment of the VE array areas has been undertaken within this ES. Volume 6, Part 2, Chapter 10. The assessment has included effects on landscape components and character during both construction and operation. National Character Areas (NCAs) and Landscape Character Types (LCTs) within Suffolk and Essex within SLVIA study area as shown in Figure 10.5.
	EN-1 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	The assessment has characterised the relevant landscape baselines, drawing on relevant national and local planning policy, landscape character areas and physical landscape features. This has been supplemented through consultation with local planning authorities and relevant stakeholders. The VE includes further information, including photomontages, which has been obtained through field work. The methodology used to inform the baseline is set out in more detail within Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Assessment. As outlined within Table 10.15 of the above chapter, the assessment (within) includes representative viewpoints during construction, decommissioning and operation, taking into account (but not limited to) visibility (including impacts on views and visual amenity) of the VE, light pollution and nature conservation. These viewpoints were agreed during consultation with statutory consultees. Photomontages from these viewpoints are presented in Figures 10.26 to 11.46 within Volume 6, Part 7, Annex 10.2: SLVIA Viewpoint Assessment Figures. Potential impacts on views have been considered and therefore, the VE is considered to be in accordance with paragraph 5.10.20 of EN-1
	EN-1 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	A seascape, landscape and visual impact assessment of the VE array areas has been undertaken within this ES. Volume 6, Part 2, Chapter 10. Section 10.10 and 10.11 assesses the construction and operational effects of VE on views and visual receptors, including night-time visual effects arising from lighting. Section 10.9 of this Chapter sets out the mitigation. This includes a commitment to reduced lighting intensity in certain conditions.
	EN-1 5.10.23	Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable.	VE does not propose the infrastructure outlined within Paragraph 5.10.23 of EN-1 and therefore no policy compliance is required.

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	EN-1 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	The Applicant has detailed proposed enhancement measures which are set out within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan which provide net benefits for biodiversity in addition to mitigation to reduce and/or minimize significant landscape effects. The sensitivity of the landscape and visual receptors in the LVIA study area has been a key consideration in the siting and design of the onshore infrastructure. A detailed consideration and assessment of the capacity of the landscape to accommodate the onshore infrastructure in relation to the screening afforded by the existing landforms, trees and hedgerows between sensitive receptors and the VE's infrastructure has been undertaken in Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. Mitigation and additional landscape mitigation measures for the onshore substation will are described in the Landscape and Visual Impact Chapter and set out within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. As such the VE can be considered to be in accordance with paragraph 5.10.23.
Mitigation	EN-1 5.10.26 - 5.10.27	Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function. Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.	The balance between mitigation of effects and significant operational constraint / reduction in function is considered in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. The offshore design principles document (Volume 9, Report 3: Offshore Design Principles) also sets out all considerations that informed the offshore design for the array and the guidance that will be considered going forward. Adverse seascape, landscape and visual effects are minimised through mitigation measures as presented in Section 10.9. The role of the site selection process in minimising landscape and visual effects is presented in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. The offshore design principles document (Volume 9, Report 3: Offshore Design Principles) also sets out all considerations that informed the offshore design for the array and the guidance that will be considered going forward. Choice of colours and materials is set out in Volume 6, Part 2, Chapter 1: Offshore Project Description.
	EN-1 5.10.28	Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.	Landscaping will be undertaken in line with the measures set out within Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan which sets out mitigation for the OnSS to complement the existing landscape elements found in this local area. This includes areas of proposed woodland, hedgerows and grasslands areas identified for ecological mitigation and areas

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			identified for possible attenuation ponds. The extent of the indicative proposed woodland and hedgerow planting is presented in Volume 6, Part 7, Annex 2.1, LVIA Figures, Figure 2.12 and is also shown at the predicted height after 15 years' establishment on the LVIA visualisations. Further to the above, Volume 6, Part 3, Chapter 2: Landscape and Visual Impact Assessment states that the local scale and topography are large enough to physically accommodate the influence of the onshore elements of VE.
Secretary of State decision making	EN-1 5.10.29- 5.10.30	The Secretary of State should take into consideration the level of detailed design which the applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals. The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.	Opportunities for detailed design are limited by the need to retain flexibility of WTG numbers, size, and location within the VE array area through the planning stages and the need to assess worst-case environmental effects (a necessary part of the process that is recognised in EN1 (paragraph 4.3)). Section 10.9 of this Chapter sets out the mitigation that is included in VE project design in respect of seascape, landscape and visual receptors. In accordance with EN-1, the iterative design of the VE array areas has sought to minimise effects upon the special qualities of the SCHAONB (and its Natural Beauty) and reduce visual/aesthetic effects insofar as possible, with respect to other functional, technical and economic requirements of the Project. The offshore design principles document (Volume 9, Report 3: Offshore Design Principles) also sets out all considerations that informed the offshore design for the array and the guidance that will be considered going forward.
	EN-1 5.10.32	When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty of the landscape and countryside should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.2; and	In order to prioritise the conservation of the natural beauty of the landscape in accordance with the NPS EN1, no elements of the VE are situated within areas having the highest status of protection (National Parks, the Broads and AONBs). There are two Landscape Designations that overlap the OnSS study area; Dedham Vale AONB overlaps the OnSS study area, however buffers have been placed around this designation. Moreover, as per paragraph 2.7.21 of Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment., there would be a very limited extent of visibility from the OnSS. Furthermore, as indicated within Table 2.11 of the above chapter, no potential significant effects on these AONB are expected to materialise. Section 2.8 of Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual Impact Assessment. sets out the maximum design parameters that have been defined to ensure that the worst-case landscape and visual effects are assessed. The baseline character and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SCHAONB) are

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		any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.	described in Section 10.7 and the operational effects of the VE on the natural beauty and special qualities of the SCHAONB are assessed in Section 10.11 of Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Assessment. Regard has been had to the purpose of conserving and enhancing the natural beauty of the SCHAONB through the siting and design of VE; with the implementation of mitigation measures, no significant impacts are assessed as likely. As has been described elsewhere in this application (such as Section 5 of Volume 9, Document 9.1: Planning Statement) there is a demonstrable and urgent need for renewable energy, and specifically offshore wind. The economic effects of the VE are considered to be beneficial, as has been concluded Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation and as has been reflected in UK Government publications; those benefits will also be subject to further consideration within the Supply Chain Plan which will be produced in support of the Contacts for Difference (CfD) bid and will secure local investment. The economic benefits and policy need should also be balanced against the significant costs to the economy of unmitigated climate change (as recognised in policy terms (UK Climate Change Risk Assessment 2022 Presented to Parliament pursuant to Section 56 of the Climate Change Act 2008)). It is not feasible to locate VEWOF beyond the likely zone of visual impact from all AONBs or National Park, however the design of the VE has been undertaken such that the impacts are minimised. The Applicant has made the project decision to underground onshore ECC which will notably reduce potential landscape and visual effects. Moreover, the use of trenchless crossings and careful routing of onshore ECC will minimise loss of trees, hedgerows and other landscape elements. Therefore, the VE is considered to be in accordance with paragraphs 5.10.31-5.10.32 of EN-1.
	EN-1 5.10.33	For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	
	EN-1 5.10.34	The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	
	EN-1 5.10.35	The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	
	EN-1 5.10.36	In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	The Applicant has assessed that there would be significant adverse effects on the settings of Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SCHAONB) in Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Assessment. Following consideration of the factors set out in the assessment it is considered that significant adverse effects, on a limited number of special qualities arise but, would not occur to such a degree that it would affect the overall integrity of the AONB, or its inherent natural beauty. Whilst it is recognised that there are significant effects, and some harm, it is considered that the ability to avoid impacts is constrained by the requirements placed on the site selection

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			process, namely that the VE has undergone an iterative site selection process to avoid the most heavily constrained sites (i.e. sites that comprises designated sites). The effect and associated harm have therefore been minimised as far as is practicable. The Applicant has undertaken comprehensive consultation in order to refine the design, minimise the harm and provide reasonable mitigation measures as far as practicable whilst maintaining an economically viable alternative. Therefore, the VE is considered to be in accordance with paragraphs 5.10.33 of EN-1.
	EN-1 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	The VE includes Volume 6, Part 2, Chapter 10, Seascape, Landscape and Visual Impact Assessment (SLVIA) Chapter and Volume 6, Part 3, Chapter 2, Landscape and Visual Impact Assessment (LVIA) Chapter which assess the landscape impacts of the VE (during construction, decommissioning and operation). Volume 6, Part 1, Chapter 4 'Site Selection and Alternatives' of the ES sets out the need for renewable energy and the benefits of offshore wind. In addition, the Site Selection and Alternatives Chapter sets out the iterative process that has influenced the design of the VE. The mitigation of landscape and visual effects has been carefully considered in the SLVIA, to minimise 'harm to the landscape'.
	EN-1 – 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	Refer to comments for Paragraph 5.10.34.
5.11 – Land Use Including Open Space, Green Infrastructure, and Green Belt			
Applicant Assessment	EN-1 5.11.8	The ES (see Section 4.3) should identify existing and proposed252 land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, the applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use provides a detailed account of the surrounding land uses, and the potential impacts associated with the VE during the construction, operation, and decommissioning phases of the VE. Volume 9, Document 9.1: Planning Statement describes the existing surrounding land uses of the onshore export cable and onshore substation in the context of the NPS policy tests. The Applicant has sought to avoid land that was allocated for development as shown within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. The applicant has also produced a Draft CoCP (see Volume 9: Document 9.22 that incorporates the outline principles of soil management and mitigation measures to ensure protection of soils.

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			A Soil Management Plan (SMP) has been submitted as an annex to CoCP (Volume 9, Chapter 21). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. As such the VE is considered to be in accordance with paragraph 5.11.8 of EN-1.
	EN-1 5.11.9 – 5.11.10	Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicant's should refer to the Green Infrastructure Framework Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	As shown with Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives and Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation, the VE has avoided interaction with land uses like recreational and open space through a careful site selection. Whilst some interaction with public rights of way unavoidable, these interactions are managed through the implementation of the public access management plan (PAMP) (see Volume 9, Annex 9.25: Outline Public Access Management Plan (PAMP). Moreover, there are several mitigation measures that have been incorporated into the VE to avoid any significant impacts. This includes the provision of diversions that will be provided for any Public Right of Ways that are closed. As such the VE is considered to be in accordance with paragraph 5.11.9 – 5.11.10 of EN-1.
	EN-1 5.11.11	During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	As is presented in the Consultation Report, the EIA Evidence Plan report and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA. The Applicant has, as is recorded within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives sought to avoid development plan aspirations through avoidance of key areas. Similarly, the applicant has minimized interaction with key strategic sites. As such the VE is considered to be in accordance with paragraph 5.11.11 of EN-1.
	EN-1 5.11.12 – 5.11.13	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5). Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	The effects of onshore infrastructure associated with VE on best and most versatile soils are considered in Section 5.11 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use. Routing and siting considerations that are discussed in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation.
	EN-1 5.11.14 – 5.11.15	Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good	The onshore cable would be buried underground. The construction phase would include restoration of the land above the cable to its former land use. Best practice and soil handling principles for reinstatement will be set out within the CoCP. In addition, as stated

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		practice guidance where large quantities of soils are surplus to requirements or are affected by contamination. Developments should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.	in Paragraph 5.11.17 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use, field drainage will be reinstated and the indicative minimum burial depth (from ground surface to the top of the cable ducting), which will allow cultivation of land. As part of the site selection process, the Applicant has sought to avoid the best and most versatile land where possible through consideration of ALC grades. This is with the exception of where it would be inconsistent with other sustainability considerations and sensitive receptors (including but not limited to infrastructure, residential and archaeology) As such the VE is considered to be in accordance with paragraph 5.11.14 – 5.11.15 of EN-1.
	EN-1 5.11.16 – 5.11.18	Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	Refer to comments for Paragraph 5.11.14 – 5.11.15 of EN-1. As is presented in the Consultation Report, the EIA Evidence Plan report and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA. 4.
	EN-1 5.11.19	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	Within the area in which VE is situated, several areas of land are defined as being safeguarded for ‘Sand and Gravel (including Silica Sand)’. These areas are shown on Drawing No. 6-5-5-2 of Volume 9, Report 5: Mineral Resource Assessment (MRA) which has been completed to consider the potential for sterilisation of sand and gravel within the DCO Limits for VE and NF. The VE project overlies three main areas of safeguarded minerals. The effects of onshore infrastructure associated with The Application on safeguarded mineral are considered in MRA and summarised in paragraphs 5.7.36 to 5.7.40 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use. The effects of onshore infrastructure associated with The Application on safeguarded minerals are considered in Section 5.11 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use. The VE does not interact meaningfully with any safeguarded mineral resources and as such VEWOF can be considered to be in accordance with paragraph 5.11.19 of EN-1.

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	EN-1 5.11.21	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria256 on such developments in Green Belts.	The VE does not propose to infill or develop major sites within the Green Belt. The VE has committed to installing cables underground, and as such there will be no meaningful interaction with any Green Belt areas, and as such can be considered to be in accordance with paragraph 5.11.16 of EN-1.
	EN-1 5.11.22….	Moreover an applicant may be able to demonstrate that particular energy infrastructure, such as an underground pipeline, may be considered an “engineering operation” and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape.	As per Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use, the Onshore cable will be buried underground. Following the construction phase the land will be restored above the cable and returned to its former use. As a consequence of the cables being buried underground and the land being restored to its former use, the VE will not conflict with the purposes of the green belt, in particular the openness of the countryside which will be maintained. Therefore, the VE can be considered to be in accordance with paragraph 5.11.22 of EN-1.
	EN-1 5.11.28	Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources	The effects of onshore infrastructure associated with The Application on safeguarded mineral are considered in Volume 9, Report 5: Mineral Resource Assessment (MRA) and summarised in paragraphs 5.7.36 to 5.7.40 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use. Section 7 of the MRA confirms that potential mineral deposits within the ECC could be sterilised for the duration of the project and would no longer be sterilised following decommissioning. The construction and decommissioning of the ECC would have a negligible/minimal impact on ground conditions and any in-situ mineral resource. The MSA concludes in Section 8 that VE is long lived but temporary in nature, with the potential to sterilise mineral for the life of the Project only. Therefore, the proposed development will not permanently sterilise the potential mineral resources, which will be available for exploitation following decommissioning and removal of the proposed development, and as such VEWOF can be considered to be in accordance with paragraph 5.11.28 of EN-1.
Secretary of State decision making	EN-1 5.11.32 – 5.11.33	The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the project (including need), outweigh the potential loss of	The VE has successfully avoided meaningful interaction and/or loss of open space, sport or recreational buildings and as such the VE can be considered to be in accordance with paragraph 5.11.32 – 5.11.33 of EN-1.

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		such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.	
	EN-1 5.11.34	The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.	The evolution of the design is set out Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives, Volume 6, Part 3, Chapter 1: Onshore Project Description., which outlines that a core principle of the site selection was to avoid best and most versatile agricultural land where possible. This has been accomplished, with the exception of where is it inconsistent with other sustainability considerations and sensitive receptors (including but not limited to infrastructure, residential and archaeology). As per Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use, there are instances where Grade 3 agricultural land has been mapped as part of the onshore cabling route. Whilst the permanent loss of agricultural land at the OnSS at a local level is of medium magnitude, in the context of the county resource the loss of agricultural land is of negligible magnitude at less than 1% of the total Essex resource. Furthermore, the IEMA guidance (2022) acknowledges that whilst it may not be possible to entirely mitigate the loss of agricultural land, it may be possible to mitigate the displacement of the soils. The guidance also acknowledges that intensive agriculture can lead to losses of soil function. Soil functions could be improved through enhancement and an increase in biodiversity. The land beneath the OnSS may be lost to agriculture, but the soils can be conserved for beneficial use and be sustainably re-used within the VE elsewhere including appropriate landscaping potentially as set out in Volume 9, Report 9.22: Landscape and Ecological Management Plan. Due to the small area of the permanent operational infrastructure in the context of the regional resource and the additional landscaping footprint which may have the potential to mitigate the loss in soil functions, the impact is considered to be minor adverse in EIA terms. Moreover, given that the VE would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030, such argument can be used to justify developing on land classified as the best and most versatile agricultural land. As such the VE can be considered to be in accordance with paragraph 5.11.34 of EN-1.
	EN-1 5.11.35	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State	As provided in response to paragraph 5.11.32 – 5.11.33 of EN-1, the VE has avoided meaningful interaction with open space such as

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		should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	coastal recreation sites. This is outlined Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives in which the VE has undergone an iterative site selection process and has committed to considering trenchless technologies, such as Horizontal Directional Drilling (HDD) at the landfall, in order to bring cables from the marine environment onshore, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. Whilst some interaction with public rights of way is unavoidable, these interactions are managed through the implementation of the Public Access Management Plan (see Volume 9, Document: 9.25 which comprises several mitigation measures that will ensure no effects on such amenity are significant. This includes the provision of diversions for all public rights of ways that will be closed which will be maximum of 200m in length and will be fenced and clearly signposted to provide safe access. Therefore, the VE can be considered to be in accordance with paragraph 5.11.35 EN-1.
	EN-1 5.11.36 – 5.11.37	When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources	Please see the Applicant's responses to 5.11.16 and 5.11.22 of EN-1 which notes the VE does not propose to infill or develop major sites within the Green Belt. The VE has committed to installing cables underground, and as such there will be no meaningful interaction with any Green Belt areas. The VE also does not interact meaningfully with any green open spaces and as stated in the applicant response to paragraph 5.11.35 of EN-1, the use of HDD and careful routing of onshore ECC will minimise loss of trees, hedgerows and other landscape elements. .
	EN-1 5.11.38 - 5.11.40	In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach.	

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		Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.	
5.12 – Noise and Vibration			
Noise and Vibration	EN-1 5.12.1 – 5.12.2	Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance), the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to the assessment of impacts of vibration.	Within Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration, Paragraphs 9.4.16 to 9.4.36 detail the assessment method, Paragraphs 9.4.3 to 9.4.14 detail the study area, Section 9.5 sets the assessment criteria and baseline conditions are summarised in Section 9.7. The assessment of the potential Airborne Noise and Vibration impacts of the onshore elements of the VE has been made with reference to the UK Government's Noise Policy Statements. The assessment has identified a number of mitigation measures. This includes the careful site selection of the substation which avoids noise sensitive receptors. Further mitigation will be secured through the provision of a Noise and Vibration Management Plan. This is to ensure noise and vibration is managed appropriately to avoid significant effect. As such the VE can be considered to be in accordance with paragraph 5.12.1 – 5.12.2 of EN-1.
	5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation does not identify any significant impacts with regards to noise on ecological receptors. This is a consequence of the mitigation proposed. VE includes Volume 9, Chapter 21: Code of Construction Practice which meets the aims of minimising the construction areas required for the works, the planning of the timing of construction and construction best practice. Section 4.3 of the Code of Construction Practice (Application Document 9.21) provides specific mitigation measures which will be applied in respect of noise. Further, Section 3.2 of the Code of Construction Practice provides for restrictions on construction working hours. Construction works will be undertaken in accordance with best practicable means (as defined in Section 72 of the Control of Pollution Act 1974) to minimise noise and vibration effects. Compliance with the noise and vibration mitigation measures included in the Code of Construction Practice is secured through requirement 8 (Code of construction practice) of the draft DCO (Application Document 3.1). In addition, the Applicant has provided an Outline Project Environmental Management Plan (Document Reference 9.18) to ensure that environmental impacts are minimised. The Outline PEMP has been produced as part of the DCO application in line with

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			dML conditions. Condition 12 of Schedule 10 and Condition 13 of Schedule 11. Volume 6, Part 5, Annex 6.2: Underwater Noise Technical Report considers the impacts of noise associated with VE on marine mammals. The mitigation measures for underwater noise are specified in and further detail can be found in Volume 9, Report 9.14.1: Outline MMMP – Piling; Volume 9, Report 9.14.2: Outline MMMP – UXO; and Volume 9, Report 15: Outline Southern North Sea Special Area Of Conservation Site Integrity Plan. After mitigation, there are no significant adverse impacts.
	EN-1 5.12.5	Factors that will determine the likely noise impact of a proposed development include: > the inherent operational noise from the proposed development, and its characteristics > the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces) > the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality > the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species > the potential presence of unexploded ordnance on the seabed	The factors listed within Paragraph 5.12.5 of EN-1 have been considered in the ES assessments within the following chapters: > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. > Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration; and > Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. As such, VE is compliant with the NPS.
Applicant Assessment	EN-1 5.12.6 – 5.12.7	Where noise impacts are likely to arise from the Applicant, the applicant should include the following in the noise assessment: a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive, low frequency or temporal characteristics of the noise; identification of noise sensitive receptors and noise sensitive areas that may be affected; > the characteristics of the existing noise environment > a prediction of how the noise environment will change with the Application.	The assessment has considered all the aspects identified as shown in Sections 9.5 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration. The assessment has identified a number of mitigation measures, and a Noise and Vibration Management Plan will be prepared to ensure noise and vibration is managed appropriately to avoid significant effect. As such the VE can be considered to be in accordance with paragraphs 5.12.6 – 5.12.7 of EN-1.

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		> in the shorter term, such as during the construction period > in the longer term, during the operating life of the infrastructure > at particular times of the day, evening, and night (and weekends) as appropriate, and at different times of year > an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and well-being where appropriate, and noise-sensitive areas; > if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise; > measures to be employed in mitigating the effects of noise using best available techniques to reduce noise impacts. > The nature and extent of the noise assessment should be proportionate to the likely noise impact.	
	EN-1 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	Construction and operational noise (including increased traffic levels, has been assessed in Sections 9.10 and 9.11 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration against criteria representing best practice acceptable levels. The chapter concludes construction traffic noise is predicted to have a negligible or low magnitude of impact at all roads assessed. Such impacts (negligible and low) upon medium sensitive receptors would result in a **minor effect** and not significant in terms of the 2017 EIA regulations. Further to this, the applicant has prepared an outline Construction Traffic Management Plan (Volume 9, Document 9.24) which sets out the key principles and types of measures to be implemented during construction of VE. As such the VE can be considered to be in accordance with paragraph 5.12.8 of EN-1
	EN-1 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other	The assessment has been undertaken in accordance with the principles in the relevant British Standards as outlined in outlined in Paragraphs 9.4.16 to 9.4.34 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration. As such the VE can be considered to be in accordance with paragraph 5.12.9 of EN-1.

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		guidance which also give examples of mitigation strategies.	
	EN-1 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The applicant should consult the EA and/or the SNCB, and other relevant bodies, such the MMO or NRW, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	Consultation with regards to the scope of the Noise and Vibration assessment was outlined within the Scoping Report (GoBe, 2021) and has been undertaken through the VE Evidence Plan (Noise and Vibration Expert Topic Group (ETG) process, comprising discussion with Essex County Council and Tendring District Council. In addition, as stated within Section 9.3 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration, Essex County Council and Tendring District Council were consulted over the general approach to the assessment and the baseline noise survey. The consultation took place through July 2022 to August 2022 and all points raised were agreed between all parties. The assessment of noise impacts on ecological receptors is provided in Volume 6, Part 3 Chapter 4: Onshore Biodiversity and Nature conservation. As such the VE can be considered to be in accordance with paragraph 5.12.10 of EN-1.
	EN-1 5.12.11	In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	As part of the draft ES, the applicant has produced the following chapter: Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration, which includes noise mitigation and noise abatement technologies during construction and operation. As such, the VE can be considered to be in accordance with paragraph 5.12.11 of EN-1.
	EN-1 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	
Mitigation	EN-1 5.12.13	The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.	Section 9.5 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration sets out the assessment criteria which have been developed to enable the VE to be assessed against the principal aims of the NPSE which are in accordance with the three aims set out in Para 5.12.17 of NPS EN-1. The outcome of the assessment is that there are no significant residual effects after mitigation (see Table 9.26 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration for further commentary). As such the VE can be considered to be in accordance with paragraph 5.12.17 of EN-1.
	EN-1 5.12.14	Mitigation measures may include one or more of the following:	Mitigation for reducing noise and vibration is described in Section 9.9 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration.

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		> engineering: reducing the noise generated at source and/or containing the noise generated > lay-out: where possible, optimising the distance between the source and noise sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings > administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites > insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.	As such the VE can be considered to be in accordance with paragraph 5.12.18 of EN-1
	EN-1 5.12.15	The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).	Project design and site selection is set out as an mitigation measure within Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration, which states the onshore cable route, positioning of the landfall OnSS and TCC have been carefully routed and positioned to avoid key areas of sensitivity. Volume 6, Part 1, Chapter 4: Site Selection and Alternatives outlining that VE has been subject to an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation.
	EN-1 5.12.16	A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England264, the NPPF, and the government's associated planning guidance on noise. In Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan	Section 9.2 of Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration provides an overview of the legislative requirements VE has had due regard to with respect to noise and vibration, which includes: > The NPSs > NPPF (also see Table 6.1 in this document) > Noise Policy Statement for England > Local Planning Policy (also see Tables 6.2-6.3 in this document)
Secretary of State decision making	EN-1 5.12.17	The Secretary of State should not grant development consent unless they are satisfied that the proposals will	Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration concludes that after the proposed mitigation, there will be no adverse residual impacts on health and quality of life from noise. This proclamation is

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		meet the following aims, through the effective management and control of noise: > avoid significant adverse impacts on health and quality of life from noise > mitigate and minimise other adverse impacts on health and quality of life from noise; > where possible, contribute to improvements to health and quality of life through the effective management and control of noise.	also supported within Volume 6, Part 4, Chapter 2: Human Health and Major Disasters. Mitigation measures that will ensure there will be no adverse residual impacts are listed below: > Project design: Careful routing of the onshore cable route and positioning of the landfall. OnSS and TCC to avoid key areas of sensitivity; > All construction aspects; All construction work will be undertaken in accordance with the measures outlined in the CoCP; > Operational noise from the substation; Substation sited at a location to avoid key areas of sensitivity. A minimum distance of 250 m between the OnSS and NSRs was applied during the identification of search areas.
	EN – 1 5.12.18	When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. Regarding Noise, these are also listed within Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration which the chapter confirms no statutory limits will be exceeded. Mitigation measures that will ensure there will be no adverse residual impacts are listed below: > Project design: Careful routing of the onshore cable route and positioning of the landfall. OnSS and TCC to avoid key areas of sensitivity; > All construction aspects; All construction work will be undertaken in accordance with the measures outlined in the CoCP; and > Operational noise from the substation; Substation sited at a location to avoid key areas of sensitivity. A minimum distance of 250 m between the OnSS and NSRs was applied during the identification of search areas.
5.13 – Socio-Economic Impacts			
Applicant Assessment	EN-1 5.13.2 – 15.13.3	Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3). The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities.	The effects of the VE's construction activity on employment, including tourism are considered in section 3.9 of Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation. Employment effects associated with operations is considered within Section 3.10. The employment effects during the decommissioning phase are assessed in section 3.11. As part of the Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation., the applicant has sought to engage with the relevant local authorities and relevant parities at an early stage of the VE.

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			To date, the consultation taken place with regards to the Socio-Economic, Tourism and Recreation assessment has comprised: Submission of a Scoping Report (Five Estuaries OWF, 2021); Non-Statutory Public Consultation response - Essex County Council, 2022 Non-Statutory Public Consultation response - NHS Suffolk and North East Essex, 2022; Non-Statutory Public Consultation response – East Suffolk Council, 2022 Consultation meeting regarding jobs and skills with NHS Suffolk and North East Essex Integrated Care Board and Essex County Council; and VE Evidence Plan (Socio-Economic, Tourism and Recreation Expert Topic Group (ETG)) process, comprising discussions with Essex County Council (inclusive of Tendring District Council) and NHS Suffolk and North East Essex Integrated Care Board. Issues raised during the above consultations have been addressed, as shown within Table 3.2 of Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation.
	EN-1 5.13.4	The applicant's assessment should consider all relevant socio-economic impacts, which may include: > the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero > the contribution to the development of low-carbon industries at the local and regional level as well as nationally > the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains; > effects (positive and negative) on tourism and other users of the area impacted > the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy	Within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation, all relevant socio-economic effects during the construction phase are considered in section 3.19. Effects during the operation phase are considered in section 3.10. Effects during the decommissioning phase are considered in section 3.11. The chapter concludes that there are no significant adverse effects. Effects on tourism and recreation are also considered are also considered within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation. Section 3.4.12 outlines all potential tourism and recreational receptors that are identified through the scope of the assessment. Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation sets out the information on cumulative sites, and the approach to assessing cumulative effects, the cumulative effects specific to socioeconomics, recreation and tourism. The Applicant has committed to reviewing such effects in further detail in the final ES. In addition, the Applicant has committed to the creation and implementation of an Employment, Skills and Education Strategy as a means of aiding in the development of skills locally as a result of the VE.

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		infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development cumulative effects - if development consent were to be granted for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region	The wider study area identified has been selected to encompass the area within which significant effects on employment and the local economy could occur. 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 important to recognise that the construction, operation and decommissioning of The VE has potential to support supply chain businesses located in Essex and wider England. The indirect impact generated by local expenditure associated with the VE is considered in Section 3.9 for construction, Section 3.10 for operations and Section 3.11 for the decommissioning phase. As such VEWOF can be considered to be in accordance with paragraph 5.13.4 of EN-1.
	EN-1 5.13.5	Applicants should describe the existing socio-economic conditions in the areas surrounding the Application and should also refer to how the development's socio-economic impacts correlate with local planning policies.	
	EN-1 5.13.6	Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	
	EN-1 5.13.7	Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required	PINS and the NHS have concurred with the Applicant in their Scoping Opinion that the construction of the VE would not lead workers to relocate to the area with their families, and therefore there is not expected to be an influx of workers seeking housing and schools' services in the wider study area. PINS and the NHS agreed that this impact is unlikely to result in significant effects and this matter can be scoped out of further assessment in the ES. This is considered in more detail in Volume 6, Part 3, Chapter 3: Socioeconomics, Tourism and Recreation. Based on the worst-case scenario for the total number of the monthly onshore construction workforce, estimated to be approximately 406 workers, the demand for construction-related accommodation is estimated to represent approximately 0.064% of the serviced accommodation stock in Essex.
Mitigation	EN-1 – 5.13.8	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and	The VE's assessment Within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation provides evidence for assessments of socio-economic effects. As stated in the applicant's response to paragraph 5.13.4 of EN-1, all relevant socio-economic

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		environmental experience for visitors and the local community alike.	effects during the construction phase are considered in section 3.19. Effects during the operation phase are considered in section 3.10. Effects during the decommissioning phase are considered in section 3.11. The chapter concludes that there are no significant adverse effects. As such the VE can be considered to be in accordance with paragraphs 5.12.6 and 5.12.7 of EN
Secretary of State decision making	EN-1 5.13.9 – 5.13.12	The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS). The Secretary of State should consider any relevant positive provisions the applicant has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts. The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.	
5.14 – Traffic and Transport			
Applicant Assessment	EN-1 5.14.5 – 5.14.6	If a project is likely to have significant transport implications, the applicant's ES (see Section 4.3) should include a transport appraisal. The DfT's Transport Analysis Guidance (TAG) and Welsh Governments WelTAG provides guidance on modelling and assessing the impacts of transport schemes. National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.	A transport appraisal is submitted as part of Volume 6, Part 3, Chapter 8: Traffic and Transport. The Traffic and Transport chapter and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout. Consultation has been undertaken with Essex County Council and National Highways (NH) during the Evidence Plan process. Volume 6, Part 3, Chapter 8: Traffic and Transport does not include an assessment of the traffic impacts associated with operation and maintenance or the decommission phase of the VE as set out in Paragraph 8.4.26 and 8.4.27. This is because, following the PINS comments contained within the Scoping Opinion (PINS, November 2021), it was agreed that effects associated with operational and maintenance activities could be scoped out, given that expected number of vehicle movements would be negligible; however, they should be set out. In addition, given the detail and scope of decommissioning works will be determined by the relevant legislation and guidance at the time of decommissioning, this will be agreed with the regulator with decommissioning plan provided. Therefore, the decommissioning methodology and mitigation (if deemed

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			necessary) will be finalised nearer to the end of the lifetime of the VE. The Applicant has also developed several annexes to support of Volume 6, Part 3, Chapter 8: Traffic and Transport that have been produced in accordance with current transport guidance and this is evidenced throughout. As such the VE can be considered to be in accordance with paragraphs 5.14.5 – 5.14.6 of EN-1.
	EN-1 5.14.7 – 5.14.8	The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by active, public and shared transport to: > reduce the need for parking associated with the proposal; > contribute to decarbonisation of the transport network; > improve user travel options by offering genuine modal choice The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).	The Applicant has produced an Outline Workforce Travel Plan (WTP) (Volume 9, Document 9.26) which includes a range of demand management measures including a target car share ratio. The Outline WTP also provides details of how compliance with targets will be measured, monitored and reported upon. In addition, section 8.8 of Volume 6, Part 3, Chapter 8: Traffic and Transport outlines the Traffic and Transport mitigation measures for the construction phase of VE, such as the Code of Construction Practice (CoCP) (Volume 9, Document 9.21) and WTP (Volume 9, Document 9.26), which will include demand management measures to be adopted. As such, the VE can be considered to be in accordance with paragraph 5.14.7 of EN-1.
	EN-1 5.14.9 – 5.14.10	If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision. Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.	Volume 6, Part 3, Chapter 8: Traffic and Transport concludes that the impact on the transport infrastructure is considered to be at acceptable levels with no additional mitigation required. Therefore, no additional transport infrastructure is proposed by the Applicant. As such the VE can be considered to be in accordance with paragraphs 5.14.9 – 5.14.10 of EN-1.
Secretary of State decision making	EN-1 5.14.18 – 5.14.19	A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to	Section 8.9 of Volume 6, Part 3, Chapter 8: Traffic and Transport sets out the assessment of the likely Traffic and Transport effects as a result of the construction phase of VE. With the mitigation identified in this chapter (Outline CTMP (Volume 9, Document 9.24), Outline PAMP (Volume 9, Document 9.25) and Outline WTP (Volume 9, Document 9.26)), the impact on the transport infrastructure is considered to be at acceptable levels with no additional mitigation required.

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		acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below.	As such, the VE can be considered to be in accordance with paragraph 5.14.18 – 5.14.19 of EN-1.
	EN-1 – 5.14.20	Development consent should not be withheld provided that the applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	Volume 6, Part 3, Chapter 8: Traffic and Transport concludes that the impact on the transport infrastructure is considered to be at acceptable levels with no additional mitigation required. Therefore, no additional transport infrastructure is proposed by the Applicant.
	EN-1 – 5.14.21	The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	The assessment for Traffic and Transport assesses the potential impacts from the increase in vehicle movements, particularly during the construction period, leading to driver delay and severance. Other impacts which have been assessed include the impacts upon users of public rights of way, vulnerable road users and road safety. Overall, it is considered that there will be no significant effect upon Transport and Traffic receptors.
5.15 – Resource and Waste Management			
Resource and Waste Management	EN-1 5.15.2	Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): > prevention; > preparing for reuse > recycling > other recovery, including energy recovery > disposal	As stated within Table 5.13 within Volume 6, Part 3, Chapter 5: Ground Conditions and Land use, a Site Waste Management Plan (SWMP) will form part of the CoCP. The SWMP will be used to monitor wastes arisings and ensure adherence to duty of care and wastes legislation on site and also the anticipation of sustainable waste management practices by maximising waste prevention, reuse and recycling for material destined for offsite waste management. This will actively discourage sending waste to landfill. In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy. As such, the VE can be considered to be in accordance with paragraph 5.15.2 of EN-1.
	EN-1 5.15.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	As outlined in Table 5.13 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land use, suitable local schemes that are suitable for offsite reuse or recycling of surplus subsoil have been identified as part of the DCO application. In addition, a SWMP will be prepared to monitor wastes arisings and ensure adherence to duty of care and wastes legislation on site and also the anticipation of sustainable waste management practices by maximising waste prevention, reuse and recycling for material destined for offsite waste management. This will actively discourage sending waste to landfill.

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			The SWMP will be prepared to ensure appropriate management of wastes has been considered in line with the waste hierarchy. As such, the VE can be considered to be in accordance with paragraph 5.15.3 of EN-1.
	EN-1 5.15.4	All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	The approach to managing waste is set out within the Draft Code of Construction Practice. Information is included within the Mitigation Section 5.9 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land use. Overall, the mitigation set out in Volume 6, Part 3, Chapter 5: Ground Conditions and Land use, and the preparation of a SWMP will ensure that all legislative requirements are complied with. Including securing the necessary waste management licences and exemptions and compliance with the hazardous waste controls for any hazardous wastes produced. As such, the VE can be considered to be in accordance with paragraph 5.15.4 of EN-1.
Applicant Assessment	EN-1 5.15.6 – 15.5.8	Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste. The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level. The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.	As outlined within Volume 3, Chapter 5: Ground Conditions, proposals for the VE are in line with Defra's policy position on the role of energy from waste in treating municipal waste. As such, the VE can be considered to be in accordance with paragraph 5.15.6 of EN-1.
	EN-1 5.15.9	The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.	Volume 6, Part 3, Chapter 5: Ground Conditions and Land use includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The approach to managing waste is set out within the Draft Code of Construction Practice and will also be outlined within the SWMP. A key element of the SWMP will be to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle. Offshore, the disposal of dredged material at sea is a subject of the Marine Licence application and will be considered further within the ES. The VE includes within Table 2.9 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes, the project array areas and offshore ECC will be licensed as disposal sites for the deposition of dredging's and drill arisings. All material that is

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			dredged from the seabed will be disposed of within these sites to ensure material is retained within the local sediment transport system. As such the VE can be considered to be in accordance with paragraph 5.15.9 of EN-1.
	EN-1 5.15.10	The applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' 276 and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.	Section 5.2 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use outlines the relevant policy and guidance considered for onshore matters relating to waste. Waste is also considered in Volume 6, Part 2, Chapter 5: Marine Water and Sediment Quality, with Section 3.2 of the chapter outline the relevant policy and guidance considered.
	EN-1 5.15.11	If the applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process.	Disposal of dredged material is discussed within Section 1.9 of Volume 6, Part 2, Chapter 1: Offshore Project Description. The proposed disposal sites for VE are presented in Figure 1.11 of the Chapter and Table 1.25 details the maximum volume of sediment which may be disposed of as part of the proposed pre-construction works. Material may be collected from seabed preparation for foundations and from sandwave clearance, depending on the selected technique. If material is collected by commercial-scale suction dredger for example, then it will be released at the water surface within the disposal sites.
	EN-1 5.15.12 – 5.15.13	The UK is committed to moving towards a more 'circular economy'. Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible. Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.	The Applicant has committed to reusing materials wherever practicable, for example through re-use of soils which will be secured within a Soil Management Plan. In addition, Table 5.15 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land use outlines approaches that will be used regarding the reuse/recycling of materials. As such, the VE can be considered to be in accordance with paragraphs 5.15.12 – 5.15.13 of EN-1.
Secretary of State decision making	EN-1 5.15.14	The Secretary of State should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the Application. The Secretary of State should be satisfied that:	As noted in the Applicant's response to paragraph 5.15.9 of EN-1, Volume 6, Part 3, Chapter 5: Ground Conditions and Land use includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. In addition, the approach to managing waste is set out within the Draft Code of Construction Practice and will also be outlined within the SWMP.

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		any such waste will be properly managed, both on-site and off-site. the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area. adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome.	Furthermore, the CoCP will incorporate measures to prevent pollution. Areas at risk of spillage, such as vehicle maintenance areas and hazardous substance stores (including fuel, oils, drilling fluids and chemicals) will be bunded and carefully sited to minimise the risk of hazardous substances entering drainage systems or local watercourses. Moreover, any wastes found to be hazardous, will be stockpiled or stored separately from any non- hazardous stockpiles. Appropriate action will be taken in accordance with The Waste Enforcement (England and Wales) Regulations 2018 makes amendments to the Environmental Protection Act (1990) and the Environment Act (1995). As such, the VE can be considered to be in accordance with paragraph 5.15.14 of EN-1.
	EN-1 5.15.16 – 5.15.17	Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The effects of waste management are presented within the associated chapters of the ES and management through the implementation of the SWMP which will be secured in the DCO (see Volume 6, Part 3, Chapter 5: Ground Conditions and Land use). As such, the VE can be considered to be in accordance with paragraphs 5.15.16 – 5.15.17 EN-1.
	EN-1 5.15.18	Where the project will be subject to the Environmental Permitting regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply.	The VE operations will not be subject to the EP regime by nature of the VE being a renewable electricity generation project. As stated in the Applicant's response to paragraph 5.15.16 – 5.15.17 of EN-1, the Environmental Protection Act (1990) and the Environment Act (1995) will be considered and accorded to across the VE. As such, the VE can be considered to be in accordance with paragraph 5.15.11 EN-1.
	EN-1 5.15.19	The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	Within Section 5.2.4 of Volume 6, Part 3, Chapter 5: Ground Conditions and Land use, the Environment Act 2021 is citied as a key piece of legislation that was considered when developing the Ground Conditions and Land Use chapter. As such, the VE can be considered to be in accordance with paragraph 5.15.19 EN-1.
5.16 – Water Quality and Resources			
Water Quality and Resources	EN-1 5.16.1 – 5.16.2	Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters. During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water, and cause adverse	The VE sections 3.10 to 3.13 of Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality present the assessment of the VE on MW&SQ receptors. The conclusions drawn within Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality are that there are no significant adverse effects on MW&SQ receptors.

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		ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas278 failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.2.	In addition, the Applicant has prepared an onshore and offshore WFD assessment within Volume 9, Documents 9.6 and 9.7 respectively. As such, the VE can be considered to be in accordance with paragraph 5.15.1 EN-1.
Applicant Assessment	EN-1 5.16.3	Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	An assessment of the potential impacts of the VE upon water quality is provided in Sections 3.10 to 3.13 within Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality. An assessment of the physical characteristics is presented in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The conclusions drawn are that there are no significant adverse effects on water quality, water resource and the water environment. As such the VE can be considered to be in accordance with paragraph 5.16.3 of EN-.1
	EN-1 5.16.4	The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	The combined assessment of water resources for offshore and onshore, and in the context of the drainage, concludes that there will be no significant adverse effects. Mitigation is appropriately secured through the DCO and a number of management plans, including the Drainage Strategy documents, the CoCP and/or future permit applications which will be made against the final design of the VE. As such the VE can be considered to be in accordance with paragraph 5.16.6 of EN-1.
	EN-1 5.16.5	Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g. from car parks or other areas of hard standing, during operation.	
	EN-1 5.16.6	Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers.	
	EN-1 5.16.7	The ES should in particular describe: > the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;	A description of the baseline (existing) water quality conditions is provided in Section 3.7 of Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality. An assessment of the potential impacts of the VE upon water quality is provided in Sections 3.10 to 3.13. There will be no proposed changes or new discharges as a result of the VE. A full WFD (onshore and offshore) assessment has been

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		> existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance; > existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; > any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions; > how climate change could impact any of the above in the future; > any cumulative effects	submitted with the DCO application, detailing the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided within Section 6.7 of Volume 6, Part 3: Chapter 6 Hydrology, Hydrogeology and Flood Risk and mitigation can be found within section 6.9. As such the VE can be considered to be in accordance with paragraph 5.16.7 of EN-1
Secretary of State decision making	EN-1 5.16.11	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	As per paragraph 3.11.7 of Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality, there are no outfalls or discharges associated with the VE. However, as outlined in the mitigation within Section 3.9 and Volume 9, Document 9.18, a Project Environmental Management Plan (PEMP) is proposed to be produced to ensure that the potential for contaminant release is strictly controlled. The PEMP will include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Environment Agency, Natural England, Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence(s). Typical measures will include: Storage of all chemicals in secure designated areas with impermeable bunding (generally to 110% of the volume); and Double skinning of pipes and tanks containing hazardous materials. As such the VE can be considered to be in accordance with paragraph 5.16.11 of EN-1.

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	EN-1 5.16.12	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	The assessment of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Section 6.7 and Table 6.10) of Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk. The chapter concludes there are no significant adverse effects on water quality, water resource and the water environment. An onshore and offshore WFD compliance assessment is provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies. These are within Volume 9, Document Number 9.6 (WFD Assessment – onshore) and 9.7 (WFD assessment – offshore). As such the VE can be considered to be in accordance with paragraph 5.16.12 of EN-1.
	EN-1 – 5.16.13	The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government's Environmental Improvement Plan 2023.	The VE meets the Government's Environmental Improvement Plan by: > contributing significantly towards the UK's current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions. > maximising resources and minimises waste. > Not causing harm to habitats identified as being of importance for the conservation of biodiversity and enhancing where possible. > Protecting water quality.
	EN-1 5.16.14 – 5.16.15	The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential. The Secretary of State should also consider the interactions of the proposed project with other plans such	Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk demonstrates that the VE meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). An onshore and offshore WFD compliance assessment is provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies. These WFD assessments consider the potential for both short-term and long-term impacts on WFD water bodies which have a connection to the VE. The conclusions of the offshore WFD assessment are presented in Table 2.6 of Volume 6, Document number 9.7. This assessment has been informed and presents a summary of the information presented in the EIA and HRA assessments presented within this ES. Table 2.6 concludes that there is no deterioration in the status of the water body element; the proposed activities will not jeopardise the attainment of good status. No deterioration in the status of the

SECTION/ TOPIC	PARAGRAPH REF	NPS POLICY WORDING	ACCORDANCE WITH THE NPS
		as Water Resources Management Plans and Shoreline/Estuary Management Plans.	Bathing Waters is predicted. In addition, no Adverse Effect on Integrity (AEoI) is predicted from the proposed activities. A WFD assessment has been undertaken for the onshore elements of the VE (Volume 9, Document Number 9.6 (WFD Assessment – onshore). The assessment is based on guidance developed by the EA (and NRW) and is undertaken in a staged approach to ensure that those components of the project and the associated activities are assessed in the context of the quality elements that contribute to overall WFD status. Based upon the information presented within the WFD compliance assessment, it is concluded that the construction, maintenance, or decommissioning of the VE is not likely to have a permanent (i.e. non-temporary) effect on the status of WFD parameters that are significant at the water body level. Therefore, deterioration to the current status of the water bodies scoped in, is not predicted, nor a prevention of this or other water bodies achieving future WFD status objectives The study area is contained within Management Unit C, Tendring Peninsula, and the Policy Development Zones for Holland-on-Sea (PDZ C2) and Clacton-on Sea (PDZ C3). The Shoreline Management Plan for Essex County Council states that for PDZ C2 the current line will be held until 2055 and from this point a dual policy of either managed realignment or hold the line.
	EN-1 5.16.16	The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary.	Refer to Paragraph EN-1 5.16.14 – 5.16.15

3 EN-3 NPS COMPLIANCE TABLE

Table 3.1: NPS EN-3 Compliance.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-3: Part 2 – General Assessment and Technology Specific Information			
2.1 – Introduction			
Introduction	EN-3 2.1.8	The assessment principles outlined in Section 4 of EN-1 continue to apply to CNP infrastructure. Applicants must show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. Early application of the mitigation hierarchy is strongly encouraged, as is engagement with key stakeholders including SNCBs, both before and at the formal pre-application stage.	The Applicant has considered the NPS and relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, illustrated in the Planning Statement (Volume 9 Report 9.1). The ES (Volume 6) provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.
2.2 – Relationship with English and Welsh Renewables Policies			
Relationship with English and Welsh renewables policies	EN-3 2.2.1 – 2.2.4	Policy set out in existing planning guidance in England and, for any proposed project located in Wales, in relevant planning policy and advice issued by the Welsh Government, will provide important information to applicants of nationally significant renewable energy projects. Applicants should take these policies and guidance (including any relevant targets) into account and explain how their proposals fit with guidance or, alternatively, why they depart from them. The Secretary of State should also have regard to these policies and guidance (including any relevant targets) in its decision making. Whether an application conforms to the guidance, or the targets will not necessarily be a reason for approving or rejecting the application.	The Planning Statement (Volume 9, Report 9.1) and this Policy Compliance Document (Volume 9, Report 9.2) summarises the principal matters and relevant policy. In a majority of cases, policies have been complied with. Where policies have not been fully complied with, clear justification is given in the relevant ES chapter and within this Policy Compliance Document.
2.3 – Factors influencing site selection and design			
Factors influencing site selection and design	EN-3 2.3.1 – 2.3.4	Factors influencing site selection by applicants for renewable energy generating stations are set out below. The specific criteria considered by applicants and the weight they give to them will vary from project to project. Where there are requirements on applicants or the Secretary of State to consider specific factors, these are made clear in the text. The choices which applicants make in selecting sites reflect their assessment of the risk that the Secretary of State, following the general points set out in Section 4.1 of EN-1, will not grant consent in any given case.	The approach taken for the development of the Five Estuaries Offshore Wind Farm Project has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. Stakeholder engagement has been a key influence on the project design, with each phase of consultation carefully designed to provide opportunities for review and provision of additional information to guide site selection decisions and refine the project proposals. A full description of the site selection process is provided in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.3.5	It is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure. In specific circumstances it may be appropriate to provide some direction or guidance, for example to areas of search or areas to avoid through Marine Plans, Strategic Environmental Assessments (SEAs) or The Crown Estate Leasing Rounds, in respect of marine renewable technology. All of the examples given consider marine specific aspects of many of the assessment principles set out in Part 4 of EN-1	In February 2017, The Crown Estate announced the opportunity for developers to apply for project extensions to operating offshore wind farms. Eight applications were received, including VEOWF, which, is an application to extend the operational Galloper Offshore Wind Farm. Following a successful application to The Crown Estate, the VEOWF Project proceeded to the award of leasing rights as part of the 2017 extensions round. The agreement for lease was awarded in 2020.
2.4 – Climate Change Adaption and Resilience			
Climate change adaptation and resilience	EN-3 2.4.1 – 2.4.4	Part 2 of EN-1 covers the government's energy and climate change strategy, including policies for mitigating climate change. Section 4.10 of EN-1 sets out generic considerations that applicants and the Secretary of State should take into account to help ensure that renewable energy infrastructure is safe and resilient to climate change, and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. Section 4.10 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES. Section 5.6 Coastal Change and Section 5.8 Flood Risk of EN-1 set out generic considerations that applicants and the Secretary of State should take into account in order to manage coastal change and flood risks.	The ES takes into account climate change and ensures that natural hazards have been taken into account. Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of VE. In addition, a Climate Change ES specific chapter, considering impacts for both offshore and onshore infrastructure, is provided at Volume 6, Part 4, Chapter 1, including a Greenhouse Gas Assessment in Annex 1.1. Coastal processes are considered with Volume 6, Part 2, Chapter 2 – Marine Geology, Oceanography and Physical Processes. Flood risk is considered through site selection process (Volume 6, Part 1, Chapter 4) and Volume 6, Part 3, Chapter 6 - Hydrology and Flood Risk. The Applicant has followed the Assessment Principles outlined within Section 5.6 and 5.8 of EN-1.
Offshore wind	EN-3 2.4.8	Offshore wind farms will not be affected by flooding, applicants should demonstrate that any necessary land-side infrastructure (such as cabling and onshore substations) will be appropriately resilient to climate-change induced weather phenomena. Similarly, applicants should particularly set out how the proposal would be resilient to storms.	The ES takes into account climate change and ensures that natural hazards have been taken into account. Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of VE. The Climate Change Resilience assessment presented in Section 1.9, Section 1.10 and Section 1.11 of Volume 6, Part 4, Chapter 1: Climate Change includes assessment of effects associated with onshore and offshore project components across construction, operation, and decommissioning phases. Future baseline changes to storm variables are discussed in Section 1.6 Volume 6, Part 4, Chapter 1: Climate Change. In addition, Flood Risk

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Assessments (FRA) are submitted as part of the following VE Documents: Volume 5, Report 3.1: Flood Risk Assessment – Cable Route and Volume 5, Report 3.2: Flood Risk Assessment – Onshore Substation. Various mitigation measures are embedded into the project design to minimise the impacts of GHG emissions as well as strengthen the resilience of VE to changes in the climate. Climate change resilience measures embedded within VE have been considered within the CCR assessment when determining the significance of potential effects. Where mitigation measures are in place, this has been noted in the mitigation column of Table 1.15, Table 1.16, and Table 1.17 of Volume 6, Part 4, Chapter 1: Climate Change. Further climate change resilience measures include the flood mitigation measures outlined in Volume 6, Part 3, Chapter 6: Hydrology and Flood Risk. Measures specifically relevant to climate change are outlined below: The proposed development incorporates a new surface water drainage system. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk. Construction will be managed through principles set out in Volume 9, Report 21: CoCP. These measures include management of soil and earthwork activities, management of rainfall runoff in construction areas and principles for reinstatement. The outlined construction principles will be key to ensuring that the land remains resilient to future changes in rainfall runoff from climate change.
2.5 – Consideration of good design for energy use			
	EN-3 2.5.1 -2 .5.2	Section 4.7 of EN-1 sets out the criteria for good design that should be applied to all energy infrastructure. Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage. Applicants should explain how their proposals comply with the guidance and support its targets or, alternatively, the grounds on which a departure from them is justified.	The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2017 Extensions round criteria. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. VE as presented is sustainable and both functional as well as well designed. Further design considerations of relevance to the onshore design are set out in the Offshore Design Principles Document (Document Reference 9.3) and Onshore Design Principles Document (Document 9.4). With regards offshore design, VE is being designed in so far as reasonably practicable to apply good design, siting WTGs in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements (beyond the reduction in turbine height implemented following Section 42 consultation), such as reducing

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			WTG height further or altering project scale are not considered feasible due to the flexibility needed due to uncertainty in technological advances (as recognised in NPS EN-3) or due to other considerations such as operational safety which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements. There will be residual, not significant, onshore and offshore landscape and visual impacts from VE. These impacts are unavoidable. However, VE has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to VE throughout the pre-application process. For example, the majority of the wind turbine generators will be viewed behind and in the same section of the view as the existing Greater Gabbard and Galloper Offshore Wind Farms, thereby minimising additional visual impact. A full description of the site selection process is provided in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives.
2.6 Flexibility in project details			
	EN-3 2.6.1 – 2.6.3	Where details are still to be finalised applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case. Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed. Full guidance on how applicants and the Secretary of State should manage flexibility is set out in Section 4.3 of EN-1.	To allow for design flexibility at detailed design stage, VE has adopted an assessment approach known as the 'Maximum design envelope' approach or the 'Rochdale Envelope' approach (The Planning Inspectorate, 2018). This approach assesses what is considered the 'worst case' scenario based on the maximum parameters currently defined for the Project which are detailed throughout this chapter. Within the ES, a range of parameters for each aspect of VE are defined and the MDS for each receptor and/or impact is identified and considered for assessment. This process and the associated parameters have been refined for the ES taking account of newly available survey data and feedback from the Project's consultation, as detailed within the Consultation Report (Document Reference 5.1).
2.8 Offshore Wind			
Introduction	EN-3 2.8.1 – 2.8.2	As set out in the British Energy Security Strategy, the Government expects that offshore wind (including floating wind) will play a significant role in meeting demand and decarbonising the energy system. The ambition is to deploy up to 50GW of offshore wind capacity (including up to 5GW floating wind) by 2030, with an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050. To meet its objectives Government considers that all offshore wind developments are likely to need to maximise their capacity within the technological, environmental, and other constraints of the development.	As demonstrated within the Planning Statement (Document Reference 9.1), VE will play a significant role in meeting demand and decarbonising the energy system and assisting the Government in meeting their aims. VE has assessed impacts that have been agreed and scoped in/out throughout the lifetime of the Project. This process was undertaken through the Scoping Report and subsequent Scoping Opinion received and engagement with stakeholders. The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2017 Extensions round criteria. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. VE as presented is sustainable and both functional as well as well-designed and has maximised its capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the design are set out in the Offshore Design Principles Document (Document Reference 9.3) and Onshore Design Principles Document (Document 9.4). Extensions to operational wind farms have proven to be a successful way of efficiently developing more offshore generating capacity (e.g. Burbo Bank, Kentish Flats, and Walney Extensions).
	EN-3 2.8.3	There are two main UK sea areas where offshore wind farms can be built: in UK territorial waters, which generally extend up to 12 nautical miles (nm) from the coast; and beyond the 12 nm limit where, under international law, the UK is able to construct wind farm installations or other structures to produce renewable energy in the Renewable Energy Zone (REZ) as declared in the Energy Act 2004.	VE 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. VE therefore crosses the 12 nautical mile boundary where the UK is able to construct wind farm installations or other structures to produce renewable energy in the Renewable Energy Zone (REZ) as declared in the Energy Act 2004. A Safety Zone Statement (Document 8.2) outlines the legislative requirements relating to an application for safety zones for Offshore Renewable Energy Installations, under section 95 of the Energy Act 2004 (2004 Act), the need for safety zones for the Project and the scope of the proposed safety zone application.
	EN-3 2.8.4	Any reference within this NPS to offshore wind farm infrastructure includes all the elements which may be part of an offshore wind farm application including: wind turbines; all types of foundations (fixed bottom or floating); onshore and offshore substations; anemometry masts; accommodation platforms; and cabling (offshore transmission).	Noted by the Applicant. The ES covers all infrastructure associated with VE, both onshore and offshore.
	EN-3 2.8.5	In addition, this section on offshore wind makes many references to cabling and offshore transmission. Applicants bringing forward proposals for that infrastructure should note all such references; cabling refers to all types of electricity network infrastructure including offshore transmission as well as the Inter-array cables for a wind farm.	Noted by the Applicant. The ES covers all types of electricity network infrastructure for both onshore and offshore works.
Consenting Process	EN-3 2.8.6	For guidance on DCOs and Marine Licences, applicants and the Secretary of State should consult section 2.3.16 of this NPS.	Noted by the Applicant. The draft DCO and Marine Licences have been prepared in accordance with section 2.3.16 of EN-3 and are provided in Volume 3, Document 3.1.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.8.7	Given ambitions to deliver up to 50 GW of offshore wind by 2030, including up to 5 GW of floating wind, there is a need to speed up, and reduce delays in, the consenting process.	Noted by the Applicant. The Applicant has engaged with PINs prior to submission as part of the Early Adopters Programme and has followed advice received. It is hoped that this will reduce delays.
	EN-3 2.8.8	The British Energy Security Strategy committed to implementing an Offshore Wind Environmental Improvement Package (OWEIP), which aims to streamline environmental assessments, decrease consenting times, and maintain marine environmental protections. The OWEIP includes measures to: revise Marine Protected Area assessment guidance (including Habitats Regulations and Marine Conservation Zone (MCZ Assessments) to streamline and simplify information applicants must supply. revise the Habitats Regulations and MCZ assessment process for offshore wind to facilitate the delivery of compensation measures whilst maintaining valued protection for wildlife. facilitate the delivery of strategic environmental compensation measures to offset environmental effects and reduce delays to projects, including development of a library of compensation measures, through the Collaboration on Offshore Wind Strategic Compensation (COWSC) programme. implement an industry-funded Marine Recovery Fund (MRF), into which developers can choose to contribute to meet their environmental compensation obligations. develop offshore wind environmental standards to set a minimum common requirement for designing wind farms and offshore transmission infrastructure, providing greater certainty, and speeding up the consenting process. develop a strategic approach to environmental monitoring.	The Applicant has had due consideration to the OWEIP and has completed the relevant assessments in a streamlined approach, whilst also maintaining environmental protections. The Applicant has also participated in the Offshore Wind Industry Council (OWIC) HRA derogation group in order to keep abreast of OWEIP measures. It is recognised that many of the OWEIP measures are still be progressed, however the Applicant has had regard to the latest guidance on strategic compensation measures and has allowed for use of the Marine Recovery Fund as part of in-principal derogation cases and associated compensation measures. The Applicant also volunteered for the Project to be part of the NSIP Reform Early Adopter Programme which facilitated the use of multiparty meetings throughout the pre-application stages. This has played a successful role in ensuring where possible stakeholder concerns have been satisfactorily addressed or resolved, whilst also meaning the Project has met all of the relevant requirements and overall will help speed up the consenting time frame.
	EN-3 2.8.9 – 2.8.10	Various aspects of the Offshore Wind Environmental Improvement Package (OWEIP) will be subject to public consultation and guidance will be produced in due course. The OWEIP applies to “the planning, construction, operation or decommissioning of offshore wind electricity infrastructure” and the identification of an area for such an activity. Infrastructure is defined in the Energy Act and includes offshore transmission infrastructure such as bootstraps.	The Applicant has had regard to draft guidance where available (for example in relation to strategic compensation), as well as recent developments relating to the Marine Recovery Fund. These have been considered where appropriate in the relevant documents of Volume 5, Part 5 (Habitats Regulations Derogation).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Factors influencing site selection and design	EN-3 2.8.11 – 2.8.13	General factors influencing site selection by applicants are set out at Section 2.3 of this NPS. Specific considerations involved in the siting of an offshore wind development are additionally likely to be influenced by factors set out in the following paragraphs. The specific criteria considered by applicants, and the role that they play in site selection, will vary from project to project.	A full description of the site selection process is provided in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. The Applicant has considered all criteria where considered relevant to do so. VE is an extension project and is therefore constrained with regards to location. However, extension projects take advantage of the technological gains made since the original installations were made. They benefit from data, information and experience from existing infrastructure, real life experience of working on site, earlier geological and environmental studies and direct experience of the wind resource through existing wind turbine performance (TCE, 2019).
Offshore Energy Strategic Environmental Assessment	EN-3 2.8.14 – 2.8.15	In proposing sites for offshore wind and/or offshore transmission infrastructure, NSIP applicants should demonstrate that their choice of site takes into account the government's Offshore Energy SEA and any successors to it. The government is undertaking a rolling Offshore Energy SEA programme, including a research programme and data collection to facilitate future strategic and project specific assessments to achieve the 50GW ambitions.	In 2017, The Crown Estate (TCE) defined application criteria for the leasing of sites for offshore wind project extensions. The Applicant has therefore been constrained with regard to site selection for the turbine array, however the offshore transmission infrastructure has been through a thorough site selection process, as described in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives.
Marine Planning	EN-3 2.8.16 – 2.8.19	Marine planning currently enables the increasing demands for use of the marine area to be balanced and managed in an integrated way that protects the marine environment whilst supporting sustainable development. Marine plans provide a transparent framework for consistent, evidence-based decision making and should be used by applicants to guide site selection. Marine plans will help applicants understand generic potential impacts of their proposal at an early stage e.g., in relation to other activities, or where there are marine protected areas. Further information is provided in Section 4.5 of EN-1. The cross-Government Marine Spatial Prioritisation Programme will review how marine plans, the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas, and that this is taken to maximise co-existence/co-location possibilities.	The Marine Policy Statement (MPS) adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans, establishing how decisions affecting the marine area should be made in order to enable sustainable development. The East Inshore and Offshore Marine Spatial Plan (Defra, 2014) covers some of the offshore cable corridor area and the turbine array area. The Spatial Plan sets out a number of policies (such as WIND1) protecting areas where lease agreements are granted, as well as a number of policies protecting existing infrastructure, activities, and biodiversity. The South East Inshore and Offshore Marine Spatial Plan (Defra, 2021) covers all of the inshore and nearshore cable corridor areas and some of the offshore. The Spatial Plan sets out a number of policies (such as SE-WIND-1) supporting offshore wind development, as well as a number of policies protecting existing infrastructure, activities, and biodiversity. The above Marine Plans have been considered, where relevant, in each ES Chapter and the accompanying Planning Statement (Document Reference 9.1). As of the date of Application, the outputs from the Marine Spatial Prioritisation Programme have not been published.
Seabed leasing	EN-3 2.8.20 – 2.8.25	The Crown Estate issues leases for offshore wind farms in tendering rounds. Applicants must obtain a lease prior to placing an offshore wind structure on, or passing transmission export cables over, the seabed and	In February 2017, The Crown Estate (TCE) offered developers of operating OWFs the opportunity to apply for project extensions. Eight applications were received, including VE, which met the specified criteria. In August

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		its foreshore (see section 2.3.10 of this NPS for information in seabed leasing and capacity extensions). Rounds 1, 2 and 3 are closed and sites leased in those rounds are either operational; in construction; consented but yet to be constructed; awaiting determination; or yet to apply for development consent. Leasing Round 4 is completed, with agreements for lease awarded in January 2023. To date, each offshore wind leasing round has been supported by a plan level HRA, which assesses the impact of the leasing round on protected sites. It should also be noted that aspects of plan level HRAs that remain relevant at the project level might be able to be relied upon to inform the project level HRA, reducing the project level effort required and reducing duplication. The assessment serves to provide a better understanding of the potential effects and identify measures which can be put in place to avoid, mitigate, or reduce those significant effects at a plan level. Where an assessment concludes that there will still be an adverse impact, a case for derogation can be considered. This must meet strict legal tests, which includes identifying compensatory measures. Individual project lease agreements from The Crown Estate often include limits on development (such as a maximum generation capacity), which are used by The Crown Estate as a proxy to establish environmental effects at the plan level. Consistent with the Government's objectives in this NPS, project developers should seek to maximise their capacity within the technological, environmental, and other constraints of the project. At the development consent stage, the Secretary of State will use detailed maximum project parameters to assess environmental impacts, and these will be reflected in the DCO. Such parameters may differ from the limits on development assumed by The Crown Estate in the agreement for lease e.g., as a rule, the Secretary of State will not include a maximum capacity limit within the DCO. Future offshore development may occur in rounds, as piecemeal development or using any other development mechanism as required.	2019, TCE published a plan-level Habitats Regulations Assessment (HRA) which assessed the potential impacts of the proposed projects on relevant nature conservation sites of the European Natura 2000 network. Seven of the eight extension projects, including VE, proceeded to the award of leasing rights as part of the 2017 extensions round. The Agreements for Lease (AfLs) for these projects were awarded in summer 2019. Following the conclusion of the RIAA, VE has submitted a conceded derogation case with regard to the LBBG feature of the Alde-Ore Estuary SPA, and several other without prejudice derogation cases (Volume 5, Report 5: Habitats Regulations Assessment Derogation Case. This is accompanied by details of proposed compensation measures for consideration by the Competent Authority, should it reach a conclusion of AEoI, to enable consent to be granted. To allow for design flexibility at detailed design stage, VE has adopted an assessment approach known as the 'Maximum design envelope' approach or the 'Rochdale Envelope' approach (The Planning Inspectorate, 2018). This approach assesses what is considered the 'worst case' scenario based on the maximum parameters currently defined for the Project which are detailed throughout this chapter. Within the ES, a range of parameters for each aspect of VE are defined and the MDS for each receptor and/or impact is identified and considered for assessment. This process and the associated parameters have been refined for the ES taking account of newly available survey data and feedback from the Project's consultation, as detailed within the Consultation Report (Document Reference 5.1).
	EN-3 2.8.26 – 2.8.27	Future leasing rounds may continue to be supported by separate plan level HRA or, in appropriate cases, may be the subject of a coordinated approach to the HRA, where there is overlap between the activities of more than one competent authority in relation to offshore development. The Crown Estate is designing new leasing opportunities for floating wind projects in the Celtic Sea as part of the ambition of up to 50GW of offshore wind by 2030, including up to 5GW of floating wind.	This applies to future leasing rounds and is not applicable to VE. However it should be noted that the Applicant has already adopted a coordinated approach as outlined in Offshore Co-ordination Document (Document 9.29) and Onshore Co-ordination Document (Document Reference 9.30). In addition The Crown Estate is currently progressing an update to the plan-level HRA for the extensions projects, to assess the potential for capacity increases including Five Estuaries.

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Wind Resource	EN-3 2.8.28 – 2.8.30	Available wind resource is critical to the economics of a proposed offshore wind farm. To inform their economic modelling applicants may collect wind speed data using an anemometry mast or similar. Collection of this data is not obligatory as the suitability of the wind speed across the site and economics of the scheme are a matter for the technical and commercial judgement of the wind farm applicant not the Secretary of State.	As an extension project, VE has taken advantage of the data, information and experience from wind resource measures carried out for neighbouring wind farms and through existing wind turbine performance data.
Water depth and foundation conditions	EN-3 2.8.31 – 2.8.33	Water depth, bathymetry and geological conditions are all important considerations for the selection of sites and will affect the design of the foundations of the turbines, the layout of turbines within the site and the siting of the cables that will export the electricity. The onus is on the Applicant to ensure that the foundation design is technically suitable for the seabed conditions and that the application caters for any uncertainty regarding the geological conditions. Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.	The Rochdale Envelope includes options for foundation types and a worst case approach has been adopted as part of the ES. There are a number of foundation types that are being considered for VE, the factors influencing the choice of foundation for a specific project include the type of wind turbine to be used, the nature of the ground conditions on the site, the water depth and sea conditions (i.e. prevailing wave and current climate), as well as supply chain constraints. The foundation type selected in the final design for the WTGs and OSP will be dependent upon the final site investigations (undertaken post consent) and project procurement processes. Table 1.13 of Volume 6, Part 2, Chapter 1: Offshore Project Description describes which foundation options are considered within the maximum design scenario for VE. A description of each foundation type is provided within this Chapter at Section 1.6. Further detail on the maximum design parameters for the different foundation options is provided in Volume 6, Part 5, Annex 1.1. Each relevant ES chapter assesses the maximum design scenario for foundations, with no significant residual effects being concluded.
Offshore-onshore network connection	EN-3 2.8.34 – 2.8.36	As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission is required. The previous standard approach to offshore-onshore connection involved a radial connection between single wind farm projects and the shore. A coordinated approach will involve the connection of multiple, spatially close, offshore wind farms and other offshore infrastructure, wherever possible, as relevant to onshore networks. This will include connections via multi-purpose interconnectors (MPIs), which combine the connection of offshore wind with the function of market-to-market interconnectors.	Following the consultations carried out by the Applicant and North Falls Offshore Wind Farm, and in response to the NPS's on co-ordination and feedback identifying the need for closer coordination, the two projects have worked together to develop a shared landfall location, and single site for both onshore substations. The shared design keeps the potential impacts from the projects to a single swathe of land and enables coordination during construction, which has the potential to significantly reduce the impacts associated with the construction phase. In order to realise these benefits during construction, the two projects need reach their decision points on whether to proceed with the projects (also known as their Financial Investment Decisions (FIDs)) within three years of each other. The shorter the gap between the projects' FIDs, the more coordination in construction can be achieved.

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			In order to allow the flexibility for coordinated construction, the DCO for VE has been drafted to allow for scenarios based on the gap between the two projects meeting their respective FIDs. Three onshore construction scenarios with North Falls have been developed and are: Scenario 1 – parallel construction. With civils works for the ECC being carried at the same time. Scenario 2 – overlapping construction - both projects construction carried out independently, but opportunities for reuse of enabling infrastructure e.g., haul roads/ site accesses etc. with the other project reinstating. Scenario 3 – Sequential construction. Projects are on significantly different programmes which mean that haul roads and TCC's are reinstated prior to the second project proceeding. Two 'build options', which cover the above three delivery scenarios are secured within the draft DCO: Build option 1: This applies to scenario 1 where each project consents the onshore export cable ducts for the other within each DCO and delivers these as part of its own build. If the FID decisions are reached within a year of each other, this would then also allow for the use of a single civils contractor for the onshore export cable civils work for the two projects. Each project would then install its own electrical cables within the ducts. This has the potential to significantly reduce construction impacts during the civils phase, particularly traffic impacts. Build option 2: This applies to scenario 2 and 3 where each project delivers its own ducts and cable works. In scenario 2, while this will not deliver a second set of ducts, if the projects reach FID within three years of each other, overlapping order limits still allow for elements of the construction work (such as elements of the haul roads and temporary construction sites) to be transferred for use by the second project where practicable and desirable (having regard to for example the impact on landowners), in order to reduce overall impacts . Some elements of construction (e.g., cable installation) would be reserved for each project regardless of the level of coordination for technical and commercial reasons. The background to the FID scenarios, consenting options, and outline construction methodologies is set out in more detail in the accompanying Co-ordination Documents (Document 9.29 and 9.30). The Applicant has ensured the DCO Application covers all three FID Scenarios. The Development Consent Order (DCO) prepared by the Applicant includes a list of works for which consent is sought; therefore, the cable ducts for the second project, common access points and the ability to undertake preparatory works for the second project substation area including levelling

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			landscaping have been included in the list. The DCO sets out two onshore 'build options' as set out above for the cable corridor works (including the haul roads and temporary construction compounds). The cable ducting works have been split so that those for the second project have their own Work Number (such as 6A, 7A) so that they can be easily identified and discussed separately from the first project's cable works. ES chapters have considered how different construction scenarios set out in the Co-ordination Document (Document 9.29 and Document 9.30) affect the assessments. The ES chapters acknowledge that there are multiple scenarios and are clear on which has been assumed to be maximum design scenario for the purposes of the assessment.
	EN-3 2.8.37 – 2.8.39	Co-ordinated transmission proposals have principally been developed through, and as a consequence of, a process of ongoing reform including through strategic network planning, such as the Holistic Network Design for onshore-offshore transmission, as outlined in EN-5. Further details are provided in EN-5, section 2.12-2.15. As part of the transition to more co-ordinated transmission, it is anticipated that some proposals for transmission could be consented separately to those for the wind farm (array) application. For this to occur, an applicant will need to make a request to the Secretary of State. The Secretary of State would then decide whether to give direction under Section 35 of the Planning Act 2008	As referred to above in response to Paragraphs 2.8.34 – 2.8.36 coordination is detailed in the co-ordination documents (Offshore Connection Scenario (Document 9.29) and Co-ordination Document (Document 9.30). VE has complied with the policy but seeking to coordinate the onshore grid connection works with the North Falls OWF project in order to seek to minimise impacts. In order to realise these benefits during construction, the two projects need reach their decision points on whether to proceed with the projects (also known as their Financial Investment Decisions (FIDs)) within three years of each other. The shorter the gap between the projects' FIDs, the more coordination in construction can be achieved. There is no guarantee that coordination with North Falls will progress. However, the Applicant has sought to identify suitable options for the VE's onshore infrastructure that can accommodate either the Application alone or co-location with North Falls. The coordination between Five Estuaries and North Falls presented in the coordination reports, does not result in a situation where VE is not consentable or deliverable as a stand-alone project, whether or not North Falls proceeds. Rather, it sets out how the projects have complied with policy in seeking to identify and pursue opportunities for collaborative working and delivery where that is reasonably practicable.
	EN-3 2.8.40 – 2.8.43	For some wind farm projects, the electricity network connection proposals in the application could comprise a wind farm export cable to an offshore transmission connection point on part of an offshore transmission network taking power to shore or exported to another market via a multi-purpose interconnector (MPI). MPIs will enable direct power flow from wind farms to two or more countries. They will provide the electricity network with flexibility needed	The potential for an offshore connection for VE is considered within the Offshore Connection Scenario (Volume 9, Report 9.29) and is further described below in response to EN-3 2.4.59 – 2.8.60 (Network Connection).

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		to integrate the increased deployment of intermittent offshore renewable generation into the system by: allowing market-to-market trading when there is additional capacity on the cable; and limiting the need to curtail offshore wind generation when domestic demand has been met by providing a direct route for export to neighbouring North Seas countries. This will provide system benefits, reduce costs to consumers and maximise market access for generators. The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are future-proofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.	
Other offshore infrastructure and activities	EN-3 2.8.44	There may be constraints imposed on the siting or design of offshore wind farms because of the presence of other offshore infrastructure, such as oil and gas, Carbon Capture, Usage and Storage (CCUS), co-location of electrolysers for hydrogen production, marine aggregate dredging, telecommunications, or activities, such as aviation and recreation.	A full description of the site selection process is provided in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. This includes consideration of other offshore infrastructure in identifying the export cable corridor. Other offshore infrastructure that has been considered as part of the DCO Application is assessed within: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation. Other marine users and offshore infrastructure that have been considered include: > Offshore renewables; > Oil and gas; > Nuclear energy facilities; > Carbon capture and storage (CCS); > Cables and pipelines; > Aggregate sites; > Marine disposal sites;

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			> Marine and coastal recreational activities and water sports; > Military areas (note that military is also covered in Volume 6, Part 2, Chapter 13: Military and Civil Aviation) and; > Marine structures. Overall, it is considered that there will be no significant effects upon Infrastructure and Other Marine Users receptors.
	EN-3 2.8.45	Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, and the importance of the UK Continental Shelf (UKCS) in supporting progress towards net zero commitments there will be increasing demand on the UKCS which could give rise to conflicts. The occurrence of conflict between offshore development projects in the short term could restrict the capacity of the UKCS to support the variety of technologies required for the delivery of net zero.	Other offshore infrastructure that has been considered as part of the DCO Application is assessed within: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation. No conflicts have been identified in these assessments.
	EN-3 2.8.46	Applicants should consult the Government's Marine Plans (further detailed in Section 4.5 of EN-1) which are a useful information source of existing and known or potential activities and infrastructure.	The Applicant has taken into account all relevant Marine Plans in the following Chapters to take full account of potential activities and infrastructure: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation. Each Chapter includes a section to explain how it has complied with Marine Plans. No conflicts have been identified.
	EN-3 2.8.47	Prior to the submission of an application involving the development of the seabed, applicants should engage with key stakeholders, such as The Crown Estate and statutory bodies to ensure they are aware of any current or emerging interests on or underneath the seabed which might give rise to a conflict with a specific application. This will ensure adequate opportunity to reduce potential conflicts and increase time to find a resolution.	The Applicant has carried out consultation before submitting the DCO Application, including with The Crown Estate, the Ministry of Defence (MoD), and port authorities. Other groups consulted include the communities and businesses in the vicinity of the project, people with an interest in the land potentially directly affected by the proposals, and statutory and other prescribed consultees (including local authorities, the Marine Management Organisation, National Highways, and the Environment Agency). Three stages of consultation were carried out between 2022 and 2024, more information about them is contained in the Consultation Report

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			(5.1). The results of these consultations and the ongoing engagement has fed into the development of the final proposals.
	EN-3 2.8.48 – 2.8.49	Applicants are encouraged to work collaboratively with those other developers and sea users on co-existence/co-location opportunities, shared mitigation, compensation and monitoring where appropriate. Where applicable, the creation of Statements of Common Ground (SoCG) between developers is recommended. Work is ongoing between government and industry to support effective collaboration and find solutions to facilitate to greater co-existence/co-location. As an interested party, The Crown Estate may also provide further supporting information and evidence as part of the examination. This guidance is to encourage early engagement between parties with a potential overlap in their development plans so that a solution can be found that optimises the capacity of the UKCS to enable net zero. The Applicant will also need to consider impacts on civil and military radar and other aviation and defence interests (Section 5.5 of EN-1).	Coordination and co-existence with the North Falls project and offshore grid connection is considered in detail in the co-ordination documents (Offshore Connection Scenario (Document 9.29) and Co-ordination Document (Document 9.30). VE has coordinated the onshore grid connection works with the North Falls OWF project in order to seek to minimise impacts. Co-existence and coordination with other sea users and marine industries is detailed in: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation. The Applicant has engaged with The Crown Estate and other marine users through the pre-application period. Where relevant, data or supporting information provided has been considered within the ES (Volume 6). Volume 6, Part 2, Chapter 13: Military and Civil Aviation has considered impacts on civil and military radar and other aviation and defence interests. The military and civil aviation study area includes the array area and airspace between the array area and the UK mainland from the Norwich Airport primary surveillance radar to the north-west, the London Southend Airport primary surveillance radar to the west and Kent International Airport to the south-west. Taking account of additional mitigation measures, it is considered that there will be no significant effects upon Military and Civil Aviation receptors.
Marine Protected Areas	EN-3 2.8.51 – 2.8.54	The UK Government has obligations to protect the marine environment with a network of well managed Marine Protected Areas (MPAs. MCZs together with HPMAs, SACs SPAs, and Ramsar sites and marine elements of SSSIs form an ecologically coherent network of MPAs. Government has set a target for MPA condition under the Environment Act 2021. Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, applicants will need to give close consideration to impacts on MPAs, either alone or in combination, and employ the mitigation hierarchy, and if necessary, provide compensation (both individually and in combination with other plans or projects) which may be needed to approve their projects. It is likely that these may include proactive measures to reduce the impact of deployment e.g., micrositing of offshore transmission routes to avoid vulnerable habitats, alternatives piling or trenching techniques, noise abatement technology, collision avoidance methods, or	This is noted and specific details on policy compliance are provided in subsequent sections of this table.

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		compensation for habitat loss. See Section 2.8.80 for Offshore Wind Environmental Standards. Further guidance can be found in Sections 4.3 and 5.4 of EN-1.	
	EN-3 2.8.55– 2.8. 56	The British Energy Security Strategy has committed to introducing mechanisms to support strategic compensatory measures, including for projects already in the consenting process (where possible), to offset environmental impacts and reduce delays to individual projects. Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to make good any remaining significant adverse effects to site integrity. Applicants are expected to seek advice from SNCBs and Defra for projects in England, in conjunction with relevant regulators, Local Planning Authorities and/or landowners, on potential mitigation and/or compensation requirements at the earliest opportunity and comply with future statutory requirements and/or guidance once available.	The RIAA (Volume 5, Report 5.4) sets out the assessment of the Project's impacts on the National Site Network, including consideration of relevant mitigation measures. Following this, the Application has provided details of HRA derogation and associated compensation measures (with and without prejudice) which are provided in the following documents: > Volume 5, Report 5.5: Habitats Regulations Derogation Case > Volume 5, Report 5.5.1: Benthic Compensation Strategy Roadmap > Volume 5, Report 5.5.2: Outline Benthic Implementation and Monitoring > Plan > Volume 5, Report 5.5.3: LBBG Compensation Evidence, Site Selection and Roadmap > Volume 5, Report 5.5.4: Kittiwake Evidence, Site Selection and Roadmap > Volume 5, Report 5.5.5: Guillemot and Razorbill Evidence, Site Selection and Roadmap Volume 5, Report 5.5.6: Lesser Black Backed Gull Implementation and > Monitoring Plans > Volume 5, Report 5.5.7: Kittiwake Implementation and Monitoring Plans > Volume 5, Report 5.5.8: Guillemot and Razorbill Implementation and > Monitoring Plans Where relevant, these documents consider the use of strategic compensation measures, through the Marine Recovery Fund. The Applicant has sought and will continue to seek advice from stakeholders in respect both project-led and strategic compensation measures.
Green Belts	EN-3 2.8.57 – 2.8.58	Although offshore wind farms themselves will not have a direct impact on green belts, it is possible that some elements of these projects may be proposed on green belt land, such as electricity network infrastructure, and comprise inappropriate development which may impact on the openness of the green belt. For guidance on developing on green belts applicants should consult Section 5.11 of EN-1.	VE does not impact on Green Belt land and therefore this policy is not applicable.

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Technical Considerations			
Network connection	EN-3 2.4.59 – 2.8.60	Applicants should consider important issues relating to network connection at Section 4.11 of EN-1 and in EN-5. In particular, applicants should proceed in a manner consistent with the regulatory regime for offshore transmission networks established by Ofgem. The co-ordination of transmission is supported by reforms and regulatory changes to enable this as part of the Offshore Transmission Network Review (OTNR). As co-ordinated offshore transmission development may sometimes occur separate to that for wind farm development (under reforms including through strategic network design exercises see next paragraph), it is expected that an initial agreement will be reached regarding connection with the offshore transmission network developer (or operator) and/or connection into the onshore transmission network	Information on the project's involvement in the OTNR process and the OCSS is set out in the Offshore Connection Scenario (Document Reference 9.29). In order for VE to connect to the National Grid, the proposed National Grid Norwich to Tilbury Reinforcement Project and the associated East Anglia Connection Node (EACN) substation must be operational. National Grid has defined a construction and operational zone within which their EACN substation will be situated. This is adjacent to the VE OnSS zone. VE will connect to the EACN via onshore underground cable circuits installed between the landfall to VE's onshore substation and onwards to the grid connection at the EACN. More information on the project design is provided in Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 6, Part 3, Chapter 1: Onshore Project Description. The current project design includes an offshore ECC to shore, and associated onshore infrastructure, to facilitate power export from the Array Areas to the national electricity grid. If viable at a future time, under the OTNR options, VE may be able to export electricity via a third-party interconnector or bootstrap. This would require connection using a High Voltage Direct Current OSP. Under the OTNR options, work to consider the potential for an offshore connection has been commenced but is not well advanced. An offshore connection is not a viable or deliverable alternative at this time. Further details on the OTNR process are outlined in Volume 9, Report 29: Offshore Connection Scenario. For clarity, the coordination between VE and North Falls presented in Document Reference 9.29 does not result in a situation where VE is not consentable or deliverable as a stand-alone project, whether or not North Falls proceeds. Rather, it sets out how the projects have complied with policy in seeking to identify and pursue opportunities for collaborative working and delivery where that is reasonably practicable.
	EN-3 2.8.61	For many wind farm projects, including those from The Crown Estate Leasing Round 4 onwards, connection agreements will be limited to connection points proposed through strategic network design exercises such as those undertaken by the National Grid Electricity System Operator (ESO), including the Holistic Network Design for offshore-onshore transmission. Please see section 2.7 and 2.8 of EN-5 for further details on strategic network designs.	The current position for VE remains the progression of the radial onshore connection to the National Grid EACN substation as per our existing grid connection offer as VE is a pre Round 4 project. VE will continue to develop coordinated plans with North Falls for this option as our base case, aligned with existing regulations and commercial conditions to provide an onshore connection. Thus, ensuring no delay to our planned grid connection date and therefore continuing to support the UK Government's 2030 targets for the deployment of 50 GW of offshore wind by 2030. In circumstances where there is a viable and available coordinated offshore connection VE have considered how consenting could be approached making the most use of the information in this current application, including

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			all of the environmental assessment undertaken in support of the application. The offshore chapters in the environmental statement to be submitted in the VE DCO application have been structured so that the assessment for the wind farm array is separate to that of the export cable corridor. This would make it straightforward to consider the array separately and if there was a need to do this under circumstances where a viable offshore connection option such as Sea Link became available. Under such circumstances there would be a need to obtain an additional consent to connect the VE array to the proposed offshore connection point/converter station for the Sea Link project. The likely position of a connection point for this would be in the proposed array area for the North Falls project. The project proposes that connection from its wind farm to this connection point to this is achieved under a separate Marine Licence. VE will continue to work with the consortium partners on the OCSS project to examine the potential for connection to the Sea Link project. The next step in this process is the submission of an initial feasibility report to DESNZ at the end of March 2024. DESNZ will use this to help determine the next steps in this process. The Electricity System Operator (ESO) for Great Britain has also recently published a wider study referred to as the East Anglia Study, which will be of relevance to the potential for offshore coordinated connections. This study assesses different ways to transfer electricity from certain offshore windfarms off the coast of East Anglia to where it's needed. The ESO will use the same metrics as set out within their Holistic Network Design process, which includes: cost to consumers; > deliverability and operability; > impact on the environment and > impact on local communities. The study began on the 11 December 2023 and was published 12 March 2024. The Offshore Connection Scenario (Document Reference 9.29) should be referred to for full details.
	EN-3 2.8.62 – 2.8.64	Transmission cabling from offshore energy infrastructure can negatively impact (both during installation and over their lifetime) seabed habitats and protected sites. It is expected that greater coordination of offshore-onshore transmission infrastructure is likely to reduce the cumulative environmental impacts and impacts on coastal communities by installing a smaller number of larger connections.	This is addressed in the Offshore Connection Scenario (Document Reference 9.29). VE and North Falls have been allocated the same connection point and date to the national electricity transmission network. The proposed connection is the East Anglian Connection Node (EACN), which is part of National Grids Norwich to Tilbury reinforcement project. The coordinated site definition and design work keeps the potential impacts from the projects to a single swathe of land and enables coordination during

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		Where applicants seek consent for offshore transmission infrastructure separately from proposals for offshore wind development, for example Multi-Purpose Interconnectors or Subsea 'onshore' transmission also referred to as bootstraps, (see Glossary and 2.12.3 in EN-5), consideration should be given at a strategic level to the overall environmental impacts of the offshore development and transmission infrastructure.	construction, which has the potential to significantly reduce the impacts on the environment and local community from the construction phase. In order to secure the flexibility for coordinated construction, the Development Consent Order (DCO) for the Project has considered three delivery scenarios where the two projects proceed to construction on varying timescales. Two 'build options', which cover the three delivery scenarios are set out within the draft DCO. There are three scenarios but only two build options because, in practical terms, the works taken forward either do or do not include the second set of ducts, there are therefore only two options as to what is constructed. The difference in the scenarios relates to timing and sequencing which, while it will affect the detail of the construction methodology, does not create a third build option. The offshore chapters in the environmental statement have been structured so that all options have been considered and a 'worst -case' approach adopted. Should VE not be able to adopt a coordinated approach then the ES does not conclude that there are any significant adverse impacts on the environment. Further details are contained within Table 6.1 of the Planning Statement (Document 9.1).
	EN-3 2.8.65 – 2.8.67	Early planning can help avoid the location of either windfarm or transmission infrastructure pushing the other into areas where environmental impacts could be increased. The location of arrays and transmission infrastructure should be assessed strategically (especially where they are not covered by the same consent or marine licence), and the mitigation hierarchy should be used to address any environmental impact. In addition, The Applicant is expected to define the precise route for offshore transmission infrastructure, including the wind farm export cable to the offshore transmission network connection point or onshore connection point, the onshore and offshore locations of any associated infrastructure such as substations or the location of bootstraps/ Subsea 'onshore' transmission. Please refer to definitions of offshore transmission in EN-5 at 2.12.3.	The current project design includes an offshore ECC to shore, and associated onshore infrastructure, to facilitate power export from the Array Areas to the national electricity grid. Five Estuaries have been actively engaged in the Offshore Transmissions Network Review (OTNR); a government initiative launched in 2020 to review the approach to the design and delivery of offshore transmission. Having concluded in May 2023, the organisations involved along with the Department for Energy Security and Net Zero (DESNZ) are now implementing its findings to deliver a coordinated offshore transmission regime for Great Britain. Subsequently, Five Estuaries, along with North Falls and Sea Link (National Grid Electricity Transmission), applied as a consortium for grant funding as part of the Offshore Coordination Support Scheme (OCSS). The projects are currently in early stages exploring the feasibility of coordination options between the two offshore wind farms and an offshore reinforcement to the national grid. This process is being carried out in parallel to the base case development for Five Estuaries with an onshore connection into the proposed EACN substation, part of National Grids Norwich to Tilbury Reinforcement Project. An offshore connection is not a viable or deliverable alternative at this time. Further details on the OTNR and OCSS process are outlined in Volume 9, Report 29: Offshore Connection Scenario .

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	EN-3 2.8.68 – 2.8.70	The Applicant should assess the effects of the offshore transmission and any associated infrastructure on the marine, coastal and onshore environment. Where the Applicant does not know the precise location of the offshore transmission cables and any associated infrastructure, a corridor should be identified within which the specific infrastructure is proposed to be located. The ES for the proposed project should assess the effects of including this infrastructure within that corridor.	The current project design includes an offshore ECC to shore, and associated onshore infrastructure, to facilitate power export from the Array Areas to the national electricity grid. Five Estuaries have been actively engaged in the Offshore Transmissions Network Review (OTNR); a government initiative launched in 2020 to review the approach to the design and delivery of offshore transmission. Having concluded in May 2023, the organisations involved along with the Department for Energy Security and Net Zero (DESNZ) are now implementing its findings to deliver a coordinated offshore transmission regime for Great Britain. Subsequently, Five Estuaries, along with North Falls and Sea Link (National Grid Electricity Transmission), applied as a consortium for grant funding as part of the Offshore Coordination Support Scheme (OCSS). The projects are currently in early stages exploring the feasibility of coordination options between the two offshore wind farms and an offshore reinforcement to the national grid. This process is being carried out in parallel to the base case development for Five Estuaries with an onshore connection into the proposed EACN substation, part of National Grids Norwich to Tilbury Reinforcement Project. An offshore connection is not a viable or deliverable alternative at this time. Further details on the OTNR and OCSS process are outlined in Volume 9, Report 29: Offshore Connection Scenario
	EN-3 2.8.71	Applicants are expected to demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing rounds and with any future statutory requirements, guidance or mitigation measures developed to deliver the commitments in the British Energy Security Strategy, including on Offshore Wind Environmental Standards (see 2.8.80 – 2.8.82 below) and other measures under the Offshore Wind Environmental Improvement Package which covers offshore wind electricity infrastructure.	In August 2019, TCE published a plan-level Habitats Regulations Assessment (HRA) which assessed the potential impacts of the proposed projects on relevant nature conservation sites of the European Natura 2000 network (now National Site Network). Seven of the eight extension projects, including VE, proceeded to the award of leasing rights as part of the 2017 extensions round. The Agreements for Lease (AfLs) for these projects were awarded in summer 2019. The Crown Estate are now carrying out a further plan level HRA for the extension projects to assess the potential for AEoI from these sites increasing their generation capacity.
	EN-3 2.8.73	Applicants should include details on how avoidance has been achieved, good design principles have been followed and provide proposals for mitigation. If the development is in English and Welsh waters, they should also demonstrate that they have considered how their proposals can contribute towards environmental net gain. Further information is provided in Sections 4.3, and 4.5 to 4.7 of EN-1.	VE has followed this mitigation hierarchy across all EIA topics. In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design and specific to each topic. This could include project design measures, compliance with elements of good practice and use of standard protocols. VE has considered opportunities for net gain as set out in detail, in Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report.

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Flexibility in the project details	EN-3 2.8.74 – 2.8.75	Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the Secretary of State. Such aspects may include: > the precise location and configuration of turbines and associated development; > the foundation type and size; > the installation technique or hammer energy; > the exact turbine blade tip height and rotor swept area; > the cable type and precise cable or offshore transmission route; > the exact locations of offshore and/or onshore substations. > Guidance on how applicants should manage flexibility is set out at 2.6 of this NPS and 4.3 of EN-1.	At this stage in the VE development process, decisions on exact locations of infrastructure and the precise technologies and construction methods employed cannot be made. Therefore, the project description at this stage is indicative and the design envelope approach (often referred to as the 'Rochdale Envelope') has been used to provide certainty that the final project as built will not exceed these parameters, whilst providing the necessary flexibility to accommodate further project refinement during the detailed design phase post-consent (PINS, 2018). This flexibility is required in terms of options for foundation types, Wind Turbine Generator (WTG) size, siting of infrastructure and construction methods etc. to ensure that anticipated changes in available technologies between now and the detailed design phase can be accommodated within the design, whilst retaining an Environmental Impact Assessment (EIA) that considers all options, with conclusions that are robust regardless of the final design eventually built out. These parameters and maximum design scenarios are discussed in more detail in Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 6, Part 3, Chapter 1: Onshore Project Description.
Micrositing and Mirorouting	EN-3 2.8.76 – 2.8.77	Micrositing/mirorouting provides developers with flexibility to accommodate any unforeseen events, such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ. It can also be used to avoid sensitive habitats and designated environmental features. To inform micrositing/mirorouting applicants should undertake high resolution survey work and make provision for investigative work, such as archaeological examination, to assess the impacts of any proposed cables or foundation placement on potential heritage assets.	The Export Cable Corridor (ECC) has been assessed at a width to allow for micro siting around obstacles and other constraints that may be identified in pre-construction surveys, as well as, allowing room for further coordination regarding export cables from a proposed third party windfarm project - North Falls. Micrositing is discussed in more detail in Volume 6, Part 2, Chapter 1: Offshore Project Description and Volume 6, Part 3, Chapter 1: Onshore Project Description.
	EN-3 2.8.78 – 2.8.79	Applicants should submit an outline archaeological Written Scheme of Investigation (WSI) as part of the DCO submission, with a commitment to complete a project specific WSI post consent consultation with Historic England. Where the applicant requests micrositing or mirorouting tolerance, and insofar as it is reasonably possible to do so, the applicant should factor this tolerance into the environmental impact assessment of the development's worst-case scenario.	An Outline Marine WSI (Application Document 9.19) forms part of the application. This helps to establish the approach to further survey work to be undertaken for VE. Offshore Archaeology and Cultural Heritage mitigation includes the introduction of archaeological exclusion zones to be considered in routing/layout activities in order to avoid/preserve identified marine heritage receptors. Further information can be found within Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage.
Repowering	EN-3 2.8.80 – 2.8.82	Where an operational wind farm reaches the end of its life, subject to obtaining the necessary lease from The Crown Estate or providing an existing lease is still valid, the owner of the wind farm may wish to "repower" the site.	The Applicant has noted this.

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		While there may be benefits to making use of an existing site, given the likely change in technology over the intervening time period, any repowering of sites is likely to involve wind turbines of a different scale and nature. This could result in significantly different impacts as well as a different electricity generating capacity. Applicants must submit a new consent application for any repowering of an existing site, this would be subject to EIA and HRA, and MCZ assessment where applicable.	
Future Monitoring	EN-3 2.8.83 – 2.8.87	Where requested by the Secretary of State applicants are required to undertake environmental monitoring (e.g., ornithological surveys, geomorphological surveys, archaeological surveys) prior to and during construction and operation. Monitoring must measure and document the effects of the development and the efficacy of any associated mitigation or compensation. This will enable an assessment of the accuracy of the original predictions and improve the evidence base for future mitigation and compensation measures enabling better decision-making in future EIAs and HRAs. Monitoring should be presented in formal reports which must be made publicly available. Monitoring data should be provided to The Crown Estate's Marine Data Exchange. Where appropriate, applicants are also encouraged to consider monitoring collaboratively with other developers and sea users. Work is ongoing between government and industry to support effective collaboration and the development of monitoring at a strategic level.	Volume 9, Report 32: Offshore In Principle Monitoring Plan, sets out the proposed approach to pre and post construction monitoring.
Decommissioning	EN-3 2.8.88 – 2.8.89	Section 105 of the Energy Act 2004 enables the Secretary of State to require the submission of a decommissioning programme for a proposed offshore wind farm, provided at least one of the statutory consents required (including one under the 2008 Act) has been given or has been applied for and is likely to be given. Where requested by the Secretary of State applicants should submit a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning.	It is understood that the SoS will require a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning. This is secured in the DCO.

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Offshore wind environmental standards	EN-3 2.8.90 – 2.8.92	As part of the Offshore Wind Environmental Improvement Package set out in the British Energy Security Strategy, Government committed to establishing Offshore Wind Environmental Standards (OWES; previously referred to as Nature Based Design Standards) to accelerate deployment whilst enhancing the marine environment. OWES aim to support developers to take a more consistent approach to avoiding, reducing, and mitigating the impacts of an offshore wind farms and/or offshore transmission infrastructure. The measures could apply to the design, construction, operation and decommissioning of offshore wind farms and offshore transmission (as defined in EN-5 at section 2.12). Defra will consult on a series of OWES before drafting clear OWES Guidance, which sets out where and how Defra expects each measure to be applied to a development. Once the OWES guidance is issued, the Secretary of State will expect applicants to have applied the relevant measures to their applications. Applicants should explain how their proposals comply with the guidance or, alternatively, the grounds on which a departure from them is justified. Any reasons for departure from the OWES should be fully detailed within the application documents, with details of any agreements made with statutory consultees.	OWES has not yet come into force, however the Applicant has submitted a DCO Application, including an ES and HRA, that complies with existing design standards and regulations.
Impacts	EN-3 2.8.93 – 2.8.94	The impacts identified in Part 5 of EN-1, and below, are not intended to be exhaustive. Applicants should provide information on relevant impacts as directed by this NPS and the Secretary of State	The has been noted by the Applicant. The ES and accompanying documents have considered all relevant impacts.
Biodiversity and ecological conservation	EN-3 2.8.95 – 2.8.97	Generic biodiversity and ecology effects and receptors are covered in detail in Section 5.4 of EN-1. The coastal change policy in Section 5.6 of EN-1 may also be relevant. Impacts on the physical environment may have indirect effects on marine biodiversity (see 3.8.208 for further guidance).	The has been noted by the Applicant and have been considered within the ES and throughout this Policy Compliance Table where relevant.
	EN-3 2.8.98	In addition, applicants should have regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure developments, namely: fish (see Section 2.8.235 of this NPS); Intertidal and subtidal seabed habitats and species (see Section 2.8.216 of this NPS); marine mammals (see Section 2.8.227 of this NPS);	The Applicant has had regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure development and has submitted the following ES Chapters as part of the DCO Application: > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology.

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		birds (see Section 2.8.230 of this NPS); and wider ecosystem impacts and interactions and other relevant protected migratory species.	> Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology.
	EN-3 2.8.99 – 2.8.100	Evidence from existing offshore wind farms demonstrates that it has been possible to locate wind farms and transmission cabling in ecologically sensitive areas where careful siting of turbines has been undertaken following appropriate ecological surveys and assessments. However, with increasing deployment of offshore wind to 2030 and beyond, with a likely focus on deployment of fixed offshore wind in the shallow waters of the North Sea, it is likely that the Cumulative impact of multiple wind farms and electricity networks infrastructure on the marine environment will increase impacts beyond identified thresholds for increasing numbers of species and habitats, leading to increased requirements for both mitigation and compensation for impacts to be acceptable.	The Applicant has had regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure developments. Cumulative impacts are considered in all ES chapters, in line with the Cumulative Effects Assessment methodology set out in Volume 1, Part 1, Annex 3.1 – Cumulative Effects Assessment Methodology. The applicant has submitted the following ES Chapters as part of the DCO Application, all of which consider the potential cumulative impacts on receptors: > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. These chapters conclude that there will be no significant impacts after mitigation for either the project alone or cumulatively with other nearby developments.
	EN-3 2.8.101 - 2.8.102	Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.3 and 5.4 of EN-1). Applicants need to consider environmental and biodiversity net gain as set out in Section 4.6 of EN-1 and the Environment Act 2021.	The Applicant has had regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure developments and has submitted the following ES Chapters as part of the DCO Application: > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. Each chapter includes an assessment of all phases of the lifespan of VE and considers there to be no significant adverse effects as a result of VE. An MCZ assessment has been undertaken as part of the application (document reference 5.6) and concludes that there are no significant adverse effects as a result of VE. VE is subject to a HRA to determine its potential effects on European Designated Sites and Species. As part of its DCO, VE has submitted a number of derogation cases, both conceded and without prejudice, with details of proposed compensation measures for consideration by the Competent Authority, should a conclusion of AEoI be reached. The Applicant is conceding a likely significant effect upon LBBG in relation to the Alde Ore Estuary SPA. Appropriate compensation measures have

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			been developed and put forward within the Application to compensate for any impacts. The Applicant accordingly submits that with the application of the compensatory measures for the conceded HRA effect, there is no residual unacceptable HRA impact which would prevent consent being granted. This is discussed further in: > Volume 6, Report 5.4: Report to Inform Appropriate Assessment (RIAA) > Volume 5, Report 5: HRA Derogation Case VE has considered opportunities for net gain as set out in detail, in Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report.
	EN-3 2.8.103	Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects.	Each relevant chapter below of the ES considers the positive and negative effects of VE: > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. A summary of the positive and negative effects of each chapter is given in the Planning Statement (Document Reference 9.1) in Table 6.1. Overall, it is considered that there are no residual impacts in relation to protection and enhancement of onshore or offshore habitats and species in a majority of cases. VE has considered opportunities for biodiversity net gain as set out in detail, in Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report.
	EN-3 2.8.104	Applicants should consult at an early stage of pre-application with relevant statutory consultees and energy not-for profit organisations/non-governmental organisations as appropriate, on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options which should be undertaken.	The Consultation Report (Document Reference: 5.1) and each relevant ES Chapter discusses the consultation undertaken. The results of these consultations and the ongoing engagement has fed into the development of the final proposals.
	EN-3 2.8.105 -107	In developing proposals applicants must refer to the most recent best practice advice originally provided by Natural England under the Offshore Wind Enabling Action Programme, and/or their relevant SNCB. Any relevant data that has been collected as part of postconstruction ecological monitoring from existing operational offshore wind farms should be referred to where appropriate.	All relevant data has been included in the EIA and associated ES. Advice from Natural England and other stakeholders has been incorporated in each ES Chapter.

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		A range of research programmes are ongoing to investigate impacts of offshore wind farm development, including, but not limited to: BEIS SEA Research Programme44, ORJIP45, ScotMER46, the ORE Catapult47 and OWEC48. Applicants should explain why their decisions on siting, design, and impact mitigation are proportionate and well-targeted, referring to relevant scientific research and literature as appropriate.	
	EN-3 2.8.108 - 110	Applicants are expected to have regard to guidance issued in respect of Marine Licence requirements and consult at an early stage of pre-application with the MMO or NRW. Applicants should have regard to duties in relation to Good Environmental Status (GES) of marine waters under the UK Marine Strategy and MPA target (including any interim target) in England, set under the Environment Act 2021. The British Energy Security Strategy contains a commitment to reviewing the Habitats Regulation Assessment process for offshore wind farm developments, and powers are included in the Energy Act 2023 to implement this through secondary legislation. Further guidance will be published as a separate document setting out what information assessments must contain. Once final guidance is published, applicants will be expected to comply.	The Consultation Report (Document Reference: 5.1) discusses the consultation undertaken with the MMO. The results of these consultations and discussions have fed into the development of the draft deemed Marine Licences. Consideration of the potential impacts to marine water quality including the ability to achieve GES is considered within Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality. To date, no review or changes to the approach to HRA has been published. The HRA submitted with the application complies with all current relevant legislation and guidance.
Physical environment	EN-3 2.8.111	The construction, operation and decommissioning of offshore energy infrastructure, including the preparation and installation of the cable route and any electricity networks infrastructure can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors: > water quality – disturbance of the seabed sediments or release of contaminants can result in direct or indirect effects on habitats and biodiversity, as well as on fish stocks thus affecting the fishing industry; > waves and tides – the presence of the turbines can cause indirect effects through change to wave climate and tidal currents on flood and coastal erosion risk management, marine ecology and biodiversity, marine archaeology and potentially coastal recreation activities; > scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels, marine archaeology, and impact biodiversity and seabed habitats; > sediment transport – the resultant movement of sediments, such as sand across the seabed or in the water column, can indirectly affect navigation channels for marine vessels, and could affect	Indirect impacts on other biodiversity receptors, such as those outlined within Paragraph 2.8.111 have been considered within the relevant Chapters: > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. In particular, Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes considers: > Water levels; > Currents; > Waves (and winds); > Sediments and geology (including seabed sediment distribution and sediment transport); > Seabed geomorphology; and Coastal geomorphology. The assessment results presented in this chapter are supported by the following technical annexes:

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		sediment supply to sensitive coastal sites and impact biodiversity and seabed habitats; > suspended solids – the release of sediment during construction, operation and decommissioning can cause indirect effects on marine ecology and biodiversity; > sandwaves – the modification/clearance of sandwaves can cause direct physical (such as in affecting unknown archaeological remains) and ecological effects both at the seabed and within the water column due to disturbance and suspension of sediment, and potentially indirect effects (e.g., changes to seabed morphology in water depths where waves can influence the seabed, which can in turn affect wave climate and sediment transport); and > water column – wind turbine structures can also affect water column features such as tidal mixing fronts or stratification due to a change in hydrodynamics and turbulence around structures.	> Volume 6, Part 5, Annex 2.1: Physical Processes Baseline Technical Report; > Volume 6, Part 5, Annex 2.2: Physical Processes Model Design and Validation; and > Volume 6, Part 5, Annex 2.3: Physical Processes Technical Assessment. Predictions of change to physical processes which could arise from construction, O&M and decommissioning phases of VE are presented in Section 2.10 (for the construction phase), Section 2.11 (for the O&M phase) and Section 2.12 (for the decommissioning phase) within Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. Overall, it is concluded that after mitigation, there will be no significant adverse impact.
	EN-3 2.8.112-114	Applicant assessments are expected to include predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and sea bed morphology that will result from the construction, operation and decommissioning of the required infrastructure. Assessments should also include effects such as the scouring that may result from the proposed development and how that might impact sensitive species and habitats. Applicants should undertake geotechnical investigations as part of the assessment, enabling the design of appropriate construction techniques to minimise any adverse effects.	Predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and resultant changes to sea bed morphology from construction, O&M and decommissioning of VE are presented in Section 2.10 (for the construction phase), Section 2.11 (for the O&M phase) and Section 2.12 (for the decommissioning phase) of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. A full assessment of scour is presented in Section 2.11 (Impact 8) of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The assessment of potential resulting effects on marine ecology is documented in Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. Geotechnical data was collected to inform the (adjacent) Galloper and Greater Gabbard OWF assessments. This has been used alongside the project specific geophysical survey (Fugro, 2022a; b) to inform the assessment and project design of VE and to minimise any adverse effects, see Section 2.11 of Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. Overall, it is concluded that after mitigation, there will be no significant adverse impact.
Intertidal and coastal habitats and species	EN-3 2.8.115 – 2.8.118	The intertidal zone is the area between mean high water springs and mean low water springs.	Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology and Volume 6, Part 2, Chapter 4: Offshore Ornithology assesses the potential impact of VE on intertidal and coastal habitats and species.

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		Intertidal habitat and ecology are often recognised through statutory nature conservation designations. Coastal habitats (in the coastal fringe above the high-water mark) are also often protected, may also be affected and should undergo a similar review as part of the assessment detailed below. Export cable and other offshore transmission routes may cross the intertidal/coastal zone resulting in habitat loss, morphological change and temporary disturbance of intertidal flora and fauna	
	EN-3 2.8.119 - 122	Applicant assessment of the effects of installing offshore transmission infrastructure across the intertidal/coastal zone should demonstrate compliance with mitigation measures in any relevant plan-level HRA including those prepared by The Crown Estate as part of its leasing round, and include information, where relevant, about: > any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; > any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice; > potential loss of habitat; > disturbance during cable installation, maintenance/repairs and removal (decommissioning); • increased suspended sediment loads in the intertidal zone during installation and maintenance/repairs; > potential risk from invasive and non-native species; predicted rates at which the intertidal zone might recover from temporary effects, based on existing monitoring data; and > protected sites.	Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology assesses the potential impact of VE on Benthic and Intertidal Ecology.
Subtidal habitats and species	EN-3 2.8.120 - 2.8.126	The subtidal zone is the area below low water springs which remains submerged at low tide. Subtidal habitat and ecology are often recognised through statutory nature conservation designations. Offshore wind construction, maintenance and decommissioning activities can cause loss and temporary disturbance of subtidal habitat and benthic ecology. The applicant should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round.	Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology assesses the potential impact of VE on subtidal habitats and species. The assessment for Benthic and Intertidal Ecology has considered several possible environmental effects including the impacts of temporary habitat loss and increases in suspended sediment concentrations from construction activities, long term habitat loss / change and temporary disturbances from maintenance activities, as well as impacts arising during the operation and decommissioning phases.

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		Applicants should follow guidelines for leasing transmission assets infrastructures, and any successor to it produced by The Crown Estate. All work associated with cable installation including trenching, laying and surface protections are licenced through a Deemed Marine Licence as part of the DCO, with the exception of Welsh inshore waters, (defined as the region extending seaward 12 nautical miles from Mean High Water Springs (MHWS) to the territorial limit) where a Marine Licence cannot be deemed. In all offshore windfarm cases however, applicants should be aware that the operation and maintenance of cables after construction may require new Marine Licences. Applicant assessment of the effects on the subtidal environment should include: > loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes, e.g. sandwave/boulder/UXO clearance; > environmental appraisal of inter-array and other offshore transmission and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/cable protection and sandwave/boulder/UXO clearance; > habitat disturbance from construction and maintenance/repair vessels' extendable legs and anchors; > increased suspended sediment loads during construction and from maintenance/repairs; > predicted rates at which the subtidal zone might recover from temporary effects; • potential impacts from EMF on benthic fauna; > potential impacts upon natural ecosystem functioning; > protected sites; and > potential for invasive/non-native species introduction.	Consultation with relevant Statutory Consultees as outlined within the Consultation Report (Volume 5, Report 1) has informed the mitigation measures proposed. This includes a Project Environmental Management Plan (Volume 9, Report 18) to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction and operation. A Cable Specification and Installation Plan will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection (Volume 9, Repot 12). The Applicant has incorporated mitigation measures suggested by The Crown Estate in the Plan Level HRA including increasing tip clearance above sea level to 28m reduce collision risk.

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Marine mammals	EN-3 2.8.127- 2.8.129	Construction activities, including installing wind turbine foundations by pile driving, geophysical surveys, and clearing the site and cable route of unexploded ordinance (UXOs) may reach noise levels which are high enough to cause disturbance, injury, or even death to marine mammals. All marine mammals are protected under Part 3 of the Habitats Regulations (cetaceans within Schedule 2 and seal species within Schedule 4). If construction and associated noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations (which would include deliberately disturbing, injuring or killing), applicants will need to apply for a wildlife licence to allow the activity to take place.	The assessment for marine mammal ecology has considered several possible environmental effects including the impacts from underwater noise associated with piling activities or the disposal of unexploded ordnance during the construction phase. Impacts during operation and maintenance and decommissioning could include disturbance and collision risk from vessels. The production and implementation of a Marine Mammal Mitigation Protocol (MMMP) will minimise the impacts of piling and unexploded ordnance clearance (if required) (Volume 9, Report 14.1). This will sit alongside a Working in Proximity to Wildlife in the Marine Environment Plan (Volume 9, Report 18.1) to reduce the risk of disturbance from ships, boats and other vessels and the risk of them colliding with marine mammals. Further information can be found within Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. Overall, this Chapter considers there to be no significant adverse impacts.
	EN-3 2.8.130	The development of offshore wind farms can also impact fish species (see paragraphs 2.8.245 – 2.8.249), which can have indirect impacts on marine mammals if those fish are prey species.	The potential impacts to prey availability from construction are assessed in Section 7.10 of Volume 6, Part 2, Chapter 7: Marine Mammal Ecology.
	EN-3 2.8.131	Where necessary, assessment of the effects on marine mammals should include details of: > likely feeding areas and impacts on prey species and prey habitat; > known birthing areas/haul out sites for breeding and pupping; > migration routes; > protected sites; > baseline noise levels; > predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance; • operational noise; • duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects; > collision risk;	The ES has considered the effects from all development stages on marine mammals. These assessments are provided in Section 7.10 for construction, Section 7.11 for O&M and Section 7.12 for decommissioning of Volume 6, Part 2, Chapter 7: Marine Mammal Ecology.

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		> entanglement risk; and > barrier risk.	
	EN-3 2.8.132	The scope, effort and methods required for marine mammal surveys and impact assessments should be discussed with the relevant SNCB	The scope, effort and methods for marine mammal surveys are discussed in Volume 6, Part 2, Chapter 7: Marine Mammal Ecology.
	EN-3 2.8.133	The applicant should discuss any proposed noisy activities with the relevant statutory body and must reference the joint JNCC and SNCB underwater noise guidance, and any successor of this guidance, in relation to noisy activities (alone and in-combination with other plans or projects) within SACs SPAs, and Ramsar sites, in addition to the JNCC mitigation guidelines for piling, explosive use, and geophysical surveys. NRW has a position statement on assessing noisy activities which should also be referenced where relevant.	Volume 6, Part 2, Chapter 7: Marine Mammal Ecology assesses the potential effects of development (construction, operation and maintenance and decommissioning) associated with VE on marine mammal ecology. Volume 6, Part 5, Annex 6.2: Underwater Noise Technical Report considers the impacts of noise associated with VE on marine mammals. The production and implementation of a Marine Mammal Mitigation Protocol (MMMP) will minimise the impacts of noise, piling and unexploded ordnance clearance (if required). This approach has been considered as part of consultation and considered to be acceptable to Natural England (Consultation Report Document Reference 5.1).
	EN-3 2.8.134	Where the assessment identifies that noise from construction and UXO clearance may reach noise levels likely to lead to noise thresholds being exceeded (as detailed in the JNCC guidance) or an offence as described in paragraph 2.8.119 above, the Applicant will be expected to look at possible alternatives or appropriate mitigation.	Volume 6, Part 2, Chapter 7: Marine Mammal Ecology assesses the potential effects of development (construction, operation and maintenance and decommissioning) associated with VE on marine mammal ecology. Volume 6, Part 5, Annex 6.2: Underwater Noise Technical Report considers the impacts of noise associated with VE on marine mammals. The production and implementation of a Marine Mammal Mitigation Protocol (MMMP) will minimise the impacts of noise, piling and unexploded ordnance clearance (if required). After mitigation, there are no likely unacceptable noise related impacts. The mitigation measures for underwater noise are specified in and further detail can be found in Volume 9, Report 14.1: Outline MMMP - Piling and Volume 9, Report 14.2: Outline MMMP - UXO.
	EN-3 2.8.135	The applicant should develop a Site Integrity Plan (SIP) or alternative assessments for projects in English and Welsh waters to allow the cumulative impacts of underwater noise to be reviewed closer to the construction date, when there is more certainty in other plans and projects.	Volume 9, Report 15: Outline Southern North Sea Special Area of Conservation Site Integrity Plan details the mitigation methods that could be used to reduce the impacts of underwater noise has been provided. A final SIP will be produced for piling and UXO in the post-consent stage when there is more certainty on project timescales and an in-combination assessment will be presented taking into account projects that are confirmed to be undertaking works in the same seasons as VE.
Birds	EN-3 2.8.136	Offshore wind farms have the potential to impact on birds through: > collisions with rotating blades; > direct habitat loss; > disturbance from construction activities such as the movement of construction/decommissioning/maintenance vessels and piling; > displacement during the operational phase, resulting in loss of foraging/roosting area; and	Volume 6, Part 2, Chapter 4: Offshore Ornithology assesses the potential impact of VE on Offshore Ornithology. The assessment for offshore ornithology has considered several possible environmental effects including the impacts of disturbance and displacement during construction and decommissioning and the impacts of birds colliding with the turbines during the operation of the windfarm. This chapter is also supported by the following Volume 5, Part 5 annexes: > Annex 4.1: Offshore Ornithology Technical Report;

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		> impacts on bird flight lines (i.e., barrier effect) and associated increased energy use by birds for commuting flights between roosting and foraging areas. > impacts upon prey species and prey habitat; and > impacts on protected sites.	> Annex 4.2: Seabird Abundances by Month; > Annex 4.3: Seabird Densities by Month; > Annex 4.4: Seabird Abundances by Survey; > Annex 4.5: Seabird Densities by Survey; > Annex 4.6: Seabird Peak Seasonal Abundances; > Annex 4.7: Seabird Peak Seasonal Densities; > Annex 4.8: Collision Risk Modelling Inputs and Outputs; > Annex 4.9: Seabird Distributions Recorded in Aerial Surveys; > Annex 4.10: Collision Risk Modelling Comparison of Model Results; > Annex 4.11: Design based bootstrap variance estimates; > Annex 4.12: Digital video aerial surveys of seabirds and marine mammals at Five Estuaries: Annual report for March 2019 to February 2020; > Annex 4.13: Digital video aerial surveys of seabirds and marine mammals at Five Estuaries: Two-year report March 2019 to February 2021; > Annex 4.14: Migratory Collision Risk Modelling; and > Annex 4.15: Apportioning Note. > Annex 4.16: Population Viability Analysis > An assessment of the export cable landfall and onshore components of the project in relation to onshore ornithology features is included in Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. These documents collectively comply with the requirements of EN-3 Paragraph 2.8.136 and impacts to birds have been adequately assessed.
	EN-3 2.8.137 - 2.8.144	Currently, Cumulative impact assessments for ornithology are based on the consented Rochdale Envelope parameters of projects, rather than the ‘as-built’ parameters, which may pose a lower risk to birds. The applicant must ensure any draft consents include provisions to define the final ‘as built’ parameters (which may not then be exceeded). These parameters must be used in future cumulative impact assessments. In parallel the Government will look to explore opportunities to reassess ornithological impact assessment of historic consents to reflect their ‘as built’ parameters.	Volume 6, Part 2, Chapter 4: Offshore Ornithology assesses the potential impact of VE on Offshore Ornithology. The assessment for Offshore Ornithology has considered several possible environmental effects including the impacts of disturbance and displacement during construction and decommissioning and the impacts of birds colliding with the turbines during the operation of the windfarm. Collision risk modelling and displacement analysis has been undertaken using survey data and parameters that have been agreed with Statutory Nature Conservation Bodies (SNCBs) through the Evidence Plan process.

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		Any ornithological 'headroom' assessed to exist between the effects defined in the 'as built' parameters and Rochdale Envelope parameters can then be released, with SNCB agreement. Applicants are encouraged to make appropriate applications for amendments to development consent to secure reduced parameters and ornithological impacts. Government will also consider the potential applicability of these principles to other consent parameters. Applicants should discuss the scope, effort and methods required for ornithological surveys with the relevant statutory advisor, taking into consideration Baseline and monitoring data from operational windfarms. Applicants must undertake collision risk modelling, as well as displacement and population viability assessments for certain species of birds. Applicants are expected to seek advice from SNCBs.	Cumulative effects are considered in Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology. In line with advice received from RSPB, the cumulative assessment in Section 4.13 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. Potential effects from displacement and collision risk are presented and assessed in Section 4.11 of Volume 6, Part 2, Chapter 4: Offshore Ornithology.
Fish	EN-3 2.8.147 – 2.8.149	Fish in the context of this NPS also includes elasmobranchs (sharks and rays) and shellfish (e.g., crabs). There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities and nursery areas of particular species. There are potential impacts associated with energy emissions into the environment (e.g. noise or electromagnetic fields (EMF), as well as potential interaction with seabed sediments.	The assessment for Fish and Shellfish Ecology in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology has considered several possible environmental effects. The potential effects on fish and shellfish ecology are presented within this chapter, with the assessment of effects inclusive of impacts from underwater noise and EMF presented within Sections 6.11 and 6.13. The mitigation measures for underwater noise are specified in and further detail can be found in Volume 9, Report 14.1: Outline MMMP - Piling and Volume 9, Report 14.2: Outline MMMP - UXO.
	EN-3 2.8.150	The Applicant should identify fish species that are the most likely receptors of impacts with respect to: > spawning grounds; > nursery grounds; > feeding grounds; > over-wintering areas for crustaceans; > migration routes; and > protected sites.	The key receptors of impacts are listed in Section 6.7 of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. Consideration has been given to receptors with regards to spawning grounds, nursery grounds, feeding grounds, over-wintering areas, migration routes and fish and shellfish features of protected sites, with those receptors of potential sensitivity to impacts from the development of VE assessed within Sections 6.11 and 6.12.
	EN-3 2.8.151	Applicant assessments should identify the potential implications of underwater noise from construction and unexploded ordnance including, where possible, implications of predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance and addressing both sound pressure and particle motion) and EMF on sensitive fish species.	The potential for impacts from underwater noise, relating to both sound pressure and particle motion on sensitive fish and shellfish receptors are assessed in Sections 6.11 (Impact 1), 6.12 (Impact 8), 6.13 (Impact 17) and 6.14 (Impact 24) of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.

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			Volume 6, Part 5, Annex 6.2: Underwater Noise Technical Report considers the impacts of noise associated with VE on fish. The mitigation measures for underwater noise are specified in Table 6.11 in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology and Table 7.16 in Volume 6, Part 2, Chapter 7: Marine Mammal Ecology with further detail on mitigations can be found in Volume 9, Report 14.1: Outline MMMP - Piling and Volume 9, Report 14.2: Outline MMMP - UXO. After mitigation, there are no significant adverse impacts.
Commercial fisheries and fishing	EN-3 2.8.152 – 2.8.153	There are a number of different fishing activities within UK waters including: > bottom trawling; > mid-water trawling; > long-lining; > dredging; > fixed netting; > drift netting; > seine netting; and > potting. The UK fishing industry is diverse. The type and significance of impacts will therefore vary depending on the section of the fleet affected. Applicants should consider both direct impacts on fishing activity and indirect impacts such as displacement (on both the industry and Marine Protected Sites) and the ability of fishers to relocate.	Volume 6, Part 2, Chapter 8: Commercial Fisheries presents the results of the EIA for the potential impacts of VE on commercial fisheries. The Chapter considers both direct impacts on fishing activity and indirect impacts such as displacement (on both the industry and Marine Protected Sites) and the ability of fishers to relocate. The assessment for Commercial Fisheries has considered several impacts, including reduction in access to, or exclusions from established fishing grounds and displacement leading to fishing gear conflict and increased pressure on adjacent fishing grounds, across all project phases.
	EN-3 2.8.154	Applicants should undertake early consultation with a cross-section of the fishing industry, as well as MMO, SNCBs, relevant Inshore Fisheries and Conservation Authorities (IFCAs), Defra and Welsh Government, to identify impacts, and actively encourage input from active fishers to provide evidence of their use of the area to support the impact assessments	Consultation with statutory advisors and representatives of the fishing industry has commenced and is ongoing via a commercial fisheries working group. Engagement is summarised in Section 8.3 of Volume 6, Part 2, Chapter 8: Commercial Fisheries.
	EN-3 2.8.155	Where any part of a proposal involves a grid connection or transmission to shore or in the inshore area, appropriate inshore fisheries groups should also be consulted.	Consultation with representatives of the fishing industry has commenced and is ongoing. Engagement is summarised in Section 8.3 of Volume 6, Part 2, Chapter 8: Commercial Fisheries.
	EN-3 2.8.156	Offshore wind farms can have a negative impact on some fish stocks and fishing activity, and/or a positive impact on other fish stocks and/or other types of commercial fishing. Whilst the footprint of an offshore wind farm and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling, other fishing activities, such as potting, may be able to take place within operational	The VE assessment has considered the effects on commercial fish stocks (see Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology), both potentially negatively and positively.

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		wind farms without unduly disrupting or compromising navigational safety.	
	EN-3 2.8.157 – 2.8.158	Applicant assessments should include robust Baseline data and detailed surveys of the effects on fish stocks of commercial interest, and any potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones (see paragraph 2.8.151). The assessments should also provide evidence regarding any likely benefits or constraints on fishing activity within the project's boundaries. Applicants will be expected to undertake dialogue with the fishing industry during the planning and design of individual offshore wind farm and transmission proposals to maximise the potential for co-existence/co-location and reduce potential displacement.	Relevant surveys and data are detailed in Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. In addition, consultation with the fishing industry (see Section 8.3) has identified key concerns as well as available data and potential impacts, which have been taken into account within the commercial fisheries assessment (see Section 8.10 to 8.13 of Volume 6, Part 2, Chapter 8: Commercial Fisheries). Overall, it is considered that there will be no significant effects upon Commercial Fisheries receptors.
	EN – 3 2.8.159	Applicants should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community.	A range of commitments are presented within Section 8.9 (Volume 6, Part 2, Chapter 8: Commercial Fisheries), including development of an Outline Fisheries Liaison and Co-existence Plan (FLCP, Volume9, Report 16). This is based on best practice and is intended will be developed in collaboration with the local fishing industry.
	EN – 3 2.8.161	In some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal states may fish in waters within which offshore wind farms are sited. Applicants should seek advice from Defra in such circumstances.	Volume 6, Part 2, Chapter 8: Commercial Fisheries concludes that there are no significant impacts.
	EN – 3 2.8.162 – 2.8.164	The declaration of a safety zone excludes or restricts activities within the defined sea areas including commercial fishing. Where there is a possibility that safety zones will be sought, applicant assessments should include potential effects on commercial fishing. Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA as part of this process.	Volume 6, Part 2, Chapter 8: Commercial Fisheries concludes that there are no significant impacts from the implementation of safety zones. .
Marine historic environment	EN-3 2.8.165 – 2.8.166	Heritage assets and other remains of past human activity may exist offshore and within the Intertidal area (the area between mean high and mean low water).	Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage assesses the potential impact of VE on offshore archaeology and cultural heritage receptors.

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		This can include evidence of pre-historic human activity and submerged prehistoric landscapes which existed prior to sea level rises, as well as maritime wreck sites, remains of crashed aircraft and associated cultural material.	
	EN-3 2.8.167	The marine historic environment can be affected by offshore wind farm and offshore transmission development in two principal ways: from direct effects arising from of the physical siting of the development itself such as the installation of wind turbine foundations and electricity cables or the siting of plant required during the construction phase of development; and from indirect changes to the physical marine environment (such as scour, coastal erosion or sediment deposition) caused by the proposed infrastructure itself or its construction (see the policy on physical environment at paragraphs 2.8.101 of this NPS).	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance from direct or indirect impacts brought about by the construction, operation, maintenance or decommissioning of VE OWF. As per Table 11.17 within Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage, mitigation strategies have been applied to all avoid impact at all stages of VE. Volume 9, Report 19: Outline Marine Written Schemes of Investigation forms a working strategy to outline how these mitigation methodologies will be implemented throughout the lifetime of the Project.
	EN-3 2.8.168	Applicants should consult with the relevant statutory consultees, such as Historic England or Cadw, on the potential impacts on the marine historic environment at an early stage of development during pre-application, taking into account any applicable guidance (e.g., offshore renewables protocol for archaeological discoveries).	Ongoing consultation with Historic England has contributed to the steering of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage and the accompanying annexes (Volume 6, Part 5, Annex 11.1: Marine Archaeology and Cultura; Heritage Technical Report and Volume 9, Report 19: Outline Marine Written Schemes of Investigation). A summary of can be seen in Table 11.2. The Consultation Report (Document Reference 5.1) should be referred to full for details of consultation to date.
	EN-3 2.8.169	Assessment of potential impacts upon the historic environment should be considered as part of the Environmental Impact Assessment process undertaken to inform any application for consent.	Potential impacts on marine archaeological and cultural heritage receptors are discussed in Section 11.12, Section 11.13 and Section 11.14 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage. Mitigation to avoid or offset any impacts as a result of VE is detailed in Volume 9, Report 19: Outline Marine Written Schemes of Investigation and Table 11.17.
	EN-3 2.8.170 -	Desk based studies to characterise the features of the historic environment that may be affected by a proposed development and assess any likely significant effects should be undertaken by competent archaeological experts.	Volume 6, Part 5, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report presents and details the archaeological desk based assessment (DBA) and the archaeological assessment of geophysical data collected for the array area. The results are further summarised in Section 11.7 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage. The Applicant can confirm that these assessments have been undertaken by competent archaeological experts.
	EN-3 2.8.171 - 2.8.173	These studies should consider any geotechnical or geophysical surveys that have been undertaken to aid the wind farm and/or offshore transmission design. Whilst it should be possible for a development project to avoid designated heritage assets, the knowledge currently available about the historic environment in the inshore and offshore areas is limited, as	AEZs as per Table 11.17 within Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage have been applied to all known wrecks and obstructions and anomalies of high and medium archaeological potential identified in the geophysical data, as outlined Section 11.8. Further investigations, including geophysical and geotechnical surveys and the inclusion of archaeological objectives in all relevant surveys, as well as

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		much of the seafloor around our coasts and at sea has yet to be mapped or explored fully. Applicants are required to determine how any known heritage assets might best be avoided.	the application of the PAD when works occur without an archaeologist present will help ensure further identification and protection of heritage assets. The mitigations are further detailed in Table 11.17 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage.
	EN-3 2.8.174	The applicant will be expected to conduct all necessary examination and assessment exercises using a variety of survey techniques to plan the development so as to optimise opportunities for avoidance.	Volume 6, Part 5, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report presents and details the archaeological desk based assessment (DBA) and the archaeological assessment of geophysical data collected for the array area. The results are further summarised in Section 11.8 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage.
	EN-3 2.8.175	Once a site has been chosen, it may be necessary to undertake further archaeological assessment, including field evaluation investigations prior to construction, to understand a known site's significance and full extent, and, to identify as yet unknown heritage assets when considering the options for detailed site development, in accordance with an archaeological written scheme of investigation included with the application.	Mitigations relevant to marine archaeological and cultural heritage receptors are set out in Table 11.17 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage and detail how data will be collected and assessed to ensure that as yet undiscovered marine archaeological and cultural heritage receptors are identified throughout the life of VE. Future works will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England and relevant stakeholders (see Volume 9, Report 19: Outline Marine Written Schemes of Investigation).
	EN-3 2.8.176	Assessment may also include the identification of any beneficial effects on the marine historic environment, for example through improved access or the contribution to new knowledge that arises from investigation.	Potential beneficial effects on marine archaeological and cultural heritage receptors as a result of project activities are discussed in Table 11.17 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage and summarised within the Table 6.1 within the Planning Statement (Document Reference 9.1). Specific Project surveys will ensure data and information collected is assessed for archaeological potential and significance and reported, which will enhance our understanding by gathering, researching, and presenting new information and will lead to a publication.
	EN-3 2.8.177	Where elements of a proposed project (whether offshore or onshore) may interact with historic environment features that are located onshore, applicants should assess the effects in accordance with Section 5.9 in EN-1.	The onshore and offshore archaeological resources have been cross-referenced and technical reports have been shared between archaeological contractors. Relevant sections of 5.9 from EN-1 are included within table 11.8 of Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage and further summarised in Table 6.1 within the Planning Statement (Document Reference 9.1).
	EN-3 2.8.178 – 2.8.179	Offshore wind farms and offshore transmission will occupy an area of the sea or seabed. For offshore wind farms in particular it is inevitable that there will be an impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore wind farm and/or offshore transmission.	Volume 6, Part 2, Chapter 9: Shipping and Navigation presents the results of the assessment of the likely significant effects of VE with respect to shipping and navigation during the construction, Operations and Maintenance and decommissioning phases. Additionally, Volume 9, Report 10: Navigational Risk Assessment has informed this chapter.

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Offshore wind impacts: navigation and shipping		To ensure safety of shipping applicants should reduce risks to navigational safety to As Low As Reasonably Practicable (ALARP), as described in Section 2.8.321.	ALARP principles have been applied to the environmental assessment methodology in line with the Formal Safety Assessment (FSA) process prescribed in MGN 654 (see Section 9.4 of Volume 6, Part 2, Chapter 9: Shipping and Navigation). Overall, it is considered that there will be no significant effects upon Shipping and Navigation receptors.
	EN-3 2.8.180 – 2.8.183	There is a public right of navigation over navigable tidal waters and in International Law, foreign vessels have the right of innocent passage through the UK's territorial waters. Beyond the seaward limit of the territorial sea, shipping has the freedom of navigation although offshore infrastructure and the imposition of safety zones can hinder this. Impacts on navigation can arise from the wind farm or other infrastructure and equipment creating a physical barrier during construction and operation. There may be some situations where reorganisation of shipping traffic activity might be both possible and desirable when considered against the benefits of the wind farm and/or offshore transmission application and such circumstances should be discussed with the Government officials, including Secretary of State and Maritime and Coastguard Agency (MCA, and other stakeholders, including Trinity House, as The General Lighthouse Authority consultee, and the commercial shipping sector. It should be recognised that alterations might require national endorsement and international agreement and that the negotiations involved may take considerable time and do not have a guaranteed outcome.	Volume 6, Part 2, Chapter 9: Shipping and Navigation presents the results of the assessment of the likely significant effects of VE with respect to shipping and navigation during the construction, Operations and Maintenance and decommissioning phases. As outlined within the chapter, consultation with relevant stakeholders has been a key input to the environmental assessment and includes engagement with the MMO, MCA, Trinity House, UK Chamber of Shipping, RYA, Cruising Association, Sunk Vessel Traffic Services (VTS), HHA, PLA, London Gateway, Port of Felixstowe. Harwich Haven Authority, Stena Line, DFDS Seaways, CLdN, and Hanson Aggregate Marine. Volume 9, Report 10: Navigational Risk Assessment supports the DCO Application and has also been subject to consultation. Overall, it is considered that there will be no significant effects upon Shipping and Navigation receptors.
	EN-3 2.8.184 – 2.8.185	Applicants should engage with interested parties in the navigation sector early in the pre-application phase of the proposed offshore wind farm or offshore transmission to help identify mitigation measures, to reduce navigational risk to ALARP, to facilitate proposed offshore wind development. This includes the MMO or NRW in Wales, MCA, the relevant General Lighthouse Authority, such as Trinity House, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. This should continue throughout the life of the development including during the construction, operation, and decommissioning phases. Engagement should seek solutions that allow offshore wind farms, offshore transmission and navigation and shipping users of the sea to successfully co-exist.	Volume 6, Part 2, Chapter 9: Shipping and Navigation presents the results of the assessment of the likely significant effects of VE with respect to shipping and navigation during the construction, operations and maintenance and decommissioning phases. As outlined within the chapter, consultation with relevant stakeholders has been a key input to the environmental assessment and includes engagement with the MMO, MCA, Trinity House, UK Chamber of Shipping, RYA, Cruising Association, Sunk Vessel Traffic Services (VTS), HHA, PLA, London Gateway, Port of Felixstowe, Harwich Haven Authority, Stena Line, DFDS Seaways, CLdN, and Hanson Aggregate Marine.

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	EN-3 2.8.186	The presence of the wind turbines can also have impacts on communication and shipborne and shore-based radar systems. See section 5.5 in EN-1 for further guidance.	Impacts relating to navigation, communication, and position fixing equipment have been considered (see Section 13 of Volume 9, Report 10: Navigational Risk Assessment). In addition, an illustration of Radar interference for the cumulative scenario is presented in Section 13 of Volume 9, Report 10: Navigational Risk Assessment. Overall, no significant impacts have been concluded.
	EN-3 2.8.187 – 2.8.188	Prior to undertaking assessments applicants should consider information on internationally recognised sea lanes, which is publicly available. Applicants should refer in assessments to any relevant, publicly available data available on the Maritime Database.	The main data sources used to inform the existing environment relative to VE are outlined in Table 9.3 Volume 6, Part 2, Chapter 9: Shipping and Navigation. Internationally Maritime Organisation routeing measures in proximity to VE have been considered when characterising the existing environment (see Section 9.7 of Volume 6, Part 2, Chapter 9: Shipping and Navigation). Overall, no significant impacts have been concluded.
	EN-3 28.189 – 2.8.190	Applicants should undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. The navigation risk assessment will for example necessitate: > a survey of vessel traffic in the vicinity of the proposed wind farm; > a full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and > cumulative and in-combination risks associated with the development and other developments (including other wind farms) in the same area of sea.	Volume 9, Report 10: Navigational Risk Assessment supports this DCO Application. The Navigational Risk Assessment includes: > Outline of methodology applied in the NRA; > Summary of consultation undertaken with shipping and navigation stakeholders to date; > Lessons learnt from previous Offshore Wind Farm (OWF) developments; > Summary of the project description relevant to shipping and navigation; > Baseline characterisation of the existing environment; > Discussion of potential impacts on navigation, communication and position fixing equipment; > Cumulative and transboundary overview; > Future case vessel traffic characterisation; > Collision and allision risk modelling; > Assessment of navigational risk (following the Formal Safety Assessment (FSA) process); > Outline of mitigation measures; and Completion of MGN 654 Checklist.

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			The shipping and navigation baseline and risk assessment has been undertaken based upon the information available and responses received at the time of preparation, including the Maximum Design Scenarios as discussed above. Overall, no significant impacts have been concluded.
	EN-3 2.8.191 - 2.8.193	In some circumstances, applicants may seek declaration of a safety zone around wind turbines and other infrastructure. Although these might not be applied until after consent to the wind farm has been granted. The declaration of a safety zone excludes or restricts activities within the defined sea areas including navigation and shipping. Where there is a possibility that safety zones will be sought applicant assessments should include potential effects on navigation and shipping.	A Safety Zone Statement (Document Reference: 8.2) supports the DCO Application This Safety Zone Statement has been prepared in accordance with regulation 6(1)(b)(ii) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations) which requires the applicant for a development consent order (DCO), for the construction of an offshore generating station, to provide a statement as to whether an application will be made for safety zones. Impacts of safety zones are considered in Volume 9, Report 10: Navigational Risk Assessment. Overall, no significant impacts have been concluded.
	EN-3 2.8.194	Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the MCA for advice on maritime safety and refer to the government guidance on safety zones as a part of this process.	A Safety Zone Statement (Document Reference: 8.2) supports the DCO Application This Safety Zone Statement has been prepared in accordance with regulation 6(1)(b)(ii) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations) which requires the applicant for a development consent order (DCO), for the construction of an offshore generating station, to provide a statement as to whether an application will be made for safety zones. Impacts of safety zones are considered in Volume 9, Report 10: Navigational Risk Assessment.
	EN-3 2.8.195	Applicants should undertake a detailed Navigational Risk Assessment, which includes Search and Rescue Response Assessment and emergency response assessment prior to applying for consent. The specific Search and Rescue requirements will then be discussed and agreed post-consent.	Volume 9, Report 10: Navigational Risk Assessment advises that the final array layout will be agreed with the MCA and Trinity House post consent but will be compliant with the requirements of MGN 654 (MCA, 2021), including: Volume 9, Report 10: Navigational Risk Assessment includes a Search and Rescue Checklist and an ERCoP will remain live documents throughout the O&M phase.
Other offshore infrastructure and activities	EN-3 2.8.196 – 2.8.198	The scale and location of future offshore wind development around England and Wales means that development has occurred, and will continue to occur, in or close to areas where there is other offshore infrastructure.	Other offshore infrastructure that has been considered as part of the DCO Application is assessed within: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries;

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		Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure or has the potential to affect activities for which a licence has been issued by government, The Applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy and guidance for offshore wind farm EIAs.	> Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation. Other marine users and offshore infrastructure that have been considered The Assessments have considered effects during construction, operation and decommissioning. Each Chapter listed above also includes a discussion as to how it has complied with all relevant policy. Overall, it is considered that there will be no significant effects upon Infrastructure and Other Marine Users receptors.
	EN-3 2.8.199	Applicants should use marine plans (paragraph 2.8.7 of this NPS and Section 4.5 of EN-1) in considering which activities may be most affected by their proposal and thus where to target their assessment.	The Applicant has taken into account all relevant Marine Plans in the offshore ES chapters to take full account of potential activities and infrastructure: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation. Each chapter includes a section to explain how it has complied with Marine Plans. No conflicts have been identified.
	EN-3 2.8.200-2.8.203	Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application. (see paragraphs 2.8.55 and 2.8.263 of this NPS for further guidance). Such stakeholder engagement should continue throughout the life of the development including construction, operation, and decommissioning phases where necessary. As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to successfully co-exist.	The Applicant has carried out consultation before submitting the DCO Application. The groups of people consulted include the communities and businesses in the vicinity of a project, people with an interest in the land potentially directly affected by the proposals, and statutory and other prescribed consultees. This has included: MMO, MCA, Trinity House, UK Chamber of Shipping, RYA, Cruising Association, Sunk Vessel Traffic Services (VTS), HHA, PLA, London Gateway, Port of Felixstowe, Brightlingsea Harbour Commissioners, Stena Line, DFDS Seaways, CLdN, and Hanson Aggregate Marine. Three stages of consultation were carried out between 2022 and 2024, as well as additional meetings as needed. More information is contained in the Consultation Report (5.1). The results of these consultations and the ongoing engagement has fed into the development of the final proposals. Each chapter below contains a summary of consultation and explains how this has been addressed:

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			> Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation.
Seascape and Visual Effects	EN-3 2.8.204 - 2.8.207	Applicants should address impact on seascape in addition to the landscape and visual effects discussed in Section 5.10 of EN-1. Seascape is an additional issue for consideration given that it is an important environmental, cultural, and economic asset. This is especially so where seascape provides the setting for a nationally designated landscape (National Park, The Broads or AONB) and supports the delivery of the designated area's statutory purpose. This is also an important consideration for stretches of coastline identified as Heritage Coasts, which are associated with a largely undeveloped coastal character. Seascape is a discrete area, with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical, and archaeological links with each other. Applicants should follow relevant guidance including, but not limited to seascape character assessments, landscape sensitivity assessments, and marine plan seascape character assessments (e.g., NRW Marine Character Areas (with associated guidance) England's marine plans).	Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment (SLVIA) assesses the potential impact upon the seascape, landscape and visual amenity surrounding the offshore elements of VE. The SLVIA is supported by the following Technical Appendices: > Volume 6 Part 7, Annex 10.1 SLVIA Methodology, setting out the full methodology for the SLVIA, which is summarised in Section 10.4. > Volume 6, Part 7, Annex 10.2 SLVIA Viewpoint Assessment, setting out a full assessment of all representative viewpoints, which is summarised in Table 10.29 of Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment. The SLVIA is based on a realistic worst-case scenario summarised in Table 10.7, based on the project parameters described in Volume 6, Part 2, Chapter 1. The baseline character and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (SCHAONB) are described in Section 10.7 of the SLVIA Chapter and the operational effects of VE on the natural beauty and special qualities of the SCHAONB are assessed in Section 10.11 of the SVLIA. Regard has been had to the purpose of conserving and enhancing the natural beauty of the SCHAONB through the siting and design of VE.
	EN-3 2.8.208	Where a proposed offshore wind farm will be visible from the shore and would be within the setting of a nationally designated landscape with potential effects on the area's statutory purpose, a seascape, landscape, and visual impact assessment (SLVIA) should be undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report. The SLVIA should be proportionate to the scale of the potential impacts. This will always be the case where a coastal National Park, the Broads or AONB, or a Heritage Coast or their setting is potentially affected.	Relevant legislation and guidance documents have been reviewed and considered as part of this assessment, including the White Report. Table 10.1 of Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment lists the legislation relevant to the assessment of effects on seascape, landscape, and visual receptors.

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	EN-3 2.8.209	Where necessary, assessment of the seascape should include an assessment of four principal considerations on the likely effect of offshore wind farms on the coast: > the limit of visual perception from the coast under poor, good, and best lightening conditions; > the effects of navigation and hazard prevention lighting on dark night skies; > individual landscape and visual characteristics of the coast and the special qualities of designated landscapes, such as World Heritage Sites, which limits the coasts capacity to absorb a development; and > how people perceive and interact with the coast and natural seascape.	The SLVIA (Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment) has considered the principal visual receptors in the SLVIA study area which are focused along the closest sections of the East Suffolk and North Essex coastline, including people within settlements, driving on roads, visitors to tourist facilities or historic environment assets, and people engaged in recreational activity such as on walking and cycle routes where the sea is a strong influence in the baseline view.
	EN-3 2.8.210	As part of the SLVIA, photomontages will be required. Viewpoints to be used for the SLVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage.	The SLVIA (Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment) is also supported by plan figures in Volume 6, Part 7, Annex 10.3.1-5: Seascape, Landscape and Visual Figures and Photomontages Figures 10.1 - Figure 10.25 and visual representations (photomontages) in Volume 6, Part 7, Annex 10.3: Seascape, Landscape and Visual Figures and Volume 6, Part 7, Annex 10.3.6-26: Seascape, Landscape and Visual Assessment Photomontages. Viewpoints were agreed during consultation with consultees and are listed in Table 10.16 of the SVLIA (Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment).
	EN-3 2.8.211	Applicants should assess the magnitude and significance of change to both the identified seascape receptors (such as seascape and landscape units, visual receptors, and the special qualities of designated landscapes) in accordance with the standard methodology for SLVIA.	The methodology for the SLVIA (Appendix 10.1 of Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment) and the reported ES findings (Section 10.10 – 10.18) provide assessment of both sensitivity and magnitude of change arising from VE, to arrive at case-by-case assessment of significance of seascape, landscape and visual receptors.
	EN-3 2.8.212	Where appropriate, cumulative SLVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 5.10.16 - 17 of EN-1.	Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment assesses the cumulative effects of VE in line with Section 5.10.16 - 17 of EN-1 in conjunction with other developments.
Mitigation	EN-3 2.8.213 - 2.8.214	Applicants must always employ the mitigation hierarchy, in particular to avoid as far as is possible the need to find compensatory measures for coastal, onshore and offshore developments affecting SACs SPAs, and Ramsar sites and/or MCZs. It is essential that applicants involve SNCBs, other statutory environmental bodies (e.g. Historic England) and Defra, in conjunction with the relevant regulators, as early as possible in the planning process to enable discussions of what is and isn't a significant and/or adverse effect, subsequent implications, and if required, mitigation and/or compensation.	This is noted and details on how these matters have been addressed are detailed throughout this table and the ES.

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		At the earliest possible stage alternative ways of working and use of technology should be employed to avoid environmental impacts. For example, construction vessels may be rerouted to avoid disturbing seabirds. Where impacts cannot be avoided, measures to reduce and mitigate impacts should be employed, for example using trenching techniques or noise abatement technology.	
	EN-3– 2.8.215 – 2.8.216	Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors. Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.	This is noted and details on how these matters have been addressed are detailed throughout this table and the ES.
	EN-3– 2.8.217	Where several developers are likely to have Cumulative impacts on the same species or feature it may be appropriate to collaborate on mitigation and compensation measures. (see paragraphs 2.8.273 below for further guidance on compensation).	Coordination is considered in detail in the co-ordination documents (Offshore Co-ordination Document (Document 9.29) and Co-ordination Document (Document 9.30). VE will seek to coordinate with the North Falls OWF project in order to seek to minimise impacts. The Applicant has engaged with other developers regarding collaboration on compensation measures and where appropriate has referenced this in the derogation roadmaps and implementation and monitoring plans set out in Volume 5, Part 5 (HRA Derogation).
Biological and ecological conservation	EN-3 2.8.218 - 2.8.220	Mitigation will be possible in the form of careful design of the development itself and the construction techniques employed. General mitigation requirements and considerations are set out in Section 5.4 of EN-1. See paragraphs 2.8.103 and 2.8.288 of this NPS for further guidance on Offshore Wind Environmental Standards to enable developments to mitigate their impacts on the marine environment.	Section 5.4 of EN-1 has been followed by the Applicant through the application of the mitigation hierarchy. The Applicant has followed the mitigation hierarchy across all biological and ecological chapters and the and HRA and has aimed to avoid adverse impacts through consideration of reasonable alternatives. In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the Development Consent Order (DCO)
	EN-3– 2.8.221 – 2.8.223	Applicants must develop an ecological monitoring programme to monitor impacts during the pre-construction, construction, and operational phases to identify the actual impacts caused by the project and compare them to what was predicted in the EIA/HRA. Should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional	Volume 9, Document 31: Schedule of Mitigation And Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the Development Consent Order (DCO). Volume 9, Report 32: Offshore in-Principle Monitoring Plan has been submitted as part of the DCO Application. It sets out the basis for delivering

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		mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted. Monitoring should be of sufficient standard to inform future decision-making. Increasing the understanding of the efficacy of alternatives and mitigation will deliver greater certainty on applicant requirements.	offshore monitoring measures for VE as expected to be required under the deemed Marine Licences (dMLs) – comprising Schedules 10 and 11 of the draft DCO (Document 3.1). The Offshore in-Principle Monitoring Plan (IPMP) is secured in multiple dML conditions in relation to pre-construction, construction and post-construction monitoring and requires that, for each phase, the Applicant 'submit a [phase] monitoring plan or plans for that stage in accordance with the outline offshore in principle monitoring plan for written approval by the MMO in consultation with the relevant statutory nature conservation body, which must include details of any proposed construction monitoring, including methodologies and timings, and a proposed format, content and timings for providing reports on the results.' The IPMP provides a framework for further discussions post consent with the MMO and the relevant authorities to agree the exact detail (timings, methodologies etc.) of the monitoring that is required. Final detailed plans will be produced prior to the commencement of monitoring work and in line with the Conditions set out in the dMLs. This plan puts forward outline proposals for monitoring for the following relevant topics assessed as part of the ES: > Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes; > Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality > Volume 6, Part 2, Chapter 4: Offshore Ornithology; > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology; > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; and > Volume 6, Part 2, Chapter 11: Offshore archaeology and Cultural Heritage.
Physical Environment	EN-3 2.8.224 – 2.8.225	Applicants are expected to have considered the best ecological outcomes in terms of potential mitigation. These might include: > avoidance of areas sensitive to physical effects; > consideration of micro-siting of both the array and cables; > alignment and density of the array; > design of foundations;	The Applicant through the application of the mitigation hierarchy. The Applicant has followed the mitigation hierarchy across all biological and ecological chapters and the and HRA and has aimed to avoid adverse impacts through consideration of reasonable alternatives. In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design through consultation. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all

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		> ensuring that sediment moved is retained as locally as possible; > the burying of cables to a necessary depth; > using scour protection techniques around offshore structures to prevent scour effects or designing turbines to withstand scour, so scour protection is not required or is minimised. > Applicants should consult the statutory consultees on appropriate mitigation and monitoring.	measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO).
Intertidal and coastal habitats and species	EN-3 2.8.226 – 2.8.230	Effects on Intertidal/coastal habitat cannot be avoided entirely. Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on Intertidal/coastal habitats, taking into account other constraints. Where applicable, use of horizontal directional drilling techniques (HDD) should be considered as a method to avoid impacts on sensitive habitats and species. Where HDD is proposed, the Applicant should provide a mitigation plan to account for the possibility that HDD fails. The Applicant should explain their justification for the alternative plan and ensure this is the least impactful method possible.	The works at the landfall will use trenchless techniques, such as horizontal directional drilling to safely install the offshore cables under sections of beach and seawall to a transition joint bay compound. Further information can be found within Volume 9, Report 12: Outline Cable Specification and Installation Plan.
	EN-3 2.8.231 – 2.8.232	Where cumulative effects on Intertidal habitats are predicted as a result of the Cumulative impact of multiple cable routes, applicants of various schemes are encouraged to work together to ensure that the number of cables crossing the Intertidal/coastal zone are minimised and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised. It is expected that a more co-ordinated approach to offshore-onshore transmission will be delivered. See paragraphs 2.8.34 of this NPS.	VE and North Falls have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. In order to allow the flexibility for coordinated construction, the Development Consent Order for the Project has been drafted to allow for differing delivery scenarios and provides for two build options. The background to that, consenting options, and outline construction methodologies is set out in more detail in the Coordination Document (Document ref: 9.30).
Subtidal habitats and species	EN-3 2.8.233 -	Applicants should design construction, maintenance, and decommissioning methods appropriately to minimise effects on subtidal habitats, taking into account other constraints.	In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design through consultation. Volume 9, Document 31: Schedule of Mitigation – Routemap lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) (Document Reference 3.1).

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	EN-3 2.8.234-2.8.236	Mitigation measures which applicants are expected to have considered may include: > surveying and micrositing of the turbines, designing array layout, or re-routing of the export and Inter-array cables to avoid adverse effects on sensitive/protected habitats, biogenic reefs, or protected species > Reducing as much as possible the amount of infrastructure that will cause habitat loss in sensitive/protected habitats > burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and > the use of anti-fouling paint might be minimised on subtidal surfaces in certain environments, to encourage species colonisation on the structures, unless this is within a soft sediment MPA and thus would allow colonisation by species that would not normally be present. Where Cumulative impacts on subtidal habitats are predicted as a result of multiple cable routes, applicants for various schemes are encouraged to work together to ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised. It is expected that a more co-ordinated approach to offshore-onshore transmission will be delivered going forward. See paragraphs 2.8.34 of this NPS.	VE has been the subject of an iterative site selection and design to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. VE as presented is sustainable and both functional as well as well-designed and has maximised its capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the design are set out in the Offshore Design Principles Document (Document Reference 9.3) and Onshore Substation Design Principles Document (Document 9.4). No significant residual impacts or cumulative impacts as a result of VE have been identified on subtidal habitats. This is as a result of the mitigation listed below which will be secured within the draft DCO: > Cable Specification and Installation Plan (CSIP): Development of and adherence to, a Cable Specification and Installation Plan (CSIP), relating to the offshore ECC, post consent. The CSIP will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission. The CSIP will be conditioned in the deemed Marine Licence. An Outline CSIP has been provided as part of this DCO Application (Volume 9, Report 12); > Cable Burial Risk Assessment (CBRA): A detailed CBRA to enable informed judgements regarding burial depth to maximise the chance of cables remaining buried whilst limiting the amount of sediment disturbance to that which is necessary. An outline CBRA is provided within Volume 9, Report 9; and > Project design: A Marine Mammal Mitigation Protocol (MMMP) protocol for pilling and UXO will be developed in accordance with the Outline MMMP (Volume 9, Report 14.1 and 14.2 respectively) and will be implemented during construction. The piling MMMP will include details of soft starts and ramp up procedures to be used during piling operations. VE has also adopted a coordinate response with North Fall; both projects have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. The background to the scenarios, consenting options, and outline construction methodologies is set out in more detail in the Coordination Document (Volume 9, Document 9.30).

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Marine Mammals	EN-3 2.8.237	Monitoring of the surrounding area before and during the piling procedure can be undertaken by various methods including marine mammal observers and passive acoustic monitoring. Active displacement of marine mammals outside potential injury zones can be undertaken using equipment such as acoustic deterrent devices. Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before physical or auditory injury is caused.	Volume 6, Part 2, Chapter 7: Marine Mammal Ecology and Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology provide details of the potential impacts of subsea noise and associated mitigation. The mitigation measures for underwater noise are specified in and further detail can be found in Volume 9, Report 14.1: Outline MMMP - Piling; Volume 9, Report 14.2: Outline MMMP – UXO and Volume 9, Report 9.15, Outline Southern North Sea Special Area of Conservation Site Integrity Plan. After mitigation, there are no significant adverse impacts. Volume 9, Document 31: Schedule of Mitigation – Routemap lists all measures proposed on a topic-by-topic basis
	EN-3 2.8.238 – 2.8.239	Where noise impacts cannot be avoided, other mitigation should be considered, including alternative installation methods and noise abatement technology, spatial/temporal restrictions on noisy activities, alternative foundation types. Applicants should undertake a review of up-to-date research and all potential mitigation options presented as part of the application, having consulted the relevant JNCC mitigation guidelines.	Volume 6, Part 2, Chapter 7: Marine Mammal Ecology and Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology provide details of the potential impacts of subsea noise and associated mitigation. The mitigation measures for underwater noise are specified in and further detail can be found in Volume 9, Report 14.1: Outline MMMP - Piling; Volume 9, Report 14.2: Outline MMMP – UXO and Volume 9, Report 15, Outline Southern North Sea Special Area of Conservation Site Integrity Plan. After mitigation, there are no significant adverse impacts. Volume 9, Document 31: Schedule of Mitigation - Routemap lists all measures proposed on a topic-by-topic basis.
Birds	2.8.240	Aviation and navigation lighting should be minimised and/or on demand (as encouraged in EN-1 Section 5.5) to avoid attracting birds, taking into account impacts on safety. Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk.	Aviation lighting is fitted to all structures as appropriate in line with statutory guidance and regulator feedback.
	2.8.241	Turbine parameters should also be developed to reduce collision risk where the assessment shows there is a significant risk of collision (e.g., altering rotor height).	VE includes larger and more widely spaced wind turbine generators with higher clearance above the sea level than many previous developments. This will reduce the likelihood of birds colliding with the wind turbine generators. The tip height clearance above sea level has been set at 28m which greater than the typical 22m assumed for shipping and navigation clearance. Volume 9, Document 31: Schedule of Mitigation -Routemap lists all measures proposed on a topic-by-topic basis.
	EN-3 2.8.242 - 2.8.244	Construction vessels and post-construction maintenance vessel traffic associated with offshore wind farms and offshore transmission should, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods and follow agreed navigation routes to and from the site and minimise the number of vessel movements overall. Currently, shutting down turbines within migration routes during estimated peak migration periods is unlikely to offer suitable mitigation, but this might be a possibility in the future.	A Working in Proximity to Wildlife in the Marine Environment Plan (Document Reference 9.18.1) has been submitted to reduce the risk of disturbance from ships, boats and other vessels.

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Fish	EN-3 2.8.245 – 2.8.247	EMF in the water column during operation, is in the form of electric and magnetic fields, which are reduced by use of armoured cables for interarray and Export cables. Burial of the cable increases the physical distance between the maximum EMF intensity and sensitive species. However, what constitutes sufficient depth to reduce impact may depend on the geology of the seabed. It is unknown whether exposure to multiple cables and larger capacity cables may have a Cumulative impact on sensitive species. It is therefore important to monitor EMF emissions which may provide the evidence to inform future EIAs.	The potential for impacts from EMF on fish and shellfish receptors have been assessed in Section 6.12, Impact 13, of Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. A detailed CBRA (within the CSIP) will be undertaken to enable informed judgements regarding burial depth as informed by the geology of the site (Table 6.11). Where burial depth cannot be achieved, cable armouring will be implemented (e.g., mattressing, rock placement etc), which will also provide physical distance between the maximum EMF intensity and sensitive species (Table 6.11 within Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology).
	EN-3 2.8.248 – 2.8.249	In the case of floating wind, the cables may hang freely in the water and thus potentially require alternative monitoring and mitigation. Construction of specific elements can also be timed to reduce impacts on spawning or migration. Underwater noise mitigation can also be used to prevent injury and death of fish species.	A seasonal piling restriction has been proposed to mitigate against impacts to spawning herring from underwater noise. This is summarised in Table 6.12 of within Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology.
Commercial fisheries and fishing	EN-3– 2.8.250 – 2.8.251	Any mitigation proposals should result from The Applicant having detailed consultation with relevant representatives of the fishing industry, IFCA's, the MMO and the relevant Defra policy team in England and NRW and the relevant Welsh Government policy team in Wales. Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment.	As detailed within the Consultation Report (Document Reference 5.1). and Volume 6, Part 2, Chapter 8: Commercial Fisheries mitigation measures for Commercial Fisheries have been discussed with the commercial fisheries working group (CFWG). Mitigation includes undertaking fisheries liaison via the implementation of a Fisheries Liaison and Co-existence Plan (Volume 9, Report 16: Outline Fisheries Liaison and Co-existence Plan), appropriate marking and lighting to ensure infrastructure is clearly visible at sea, and where possible, subsea cable burial will be the preferred option to minimise the risk to fishing techniques on the seabed.
Marine historic environment	EN-3 2.8.252 – 2.8.254	The avoidance of important heritage assets to ensure their protection in situ, is the most effective form of protection. This can be achieved through the implementation of exclusion zones around known and potential heritage assets which preclude development activities within their boundaries. These boundaries can be drawn around either discrete sites or more extensive areas identified in the ES produced to support an application for consent.	AEZs as per Table 11.17 within Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage have been applied to all known wrecks and obstructions and anomalies of high and medium archaeological potential identified in the geophysical data, as outlined in Section 11.8. The mitigations are further detailed in Table 11.17.
	EN-3	The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an	Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Table 11.17 of Volume 6, Part 2, Chapter

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	2.8.255 – 2.8.258	important consideration by the Secretary of State when assessing the risk of damage to archaeology. Where requested by the applicant, the Secretary of State should consider granting consents which allow for micrositing/microrouting (see paragraphs 2.8.76 above) within a specified tolerance. To ensure a programme of archaeological works have been secured, an outline WSI, covering the entirety of the defined project area and full duration of the project, that complies with the policy in this NPS, should be submitted within the application. This allows changes to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains.	11: Offshore Archaeology and Cultural Heritage. This commitment and further mitigation are detailed in Volume 9, Report 19: Outline Marine Written Schemes of Investigation.
Offshore wind impacts: navigation and shipping	EN-3 2.8.259 – 2.8.260	Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority. In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration (between The Applicant and third parties) as a means of resolving how adverse impacts on other commercial activities will be addressed.	Volume 6, Part 2, Chapter 9: Shipping and Navigation details lighting and marking considerations Volume 9, Document 31: Schedule of Mitigation – Routemap lists all measures proposed on a topic-by-topic basis.
Other offshore infrastructure activities	EN-3– 2.8.261 – 2.8.262	Detailed discussions between The Applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application. As such, appropriate mitigation should be included in any application, and ideally agreed between relevant parties. In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.	Details of consultation and engagement on assessment and mitigation are provided in the various ES chapters and following documents: > 5.1 Consultation Report > 5.2 Evidence Plan Volume 9, Document 31: Schedule of Mitigation – Routemap lists all measures proposed on a topic-by-topic basis.
Seascape and visual effects	EN-3 2.8.263 – 2.8.264	Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the Secretary of State should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible.	The approach taken for the development of VE has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. Stakeholder engagement has been a key influence on the project design, with each phase of consultation carefully designed to provide opportunities for review and provision of additional information to guide site selection decisions and refine the project proposals to reduce

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		However, the siting layout of the turbines should be designed appropriately to minimise harm, considering other constraints such as ecological effects, safety reasons or engineering and design parameters.	impacts from VE. A full description of the site selection process is provided in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. Further information can be found within Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment as to mitigation measures proposed. However, to summarise, Seascape and Landscape impacts have been mitigated as far as practical by the refinement of the northern array boundary and reduction of the tallest tip height of the turbines from 420m above sea level to 399m above sea level.
Compensatory Measures			
Compensatory measures	EN-3 2.8.265 – 2.8.266	With increasing deployment of offshore wind farms and offshore transmission, environmental impacts upon SACs SPAs, and Ramsar sites and MCZs (individually and as part of a network) may not be addressed by avoidance, reduction, or mitigation alone, therefore compensatory measures (through derogation for SACs SPAs, Ramsar sites, and, MCZs may be required at a plan or project level where adverse effects on site integrity and/or on conservation objectives cannot be ruled out. For many receptors, the scale of offshore wind and offshore transmission developments and potential in-combination effects means compensation could be required and applicants must refer to the latest Defra compensation guidance when making their assessments.	This is noted – further responses are provided in subsequent sections.
	EN-3 2.8.267-2.8.2.69	If, during the pre-application stage, SNCBs indicate that the proposed development is likely to adversely impact a protected site, the Applicant should include with their application such information as may reasonably be required to assess potential derogations under the Habitats Regulations or the Marine and Coastal Access Act 2009. Where such an indication is given later in the development consent process, The Applicant should share this information as soon as reasonably practical. This information includes: ▪ assessment of alternative solutions, showing the relevant tests on alternatives have been met; ▪ a case showing that the relevant tests for IROPI or Measures of Equivalent Environmental Benefit have been met; and ▪ appropriate securable environmental compensation, which will ensure no net loss to the MPA network and help ensure that the MPA target (including any interim target) set under the Environment Act 2021 targets can be met.	The Applicant has therefore provided an Article 6(4) Habitats Regulations Assessment (HRA) derogation case (Volume 5, Report 5: Habitats Regulations Assessment Derogation Case) to provide to the SoS for DESNZ with the necessary information to support a clear and overriding case for VE, should they conclude AEoI. Further compensation information can be found in Volume 5, Reports 5.1 to 5.9.

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	EN-3 2.8.270 – 2.8.272	Provision of such information will not be taken as an acceptance of adverse impacts and if applicants dispute the likelihood of adverse effects, they can provide this information as part of their application, 'without prejudice' to the Secretary of State's final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, consent may be refused as there will be no expectation that the Secretary of State will allow the applicant the opportunity to provide such information following the examination. It is vital that applicants consider the need for compensation as early as possible in the design process, as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process. Applicants are encouraged to include all compensatory measures considered, with reasoning for why they have been discounted.	The Applicant has provided an Article 6(4) Habitats Regulations Assessment (HRA) derogation case (Volume 5, Report 5: Habitats Regulations Assessment Derogation Case), on a with and without prejudice basis, to provide to the SoS for DESNZ with the necessary information to support a clear and overriding case for VE, should they conclude AEoI. Further compensation information can be found in Volume 5, Reports 5.1 to 5.9.
	EN-3 2.8.273 – 2.8.275	Applicants should work closely at an early stage in the pre-application process with SNCBs, and Defra, in conjunction with the relevant regulators, Local Planning Authorities, National Park Authorities, landowners and other relevant stakeholders to develop a compensation plan for all protected sites adversely affected by the development. Before submitting an application, applicants should seek the views of the SNCB and Defra, as to the suitability, securability and effectiveness of the compensation plan to ensure that the overall coherence of the National Site Network for the impacted SAC/SPA/MCZ feature is protected. Consultation should also take place throughout the pre-application phase with key stakeholders (e.g. via the Evidence Plan process and use of expert topic groups). In cases where such views are provided, The Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority and Secretary of State.	The Applicant has provided an Article 6(4) Habitats Regulations Assessment (HRA) derogation case (Volume 5, Report 5: Habitats Regulations Assessment Derogation Case), on a with and without prejudice basis, to provide to the SoS for DESNZ with the necessary information to support a clear and overriding case for VE, should they conclude AEoI. Further compensation information can be found in Volume 5, Reports 5.1 to 5.9, including details of consultation.
Strategic compensation	EN-3 2.8.279 – 2.8.283	Applicants will be able to access tools and mechanisms to support identification of suitable compensation and facilitate delivery of Strategic Compensation measures where appropriate. The government is still developing its policies on Strategic Compensation, through the COWSC programme and guidance will be published in due course.	The Applicant has provided an Article 6(4) Habitats Regulations Assessment (HRA) derogation case (Volume 5, Report 5: Habitats Regulations Assessment Derogation Case), on a with and without prejudice basis, to provide to the SoS for DESNZ with the necessary information to support a clear and overriding case for VE, should they conclude AEoI. Further compensation information can be found in Volume 5, Reports 5.1 to 5.9.

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		The government will work collaboratively with industry and stakeholders to develop Strategic Compensation for projects currently in the consenting process (where possible) as well as for future developments. Not every impact for every project will initially fall within the Strategic Compensation proposals, so applicants should continue to discuss with SNCBs, and Defra the need for site specific or Strategic Compensation at the earliest opportunity. Applicants should also coordinate with other marine industry sectors, e.g. oil and gas, who might also need to find compensatory measures. This will ensure compensatory measures are complementary and/or take advantage of opportunities to join together to deliver Strategic Compensation. Applicants should demonstrate they have consulted with those industries/stakeholders who are affected by any proposed compensation measures.	
Factors influencing site selection and design			
Water depth and foundation conditions	EN-3 2.8.284	Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.	The Rochdale Envelope includes options for foundation types and a worst case approach has been adopted as part of the ES. There are a number of foundation types that are being considered for VE, the factors influencing the choice of foundation for a specific project include the type of wind turbine to be used, the nature of the ground conditions on the site, the water depth and sea conditions (i.e. prevailing wave and current climate), as well as supply chain constraints. The foundation type selected in the final design for the WTGs and OSP will be dependent upon the final site investigations (undertaken post consent) and project procurement processes. Table 1.13 of Volume 6, Part 2, Chapter 1: Offshore Project Description describes which foundation options are considered within the design envelope for VE. A description of each foundation type is provided within this Chapter at Section 1.6. Further detail on the maximum design parameters for the different foundation options is provided in Volume 6, Part 2, Chapter 1, Annex 1: Detailed Offshore Project Design Envelope. The ES concludes no significant adverse effects for all foundation types, with application of relevant mitigation.
Technical considerations			
Network connection	2.8.285 – 2.8.290	When considering grid connection issues, the Secretary of State should be mindful of the requirements of the regulatory regime for onshore and offshore electricity networks and consider how this affects the proposal put forward by The Applicant.	The proposals presented to the SoS constitute associated development and form part of the application. The proposals that form part of the DCO Application should be considered by the Secretary of State in accordance with NPS EN-1, EN-3 and EN-5.

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		A proposed offshore electricity transmission cable connecting the wind farm or wind farms with the onshore electricity network (noting that this may be an offshore transmission connection point), and any offshore electricity substations that may be required, may constitute associated development, depending on their scale and nature in relation to the offshore wind farm(s). Where the Secretary of State is satisfied that such offshore infrastructure does constitute associated development and can form part of the application, it should be considered by the Secretary of State in accordance with this NPS. However, some proposals for transmission could be consented separately to the windfarm (array), see paragraphs 2.8.46 above and paragraph 1.3.5 in EN-1. The Secretary of State should assess the onshore element(s) of the grid connection (e.g. electric lines, substations) in accordance with the guidelines and requirements contained in EN-5. Depending upon the scale and type of this onshore development, elements of it could constitute either associated development or an energy NSIP in its own right.	
Flexibility in project details	EN-3 2.8.291	In addition to guidance set out at 2.6 of this NPS and section 4.3 of EN-1 the Secretary of State should consider paragraph 2.8.140 in relation to ornithological headroom in this NPS.	Collision risk modelling and displacement analysis has been undertaken using survey data and parameters that have been agreed with Statutory Nature Conservation Bodies (SNCBs) through the Evidence Plan process. Cumulative effects are considered in Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology. In line with advice received from RSPB, the cumulative assessment in Section 4.13 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. Potential effects from displacement and collision risk are presented and assessed in Section 4.11 of Volume 6, Part 2, Chapter 4: Offshore Ornithology. Ornithological headroom is specifically addressed in Volume 5, Report 4: Report to Inform Appropriate Assessment.
Micrositing and microrouting	EN-3– 2.8.292 – 2.8.293	Where requested by The Applicant, any consent granted by the Secretary of State should be flexible enough to allow for such micrositing or microrouting changes as may be advised during and after the application stage. This allows for unforeseen events, such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ.	At this stage in the VE development process, decisions on exact locations of infrastructure and the precise technologies and construction methods employed cannot be made. Therefore, the project description at this stage is indicative and the design envelope approach (often referred to as the ‘Rochdale Envelope’) has been used to provide certainty that the final project as built will not exceed these parameters, whilst providing the necessary flexibility to accommodate further project refinement during the detailed design phase post-consent (PINS, 2018). It should be noted that

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		The Secretary of State must also be satisfied that there is sufficient space to microsite/microroute for any proposal to be acceptable as a mitigation (e.g. any feature to avoid must not cover the full width of the assessed cable corridor).	the Export Cable Corridor (ECC) has been assessed at a width to allow for micro siting around obstacles and other constraints that may be identified in pre-construction surveys, as well as, allowing room for further coordination regarding export cables from a proposed third party windfarm project - North Falls. This flexibility is also required in terms of options for foundation types, Wind Turbine Generator (WTG) size, siting of infrastructure and construction methods etc. to ensure that anticipated changes in available technologies between now and the detailed design phase can be accommodated within the design, whilst retaining an Environmental Impact Assessment (EIA) that considers all options, with conclusions that are robust regardless of the final design eventually built out. The description of the Proposed Development will be refined as the design continues to evolve through the key subsequent stages of the design, consultation and EIA process culminating in the Environmental Statement (ES) that will accompany the Development Consent Order (DCO) Application.
Future monitoring	EN-3– 2.8.295 – 2.8.296	Owing to the complex nature of offshore wind development, and the difficulty in establishing the evidence base for marine environmental recovery the Secretary of State should, where appropriate, request The Applicant undertake environmental monitoring (e.g. ornithological surveys, geomorphological surveys, archaeological surveys) prior to and during construction and operation. The Secretary of State may consider that monitoring of any impact is appropriate.	Volume 9, Report 32: Offshore in-Principle Monitoring Plan has been submitted as part of the DCO Application. It sets out the basis for delivering offshore monitoring measures for VE as expected to be required under the deemed Marine Licences (dMLs) – comprising Schedules 10 and 11 of the draft DCO (Document 3.1). The IPMP is secured in multiple dML conditions in relation to pre-construction, construction and post-construction monitoring and requires that, for each phase, the Applicant 'submit a [phase] monitoring plan or plans for that stage in accordance with the outline offshore in principle monitoring plan for written approval by the MMO in consultation with the relevant statutory nature conservation body, which must include details of any proposed construction monitoring, including methodologies and timings, and a proposed format, content and timings for providing reports on the results.' The IPMP provides a framework for further discussions post consent with the MMO and the relevant authorities to agree the exact detail (timings, methodologies etc.) of the monitoring that is required. Final detailed plans will be produced prior to the commencement of monitoring work and in line with the Conditions set out in the dMLs. This plan puts forward outline proposals for monitoring for the following relevant topics assessed as part of the ES:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			> Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes; > Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality > Volume 6, Part 2, Chapter 4: Offshore Ornithology; > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology; > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; and > Volume 6, Part 2, Chapter 11: Offshore archaeology and Cultural Heritage.
Decommissioning	EN-3 2.8.297	For guidance on the decommissioning, the Secretary of State should consult 2.8.10 and 2.8.88 of this NPS.	All decommissioning impacts have been considered as part of the ES in each Chapter. It is understood that the SoS will require a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning.
Offshore wind environmental standards			
Offshore wind environmental standards	EN-3 2.8.298 – 2.8.299	Once the OWES Guidance is issued, the Secretary of State will expect applicants to have applied the relevant measures to their application. The Secretary of State will consider an application for development consent in accordance with the OWES Guidance and/or its targets. Whether an application conforms to the OWES Guidance and/or targets (or any justification for departing from them) is likely to be material to the decision on development consent and, where relevant, will inform the Secretary of State's HRA and Marine Conservation Zone MCZ assessment.	OWES has not yet come into force, however the Applicant has submitted a DCO Application that complies with existing design standards and regulations. The Applicant has submitted an EIA and HRA as part of the DCO Application.
Impacts	EN-3 2.8.300 – 2.8.301	The impacts identified in Part 5 of EN-1 and below, are not intended to be exhaustive. The Secretary of State should consider any impacts which it determines are relevant and important to its decision.	Noted by the Applicant. All relevant information has been assessed and forms part of the DCO Application.
Biodiversity and Ecological Conservation	EN-3 2.8.302	The Secretary of State should consider the effects of a proposed development on marine ecology and biodiversity, considering all relevant information made available by The Applicant.	Biodiversity and ecological conservation have been assessed as part of the ES and HRA and are discussed throughout this Policy Compliance Document (Document Reference 9.2) and Planning Statement (Document

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Reference 9.1). In particular, the SoS should refer to assessments included within: > Volume 5, Document 5.4: Report to Information Appropriate Assessment > Volume 6, Part 3, Chapter 4: Onshore Biodiversity > Outline Landscape and Ecology Management Plan included in Volume 9 > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology. > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology. > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. The assessments conclude no significant adverse effects.
	EN-3– 2.8.303	The Secretary of State should be satisfied that, in the development of their proposal, The Applicant has made appropriate, and extensive, use of up-to-date evidence from previous deployments and research results from scientific peer reviewed papers and the programmes listed in paragraph 2.8.97 and assessed through HRA/MCZ processes (including the mitigation hierarchy), the impact on any protected species or habitats, as well as having regard to requirements set out in 5.4.39 of EN-1 (e.g. the Environment Act) and GES under the UK Marine Strategy.	A MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ. The Applicant has submitted with the application a HRA derogation case (Volume 5, Report 5: Habitats Regulations Derogation Case) and with and without prejudice compensation measures to enable consent to be granted. The ES concludes that there will be no residual impact on marine ecology and quality of the marine environment and associated GES.
	EN-3 2.8.304	The designation of an area as a protected site (including SACs SPAs, and Ramsar sites, MCZs and SSSIs) does not necessarily restrict the construction or operation of offshore wind farms or offshore transmission in, near, or through that area (see also Sections 4.3 and 5.4 of EN-1). However, it may make consent for such construction more difficult to secure.	A MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ. The Applicant has submitted with the application a HRA derogation case (Volume 5, Report 5: Habitats Regulations Derogation Case) and with and without prejudice compensation measures to enable consent to be granted. The ES concludes that there will be no residual impact on any designations (as discussed in Table 6.1 of the Planning Statement (Document Reference 9.1)).
	EN-3– 2.8.305 – 2.8.306	Where adverse effects on site integrity/conservation objectives are predicted the Secretary of State should consider the extent to which the effects are temporary or reversible, and the timescales for recovery. The Secretary of State should also consider the extent to which the effects may impede achievement of the MPA target (including any interim target) set under the Environment Act 2021.	A MCZ assessment (Volume 5, Report 6: Marine Conservation Zone Assessment) supports the DCO and concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ.

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		See paragraphs 2.8.90 and 2.8.298 of this NPS for further guidance on offshore wind environmental standards.	The Applicant has submitted with the application a HRA derogation case and with and without prejudice compensation measures to enable consent to be granted.
Physical environment	EN-3– 2.8.307 – 2.8.308	As set out in paragraphs 2.8.111 of this NPS the direct effects on the physical environment can have indirect effects on a number of other receptors. Where indirect effects are predicted, the Secretary of State should refer to relevant sections of this NPS and EN-1.	The Policy Compliance Document (Document Reference 9.2), ES and Planning Statement (Document Reference 9.2) have concluded and demonstrated that there are no direct or indirect effects on the physical environment that cannot be mitigated. Impacts on the physical environment (direct and indirect) are assessed in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes. The assessment concludes no significant adverse effects. Documents that will ensure impacts on the physical environment are minimised where practicable include Volume 9, Report 12: Outline Cable Specification and Installation Plan and Volume 9, Report 13: Margate and Longsands Special Area of Conservation - Benthic Mitigation Plan.
	EN-3– 2.8.309	The Secretary of State must be satisfied that the design of the wind farm, offshore transmission and methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical environment. This could involve, for instance, the exclusion of certain foundations because of their impacts or minimising quantities of rock that are used to protect cables whilst taking into account other relevant considerations such as safety.	The Project design and location has been based on early engagement with key stakeholders (such as Defra), the public and a range of environmental and technical appraisals. VE is an extension project and constrained by its location. However, VE as presented is sustainable and both functional as well as well-designed. VE has maximised its capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the offshore design are set out in the Offshore Design Principles Document (Document Reference 9.3) and Onshore Design Principles Document (Document 9.4). Further documents that will ensure impacts on the physical environment are minimised where practicable include Volume 9, Report 12: Outline Cable Specification and Installation Plan and Volume 9, Report 13: Margate and Longsands Special Area of Conservation - Benthic Mitigation Plan.
Fish	EN-3– 2.8.310	The use of external cable protection has been suggested as a mitigation for EMF (by increasing the distance between fish species and individual cables). However, the Secretary of State should also consider any negative impacts from external cable protection on benthic habitats, and a balance between protection of various receptors must be made, with all mitigation and alternatives reviewed.	The preferred method of protecting the subsea cables will be to bury them within the sea bed. Where burial of cable is not possible, cable protection such as rock placement or concrete mattresses may be required on the seabed. Cable protection will also be used where cables cross existing cables on the seabed and where cables exit the foundation before they enter the seabed. A Project Environmental Management Plan will also be implemented to ensure the to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction, operation and decommissioning and a Cable Specification and Installation Plan will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection.

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			Further information can be found within Volume 9, Report 12: Outline Cable Specification and Installation Plan.
Intertidal and Coastal Habitat Species	EN-3 2.8.311	The Secretary of State should be satisfied that cable installation and decommissioning has been designed sensitively, considering Intertidal/coastal habitats.	A Project Environmental Management Plan will also be implemented to ensure the to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction, operation and decommissioning and a Cable Specification and Installation Plan which will set out installation methods and appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection. Further information can be found within Volume 9, Report 12: Outline Cable Specification and Installation Plan.
Marine Mammals	EN-3 2.8.312 - 314	The Secretary of State should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed to reasonably minimise significant impacts on marine mammals. Unless suitable noise mitigation measures can be imposed by requirements to any development consent the Secretary of State may refuse the application. The conservation status of cetaceans and seals are of relevance and the Secretary of State should be satisfied that cumulative and in-combination impacts on marine mammals have been considered.	Volume 6, Part 5, Annex 6.2: Underwater Noise Technical Report considers the impacts of noise associated with VE on marine mammals. The mitigation measures for underwater noise are specified in and further detail can be found in Volume 9, Report 14.1: Outline MMMP – Piling; Volume 9, Report 14.2: Outline MMMP – UXO; and Volume 9, Report 15: Outline Southern North Sea Special Area Of Conservation Site Integrity Plan. After mitigation, there are no significant adverse impacts. The Offshore in-Principle Monitoring Plan (IPMP) is secured in multiple dML conditions in relation to pre-construction, construction and post-construction monitoring and requires that, for each phase, the Applicant must 'submit a [phase] monitoring plan or plans for that stage in accordance with the outline offshore in principle monitoring plan for written approval by the MMO in consultation with the relevant statutory nature conservation body, which must include details of any proposed construction monitoring, including methodologies and timings, and a proposed format, content and timings for providing reports on the results.' The IPMP provides a framework for further discussions post consent with the MMO and the relevant authorities to agree the exact detail (timings, methodologies etc.) of the monitoring that is required. Final detailed plans will be produced prior to the commencement of monitoring work and in line with the Conditions set out in the dMLs. This plan puts forward outline proposals for monitoring for the following relevant topics assessed as part of the ES: > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology
Birds	EN-3 2.8.315 - 316	The Secretary of State must be satisfied that the collision risk and displacement assessments have been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor. The conservation status of seabirds is of relevance and the Secretary of State should take into account the views of the relevant statutory	Collision risk modelling and displacement analysis has been undertaken using survey data and parameters that have been agreed with Statutory Nature Conservation Bodies (SNCBs) through the Evidence Plan process. Cumulative effects are considered in Section 4.13 of Volume 6, Part 2, Chapter 4: Offshore Ornithology. In line with advice received from RSPB, the cumulative assessment in Section 4.13 follows the NE guidance on

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		advisors, and be satisfied that cumulative and in-combination impacts on seabird species have been considered.	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. Collision risk and displacement assessments have been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor as shown in the Consultation Report (Document Reference 5.1) and included within: > Volume 6, Part 2, Chapter 4: Offshore Ornithology. > Annex 4.8: Collision Risk Modelling Inputs and Outputs; > Annex 4.10: Collision Risk Modelling Comparison of Model Results; > Annex 4.14: Migratory Collision Risk Modelling The Applicant's RIAA concludes AEoI for lesser black backed gull associated with (LBBG) Alde Ore Estuary SPA cannot be ruled out, but no AEoI for Flamborough and Filey Coast SPA and Margate and Long Sands SAC - these conclusions is not fully agreed by Natural England. The Applicant has therefore provided an Article 6(4) Habitats Regulations Assessment (HRA) derogation case (Volume 5, Report 5: Habitats Regulations Assessment Derogation Case) on both a with and without prejudice basis to provide to the SoS with the necessary information to support a clear and overriding case for VE, should they conclude AEoI. Further compensation information can be found in Volume 6, Part 8, Chapter 1: Lesser Black Backed Gull Compensation Area EIA.
Subtidal habitats and species	EN-3 2.8.317	The Secretary of State should be satisfied that activities have been designed considering sensitive subtidal environmental aspects and discussions with the relevant conservation bodies have taken place.	The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2017 Extensions round criteria. Notwithstanding this, the Applicant has sought, through consultation, survey and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. Further design considerations of relevance to the offshore design in relation the subtidal environment and associated consultation are set out in: Volume 6, Part 1, Chapter 4: Site Selection and Alternatives Volume 9, Report 13: Margate and Longsands Special Area of Conservation - Benthic Mitigation Plan Volume 9, Report 3: Offshore Project Design Principles Volume 5, Report 5.1: Consultation Report

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			Volume 5, Report 5.2: Evidence Plan The Applicant has followed the mitigation hierarchy across all biological and ecological chapters and the HRA and has aimed to avoid adverse impacts through consideration of reasonable alternatives.
Commercial fisheries and fishing	EN-3– 2.8.318 – 2.8.324	The Secretary of State should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself. The Secretary of State should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities. Where the Secretary of State considers the wind farm would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be attributed a correspondingly significant weight. The Secretary of State should consider adverse or beneficial impacts on different types of commercial fishing on a case-by-case basis. The Secretary of State should be satisfied that The Applicant has sought to design the proposal having consulted the MMO or NRW in Wales, Defra or Welsh Government in Wales and representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise with the intention of allowing the two industries to successfully co-exist. The Secretary of State will need to consider the extent to which disruption to the fishing industry, whether short term during pre-construction (e.g. surveying) or construction or long term over the operational period, including that caused by the future implementation of any safety zones, has been mitigated where reasonably possible. Where an offshore wind farm or offshore transmission could affect a species of fish that is of commercial interest, but is also of ecological value, the Secretary of State should refer to Section 2.8.147 of this NPS with regard to the latter.	The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2017 Extensions round criteria. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The reduction in the northern array boundary prior to Section 42 consultation reduces the area of seabed impacted by the project. The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. Further design considerations of relevance to the onshore design are set out in the Offshore Project Design Principles Document (Document Reference 9.3) and Onshore Substation Design Principles Document (Document 9.4). Volume 6, Part 2, Chapter 8: Commercial Fisheries presents the results of the EIA for the potential adverse and beneficial impacts of VE on commercial fisheries. The Chapter considers both direct impacts on fishing activity and indirect impacts such as displacement (on both the industry and Marine Protected Sites) and the ability of fishers to relocate. The assessment for Commercial Fisheries has considered several impacts, including reduction in access to, or exclusions from established fishing grounds and displacement leading to fishing gear conflict and increased pressure on adjacent fishing grounds, across all project phases. The assessment concludes no significant effects when mitigation is considered. The proposals meet the high-level marine objectives, plan vision, and all relevant policies. However, should the SoS disagree with these conclusions then the Applicant is confident that in line with Paragraph 4.5.12 of EN-1, the NPS prevails for purposes of decision making. In line with Paragraph 4.6.3 of EN-1, the SoS should give appropriate weight to the benefits of VE when considering the planning balance.

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Marine historic environment	EN-3 2.8.325	The Secretary of State should be satisfied that any proposed offshore wind farm and/ or offshore transmission project has appropriately considered and mitigated for any impacts to the historic environment, including both known heritage assets, and discoveries that may be made during the course of development	Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage has considered the effects of the construction, operation and decommissioning activities particularly through direct impacts to archaeological material which could be present in the area. Mitigation includes the introduction of archaeological exclusion zones to be considered in routing/layout activities in order to avoid/preserve identified marine heritage receptors. Additionally, an Outline Marine Written Scheme of Investigation (Volume 9, Report 19) has been produced to establish the approach to further survey work to be undertaken for VE.
Navigation and shipping	EN-3 2.8.326 – 2.8.327	The Secretary of State should not grant development consent in relation to the construction or extension of an offshore wind farm if it considers that interference with the use of recognised sea lanes essential to international navigation is likely to be caused by the development. The use of recognised sea lanes essential to international navigation means: anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; and any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a REZ.	Volume 6, Part 2, Chapter 9: Shipping and Navigation and the Planning Statement (Document Reference 9.1, Table 6.1) has considered shipping and navigation and concludes that there are no residual impacts after mitigation.
	EN-3 2.8.328 – 2.8.329	The Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries and recreational users of the sea. Where after carrying out a site selection, a proposed development is likely to adversely affect major commercial navigation routes, for instance by causing appreciably longer transit times, the Secretary of State should give these adverse effects substantial weight in its decision making.	The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2017 Extensions round criteria. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals and following early, pre Section 42 consultation, engagement the northern array boundary was refined/reduced to address interaction with a hot spot for shipping traffic. In line with Volume 6, Part 2, Chapter 9: Shipping and Navigation, the SoS should be satisfied that there will be no adverse impact on major commercial navigation routes.
	EN-3 2.8.330 – 2.8.333	Where a proposed offshore wind farm is likely to affect less strategically important shipping routes, the Secretary of State should take a pragmatic approach to considering proposals to minimise negative impacts.	The Planning Statement (Document Reference 9.1, Table 6.1) has considered shipping and navigation and concludes that there are no residual impacts in relation to marine considerations. Volume 9, Report 10: Navigational Risk Assessment supports this DCO Application and sets out assessment in relation to ALARP and concludes

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		The Secretary of State should be satisfied that risk to navigational safety is ALARP. It is Government policy that wind farms and all types of offshore transmission should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted. The Secretary of State should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes. In view of the level of need for energy infrastructure, where an adverse effect on the users of recreational craft has been identified, and where no reasonable mitigation is feasible, the Secretary of State should weigh the harm caused with the benefits of the scheme.	that all risks are tolerable or broadly acceptable with mitigation where relevant.
	EN-3 2.8.334 – 2.8.340	The Secretary of State should make use of advice from the MCA, who will use the NRA described in paragraphs 2.8.189 and 2.8.190 above. The Secretary of State should have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development in determining whether to grant consent for the construction, or extension, of an offshore wind farm, and what requirements to include in such a consent. The Secretary of State may include provisions, compliant with national maritime legislation and United Nations Convention on the Law of the Sea (UNCLOS), within the terms of a development consent as respects rights of navigation so far as they pass through waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea. The provisions may specify or describe rights of navigation which: are extinguished; > are suspended for the period that is specified in the DCO; > are suspended until such time as may be determined in accordance with provisions contained in the DCO; and > are exercisable subject to such restrictions or conditions, or both, as are set out in the DCO. > The Secretary of State should specify the date on which any such provisions are to come into force, or how that date is to be determined. The Secretary of State should require the Applicant to publish any provisions that are included within the terms of the DCO, in such a	Volume 9, Report 10: Navigational Risk Assessment supports this DCO Application. The Navigational Risk Assessment has included advice received from the MCA and includes: > Outline of methodology applied in the NRA; > Summary of consultation undertaken with shipping and navigation stakeholders to date; > Lessons learnt from previous Offshore Wind Farm (OWF) developments; > Summary of the project description relevant to shipping and navigation; > Baseline characterisation of the existing environment; > Discussion of potential impacts on navigation, communication and position fixing equipment; > Cumulative and transboundary overview; > Future case vessel traffic characterisation; > Collision and allision risk modelling; > Assessment of navigational risk (following the Formal Safety Assessment (FSA) process); > Outline of mitigation measures; and > Completion of MGN 654 Checklist. Potential hazards are considered for each phase of development (including cumulative) as follows: > Construction;

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		manner as appears to the Secretary of State to be appropriate for bringing them, as soon as is reasonably practicable, to the attention of persons likely to be affected by them. The Secretary of State should include provisions as respects rights of navigation within the terms of a DCO only if the Applicant has requested such provision be made as part of their application for development consent.	> Operations and Maintenance (O&M); and > Decommissioning. The shipping and navigation baseline and risk assessment has been undertaken based upon the information available and responses received at the time of preparation, including the Maximum Design Scenarios as discussed above and sets out measures to manage risk to ALARP. The Applicant will develop and adhere to a Cable Specification and Installation Plan (CSIP), relating to the offshore ECC, post-consent. The CSIP will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission. The CSIP will be conditioned in the deemed Marine Licence. An Outline CSIP has been provided as part of this DCO Application (Volume 9, Report 12). A NIP will be developed to manage interactions between project vessels associated with export cable installation/ maintenance/ repair and third-party vessels in navigationally sensitive areas. The outline NIP is provided in Volume Report 20: Outline Navigation and Installation Plan. Given the complexity of the area in terms of vessel activity and cable installation, this hazard is mitigated by the inclusion of a NIP as a consent requirement secured through the conditions of the transmission deemed marine licence (see Volume 9, Report 20: Outline Navigation and Installation Plan). Alongside the CSIP, the NIP will be developed to ensure that installation or maintenance methodologies (further considered below) do not compromise safe vessel access to local ports. Furthermore, where appropriate, export cables will be buried or protected sufficiently to ensure there is no interaction with any foreseeable future spot dredging associated with London Gateway operations around the Sunk and Trinity deep water routes. The CSIP and NIP will be conditioned in the deemed Marine Licence.
Other offshore infrastructure and activities	EN-3 2.8.341-2.8.348	There are statutory requirements concerning automatic establishment of navigational safety zones relating to offshore petroleum developments. Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the Secretary of State. Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy.	Other offshore infrastructure that has been considered as part of the DCO Application is assessed within: > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users; > Volume 6, Part 2, Chapter 8: Commercial Fisheries; > Volume 6, Part 2, Chapter 9: Shipping and Navigation; > Volume 6, Part 2, Chapter 13: Military and Civil Aviation; and > Volume 6, Part 3, Chapter 3: Socio-Economic, Tourism and Recreation.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		In such circumstances, the Secretary of State should expect the Applicant to work with the impacted sector to minimise negative impacts and reduce risks to as low as reasonably practicable. As such, the Secretary of State should be satisfied that the site selection and site design of the proposed offshore wind farm and offshore transmission has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. Applicants will be required to demonstrate that risks to safety will be reduced to as low as reasonably practicable. The Secretary of State should not consent applications which pose intolerable risks to safety after mitigation measures have been considered. Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the Secretary of State should give these adverse effects substantial weight in its decision-making. Providing proposed schemes have been carefully designed, and that the necessary consultation with relevant bodies and stakeholders has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on other offshore infrastructure or operations to a level sufficient to enable the Secretary of State to grant consent.	Other marine users and offshore infrastructure that have been considered include: > Offshore renewables; > Oil and gas; > Nuclear energy facilities; > Carbon capture and storage (CCS); > Cables and pipelines; > Aggregate sites; > Marine disposal sites; > Marine and coastal recreational activities and water sports; > Military areas (note that military is also covered in Volume 6, Part 2, Chapter 13: Military and Civil Aviation) and; > Marine structures. The Planning Statement (Document Reference 9.1, Table 6.1) has considered other offshore infrastructure and activities and concludes that there are no residual impacts in relation to marine considerations. The proposals meet the high-level marine objectives, plan vision, and all relevant policies. However, should the SoS disagree with these conclusions then the Applicant is confident that in line with Paragraph 4.5.12 of EN-1, the NPS prevails for purposes of decision making. In line with Paragraph 4.6.3 of EN-1, the SoS should give appropriate weight to the benefits of VE when considering the planning balance.
Seascape and visual effects	EN-3 2.8.349 – 2.8.350	The Secretary of State should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.10 of EN-1. Where an application relates to a proposed development that is at such a distance that it would not be visible from the shore the Secretary of State may conclude that an SLVIA will not be required.	Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment assesses the potential impact upon the seascape, landscape and visual amenity surrounding the offshore elements of VE. Overall, it is considered that there will be no significant effects upon the seascape, landscape and visual amenity surrounding VE.
	EN-3 2.8.350-2.8.352	Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The Secretary of State should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless: > they consider that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that The Applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or > they take account of the sensitivity of the receptor(s) and impacts on the statutory purposes of designated landscapes as set out in	Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment assesses the potential impact upon the seascape, landscape and visual amenity surrounding the offshore elements of VE. Seascape and Landscape impacts have been mitigated as far as practicable by the refinement of the northern array boundary and reduction of the tallest tip height of the turbines from 420m above sea level to 399m above sea level in line with Section 5.10 of EN-1. Overall, it is considered that there will be no significant effects upon the seascape, landscape and visual amenity surrounding VE. The Planning Statement (Document Reference 9.1) has concluded that in line with Paragraph 4.6.3 of EN-1, the SoS should give

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Section 5.10 of EN-1; and decide that the harmful effects outweigh the benefits of the proposed scheme. See also Critical National Priority (Section 3 of EN3). Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the Secretary of State should consider the extent to which the effects are temporary or reversible.	appropriate weight to the benefits of VE when considering the planning balance.

4 EN-5 NPS COMPLIANCE TABLE

Table 4.1: NPS EN-5 Compliance

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-5: Part 1: Introduction			
1.1- Background			
Background	EN-5 – 1.1.5	As identified in EN-1, government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This includes: for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. These are viewed by the government as being CNP infrastructure and should be progressed as quickly as possible.	VE is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. As discussed in point 3.3.59 above (for EN-1), the need for VE in making a substantial contribution towards the UK's energy targets would provide national support in addressing a CNP. This is also considered within Section 6 of the Planning Statement (Volume 9, Document 9.1) which outlines that projects like VE should be viewed as being essential for achieving the UK's net zero emissions target by 2050 and should be progressed as quickly as possible. As such, the role of the application in meeting a CNP should be attributed significant weight by the SoS during the decision-making process.
1.6 – Infrastructure covered by this NPS			
Infrastructure covered by this NPS	EN-5 – 1.6.1	Infrastructure for electricity networks generally can be divided into two main elements: > transmission systems (the long distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230V from transmission substations to the end-user) which can either be carried on towers/monopoles or undergrounded; and > associated infrastructure, e.g., substations (the essential link between generation, transmission, and the distribution systems that also allows circuits to be switched or voltage transformed to a useable level for the consumer) and converter stations to convert DC power to AC power and vice versa. These are particularly relevant to the conversion of long distance offshore DC transmission to AC, when it arrives onshore for distribution.	Volume 6, Part 3, Chapter 1: Onshore Project Description and Volume 6, Part 2, Chapter 1 Offshore Project Description presents the description of the onshore and offshore transmission system, and the associated infrastructure. A detailed description of the transmission system and the associated electricity infrastructure will be provided within the Cable Statement (Application Document 8.1)
	EN-5 – 1.6.2 – 1.6.3	This NPS covers above ground electricity lines: > whose nominal voltage is expected to be 132kV or above (other than a 132kV line associated with the construction or extension of a devolved Welsh generating station); > whose length is greater than 2km; > that are not a replacement line falling within Section 16(3)(ab) of the 2008 Act; and > that are not otherwise exempted for reasons set out in Sections 16(3)(b) and (c), (3A) and (3B) of the 2008 Act.	The Applicant does not propose any above ground electricity lines. Connection from the offshore wind farm to National Gird will be by subsea cable and underground cable. Therefore the connection constitutes associated development. Further details on the connection are set out in the Cable Statement (Application Document 8.1) . As such the VE can be considered to be in accordance with paragraph 1.8.2 of EN-5.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		> Other kinds of electricity infrastructure (including lower voltage overhead lines, underground or sub-sea cables at any voltage, and associated infrastructure as referred to above) will only be subject to the 2008 Act – and so be covered by this NPS – in the following circumstances: > if it constitutes associated development for which consent is sought along with an NSIP such as an offshore wind generating station or relevant overhead line; or > if the Secretary of State gives a direction under Section 35 of the 2008 Act (for developments which, when completed, will be wholly in one or more of the areas specified in subsection 35(3)) that it should be treated as an NSIP and requires a development consent order (DCO).	
EN-5: Part 2: Assessment and Technology Specific Information			
2.2 – Factors influencing site selection and design			
Factors influencing site selection and design	EN-5 – 2.2.1 – 2.2.3	The Secretary of State should bear in mind that the initiating and terminating points – or development zone – of new electricity networks infrastructure is not substantially within the control of the applicant. Siting is determined by: > the location of new generating stations or other infrastructure requiring connection to the network, and/or > system capacity and resilience requirements determined by the Electricity System Operator. These twin constraints, coupled with the government's legislative commitment to net zero by 2050, strategic commitment to new interconnectors with neighbouring North Seas countries and an ambition of up to 50GW of offshore wind generation by 2030, means that significant new electricity networks infrastructure is required, including in areas with comparatively little build-out to date.	This is noted by the Applicant who, despite the acknowledgement of the need for significant new electricity networks infrastructure connection, has sought through the siting and design of the VE onshore works to minimise the impact of those works. The new wind farm would include up to 79 wind turbine generators (WTGs), across two separate seabed areas in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. the VE will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy. Further details, in particular on the siting of the onshore substation, are available in Volume 6, Chapter 4: Site Selection and Consideration of Alternatives.
	EN-5 – 2.2.4	However, a strategic and holistic approach to onshore and offshore network planning, as set out in paragraph 1.1.6, will identify the most efficient way of meeting decarbonisation targets, and should reduce the overall amount of network infrastructure required.	The Applicant has followed a robust site selection process that has considered and balanced the identified site selection considerations and the NPS policies in relation to good design and mitigation as set out in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. In turn, this has resulted in a scheme that will make a substantial contribution to the national energy targets, whilst also being efficient in terms of the overall amount of network infrastructure required for the VE. Further commentary can be found within Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. As such the VE can be considered to be in accordance with paragraph 2.2.4 of EN-5.
	EN-5 – 2.2.5 – 2.2.6	Additionally, applicants retain control in managing the identification of routing and site selection between the identified initiating and terminating points or within the development zone. Moreover, the locational constraints identified above do not, of course, exempt applicants from their duty to consider and balance the site-selection considerations set out below, much less the policies on good design and impact mitigation detailed in Sections 2.4-2.9.	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Planning Statement (Document Reference 9.1) discusses how the Applicant has considered good design and complied with this requirement.
	EN-5 – 2.2.7	The connection between the initiating and terminating points of a proposed new electricity line will often not be via the most direct route. Siting constraints, such as engineering, environmental or community considerations will be important in determining a feasible route.	The Applicant has explained within Volume 6, Part 1, Chapter 4: Site Selection and Alternatives its approach to the routing of the onshore cabling works and the factors that have been applied taking account of engineering, environmental and community constraints.
	EN-5 – 2.2.8 – 2.2.9	There will usually be a degree of flexibility in the location of the development's associated substations, and applicants should consider carefully, their placement in the local landscape, as well as their design. In particular, the applicant should consider such characteristics as the local topography, the possibilities for screening of the infrastructure and/or other options to mitigate any impacts. (See Section 2.10 below and Section 5.10 in EN-1.)	The siting of VE's onshore substation has been a key consideration for the Applicant. As set out in Volume 6, Part 3, Chapter 2: Landscape and Visual Impact Assessment, the local topography has influenced the proposed orientation of the substation and elements, such as the temporary construction compound, located as far as practicable from residential receptors whilst also using the available woodland screening. In addition, proposals are set out in the OLEMP (Application Document 9.22) that will further screen the substation buildings. As such the VE can be considered to be in accordance with paragraphs 2.2.8 – 2.2.9 of EN-5.
	EN-5 – 2.2.10 – 2.2.11	As well as having duties under Section 9 of the Electricity Act 1989, (in relation to developing and maintaining an economical and efficient network), applicants must take into account Schedule 9 to the Electricity Act 1989, which places a duty on all transmission and distribution licence holders, in formulating proposals for new electricity networks infrastructure, to "have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and …do what [they] reasonably can to mitigate any effect which the Applications would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects." Depending on the location of the Applicant, statutory duties under Section 85 of the Countryside and Rights of Way Act 2000, Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended by Section 62 of the 1995 Environment Act), and Section 17A of the Norfolk and Suffolk Broads Act 1988 may be relevant.	The Planning Statement (Document Reference 9.1) discusses how the Applicant has considered good design and complied with this requirement. In particular, Table 6.1 of the Planning Statement summarises how the Applicant has taken into account all topics listed within EN-5 –2.2.10 – 2.2.11 and of relevance to Schedule 9 to the Electricity Act 1989. The conclusions of the Planning Statement, and the DCO Application are that there are no significant adverse impacts after mitigation. Volume 9, Document 31: Schedule of Mitigation - route map lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents. In terms of onshore ecological protections and enhancements, Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature conservation shows that the project will not result in any significant impacts in the long-term. Furthermore, with the implementation of appropriate mitigation measures, there is a potential for ecological enhancement. Offshore ecological enhancements are considered in the following ES chapters: > Volume 6, Part 2, Chapter 4: Offshore Ornithology

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			> Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology > Volume 6, Part 2, Chapter 7: Marine Mammals Overall, it is considered that there will be no significant effects upon the above mentioned receptors. Regarding onshore landscape and visual impacts outlined within Volume 6, Part 3 Chapter 2: Onshore Landscape and Visual Impact Assessment, similar to ecological impacts, with the implementation of mitigation measures, the study area will not undergo any significant effects. Mitigation includes working collaboratively with the North Falls to ensure an exchange of information and development of a strategic approach to landscape and ecological mitigation measures. With regards to offshore landscape and visual impacts a full assessment has bene submitted as part of Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Impact Assessment. This chapter has assessed a number of impacts during all phases of the project (construction, operation and maintenance and decommissioning) including the impact of the array areas upon the seascape character and the characteristics of the designated landscapes, such as the Suffolk Coast and Heaths Area of Outstanding Natural Beauty. In terms of mitigation, the design of the WTG will minimise the seascape impacts; the number of WTGs will not exceed 79 and the maximum blade tip height will be 399 m above LAT In addition, Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage follows the provisions within NPS EN-5.
	EN-5 – 2.2.12	Transmission and distribution licence holders are also required under Schedule 9 to the Electricity Act 1989 to produce and publish a statement setting out how they propose to perform this duty generally.	The Applicant is not a transmission or distribution licence holder and therefore these provisions do not apply.
2.3 – Climate change adaption and resilience			
Climate change adaptation and resilience	EN-5 – 2.3.1 – 2.3.2	Section 4.10 of EN-1 sets out the generic considerations that applicants and the Secretary of State should take into account in order to ensure that electricity networks infrastructure is resilient to the effects of climate change. As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the Application is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to: > flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change;	Routing of the Onshore ECC and siting of OnSS has taken into consideration flood risk, with the OnSS located in an area of low flood risk and the chosen Onshore ECC route minimising the crossing of land at risk of flooding where practical. The process for selecting the Onshore ECC route and position of the OnSS is summarised in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. Each chapter of the ES includes a description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		> the effects of wind and storms on overhead lines; > higher average temperatures leading to increased transmission losses; > earth movement or subsidence caused by flooding or drought (for underground cables); and > coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.	The baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of the VE. Each ES chapter also demonstrates the VE's resilience to such changes through consideration of the Maximum Design Scenario (MDS), which is incorporated into all approaches to assessment. The MDS for the VE has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, examples include: > Changes in air quality/composition > Changes in flood risk > Changes in wind speed Once construction is complete, the O&M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime. Further information was presented in the Climate Chapter of the ES (Application Document 6.4.1), which also includes information on climate resilience. As such the VE can be considered to be in accordance with the NPS.
	EN-5 – 2.3.3	Section 4.10 of EN-1 advises that the resilience of the project to the effects of climate change must be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Sections 5.8 in EN-1). Consideration should also be given to coastal change (see sections 5.6 in EN1).	
2.4 – Consideration of good design for energy infrastructure			
Consideration of good design for energy infrastructure	EN-5 – 2.4.1 – 2.4.4	The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent to the desirability of good design. Applicants should consider the criteria for good design set out in EN-1 Section 4.7 at an early stage when developing projects. However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant's ability to influence the aesthetic appearance of that infrastructure. While the above principles should govern the design of an electricity networks infrastructure application to the fullest possible extent – including in its avoidance and/or mitigation of potential adverse impacts (particularly those detailed in Sections 2.9 below) – the functional performance of the	As demonstrated within the Planning Statement (Document Reference 9.1), VE will play a significant role in meeting demand and decarbonising the energy system and assisting the Government in meeting their aims. VE has assessed impacts that have been agreed and scoped in/out throughout the lifetime of the Project. This process was undertaking through the Scoping Report and subsequent Scoping Opinion received and engagement with stakeholders. The Applicant has had full consideration for Section 4.7 of EN-1 as demonstrated within this Policy Compliance Document and Table 6.1 of the Planning Statement (Document Reference 9.1). The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2017 Extensions round criteria. Notwithstanding this, the Applicant has

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		infrastructure in respect of security of supply and public and occupational safety must not thereby be threatened.	sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. VE as presented is sustainable and both functional as well as well-designed and has maximise its capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the onshore design are set out in the Offshore Project Design Principles Document (Document Reference 9.3) and Onshore Substation Design Principles Document (Document 9.4). Extensions to operational wind farms have proven to be a successful way of efficiently developing more offshore generating capacity (e.g. Burbo Bank, Kentish Flats, and Walney Extensions).
2.5 – Environmental and Biodiversity Net Gain			
Environmental and Biodiversity Net Gain	EN-5 – 2.5.1	When planning and evaluating the proposed development's contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.6) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to: reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or > ii. connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements.	VE will leave the natural environment in a measurably better state than beforehand. Volume 6, Part 6, Annex 4.18: Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report. This commitment to BNG is secured through a requirement in the draft DCO.
2.6- Land Rights and Land Interests			
Land Rights and Land Interests	EN-5— 2.6.1 -2.6.5	In order to be lawfully able to install, inspect, maintain, repair, adjust, alter, replace or remove an electricity line (above or below ground), its related equipment (such as monopoles, pylons/transmission towers, transformers and cables), and/or its associated mitigation or enhancement schemes, applicants must: own the land on, over, or under which the relevant activity is to take place; or ii. hold sufficient rights over or interests in that land (typically in the form of an easement); or iii. have permission for the activity from the present owner or occupier of that land (typically in the form of a wayleave). Where the applicant does not own or wish to own the land in question, it should try to reach a voluntary agreement giving it sufficient rights and/or permissions to undertake the relevant work. As a last resort, where it does not succeed in reaching the agreement that it requires, the network company may, as part of its application to the Secretary	The Applicant has sought to enter into agreements where possible on any land not owned by them. Compulsory acquisition is however being sought in the DCO to facilitate the development and ensure certainty of delivery A Book of Reference, land plans, statement of reasons and funding statement form part of the VE. A detailed description of the onshore authorised development is included in Volume 6 Part 3 Chapter 1 (onshore) of the Environmental Statement. The Statement of Reasons (application document 4.3) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations'). This Statement is required to support the Application because the draft DCO (application document 3.1), if made ('the Order'),

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		of State, seek to acquire rights compulsorily over the land in question by means of a provision in the DCO. In such cases (i.e. where the compulsory acquisition of rights is sought) permanent arrangements are strongly preferred over voluntary wayleaves (which could, for example, be terminable on notice by the landowner) in virtue of their greater reliability and economic efficiency and reflecting the importance of the relevant infrastructure to the nation's net zero goals. The applicant may also seek the compulsory acquisition of land. This will not normally be necessary where lines and cables are installed but may be sought where other forms of electricity networks infrastructure (such as new substations) are required.	would authorise the compulsory acquisition of interests or rights in land. The Order would also confer on the Applicant the additional powers below: > extinguishment of private rights over land; > acquisition of subsoil only; > rights under or over streets; > imposition of restrictive covenants; > temporary use of land for carrying out the authorised development; and > temporary use of land for maintaining the authorised development. The Statement of Reasons (application document 4.3) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including: > Draft Development Consent Order (application document 3.1); > Explanatory Memorandum (application document 3.2); > Land Plans (including Onshore Crown and Special Category Land Plans) (application documents 2.3, 2.17, 2.4 respectively); > Works Plans (onshore) (application document number 2.5); > Funding Statement (application document number 4.2); > Book of Reference (application document number 4.1); The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within application document 4.3. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the Order to secure the land and interests which are required for VE. The public benefit of allowing VE to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.
2.7– Holistic Approach			
Holistic planning	EN-5 – 2.7.1 – 2.7.5	EN-1 explains in Section 4.10 that the Planning Act 2008 aims to create a holistic planning regime, such that the cumulative effects of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact.	The Applicant and North Falls have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore.

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		Accordingly, the government envisages that, wherever reasonably possible, applications for new generating stations and their related infrastructure should be contained in a single application to the Secretary of State. However, a consolidated approach of this kind may not always be possible, nor represent the most efficient strategy for delivery of new infrastructure. This could be, for example, due to the differing lengths of time needed to prepare the applications for submission to the Secretary of State, or because a network application relates to multiple generation projects (which could be onshore or offshore), or because the works involved are strategic reinforcements required for a number of reasons. It may also be the case that the networks infrastructure application and the application for a related generating station will of necessity come from different legal entities, or from entities subject to different commercial and regulatory frameworks. It will also be common for applications to be submitted for the general purpose of reinforcing the network, which will be critical to deliver especially in light of the drive towards net zero, including the ambition for up to 50GW of offshore wind by 2030, and a CNP (see EN-3).	Following the consultations carried out by both projects, and in response to requests for closer coordination, the two projects have worked together to develop a shared export cable corridor, landfall location, and single site for both onshore substations. Coordinated activities and/or shared information to date have included export cable corridor definition to ensure that the number of cables crossing the intertidal/coastal zone are minimised. The shared design keeps the potential impacts from the projects to a single swathe of land and enables coordination during construction, which has the potential to significantly reduce the impacts associated with the construction phase. In order to realise these benefits during construction, the two projects need reach their decision points on whether to proceed with the projects (also known as their Financial Investment Decisions (FIDs) within three years of each other. The shorter the gap between the projects' FIDs, the more coordination in construction can be achieved. There is no guarantee that coordination with North Falls will progress. However, the Applicant has sought to identify suitable options for VE's onshore infrastructure that can accommodate either the Application alone or co-location with North Falls. Further details on the coordinated approach are explained within Offshore Co-ordination Document (Document 9.29) and Onshore Co-ordination Document (Document Reference 9.30). VE is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. In accordance with EN-1, EN-3 and EN-5, the need for VE in making a substantial contribution towards the UK's energy targets would provide national support in addressing a CNP. This is also considered within Section 6 of the Planning Statement (Volume 9, Document 9.1) which outlines that projects like VE should be viewed as being essential for achieving the UK's net zero emissions target by 2050 and should be progressed as quickly as possible. As such, the role of the application in meeting a CNP should be attributed significant weight by the SoS during the decision-making process.
2.8– Strategic Network Planning			
Strategic Network Planning	EN-3 2.8.1-2.8.7	A more strategic approach to network planning will ensure that network development keeps pace with renewable generation and anticipates future system needs. Strategic network planning, such as through the Holistic Network Design and its follow up exercises or through forthcoming Centralised Strategic Network plans, helps reduce the overall impact of infrastructure by	The Applicant and North Falls have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. .

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		identifying opportunities for coordination, where appropriate, and taking a holistic view of both the onshore and offshore network. Network plans will take account of environmental and community impacts, alongside deliverability and economic cost, from the outset. A strategic approach to network planning proposed through the Centralised Strategic Network Planning (CSNP) process15 will identify strategic investments intended to facilitate achieving net zero and decarbonisation targets IIn these cases (i.e. where the application is a reinforcement project in its own right and does not accompany an application for a generating station, or is not underpinned by a contractually-supported agreement to provide an as-yet-unconsented generating station with a connection), the Secretary of State should have regard to the need case for new electricity networks infrastructure set out in Section 3.3 of EN-1. The Secretary of State should also take into account that Transmission Owners (TOs) and Distribution Network Operators (DNOs) are required under Section 9 of the Electricity Act 1989 to bring forward efficient and economical proposals in terms of network design. TOs and DNOs are also required to facilitate competition in the generation and supply of electricity, and electricity distributors have a statutory duty to provide a connection where requested. Given that individual electricity lines are only component parts of a country-spanning network, it may arise that a single application covers works to be undertaken at different geographical locations. Where it can be demonstrated that such a set of works will reinforce the network as a whole, or reinforce the network to accommodate a subset of new connections, the Secretary of State should be willing – in line with the need statement set out in Section 3.3 of EN-1 – to accept an application seeking development consent for the entire set of works. Applicants should ensure that any such applications are kept to a scale which they can manage within the statutory timescales and discuss putative applications of this kind with the Planning Inspectorate before formally submitting an application.	Further details on the coordinated approach, including the interactions with National Grid are explained within Co-ordination Document (Document Reference 9.30). The draft DCO seeks to secure a co-ordinated Build Option with North Falls to minimise the environmental effects of the project.
2.9 – Applicant Assessment			
Landscape and Visual Impact	EN-5 – 2.9.7 – 2.9.10	While the government does not believe that the development of overhead lines is incompatible in principle with applicants' statutory duty under Schedule 9 to the Electricity Act 1989, to have regard to visual and landscape amenity and to reasonably mitigate possible impacts thereon, in practice new overhead lines can give rise to adverse landscape and visual impacts. These impacts depend on the type (for example, whether lines are supported by towers or monopole structures), scale, siting, and degree of screening of	The proposed onshore ECC is to be underground, thereby minimising landscape and visual effects. Volume 6, Part 3, Chapter 2: Landscape Visual Impact Assessment has assessed the effects of the underground onshore ECC and Onshore Substation, and cumulatively with North Falls and the nearby National Grid Norwich to Tilbury Reinforcement Project. As such

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		the lines, as well as the characteristics of the landscape and local environment through which they are routed. New substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching, and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts. Cumulative adverse landscape and visual impacts may arise where new overhead lines are required along with other related developments such as substations, wind farms, and/or other new sources of generation.	the VE can be considered to be in accordance with paragraphs 2.9.7-2.9.10 of EN-5. Details on how the projects are seeking to co-ordinate on landscape design are included in the Coordination Document (Application Document 9.30).
	EN-5 – 2.9.18 - 2.9.19	The Horlock Rules – guidelines for the design and siting of substations – were established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants' proposals for the infrastructure associated with new overhead lines. In brief, the Horlock Rules state that applicants should: > consider environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential environmental effects in order to keep adverse effects to a reasonably practicable minimum. • seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections. > protect as far as reasonably practicable areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas. > take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum > keep the visual, noise and other environmental effects to a reasonably practicable minimum. > consider the land use effects of the proposal when planning the siting of substations or extensions. > consider the options available for terminal towers, equipment, buildings and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum > use space effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation > make the design of access roads, perimeter fencing, earth-shaping, planting and ancillary development an integral part of the site layout and design, so as to fit in with the surroundings	In order to identify the most appropriate location to site the OnSS, National Grid's Guidelines on Substation Siting and Design (The Horlock Rules) were taken into consideration. These guidelines document National Grid's best practice for the consideration of relevant constraints associated with the siting of electricity network infrastructure. The Horlock Rules have been considered, as part of the development of the OnSS, relating to design, local context and land use, amenity, and line entry. These guidelines also confirm that consideration must be given to environmental issues at the earliest stage in order to keep adverse effects to a reasonably practical minimum in the planning of new substations. The principles embodied in the Horlock Rules are relevant to the infrastructure at the proposed OnSS. Table 4.4 In Volume 6, Part 1, Chapter 4: Site Selection And Alternatives summarises the Horlock Rules, (National Grid, 2003), and VE's approach to them. As well as a large number of datasets collected to determine constraints in the Onshore Infrastructure Area of Search, a number of key principles were identified to select the potential Substation Search Areas. For the long list process, these comprised: > Avoid residential titles (including whole garden); > Avoid direct significant impacts to internationally and nationally designated areas (e.g. SACs, SPAs, AONBs and SSSIs etc.); > Avoid mature woodland and historic woodland; > Avoiding listed buildings and scheduled monuments; > Flood risk, including avoiding areas that fall within Flood Zones 2 and 3. > Avoid current and historic landfill sites; > Areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and

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		> in open landscape especially, high voltage line entries should be kept, as far as possible, visually separate from low voltage lines and other overhead lines so as to avoid a confusing appearance > study the inter-relationship between towers and substation structures and background and foreground features so as to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines.	nature conservation areas should be protected as far as reasonably practicable (specific wording from Horlock Rules); > Zones should take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum (specific wording from Horlock Rules); > Zones should keep the visual, noise and other environmental effects to a reasonably practicable minimum (specific wording from Horlock Rules) – see below regarding the buffer zone around residential properties; and The space required should be limited to the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and Public Rights of Way (specific wording from Horlock Rules). Design mitigation considerations of relevance to the onshore design are set out in the onshore Design Principles Document (see Volume 6, Document 9.4: Onshore Substation Design Statement).
Undergrounding and subsea cables	EN-5 – 2.9.20-2.9.22	Although it is the government's position that overhead lines should be the strong starting presumption for electricity networks developments in general, this presumption is reversed when proposed developments will cross part of a nationally designated landscape (i.e. National Park, The Broads, or Area of Outstanding Natural Beauty). In these areas, and where harm to the landscape, visual amenity and natural beauty of these areas cannot feasibly be avoided by rerouting overhead lines, the strong starting presumption will be that the applicant should underground the relevant section of the line. However, undergrounding will not be required where it is infeasible in engineering terms, or where the harm that it causes (see section 2.11.4) is not outweighed by its corresponding landscape, visual amenity and natural beauty benefits. Regardless of the option, the scheme through its design, delivery, and operation, should seek to further the statutory purposes of the designated landscape. These enhancements may go beyond the mitigation measures needed to minimise the adverse effects of the scheme.	VE committed to burying all onshore cables as opposed to using overhead lines to connect the landfall to the project substation and between the project substation and the National Grid substation. This commitment has been made to reduce long term landscape effects associated with overhead lines. Further details are available in Volume 6, Part 1, Chapter 4: Site Selection And Alternatives.
Noise and Vibration	2.9.39 – 2.9.43	For the assessment of noise from substations, standard methods of assessment and interpretation using the principles of the relevant British Standards are satisfactory. For the assessment of noise from overhead lines, the applicant must use an appropriate method to determine the sound level produced by the line in both dry and wet weather conditions, in addition to assessing the impact on noise-sensitive receptors.	No overhead lines are proposed, therefore this does not require consideration.

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		For instance, the applicant may use an appropriate noise modelling tool or tools for the prediction of overhead line noise and its propagation over distance, such as an ISO 9613-2 or Technical Report TR(T)94. When assessing the impact of noise generated by overhead lines in wet weather relative to existing background sound levels, the applicant should consider the effect of varying background sound levels due to rainfall. The Secretary of State is likely to regard it as acceptable for the applicant to use a methodology that demonstrably addresses these criteria	
Electric and Magnetic Fields (EMFs)	EN-5 – 2.9.46 – 2.9.47	All overhead power lines produce EMFs. These tend to be highest directly under a line and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health, aquatic and terrestrial organisms. The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.	The VE is for underground cables and although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. All electrical infrastructure will remain below negligible levels in line with the International Commission Non-Ionising Radiation Protection (ICNIRP) guidelines (2020). The need to assess EMFs on human health was scoped out of the assessment by PINS within the Scoping Opinion (PINS, November 2021).
Sulphur Hexafluoride	EN-5 – 2.9.59 – 2.9.60	Sulphur Hexafluoride (SF6) is an insulating and arc-suppressant gas used in high-voltage switchgear for electricity networks. It is also an extraordinarily potent greenhouse gas, and fugitive emissions from electricity networks infrastructure are an object of increasing environmental concern, especially in light of the UK's commitment to net zero by 2050.	The OnSS will use comprise of either AIS or GIS design and therefore the use of SF-6 has not yet been established. The choice of switchgear affects both the total land area required and the size and type of buildings which will be needed. While final details are not yet known and will be the result influenced by discussions between VE and National Grid (NGET), the information included in this document is considered to be a reasonable worst case in terms of numbers and types of plant and equipment in the compound and their physical dimensions. The outline electrical design for the substation has been completed to establish the equipment, however further optimization of the layout will be carried out following engagement with suppliers and as more information on the site ground conditions becomes available. The indicative layouts and elevations of the substation site for both AIS and GIS technology are included in Annex A of Onshore Substation Design Principles Document. The Applicant notes that potential GIS solutions that do not use SF6 gas are potentially available.
	EN-5 – 2.9.61	Applicants should at the design phase of the process consider carefully whether the proposed development could be reconceived to avoid the use of SF6-reliant assets.	
	EN-5 – 2.9.62 – 2.9.63	Where the development cannot be so conceived, the applicant must provide evidence of their reasoning on this point. Such evidence will include, for instance, an explanation of the alternatives considered, and a case why these alternatives are technically infeasible or require bespoke components that are grossly disproportionate in terms of cost. In particular, an accounting of the cost differential between the SF6-reliant asset and the appropriate SF6-free alternative should be provided.	
	EN-5 – 2.9.64	Where applicants, having followed the above procedure, do propose to put new SF6-reliant assets onto the electricity system, they should design a plan for the monitoring and control of fugitive SF6 emissions consistent with the Fluorinated gas (F-gas) Regulation and its successors.	
2.10- Mitigation			
Biodiversity and Geological Conservation	EN-5- 2.10.1-2.10.3	The applicant should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process	Offshore routeing options have regard to the following guidance:

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		Careful siting of a line away from, or parallel to, but not across, known flight paths can reduce the numbers of birds colliding with overhead lines considerably. Making lines more visible by methods such as the fitting of bird flappers and diverters to the earth wire, which swivel in the wind, glow in the dark and use fluorescent colours designed specifically for bird vision can also reduce the number of deaths. The design and colour of the diverters will be specific to the conditions – the line and pylon/transmission tower specifications and the species at risk.	> The Crown Estate (2012) Guidance on the Principles of Cable Routeing and Spacing; > The Crown Estate (2019) Plan-level Habitats Regulations Assessment for the 2017 Offshore Wind Farm Extensions; and > The Crown Estate (2017) Cable Route Protocol . In addition, to the above a number of fundamental principles have been applied to the site selection process. These are drawn from the experience of VE and technical expertise of consultants supporting the process and comprise: > Shortest route preference for cable routing to reduce impacts by minimising footprint for the offshore and onshore cable routes as well as considering cost (hence ultimately reducing the cost of energy to the consumer) and minimising transmission losses; > Avoidance of key sensitive features where possible and where not, seek to mitigate impacts; > Minimise the disruption to populated areas; > The need to accommodate the range of technology sought within the design envelope, such as air insulated or gas insulated switchgear for the onshore substation; and > Consideration of a coordinated approach with other projects where possible, to reduce cumulative environmental impacts and impacts on communities, as noted in NPS EN-1 and NPS EN-5. Volume 6, Part 2, Chapter 4: Offshore Ornithology outlines that the VE's array areas were identified through the 2017 Crown Estate Extensions Round Siting Criteria process (see Volume 1, Chapter 4: Site Selection and Alternatives) and subsequent refinements to the array areas and offshore export cable corridor have been made which has helped to reduce the total area over which there is potential for impacts. The applicant has also sought to identify the most sensitive species through a process of consultation with statutory and non-statutory organisations (see Section 4.3 of Volume 6, Part 2, Chapter 4: Offshore Ornithology). An assessment of the potential impacts of the proposed VE project-alone (see sections 4.10 to 4.12) and cumulatively with other projects (see section 4.13) has been also undertaken to determine the potential for significant environmental effects on

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			these species' populations. The assessment concludes that there will be no significant effects in terms of collisions on all species under the worst-case scenario. This is following the implementation of mitigation measures, like those listed in paragraph 2.10.3 of EN-5 which will reduce the potential impacts as far as possible. Volume 9, Document 31: Schedule of Mitigation - Routemap lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents.
Landscape and Visual	EN-5- 2.10.5	In addition to good design in accordance with the Holford and Horlock rules (please see paragraphs 2.9.16 - 2.9.19), and the consideration of undergrounding or rerouting the line where possible, the principal opportunities for mitigating adverse landscape and visual impacts of electricity networks infrastructure are: > consideration of network reinforcement options (where alternatives exist) which may allow improvements and/or extensions to an existing line rather than the building of an entirely new line; > selection of the most suitable type and design of support structure in order to minimise the overall visual impact on the landscape. In particular, ensuring that towers are of the smallest possible footprint and internal volume; and > the rationalisation, reconfiguration, and/or undergrounding of existing electricity networks infrastructure in the vicinity of the proposed development.	As outlined within Volume 6, Part 3, Chapter 2: Onshore Landscape Visual Impact assessment, the applicant has taken the project decision to route the ECC underground to reduce potential landscape and visual effects. The use of HDD will also be employed as a way of minimising loss to trees, hedgerows and other landscape elements. The assessment also considers existing and proposed development and it is concluded that no significant impacts will materialise. For substation site selection, reference has been made to National Grid's Guidelines on Substation Siting and Design ('The Horlock Rules'). These guidelines document National Grid's best practice for the consideration of relevant constraints associated with the siting of electricity network infrastructure. In addition, National Grid employs the 'Holford Rules (undated)' as guidelines on overhead line routing. Whilst environmental assessment for overhead lines addresses wider topics than the visual amenity issue on which the Rules concentrate, they remain a valuable tool in selecting and assessing potential route options as part of the environmental assessment process. They also provide the context which supports the project decision to select buried rather than overhead cables for connection to the National Grid substation connection point. Further details are available in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives.
	EN-5- 2.10.6 – 2.10.9	Additionally, there are more specific measures that might be taken, and which the Secretary of State could mandate through DCO requirements if appropriate, as follows: • landscape schemes, comprising off-site tree and hedgerow planting, are sometimes used for larger new overhead line projects to mitigate potential landscape and visual impacts, softening the effect of a new above ground line whilst providing some screening from important visual receptors.	The OLEMP (Application Document 9.22) provides detail on landscape commitments, and indicative planting proposals for the substation. This secured by a requirement within the draft DCO. BNG is proposed on the project, detail on the projects approach is provided in Application Document 6.6.4.18 Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative

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		These may be implemented with the agreement of the relevant landowner(s), or the developer may compulsorily acquire the land or land rights in question. > Advice from the relevant statutory authority may also be needed; > and screening, comprising localised planting in the immediate vicinity of residential properties and principal viewpoints can also help to screen or soften the effect of the line, reducing the visual impact from a particular receptor. As set out in the paragraphs above, where landscape schemes and/or screening mitigation of the kind described above is required, rights over the land necessary for such measures may be compulsorily acquired as part of the DCO. Furthermore, since long-term management of the selected mitigation schemes is essential to their mitigating function, a management plan, developed at least in outline at the conclusion of the examination, and which sets out proposals within a realistic timescale, should secure the integrity and benefit of these schemes. This should also uphold the landscape commitments made to achieve consent, alongside any pertinent commitments to environmental and biodiversity net gain.	Design Stage Report. This is secured by a requirement in the draft DCO. .
Noise and Vibration	EN-5- 2.10.9 – 2.10.10	Applicants must consider the following measures: > the positioning of lines to help mitigate noise; > ensuring that the appropriately sized conductor arrangement is used to minimise potential noise; > quality assurance through manufacturing and transportation to avoid damage to overhead line conductors which can increase potential noise effects; > ensuring that conductors are kept clean and free of surface contaminants during stringing/installation; and > the selection of quieter cost-effective plants In addition, the ES should include information on planned maintenance arrangements. Where detail is not included, the Secretary of State should consider stipulating appropriate maintenance arrangements by way of requirements attached to any grant of development consent.	No overhead lines are proposed as part of VE, so this is not considered further.
Electric and Magnetic Fields	EN-5- 2.10.11 - 2.10.12	The applicant should consider the following factors: > height, position, insulation and protection (electrical or mechanical as appropriate) measures subject to ensuring compliance with the Electricity Safety, Quality and Continuity Regulations 2002; > that optimal phasing of high voltage overhead power lines is introduced wherever possible and practicable in accordance with the Code of Practice to minimise EMFs; and > any new advice emerging from the Department of Health and Social Care relating to government policy for EMF exposure guidelines.	The VE is for underground cables and although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. All electrical infrastructure will remain below negligible levels in line with the International Commission Non-Ionising Radiation Protection (ICNIRP) guidelines (2020). Further details are available in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives. The need to assess EMFs on human health was scoped out of the assessment by PINS within the Scoping Opinion (PINS, November 2021).

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		2.10.12 Where it can be shown that the line will comply with the current public exposure guidelines and the policy on phasing, no further mitigation should be necessary	
Sulphur Hexafluoride	EN-5- 2.10.14-2.10.15	The climate-warming potential of SF6 is such that applicants should, as a rule, avoid the use of SF6 in new developments. Where no proven SF6-free alternative is commercially available, and where the cost of procuring a bespoke alternative is grossly disproportionate, the continued use of SF6 is acceptable, provided that emissions monitoring and control measures compliant with the F-gas Regulation and/or its successors are in place.	The OnSS will use comprise of either AIS or GIS design and therefore the use of SF-6 has not yet been established. The choice of switchgear affects both the total land area required and the size and type of buildings which will be needed. While final details are not yet known and will be the result influenced by discussions between VE and National Grid (NGET), the information included in this document is considered to be a reasonable worst case in terms of numbers and types of plant and equipment in the compound and their physical dimensions. The outline electrical design for the substation has been completed to establish the equipment, however further optimization of the layout will be carried out following engagement with suppliers and as more information on the site ground conditions becomes available. The indicative layouts and elevations of the substation site for both AIS and GIS technology are included in Annex A of Onshore Substation Design Principles Document.
2.11- Secretary of State decision making			
Impacts on Biodiversity and Geological Conservation	EN-5- 2.11.1	Where biodiversity impacts are identified, including those associated with bird collision with overhead lines, the Secretary of State should be satisfied that all feasible options for mitigation have been considered and evaluated appropriately.	In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design and specific to each topic. This has included project design measures, compliance with elements of good practice and use of standard protocols. For onshore biodiversity, mitigation measures include good project design, compliance with elements of good practice and use of standard protocols. This included careful routing onshore to avoid key areas of sensitivity. Licences will be required where temporary works effect habitat used by protected species. The Code of Construction Practice (Application Document 9.21) includes a number of measures to minimise the impact to ecology during construction. An Outline Landscape and Ecological Management Plan (Application Document 9.22) details proposed mitigation, compensation and biodiversity enhancement measures. Both of these are secured by requirements. For Offshore Ornithology mitigation please see responses to EN-3.

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			For Benthic and Intertidal Ecology this includes a Project Environmental Management Plan to ensure good practice is followed to avoid or minimise release of any contaminants and ensure appropriate environmental management measures are applied during construction and operation. A Cable Specification and Installation Plan will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection. For Benthic and Intertidal Ecology this includes a Project Environmental Management Plan to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction and operation. A Cable Specification and Installation Plan will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection. .
Landscape and Visual	EN-5- 2.11.4-2.11.5	The Secretary of State should also have special regard to nationally designated landscapes, where the general presumption in favour of overhead lines should be reversed to favour undergrounding. Away from these protected landscapes, and where if there is a high potential for widespread and significant landscape and visual impacts, the Secretary of State should also consider whether undergrounding may be appropriate, now on a case by-case basis, weighing the considerations outlined above.	The VE is for underground cables and the onshore infrastructure does not go through and nationally designated landscapes. No overhead lines are proposed. Refer to Paragraph EN-1 5.10.31.
Sulphur Hexafluoride	EN-5 2.11.17	The Secretary of State should grant consent for an electricity networks development only if the applicant has demonstrated either: i. that the development will not use SF6; or ii. (a) that there is no proven commercially available alternative to the use of SF6; and (b) that a bespoke SF6-free alternative would be grossly disproportionate in terms of cost; and (c) that emissions monitoring and control measures compliant with the gas Regulation and/or its successors are in place.	The OnSS will use comprise of either AIS or GIS design and therefore the use of SF-6 has not yet been established. The choice of switchgear affects both the total land area required and the size and type of buildings which will be needed. While final details are not yet known and will be the result influenced by discussions between VE and National Grid (NGET), the information included in this document is considered to be a reasonable worst case in terms of numbers and types of plant and equipment in the compound and their physical dimensions. The outline electrical design for the substation has been completed to establish the equipment, however further optimization of the layout will be carried out following engagement with suppliers and as more information on the site ground conditions becomes available. The indicative layouts and elevations of the substation site for both AIS and GIS technology are included in Annex A of Onshore Substation Design Principles Document.

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2.12 – Special assessment principles for offshore-onshore transmission			
Special assessment principles for offshore transmission	EN-5 – 2.12.1 – 2.12.3	Details in this section are in addition to those set out in EN-3 on the network connections for offshore wind including different types of offshore transmission. These include EN-3 sections 2.8.34 – 2.8.43 and 2.8.59-2.8.73 on network connections, 2.8.76 -2.8.79 on micrositing and 2.8.90-2.8.92 on Offshore Wind Environmental Standards which include offshore transmission and should be considered together with the details below. The scale of offshore transmission infrastructure required to support the government's 50GW offshore wind development ambition has significant implications for the onshore network. A substantial amount of new onshore network infrastructure, including network reinforcements, is required to enable transmission of the domestic and international offshore power flows coming onshore or power being exported to neighbouring North Seas countries.	The new wind farm would include up to 79 wind turbine generators (WTGs), across two separate sea bed areas in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. The VE will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy.
	EN-5 – 2.12.4 – 2.12.6	As identified in EN-1, it is important that the network planning for offshore transmission is much more closely co-ordinated with the planning and development of the onshore transmission network than previously. This includes all types of offshore transmission including interconnectors, multi-purpose interconnectors (MPIs) and subsea 'onshore' transmission or 'bootstraps' reinforcing the onshore transmission network. Further details on the different types of offshore transmission are provided in the Glossary. The above offshore-onshore transmission co-ordination work is undertaken through a process of ongoing reform with the key outcomes including the Holistic Network Design and its subsequent follow up exercises for offshore-onshore transmission and subsequent strategic network planning exercises such as the Centralised Strategic Network Plan led by National Grid Electricity System 33 and/or the Future Systems (once established). In addition, a more co-ordinated approach to designing offshore transmission is expected to be adopted compared with the previous standard approach of radial routes to shore. This applies to spatially close groups of offshore windfarms, subsea 'onshore' transmission or bootstraps, interconnectors and multi-purpose interconnectors.	The current project design includes an offshore ECC to shore, and associated onshore infrastructure, to facilitate power export from the Array Areas to the national electricity grid. Five Estuaries have been actively engaged in the Offshore Transmissions Network Review (OTNR); a government initiative launched in 2020 to review the approach to the design and delivery of offshore transmission. Having concluded in May 2023, the organisations involved along with the Department for Energy Security and Net Zero (DESNZ) are now implementing its findings to deliver a coordinated offshore transmission regime for Great Britain. Subsequently, Five Estuaries, along with the nearby North Falls and Sea Link (National Grid Electricity Transmission), applied as a consortium for grant funding as part of the Offshore Coordination Support Scheme (OCSS). The projects are currently in early stages exploring the feasibility of coordination options between the two offshore wind farms and an offshore reinforcement to the national grid. This process is being carried out in parallel to the base case development for Five Estuaries with an onshore connection into the proposed EACN substation, part of National Grids Norwich to Tilbury Reinforcement Project, as an offshore connection is not a viable or deliverable alternative at this time. Further details on the OTNR and OCSS process are outlined in Volume 9, Report 29: Offshore Connection Scenario
2.13 – Offshore-onshore transmission: Applicant assessment			
Consideration of strategic network design	EN-5 2.13.4 – 2.13.8	It is recognised that proposed projects which have progressed through strategic network design exercises have been considered for strategic co-ordination through those exercises. However, any opportunities for subsequent local co-ordination between projects, irrespective of whether they	The current project design includes an offshore ECC to shore, and associated onshore infrastructure, to facilitate power export from the Array Areas to the national electricity grid. Five Estuaries have been actively engaged in the Offshore

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		have been through those exercise, should be considered in project development. This is in addition to considerations on co-ordinating delivery in construction, see section 2.14.2. In addition, it is recognised that the HND and subsequent network design exercises, may on occasion, identify a radial solution, i.e. a direct route from an offshore wind farm to shore, not proposed to coordinate with another project at the time of network design. In the case of infrastructure identified through the HND, and subsequent network design exercises applicants should identify any variations to or developments from that work and justify these in accordance with the same objectives or criteria above, i.e. economic and efficient, deliverable and operable, minimise impact on the environment and minimise the impact on the local communities, giving these four criteria equal weight. On occasion, network designs may be amended as necessary as a result of new information or other changes (such as where a project within a coordinated design is no longer being progressed). Any such changes approved through an appropriate change control process are likely to result in information that is important and relevant consideration	Transmissions Network Review (OTNR); a government initiative launched in 2020 to review the approach to the design and delivery of offshore transmission. Having concluded in May 2023, the organisations involved along with the Department for Energy Security and Net Zero (DESNZ) are now implementing its findings to deliver a coordinated offshore transmission regime for Great Britain. Subsequently, Five Estuaries, along with North Falls and Sea Link (National Grid Electricity Transmission), applied as a consortium for grant funding as part of the Offshore Coordination Support Scheme (OCSS). The projects are currently in early stages exploring the feasibility of coordination options between the two offshore wind farms and an offshore reinforcement to the national grid. This process is being carried out in parallel to the base case development for Five Estuaries with an onshore connection into the proposed EACN substation, part of National Grids Norwich to Tilbury Reinforcement Project. An offshore connection is not a viable or deliverable alternative at this time. Further details on the OTNR and OCSS process are outlined in Volume 9, Report 29: Offshore Connection Scenario
Coordinated approach, including for Early Opportunities' projects with firm connections agreements prior to the Holistic Network Design	EN-5- 2.13.9	Radial offshore transmission options to single windfarms should only be proposed where options assessment work identifies that a coordinated solution is not feasible. For projects which had firm connection agreements in place prior to completion of the HND (formerly known as 'Early Opportunities' projects), co-ordinated design work should be brought forward by applicants. The identification of co-ordinated solution options, and any radial option, should consider the criteria for designs to be deliverable and operable, economic and efficient, minimise impact on the environment and minimise impact on the local communities. Options should seek to identify the most appropriate balance between these criteria. The coordinated solutions assessed should seek to be ambitious in the degree of co-ordination, wherever possible. This includes taking account of geographically proximate projects including opportunities to connect wind farms and multi-purpose interconnectors and/or bootstraps with each other that are planned or foreseen in the near future. Evidence should demonstrate that this has been considered in the assessment of options. Applicants bringing forward offshore transmission projects are expected to consider future demand when considering the location and route of their proposals. This may involve consenting offshore platforms, converter stations or substations which facilitate future coordination. If, through the coordinated options assessment work, a radial route is deemed to be the only feasible solution, applicants should evidence each co-ordination option and the accompanying assessment. These assessments should detail the application of the criteria identified above versus the radial counterfactual.	The Applicant and North Falls have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. Following the consultations carried out by both projects, and in response to requests for closer coordination, the two projects have worked together to develop a shared export cable corridor, landfall location, and single site for both onshore substations. VE has and will continue to co-ordinate with neighbouring projects. This has included sharing survey data with the proposed North Falls Offshore Wind Farm Project, coordinating designs with regards to Onshore Export Cable Corridor, the number of electricity export cables, co-located area for each project's substation, and siting of other onshore infrastructure and construction methods. Co-ordination discussions are also ongoing with National Grids Norwich to Tilbury Reinforcement project on interactions of two projects, including construction activities at its proposed East Anglia Connection Node Substation. Coordinated activities and/or shared information to date have included export cable corridor definition to ensure that the number of cables crossing the intertidal/coastal zone are minimised. The shared design keeps the potential impacts from the projects to a single swathe of land and enables coordination during

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		In these instances, the Secretary of State should have regard to the need case set out in Section 3.3 of EN-1.	construction, which has the potential to significantly reduce the impacts associated with the construction phase. . Further details on the coordinated approach are explained and Onshore Co-ordination Document (Document Reference 9.30), a co-ordinated build option is secured within the draft DCO.
Impacts	EN-5- 2.13.14	Co-ordinated transmission proposals, including multi-purpose interconnectors and other types of offshore transmission, are expected to reduce the overall environmental and community impacts associated with bringing offshore transmission onshore compared to an uncoordinated, radial approach. These reduced impacts could, for example, relate to: fewer landing sites and reduced landfall impacts; reduced overall cable length and impacts; and fewer cable corridors and reduced impacts from these.	The current project design includes an offshore ECC to shore, and associated onshore infrastructure, to facilitate power export from the Array Areas to the national electricity grid. Five Estuaries have been actively engaged in the Offshore Transmissions Network Review (OTNR); a government initiative launched in 2020 to review the approach to the design and delivery of offshore transmission. Having concluded in May 2023, the organisations involved along with the Department for Energy Security and Net Zero (DESNZ) are now implementing its findings to deliver a coordinated offshore transmission regime for Great Britain. Subsequently, Five Estuaries, along with North Falls and Sea Link (National Grid Electricity Transmission), applied as a consortium for grant funding as part of the Offshore Coordination Support Scheme (OCSS). The projects are currently in early stages exploring the feasibility of coordination options between the two offshore wind farms and an offshore reinforcement to the national grid. This process is being carried out in parallel to the base case development for Five Estuaries with an onshore connection into the proposed EACN substation, part of National Grids Norwich to Tilbury Reinforcement Project. An offshore connection is not a viable or deliverable alternative at this time. Further details on the OTNR and OCSS process are outlined in Volume 9, Report 29: Offshore Connection Scenario In relation to co-ordination onshore The Applicant and North Falls have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. Following the consultations carried out by both projects, and in response to requests for closer coordination, the two projects have worked together to develop a shared export cable corridor, landfall location, and single site for both onshore substations. VE has and will continue to co-ordinate with neighbouring projects. This has included sharing survey data with the proposed North Falls Offshore Wind Farm Project, coordinating designs with regards to Onshore Export Cable Corridor, the number of electricity export cables, co-located area for each project's substation, and siting of other onshore infrastructure and construction methods.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The shared design keeps the potential impacts from the projects to a single swathe of land and enables coordination during construction, which has the potential to significantly reduce the impacts associated with the construction phase. Further details on the coordinated approach are explained within Onshore Co-ordination Document (Document Reference 9.30). A Coordinated build option which would reduce impacts is also secured within the draft DCO.
	EN-5 – 2.13.15 – 2.13.20	Similarly, the related onshore infrastructure required in conjunction with the offshore transmission to enable offshore wind to be connected at its onshore grid connection point is expected to reduce the overall environmental and community impacts. This is in comparison with that which would be required for radial connections from single offshore windfarms to the shore. For onshore infrastructure, reduced impacts could, for example, relate to fewer or co-located substations and converter stations and transmission lines as well as demonstrating how environmental and community impacts have been avoided as far as possible. Applicants are expected to be able to indicate how co-ordination including reduction in impacts have been considered drawing on work of others, including that led or enabled by National Grid Electricity System Operator (ESO). For those projects not covered by the strategic network planning undertaken by the ESO and which have received a connection agreement, applicants should seek to demonstrate the reduced overall impacts from co-ordination (as identified at section 2.13.14 above) and how the onshore connection locations have been identified. These projects are expected to demonstrate the reductions in environmental and community impact achieved through coordination compared with radial solutions. There may be exceptional circumstances where multiple coordinated solutions have been explored and all those solutions would lead to adverse impacts (for example adverse effects on an environmentally protected site) and where these could be avoided through radial connections. In these circumstances radial connections may be more appropriate. Evidence of the co-ordinated solutions assessed and likely adverse impacts would need to be provided by the applicant to clearly substantiate this. This includes demonstration of consideration of alternative co-ordination solutions which may not be in proximate locations. Applicants should refer to policy text in EN-3 regarding consideration of impacts in the marine environment and policy text in the remainder of this policy statement regarding consideration of impacts onshore	Refer to response above for: EN-5-2.13.14. The Applicant and North Falls have been allocated the same connection point to the national electricity transmission network and have been considering similar landfall locations for their export cables to come ashore. Following the consultations carried out by both projects, and in response to requests for closer coordination, the two projects have worked together to develop a shared export cable corridor, landfall location, and single site for both onshore substations. The shared design keeps the potential impacts from the projects to a single swathe of land and enables the opportunity for coordination during construction, which has the potential to significantly reduce the impacts associated with the construction phase. Further details on the coordinated approach are explained within Onshore Co-ordination Document (Document Reference 9.30). A co-ordinated build option is secured within the draft DCO. Table 3.1 within this Policy Compliance Document should be referred to for a full discussion as to how VE has referred to EN-3 regarding consideration of impacts in the marine environment.
Coastal connections	EN-5 – 2.13.21 – 2.13.23	The sensitivities of many coastal locations and of the marine environment as well as the potential environmental, community and other impacts in	To assist the SoS, Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives provides a description of the

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		neighbouring onshore areas must be considered in the identification onshore connection points. Onshore connection points for offshore transmission bringing power from offshore wind farms must be considered as part of the overall offshore transmission network design and in conjunction with the onshore network by the body responsible for the design. Onshore connection locations for offshore transmission must seek to minimise environmental and other impacts, both onshore and in the marine environment and including to local communities.	site selection process and the approach undertaken to refine the design of the VE. This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of VE. It also explains and details the main alternatives considered for the VE, including location and infrastructure options. Through the application of mitigation, VE seeks to minimise environmental and other impacts, both onshore and in the marine environment and including to local communities. Further information is set out in offshore ES chapters and supporting documents which relate to marine considerations and mitigation are as follows: > Volume 9, Report 3: Offshore Project Design Principles > Volume 9, Report 9: Cable Burial Risk Assessment > Volume 9, Report 16: Outline Fisheries Liaison and Co-Existence Plan > Volume 9, Report 17: Outline Offshore Operations and Maintenance Plan > Volume 9, Report 18: Outline Project Environmental Management Plan > Volume 9, Report 18.1: Working in Proximity to Wildlife in the Marine Environment > Volume 9, Report 19: Outline Marine Written Scheme of Investigation (Offshore) > Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical processes > Volume 6, Part 2, Chapter 3: Marine Water and Sediment Quality > Volume 6, Part 2, Chapter 4: Offshore Ornithology > Volume 6, Part 2, Chapter 5: Benthic and Intertidal Ecology > Volume 6, Part 2, Chapter 6: Fish and Shellfish Ecology > Volume 6, Part 2, Chapter 7: Marine Mammal Ecology > Volume 6, Part 2, Chapter 8: Commercial Fisheries > Volume 6, Part 2, Chapter 9: Shipping and Navigation > Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage > Volume 6, Part 2, Chapter 12: Infrastructure and Other Marine Users

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			> Volume 6, Part 2, Chapter 13: Military and Civil Aviation > MCZ assessment (document reference 5.6) Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents. This is further discussed in the Planning Statement (Document Reference 9.1).
2.14 – Offshore-onshore transmission: mitigation			
Offshore-onshore transmission: mitigation	EN-5 – 2.14.1	Adverse impacts on Marine Protected Areas (MPAs) have caused consenting delays, and in some cases a need for compensatory measures under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Habitats and Species Regulations 2017, or measures of equivalent environmental benefit under the Marine and Coastal Access Act 2009. Therefore, applicants should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process. Applicants should also facilitate delivery of strategic compensation measures where appropriate (see paragraphs 2.8.292 -2.8.299 of EN-3).	To assist the SoS, Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives provides a description of the site selection process and the approach undertaken VE to refine the design of the VE. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of VE. This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of VE. It also explains and details the main alternatives considered for the VE, including location and infrastructure options. Offshore routeing options have regard to the following guidance: > The Crown Estate (2012) Guidance on the Principles of Cable Routeing and Spacing; > The Crown Estate (2019) Plan-level Habitats Regulations Assessment for the 2017 Offshore Wind Farm Extensions; and > The Crown Estate (2017) Cable Route Protocol. In addition, to the above a number of fundamental principles have been applied to the site selection process. These are drawn from the experience of VE and technical expertise of consultants supporting the process and comprise: > Shortest route preference for cable routing to reduce impacts by minimising footprint for the offshore and onshore cable routes as well as considering cost (hence ultimately reducing the cost of energy to the consumer) and minimising transmission losses; > Avoidance of key sensitive features where possible and where not, seek to mitigate impacts; > Minimise the disruption to populated areas;

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			> The need to accommodate the range of technology sought within the design envelope, such as air insulated or gas insulated switchgear for the onshore substation; and > Consideration of a coordinated approach with other projects where possible, to reduce cumulative environmental impacts and impacts on communities, as noted in NPS EN-1 and NPS EN-5. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents.
	EN-5 – 2.14.2	In the assessments of their designs, applicants should demonstrate: > how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design; and > how enhancements to the environment post construction will be achieved including demonstrating consideration of how proposals can contribute towards biodiversity net gain (as set out in Section 4.5 of EN-1 and the Environment Act 2021), as well as wider environmental improvements in line with the Environmental Improvement Plan and environmental targets (paragraph 4.2.29 of EN-1). In addition, all applicants are encouraged to demonstrate how the construction planning for the proposals has been co-ordinated with that for other similar projects in the area on a similar timeline.	To assist the SoS, Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives provides a description of the site selection process and the approach undertaken by the Applicant to refine the design of the VE. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of VE. This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of VE.). In addition, the Applicant has provided a full EIA, reported in the ES that accompanies the VE, which includes information on the relationship between the VE and the topic-specific planning policies. These chapters consider any environmental, community and other impacts and demonstrate how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design. Volume 9, Document 31: Schedule of Mitigation - Routemap lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents. A BNG approach note has also been prepared for PEIR Volume 5, Annex 4.14: Delivering Onshore Biodiversity Net Gain: Proposed Approach.

5 MARINE POLICY COMPLIANCE TABLE

Marine plan compliance is covered separately in each of the ES chapters.

Table 5.1: Marine Policy Statement Compliance Table

SECTION/ TOPIC	PARAGRAPH REF	MARINE PLAN REQUIREMENT	COMPLIANCE
Objectives	Paragraph 2.2.2	High level objectives are for the protection, conservation and where appropriate recovery of biodiversity; healthy, resilient and adaptable marine and coastal ecosystems across their natural range; and oceans supporting viable populations of representative, rare, vulnerable and valued species.	. VE delivers benefits as a nationally significant low carbon energy infrastructure development, providing a long-term benefit to biodiversity interests, outweighing any minor harm to these interests. Climate change is a significant threat to bird biodiversity interests (Pearce-Higgins 2021). The VE will contribute a significant amount of renewable energy to the UK Government's target of producing 40GW of renewable energy from offshore wind by 2030 and achieving net zero by 2050 (BEIS 2020). Across the offshore ES topics, no significant residual effects have been identified. Volume 9, Document 31: Schedule of Mitigation Routemap lists all measures proposed on a topic-by-topic basis.
Objectives	Paragraph 2.2.2	High-level objectives include: "Living within environmental limits" includes the following requirements relevant to marine mammals: > Biodiversity is protected, conserved and, where appropriate, recovered, and loss has been halted; > Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems; and > Our oceans support viable populations of representative, rare, vulnerable, and valued species"	The potential effects of the construction, operation, and decommissioning phases and cumulative effects of VE on marine mammals have been assessed in the impact assessment in sections Volume 6, Part 2, Chapter 7: Marine Mammal Ecology. Outline Marine Mammal Mitigations Protocols are included within the application for UXO and Piling. (Applications 9.14.1 and 9.14.2). Other example measures proposed by the project to minimise its environmental impacts to the marine environment include burying the export cable wherever possible and the development of and adherence to, a Cable Specification and Installation Plan (Volume 9, Report 9.12) which sets out measures to minimise adverse impacts on potentially sensitive receptors during cabling operations on the seabed. A Herring Spawning Restriction is proposed by the project, which is secured in the outline PEMP (Application Document 9.18), the PEMP also includes a document which sets out how the project will work in proximity to marine wildlife (Application Document 9.18.1) Direct or indirect effects on features of relevant Special Area of Conservation (SAC) and Special Protection Area (SPA) sites are

SECTION/ TOPIC	PARAGRAPH REF	MARINE PLAN REQUIREMENT	COMPLIANCE
			also considered in the Habitats Regulations Assessment (HRA) Screening Report (RIAA) (Volume 5, Report 4.2) and where relevant the RIAA (Volume 5, Report 4) and associated documents.
Historic environment	Paragraph 2.6.6.	The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged.	As marine activities have the potential to result in adverse effects on the historic environment both directly and indirectly, including damage to or destruction of heritage assets, all available evidence to identify the significance of the heritage assets within the marine archaeology study area is presented in Volume 4, Annex 11.1: Offshore Archaeology and Cultural Heritage Technical Report. Overall, Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage concludes there will be no significant effects upon Offshore Archaeology and Cultural Heritage receptors. This is as a result of mitigation proposed (: > Written Schemes of Investigation (WSI): An Outline Marine WSI (Volume 9, Report 9.19) has been produced to accompany the ES to outline the AEZs and establish the basis for mitigation measures and further archaeological campaigns for the project. This will be developed to form the Draft Marine WSI followed by the Agreed Marine WSI. > Archaeological Exclusion Zones (AEZ): All intrusive activities undertaken during the life of the project will be routed and microsited to avoid any identified marine heritage receptors pre-construction, with AEZs as detailed in the Outline Marine WSI unless other mitigation is agreed with Historic England and MMO. > Protocol for Archaeological Discoveries (PAD): Additional unknown or unexpected cultural heritage and marine heritage receptors identified during the project stages will be reported utilising the project specific PAD. > Archaeological assessment of available data: Offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant in consultation with Historic England. Areas with geoarchaeological potential will be targeted during the geotechnical sampling campaigns and results published will aim to enhance the palaeogeographic knowledge and understanding of the area. > Post-construction monitoring plan: A post-construction monitoring plan as per the Outline Marine WSI (Volume 9, Report 19) will be produced. The post-construction

SECTION/ TOPIC	PARAGRAPH REF	MARINE PLAN REQUIREMENT	COMPLIANCE
			monitoring plan will identify any areas or sites of high archaeological significance recommended for further investigation and outline how post-construction monitoring campaigns will collect, asses and report on changes to marine heritage receptors that may have occurred during the construction phase.
Coastal development	Paragraph 2.6.8.5	Marine plan authorities should consider existing terrestrial planning and management policies for coastal development under which inappropriate development should be avoided in areas of highest vulnerability to coastal change and flooding. Development will need to be safe over its planned lifetime and not cause or exacerbate flood and coastal erosion risk elsewhere.	The suitability of the Proposed Development to coastal change is considered in the context of the project design, in Volume 2, Chapter 1: Offshore Project Description. A cable landfall assessment is presented in Paragraph 2.11.71. This assessment considers the nature of ongoing and potential future shoreline change at the landfall. A full description of coastal processes understanding at the landfall is set out in Volume 4, Annex 2.1: Physical Processes Baseline Technical Report. Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes concludes there will be no significant effects upon Marine Geology, Oceanography and Physical Processes receptors. This is as a result of mitigation proposed within Volume 6, Part 2, Chapter 2: Physical Processes which will limit any impacts. Measures include burying the export cable wherever possible and the development of and adherence to, a Cable Specification and Installation Plan (Volume 9, Report 9.12) which sets out measures to minimise adverse impacts on potentially sensitive receptors during cabling operations on the seabed.
Conservation Designations	Paragraph 3.2.9	The construction and operation of offshore marine infrastructure, as well as policies on conservation designations and the health of the wider environment may impact on defence interests in certain areas. Marine plan authorities and decision makers should take full account of the individual and cumulative effects of marine infrastructure on both marine and land-based MoD interests. Marine plan authorities, decision makers and developers should consult the MoD in all circumstances to verify whether defence interests will be affected.	MoD activities (including danger areas) are identified within the existing environment section of Volume 6, Part 2, Chapter 12: Other Marine Users and Activities (Paragraph 12.7.14 et seq.). This chapter (Section 12.10, Section 12.11, and Section 12.12) identifies where likely significant effects have been determined and where mitigation is proposed and/ or consultation with the MoD will be undertaken to (as noted above) seek agreement on appropriate controls. As described in the baseline environment in Volume 6, Part 2, Chapter 12: Other Marine Users and Activities, there is no military activity within the area. Further information is provided in Volume 6, Part 2, Chapter 9, Shipping and Navigation and Volume 6, Part 2, Chapter 13: Military and Civil Aviation. Further information is provided in Volume 2, Chapter 9: Shipping and Navigation and Volume 2, Chapter 13: Military and Civil Aviation.

SECTION/ TOPIC	PARAGRAPH REF	MARINE PLAN REQUIREMENT	COMPLIANCE
Navigation	Paragraph 3.4.7	Decision makers account for and seek to minimise any negative impacts on navigational safety and freedom of navigation.	Navigational safety impacts have been assessed including vessel displacement in Volume 6, Part 2, Chapter 9: Shipping and Navigation. The chapter concludes that there will be no significant effects upon Shipping and Navigation receptors. Mitigation includes measures which apply across all parts of the project such as charting of infrastructure and relevant lighting and marking to minimise the risk of collision, but also more specific mitigation including an application for relevant safety zones during construction and traffic monitoring. In addition to the above, consultation revealed a need to refine the northern array area, which has been reduced, creating additional sea room to the north and east for transiting vessels. Further, the offshore export cable corridor has been refined and reduced at key locations to allow safe operation of existing shipping lanes accessing local ports.
Fisheries	Paragraph 3.8.1	Fish is an important source of protein, can be part of a healthy diet and has a role in achieving food security, which is an objective of the UK Administrations. The marine fisheries sector comprises all socio-economic activities related to the capture of wild marine organisms (fish and shellfish), and the subsequent handling and processing of catches. Shellfish and demersal fish species currently contribute around 40% each to the total catch value, with the remaining 20% comprising pelagic species such as mackerel and herring. The UK has a long history of fishing both inshore and offshore waters, which the UK Administrations wish to see continue.	Volume 6, Part 2, Chapter 8: Commercial Fisheries contains an assessment for Commercial Fisheries and has considered several impacts, including reduction in access to, or exclusions from established fishing grounds and displacement leading to fishing gear conflict and increased pressure on adjacent fishing grounds, across all project phases (construction, operation and maintenance, and decommissioning). Mitigation includes undertaking fisheries liaison, appropriate marking and lighting to ensure infrastructure is clearly visible at sea, and where possible, subsea cable burial will be the preferred option to minimise the risk to fishing techniques on the seabed. Overall, it is considered that there will be no significant effects upon Commercial Fisheries receptors.

Table 6.1: National Planning Policy Framework (NPPF) (December 2023) Compliance Table

SECTION/ TOPIC	PARAGRAPH REF	NPPF REQUIREMENT	COMPLIANCE WITH THE NPPF
Achieving sustainable development	7	‘’*The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.*’’	The VE represents a major opportunity to contribute to the plannings systems objective of achieving sustainable development. This is because, as stated in the planning balance within the Planning Statement (Volume 9, Document 9.1), the VE will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. This will not only contribute to a better energy security in the short-term, but will safeguard the needs of future generations, by supporting the creation of a resilient energy network that is required to meet future demand. Alongside the overall environmental benefits, the VE will deliver numerous social and economic benefits which are outlined across the ES. To give one example, which is described in both Volume 9, Document 9.1: Planning Statement and Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation, the development off offshore wind projects, like that proposed within this VE, will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. To ensure this is fully realised, the applicant has committed to the creation and implementation of an Skills and Employment Strategy as a means of aiding in the development of skills locally as a result of the VE. In addition, the Applicant has also produced an Equality Impact Assessment (Volume 9, Document 9.11) to ensure the development results in no dipropionate effects to protected groups. The chapter concludes that following the mitigation proposed across the ES, no significant impacts would materialise and as such the scheme strongly support the social objective of sustainability set out in the NPPF. It is also important to note that the VE has undergone an iterative design process involve several rounds of consultation with relevant stakeholders and engagement. Such discussions have been influential in shaping the VE and have supported the applicant in ensuring social progress, economic well-being and environmental protection will be secured and promoted as a consequence of the development. Further commentary can be found within of Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives.
	8	‘’*Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):* *a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;* *b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and* *c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*’’	
Decision-making	42	‘’*The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents*	As outlined within Volume 5, Report 5.1: Consultation report, The Applicant thus far has carried out an iterative consultation process with two main stages and a targeted third stage. This includes

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		relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.''	engagement within the relevant consenting bodies and stakeholders, as well as non-statutory engagement with communities and stakeholders during the pre-application process. The applicant has also volunteered for the project to be part of the early adopter's programme in which the applicant has followed an Evidence Plans process, which has allowed statutory bodies to agree what information should support the VE, including a specific focus on Habitats Regulations Assessment and or Environmental Impact Assessment issues. Further commentary can be found within Volume 5, Report: 5.2.1: Evidence Plan
	43	''*The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.''*	Volume 5, Report 5.1: Consultation Report outlines that the Applicant has engaged at an early stage with relevant expert bodies on the information needed in relation to formal assessments. In addition, the VE is part of the early adopter programme, which has facilitated engagement on the Habitats Regulations Assessment and or Environmental Impact Assessments through the Evidence Plan process (see Volume 5, Report 5.2.1: Evidence Plan). Consultation with in each of the onshore and offshore chapters (Volume 6) is specific to the requirements of each technical chapter/topic, following relevant statutory and non-statutory guidance on which parities should be consulted. Regarding the references to Environmental Impact Assessment (EIA) in Paragraph 43 of the NPPF, The Applicant has provided a full (EIA), reported in the Environmental Statement (ES) that accompanies the VE, which includes information on the relationship between VE and the topic-specific planning policies outlined in the NPS(s). The full ES is presented in Volume 6. In relation to flood risk assessments, FRA reporting has been undertaken in the following documents: The Applicant has conducted a Flood Risk Assessment for both onshore and offshore, which can be found in the following documents: > Volume 5, Document 5.3.1: Flood Risk Assessment-Cable Route; and > Volume 5. Document 5. 3.2: Flood Risk Assessment-Onshore Substation. In terms of the consultation relating to the Habitats Regulations Assessment, the VE is now at the 3rd stage of the HRA process. Relevant expert bodies have been consulted throughout the process via Expert Topic Group meetings, with the consultees that have been involved listed in Volume 5, Report 5.4: Report to Inform Appropriate Assessment:

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			> Cefas; > Environment Agency; > Essex County Council; > Marine Management Organisation (MMO); > Natural England; > Eastern IFCA; > Royal Society for the Protection of Birds (RSPB); > Tendring District Council; and > The Wildlife Trusts (TWTs). …
Promoting health and safety communities	92	*"Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:* *a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;* *b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and* *c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.''*	The applicant has produced the following documents, to support the creation of health, inclusive and safe places principles set out in the NPPF: A Public Access Management Plan (PAMP) which will ensure recreational routes and PRoWs are appropriately managed. This includes providing temporary diversion routes where necessary that are clearly signposted and accessible to all protected groups (see Volume 9, Annex 9.25). A Construction Travel Management Plan (CTMP) that sets out a range of methods to control traffic and ensure pedestrian safety, particularly for those who are most vulnerable (see Volume 9, Document 9.24). A Workforce Travel Plan (WTP) that will ensure movement associated within construction personnel is done in the most sustainable manner and does not impact upon movement along the highway (See Volume 9, Document 9.26). A Code of Construction Practice (CoCP) which will limit the impacts of construction. This includes setting out measures to limit noise and vibration through noise barriers (see Volume 9: Document 9.22). Volume 6, Part 4, Chapter 2: Human Health and Major Disasters, also sets out mitigation measures that will promote health styles and concludes that no significant impact in relation to Human Health will arise from the project. The same conclusions are also outlined within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation in relation to social interaction and increase safety and accessibility. Other mitigation measures (not already listed in this response to Paragraph 92 of the NPPF) that are relevant to health and included in aforementioned chapters are listed below:

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			> An Outline Employment, Skills and Education Strategy which has been produced to seek to identify and secure a greater contingent of local workforce, increasing skills locally and lowering the number of workers from outside of the area; > The Project design which has sought to avoid key areas of sensitivity and health receptors; and > The commitment to using trenchless technologies which will minimise road closures as a result of the project.
Promoting sustainable transport	110	*''In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:* *a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;* *b) safe and suitable access to the site can be achieved for all users;* *c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and* *d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.''*	The applicant has set out numerous measures to promote sustainable forms of transport. In terms construction workers, Volume 9, Document 9.26: Public Access Management Plan will ensure movement associated within construction personnel is done in the most sustainable manner and does not impact upon movement along the highway. In terms of promoting sustainable modes of transport generally, the applicant has produced a Public Access Management Plan (PAMP) which includes the provision that all recreational routes and PRoWs are managed appropriately, and any alterations will be signposted and accessible to all groups. Regarding safe and suitable access to the site for all users, Volume, 9 Document 9.2: Construction Travel Management Plan will ensure the site access is safe and accessible for all users. This is through several measures, including: vehicle routing, the installation of signage and the maintenance of walking and cycling routes where practically possible. Volume 9, Report 21: Code of Construction Practice (CoCP) will manage construction activity including reducing potential effects on community and recreational receptors in terms of air quality, construction noise and vibration, dust and lighting. In relation to pedestrian amenity, this is assessed within Section 8.12 of Volume 6, Part 3, Chapter 8: Traffic and Transport which states alongside cumulative projects, there would be a negligible or minor adverse effect on pedestrian amenity on the highway links in, which is not significant in terms of the EIA Regulations. To summarise, Volume 6, Part 3, Chapter 8: Traffic and Transport concludes that no significance impacts from the application will accrue to the transport network that cannot be managed effectively by the proposed mitigation. The chapter also outlines that the current transport guidance has been followed and considered across the transport documents submitted within the DCO.

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	120	*"Planning policies and decisions should:* *a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;* *b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;* *c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;* *d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure) 48; and* *e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers."*	The Applicant has prepared an Outline Landscape and Ecological Management Plan (see Volume 9, Document 9.22) which provides net benefits for biodiversity (including a BNG strategy) in addition to mitigation to reduce and/or minimize significant landscape effects. As outlined within Volume 6, Part 2, Chapter 4: Onshore Biodiversity and Nature Conservation, the application is cognisant of the good practice in respect of BNG and will align with the ten principles developed by The Chartered Institute of Ecology and Environmental Management (CIEEM), Institute of Environmental Management and Assessment (IEMA) and Construction Industry Research and Information Association (CIRIA). Key deliverables that have been submitted within the Biodiversity Net Gain Indicative Design Stage Report as part of the DCO application include: - Baseline Plans (i.e. pre-development): A Defra Metric Habitat Plan (noting that this may differ from the habitat plan in the Habitat Survey report for the reasons stated in section 4.4.1), a Condition Assessment plan and a Strategic Significance Plan; - Post-Project (i.e. after development, including all proposed mitigation, compensation and enhancement): A Defra Metric Proposed Habitat Plan, a proposed Condition Assessment Plan and a Strategic Significance Plan. - Completed BNG Metric 3.1 spreadsheet. The requirements for auditing against the BNG objectives are set out within an appendix to Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan. Post DCO consent, to account for potential changes to the detailed scheme design, once detailed design is known the Metric will be re-run, and the Biodiversity Net Gain Final Design Report shall be prepared. Deliverables would be: - Baseline Plans (i.e. pre-development): A Defra Metric Habitat Plan, a Condition Assessment plan and a Strategic Significance Plan; - Post-Project (i.e. after development, including all proposed mitigation, compensation and enhancement): A Defra Metric Habitat Plan, a Condition Assessment Plan and a Strategic Significance Plan. - Completed BNG Metric 3.1 spreadsheet.

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			The detailed LEMP (or similar document), to be produced post-consent, will include the final requirements for auditing on-site areas against the BNG objectives set out in the Metric assessment, and any associated management actions. It is envisaged that audit and management requirements for off-site areas (if needed) would be dealt with separately. It is also important to note that VE has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This is part has meant sensitive areas (including high-value developed land referenced in Paragraph 120) has been avoided where possible. Further information on the site selection process is contained within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives.
Achieving well-designed places	126	*''The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.''*	The evolution of the design is set out Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives which outlines the iterative process the Applicant has undertaken to ensure the application promotes sustainable development. A key aspect of the design of the application has been the commitment to a comprehensive consultation in order to refine the design, minimise the harm and provide reasonable mitigation measures as far as practicable whilst maintaining an economically viable alternative. As stated within Volume 7, Report 5: Landscape and Ecology Design Principles Plan, the VE includes a Landscape and Ecology Design Principles Plan. This includes the sensitive siting and design of the onshore infrastructure during site selection, in order to reduce and avoid potential impacts. Moreover, the Applicant has also assessed the design in terms of the visual impacts of the application within Volume 6, Part 2, Chapter 10: Seascape, Landscape and Visual Assessment and Volume 6, Part 3, Chapter 2: Onshore Landscape and Visual. Both chapters conclude that following the proposed mitigation, in the long-term, no significant effects upon the seascape, landscape and visual amenity surrounding the VE will arise.
	132	*''Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to*	Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives demonstrates that The VE has been the subject of an iterative design process. Stakeholder consultation and engagement has played a fundamental role in shaping the project from the onset of the VE. Almost 900 individual pieces of

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		evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot."	feedback were received during the pre-application consultation process and as a result, multiple changes to the proposals have been made as a direct result of feedback, along with contributing to the evolution of the proposals in conjunction with ongoing design development in many other ways. Table 14.1 of Volume 5, Report 5.1: Consultation Report summaries the major changes that have occurred as a result of feedback. A full assumably of the consultation feedback can be found in the support annexes to the consultation report (document references 5.1.1 and 5.1.2) Engagement has taken place via regular intervals throughout the site selection process, through the circulation of site selection information, holding of evidence plan meetings, and consultation events. Engagement primarily took place via the EIA Evidence Plan Process which has facilitated continued dialogue between the formal (statutory and non-statutory) consultation processes. Further commentary can be found within Volume 5, Report 5.2.1: Evidence Plan Process.
Meeting the Challenge of Climate Change, Flooding and Coastal Change	152	*"The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure."*	The production of energy through the VE would help to meet a low carbon future. Therefore, this policy is considered to be supportive of the Application since it is for renewable and low carbon energy infrastructure, which would ultimately support the transition to a low carbon future and implement reductions in greenhouse gasses. Alongside Volume 6, Part 4, Chapter 1: Climate Change, each ES chapter also demonstrates the VE's resilience to climate change through consideration of the Maximum Design Scenario (MDS), which is incorporated into all approaches to assessment. The MDS for the VE has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, examples include: > Changes in air quality/composition > Changes in flood risk > Changes in wind speed Once construction is complete, the O&M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime….

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			Regarding flood risk, FRA report has been undertaken within: > Volume 5, Document 5.3.1: Flood Risk Assessment-Cable Route; and > Volume 5. Document 5. 3.2: Flood Risk Assessment-Onshore Substation. The assessments, as outlined within Volume 6, Part 3, Hydrology, Hydrogeology and Flood Risk have been undertaken in accordance with national climate change allowances to ensure VE is resilient to future change. In terms of the suitability of the Proposed Development to coastal change is considered in the context of the project design, in Volume 6, Part 2, Chapter 1: Offshore Project Description. It is considered that VE is not an inappropriate development.
	169	*"Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:* *a) take account of advice from the lead local flood authority;* *b) have appropriate proposed minimum operational standards;* *c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and* d) *where possible, provide multifunctional benefits."*	The Applicant has conducted a Flood Risk Assessment for both onshore and offshore, which can be found in the following documents: Volume 5, Document 5.3.1: Flood Risk Assessment-Cable Route. Volume 5. Document 5. 3.2: Flood Risk Assessment-Onshore Substation. The documents assess the level of flood risk to and caused by the development to be low and the development would be safe, without significantly increasing flood risk elsewhere. The construction phase maintenance and management measures have been incorporated into the CoCP, with records kept demonstrating compliance. The Applicant has also produced an Outline Substation Design and Access statement (Volume 9, Document 9.4) which sets out drainage in line with DCO requirements across the construction-decommissioning stages that follow best practice guidance. This includes the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants during the operational phase.
	172	*"Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:* *a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change;* *b) the character of the coast including designations is not compromised;*	Part of the VE would fall within the Essex and South Suffolk Shoreline Management Plan (SMP) area. However, as stated within Volume 6, Part 2, Chapter 2: Physical Processes, the development would not compromise the character of the area, nor would it interfere with the purpose of the coastal management area.

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		c) *the development provides wider sustainability benefits; and* d) *the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast."*	Mitigation is also proposed within Volume 6, Part 2, Chapter 2: Physical Processes which will limit any impacts. Measures include burying the export cable wherever possible and the development of and adherence to, a Cable Specification and Installation Plan (Volume 9, Report 9.12) which sets out measures to minimise adverse impacts on potentially sensitive receptors during cabling operations on the seabed.
Conserving and Enhancing the Natural Environment	174	*"Planning policies and decisions should contribute to and enhance the natural and local environment by:* a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);* b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;* c) *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;* d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;* e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and* f) *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*	There will be no loss of habitat within any statutory designated site as a result of VE. Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation concludes that following the implementation of the proposed mitigation, which is included in the outline LEMP, no significant impacts will arise from VE. The proposed landscaping and habitat creation at the OnSS (as shown in the OLEMP (Volume 9, Report 9.22: Outline Landscape and Ecological Management Plan) would lead to the loss of arable habitat. Whilst the proposed landscaping and habitat creation should benefit many bird species, it would result in the loss of species such as skylark and corn bunting, which favour open arable habitat. Although additional mitigation/ compensation for the permanent loss of arable habitat supporting skylark and corn bunting at the OnSS is not possible within the Order Limits due to a lack of potentially suitable land available. The requirement for landscaping at the substation is considered to outweigh the requirement for management of arable fields to benefit skylark and corn bunting and the proposed habitat creation would benefit a range of other bird species. Mitigation included within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation is set out below: **General** > Project design: Careful routing of the onshore ECC and design of key crossing points (sea defence structures, main rivers, non-main and ordinary watercourses, roads) to avoid key areas of sensitivity (see Volume 6, Part 1, Chapter 4: Site Selection and Alternatives); > GCN European Protected Species Licence (EPSL): An EPSL from NE will be required for temporary works affecting terrestrial habitat used by GCN along the route. his approach has been discussed and agreed with NE as part of the evidence plan process; it is anticipated that NE will issue an Impact Assessment and Conservation Payment Certificate (IACPC) for countersigning based upon the MDS used to inform this assessment, which will be included at Volume 6, Part 6 Annex 4.20: Five Estuaries Offshore Wind Farm: GCN District Level Licencing Impact Assessment and Conservation Payment Certificate (unsigned) and associated documents.;

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			Construction > All construction work will be undertaken in accordance with a CoCP (Volume 9, Annex 9.21 Code of Construction Practice) and OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan): All construction work will be undertaken in accordance with a CoCP (Volume 9, Annex 9.21 Code of Construction Practice) and OLEMP (Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan) > Landscape and Ecological Management Plan (LEMP): Construction mitigation measures and additional mitigation and compensation measures, beyond those covered in the outline CoCP (Volume 9, 9.21: Draft Code of Construction Practise), including woodland planting, pond creation and hedgerow planting at the OnSS, are identified within the OLEMP in Volume 9, Annex 9.22: Outline Landscape and Ecological Management Plan. > Biosecurity and INNS Management: All construction work will be undertaken in accordance with the INNS control measures set out in the draft CoCP (Volume 9, 9.21: Draft Code of Construction Practice). > Pollution Prevention and Emergency Incident Response: The draft CoCP (Volume 9, 9.21 Draft Code of Construction Practice) sets out pollution control principles, which would be implemented by the project during construction. **Operation** > Operational practices will incorporate measures to prevent pollution and increased flood risk, including emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff. These measures will be included within the LEMP. **Decommissioning** > Provision of an onshore decommissioning plan, including a revised CoCP, in advance of decommissioning works will be a requirement of the DCO, to include protection of ecological features, based on up-to-date survey information and relevant guidance in place at the time of decommissioning. The Applicant is also committed to enhancing biodiversity as part of the VE, which is realised within the Volume 9, Document 9.22:

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			Outline Landscape and Ecological Management, which sets out several measures including: > Adhering to good practice guidance in respect of BNG and ensuring that the VE will align with the ten principles developed by the CIEEM, IEMA and CIRIA. > Achieving a minimum of 10% BNG. The Project also maintains the character of the undeveloped coast; as outlined in Volume 6, Part 1, Chapter 4: Site Selection and Alternatives VE has been subject to an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This has ensured sensitive regions (like the undeveloped coast) have been avoided. Coast morphology is also considered in Volume 6, Part 2, Chapter 2: Marine Geology, Oceanography and Physical Processes and no significant residual impacts have been identified. Regarding the requirements set out in bullet e) of Paragraph 174, these are considered across the below ES chapters, which concluded there will be no residual impacts. > Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use; > Volume 6, Part 3, Chapter 10: Air Quality; > Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk; and > Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents. Ongoing maintenance and monitoring of ecological structures. It is also important to note that a detailed LEMP will be produced post-consent and will include the final requirements for auditing on-site areas against the BNG objectives set out in the Metric assessment, and any associated management actions. It is envisaged that audit and management requirements for off-site areas (if needed) would be dealt with separately.

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	179	*To protect and enhance biodiversity and geodiversity, plans should:* *a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and* *b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*	Primary mitigation in respect of the proposed OnSS, onshore ECC and landfall has involved the sensitive siting and design of the onshore infrastructure during site selection, to ensure potential impacts are avoided or reduced. There is: > specific mitigation / compensation measures to reduce impacts in relation to potential habitat loss (e.g. important hedgerows, arable field margins, lowland meadow, woodland etc); and > Specific mitigation measures to reduce impacts on protected and/or notable species (e.g. Fisher's estuarine moth, bats, badger, otter, water vole, dormouse). In terms of the OnSS, as set out within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan, compensation via replanting of at least an equivalent amount and including heavy standard trees at a 3:1 ratio for any lost. New hedgerows to be created at historic field boundaries or along new ones, as close as possible to the site of the original. The potential effects of VE have been assessed in regard to national and local sites designated for ecological or geological features of conservation importance. Direct or indirect effects on features of relevant Special Area of Conservation (SAC) and Special Protection Area (SPA) sites are also considered in the Habitats Regulations Assessment Screening Report and where relevant will be included in the Report to Inform Appropriate Assessment (RIAA).
	185	*Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:* *a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;* *b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and* *c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*	Mitigation measures or commitments that have been identified and adopted as part of the evolution of the project design of relevance to noise and vibration, these include project design measures, compliance with elements of good practice and use of standard protocols. This includes the site selection criteria which has followed guidance set out by TCE which includes sites requirements and constraint elements (see Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives). Specific mitigation measures adopted as part of the application include careful routing of the onshore cable route and positioning of the landfall. OnSS and TCC to avoid key areas of sensitivity. 250 m buffer distance applied between the OnSS and any dwelling. Volume 6, Part 3, Chapter 9: Airborne Noise and Vibration concludes that after the proposed mitigation, there will be no adverse residual impacts on health and quality of life from noise. This proclamation is also supported within Volume 6, Part 4, Chapter 2: Human Health and Major Disasters.

SECTION/ TOPIC	PARAGRAPH REF	NPPF REQUIREMENT	COMPLIANCE WITH THE NPPF
			Mitigation measures that will ensure there will be no adverse residual impacts are listed below: > Project design: Careful routing of the onshore cable route and positioning of the landfall. OnSS and TCC to avoid key areas of sensitivity; > All construction aspects; All construction work will be undertaken in accordance with the measures outlined in the CoCP; Operational noise from the substation; Substation sited at a location to avoid key areas of sensitivity. A minimum distance of 250 m between the OnSS and NSRs was applied during the identification of search areas. Any potential impacts on human health have been considered as part of Volume 6, Part 4, Chapter 2: Human Health and Major Disasters.

Table 6.2: Tendering District Local Plan 2013-2033 and Beyond-North Essex Authorities' Shared Strategic Section 1 Plan (Adopted January 2021) Compliance Table

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	Compliance WITH THE NPS
Presumption in Favour of Sustainable Development	Policy SP 1	*"When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work pro-actively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Development that complies with the Plan will be approved without delay, unless material considerations indicate otherwise."*	VE would provide secure low carbon electricity for decades, helping improve the environmental conditions within the area. It would also create high-quality, long-term employment opportunities and economic benefits for the local community. This is emphasised within Section 7 of Document 9.1: Planning Statement sets out the planning balance for the VE, drawing together the benefits of the VE and the assessment of potential adverse effects. This section concludes that the VE would deliver significant benefits and represents an excellent opportunity to deliver social, economic and environmental progress on the national level and as such should be weighted strongly in the decision-making process.
Employment	Policy SP5	*"A strong, sustainable and diverse economy will be promoted across North Essex with the local planning authorities pursuing a flexible approach to economic sectors showing growth potential across the Plan period."*	As stated within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation, VE will deliver long-term benefits to the economy, resulting from investment into skills, including green skills, providing a lasting legacy and consequently support North Essex in promoting economic growth across the plan period. The Applicant has sought to further the economic benefits of the application by committing to the creation and implementation of an Skills and Employment Strategy as a means of aiding in the development of skills locally. This is secured through a

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	Compliance WITH THE NPS
			requirement in the DCO. An outline of strategy can be found within Volume 9, Document 9.27.
Infrastructure and Connectivity	Policy SP 6	‘’*All development must be supported by the provision of the infrastructure, services and facilities that are identified to serve the needs arising from the development.’’* The policy will support development that includes provisions for: Transportation and Travel Social infrastructure Digital Connectivity Water and waste water	The provisions that are listed within Policy SP6 are outlined across the ES. To give an example, when considering transport and travel, Volume 6, Part 3, Chapter 8: Traffic and Transport concludes that impact on transport is considered to be at acceptable levels and no mitigation is required. However, the Applicant has sought to promote sustainable modes of transport which is realised within the Outline Workforce Travel Plan (WTP) (Volume 9, Document 9.26) where measures such as car sharing are promoted. Social infrastructure is considered within ES Chapter Volume 6, Part 3 Chapter 3: Socio Economics, Tourism and recreation and Water infrastructure is assessed within Volume 6, Part 3 Chapter 6: Hydrology and Flood Risk.
Place Shaping Principles	Policy SP 7	*“Place Shaping Principles All new development must meet high standards of urban and architectural design. Development frameworks, masterplans, design codes, and other design guidance documents will be prepared in consultation with stakeholders where they are needed to support this objective.* *All new development should reflect the following place shaping principles, where applicable:* > Respond positively to local character and context to preserve and enhance the quality of existing places and their environs; > Provide buildings that exhibit individual architectural quality within well-considered public and private realms; > Protect and enhance assets of historical or natural value; > Incorporate biodiversity creation and enhancement measures; > Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car; > Provide a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods; > Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place; > Provide streets and spaces that are overlooked and active and promote inclusive access; > Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;	The Applicant has followed a robust site selection process that has considered and balanced the identified site selection considerations in relation to good design and mitigation as set out in Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. This includes layout descriptions, landscaping and appearance of the proposed onshore infrastructure including the onshore cable route and onshore substation. In addition, good design principles will be secured through the: Outline Landscape and Ecological Management Plan (Volume 9, Document 9.22) which sets out several measures to enhance biodiversity and minimise any significant landscape effects. Stakeholder engagement has also been a key influence on the project design, with each phase of consultation carefully designed to provide opportunities for review and provision of additional information to guide site selection decisions. Any assets within the surrounding area have been considered in terms of potential effects as a result of the VE, and the appropriate measures would be taken to protect these. The protection and enhancement of cultural heritage assets has been assessed within Volume 6, Part 3, Chapter 7 Onshore Archaeology and Cultural Heritage. The VE project seeks to promote environmental sustainability by its nature of being a renewable energy project.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	Compliance WITH THE NPS
		> Provide an integrated and connected network of biodiverse public open space and green and blue infrastructure, thereby helping to alleviate recreational pressure on designated sites; > Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions; and > Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking."	In terms of flood risk, the detailed (post-consent) design of the surface water drainage scheme would be based on a series of infiltration/soakaway tests carried out on site and the required attenuation volumes is outlined in the supporting FRAs. On site construction noise and vibration assessments have been undertaken for the Landfall, the ECC and the OnSS. The assessments have been undertaken in conjunction with BS5228:2009+A1:2014, Code of Practice for Noise and Vibration Control on Construction and Open Sites Part 1 Noise and Part 2 Vibration. The mitigation measures required to address the potential noise impacts have been considered and will be appropriately secured.

Table 6.3: Tendering District Local Plan 2013-2033 and Beyond - Section 2 Plan (Adopted Jan 2022) Compliance Table

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
Employment/Commercial	Objective 2	*"The Local Plan's strategic objective for Employment delivery is:* *To create the conditions for economic growth and employment opportunities across a range of economic sectors including established business sectors and those sectors projected to grow in the future such as renewable energy and care and assisted living.* *To provide for the development of employment land on a variety of sites to support a diversity of employment opportunities and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth up to the period of 2033."*	As stated within Volume 6, Part 3, Chapter 3 Socioeconomics, Tourism and Recreation, the VE will deliver long-term benefits to the economy, resulting from investment into skills, including green skills, providing a lasting legacy and consequently support North Essex in promoting economic growth across the plan period. The Applicant has sought to further the economic benefits of the application by committing to the creation and implementation of a Skills and Employment Strategy as a means of aiding in the development of skills locally.
Sustainability	Objective 6	*"The Local Plan's strategic objective for Sustainability is:* *To locate development within Tendring District where it will provide the opportunity for people to satisfy their needs for employment, shopping, education, and other services locally or in locations which minimise the need to travel and where there are modes of transport available in addition to the use of the car."*	VE include up to 79 wind turbine generators (WTGs), across two separate seabed areas in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. VE will create job opportunities. This is realised within Volume 9, Document 9.27: Outline Skills and Employment Strategy which sets of how the development of skills locally will be secured as a result of the as a result of the VE. This is secured through a DCO requirement. In terms of minimising the need to travel, as outlined Volume 6, Part 3, Chapter 8: Traffic and Transport, the applicant has proposed several measures to achieve this ambition to encourage construction workers and the general population to use sustainable modes of transport. One of the measures is

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
			secured through the Outline Public Access Management Plan (Volume 9, Document 9.25) which will ensure no PRoW will be closed without offering an alternative, which will be supported by the erection of sites notice at least one week in advance. Another example is apparent within the Workforce Travel Plan (Volume 9, Document 9.21) which sets out measures to promote car sharing and targets car rations that will be measured monitored and reported upon.
The Historic Environment	Objective 7	*"The Local Plan's strategic objective for the Historic Environment is:* *To conserve and enhance Tendring District's historic environment, including: heritage; respecting historic buildings and their settings; heritage assets; landscapes; links; and views."*	In terms of cultural heritage, the significance of heritage assets and their setting both onshore and offshore have been described and consequent mitigation measures have been proposed to preserve their historic value. This includes historic buildings and their settings, heritage assets, landscape, links and views within the Tendering district. Both Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage follows and Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage outline that guidance set out by Historic England and has been followed. Both chapters also conclude that no significant impacts will accrue to heritage assets following the implementation of mitigation measures. This includes a Written Scheme of Investigation which ensure there is an agreed programme of archaeological investigation work during construction to ensure that any heritage assets or deposits of geoarchaeological/ paleoenvironmental interest are identified and recorded. This will be secured for both onshore and offshore matters and an outline can be found in the following documents: > Volume 9, Document 9.19: Outline Marine Written Scheme of Investigation. > Volume 9, Document 9.23: Outline Onshore Written Scheme of Investigation. Volume 9, Document 31: Schedule of Mitigation and Monitoring lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) & Deemed Marine Licence (dML) and associated documents.
Biodiversity	Objective 8	*"The Local Plan's strategic objective for Biodiversity is:* *To provide a network of interconnected multi-functional natural green and blue spaces which secures a net gain in biodiversity and geodiversity; promotes healthy lifestyles; and enhances the quality of the natural and built environment."*	The VE will deliver a minimum of 10% net gain for biodiversity, which will be secured via within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan that sets out several measures to achieve this ambition. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
			It is also important to note that the VE has been subject to an iterative site selection process within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives which promotes preservation and enhancement of green and blue spaces. For example, ancient woodland and veteran trees were identified as an important source that should be preserved and enhanced within Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation. As such, the VE avoids direct interaction with the ancient woodland and veteran trees as a result of the robust approach to site selection.
Water and Climate Change	Objective 9	*''The Local Plan's strategic objective for Water and Climate Change is:* *To reduce the risk of flooding (all types) by securing the appropriate location and design of new development (including SuDs), having regard to the likely impact of climate change.''*	The Applicant has conducted a Flood Risk Assessment for both onshore and offshore, which can be found in the following documents: > Volume 5, Document 5.3.1: Flood Risk Assessment-Cable Route. > Volume 5. Document 5. 3.2: Flood Risk Assessment-Onshore Substation. Within these documents (as well as across the ES), a MDS has been used to account for the latest set of climate change projections (see Volume 6, part 4, Chapter 1: Climate Change for further commentary on the climate scenarios considered). In relation to water and climate change, as outlined within Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk, all types of future flooding scenarios have been accounted for across the lifetime of the development. Such information has informed the proposed mitigation to deal with future flooding scenarios, which includes the use of Sustainable Drainage Systems (SuDS) and how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives); Additional commentary can also be found within Volume 9, Document 9.24: Outline Substation Design and Access statement which sets out drainage in line with DCO requirements. This includes the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants during the operational phase.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
Settlement Development Boundaries	Policy SPL 2	*"To encourage sustainable patterns of growth and carefully control urban sprawl, each settlement listed in Policy SPL1 (with the exception of the Tendring Colchester Borders Garden Community) is defined within a 'Settlement Development Boundary' as shown on the relevant Policies Map and Local Map. Within the Settlement Development Boundaries, there will be a general presumption in favour of new development subject to detailed consideration against other relevant Local Plan policies and any approved Neighbourhood Plans.* *Outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 and any other relevant policies in this plan."*	Relevant development plan documents have been considered within the Volume 9, Document 9.1: Planning Statement, which confirms there is no conflict with local policy. In terms of the settlement development boundaries, the application can confirm there is no conflict with those in the Tendering District, which is confirmed within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives. For example, for the identification of the substation, a review of the strategic residential / commercial allocations within the Tendring District Council Local Plan was conducted and any areas where there would be a conflict were excluded (Paragraph 4.12.10 of Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives).
Sustainable Design	Policy SPL 3	*"All new development (including changes of use) should make a positive contribution to the quality of the local environment and protect or enhance local character."* *The policy sets out criteria to achieve the above ambition which includes:* *makes a positive contribution to the quality of the local environment and protects or enhances local character;* *meets practical requirements (in terms of highway networks, access, safety and security, greenhouse gas emissions, design for daylight, outlook and privacy, private amenity space, waste storage, recycling, and parking);* *is compatible with surrounding uses and minimises adverse environmental impacts; and* *incorporates climate change adaptation measures and technology from the outset, including reduction of emissions, renewable and low carbon energy production, passive design, and through green infrastructure techniques."*	Across the ES, several of the technical chapters outline how the VE will make a positive contribution to the quality of the local environment as well as protecting and enhancing the local character. In terms of practical requirements like highway networks, Volume 6, Part 3, Chapter 8: Traffic and Transport outlines several measures that have been proposed to increased traffic on the highway network, whilst also promoting sustainable modes of transport. To give an example, construction workers will follow carefully selected routes to avoid disruption to local roads, whilst also being encouraged to car share which will lower the footprint of the construction process. These measures are set out within Volume 9, Document 9.26: Outline Workforce Travel Plan. The final CTMP to be developed in accordance with the outline is secured by a DCO requirement. The GHG impact assessment presented in Volume 6, Part 4, Annex 1.1 include comparison of the carbon intensity of the renewable energy generated from VE. carbon emission pay-back period is also estimated in Volume 6, Part 4, Annex 1.1 to highlight the necessity of renewable energy infrastructure in meeting renewable energy targets.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
Green Infrastructure	Policy HP3	*"Green Infrastructure will be used as a way of adapting to, and mitigating the effects of, climate change, through the management and enhancement of existing spaces and habitats and the creation of new spaces and habitats, helping to provide shade during higher temperatures, flood mitigation and benefits to biodiversity, along with increased access.* *All new development must be designed to include and protect and enhance existing Green Infrastructure in the local area, as appropriate. Green Infrastructure as identified on the Policy Map, will be protected, managed and where necessary enhanced by:* *a. managing development to secure a net gain in green infrastructure;* *b. supporting investment priority projects set out in the Green Infrastructure Delivery Plan;* *c. not permitting development that compromises the integrity of the overall Green Infrastructure networks;* *d. investing in enhancement and restoration where opportunities exist; and* *e. using developer contributions to facilitate improvements to their quality and accessibility."*	Volume 6, Part 2, Chapter 4: Onshore Biodiversity and Nature Conservation outlines the applicants' proposals for mitigation and compensation, along with proposals for biodiversity enhancement that will strengthen the green infrastructure network and help with flood mitigation. The Applicant has also committed to delivering a minimum of 10% net gain for biodiversity, which will be secured via the within Volume 9, Document 9.22: Outline Landscape and Ecological Management Plan that sets out several measures to achieve this ambition. Measures include: > an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance. > woodland and hedgerow planting proposals that will seek to create resilient ecological networks that form part of the wider green infrastructure network. The VE has also been the subject of an iterative site selection process, which has sought to avoid any locations where practically possible that would compromise the integrity of the any green infrastructure networks. See Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives for further commentary.
Development and Flood Risk	Policy PPL 1	*"All development proposals should include appropriate measures to respond to the risk of flooding on and/or off site. Within the Flood Zone (which includes Flood Zones 2 and 3, as defined by the Environment Agency) shown on the Policies Map and Local Maps, or elsewhere involving sites of 1ha or more, development proposals must be accompanied by a Flood Risk Assessment. Where development is classified as "more vulnerable" the Flood Risk Assessment (FRA) should demonstrate that there will be no internal flooding in the event of a "design event flood". The FRA should demonstrate that in the event of a breach or failure of flood defence infrastructure, refuge will be available above flood levels and that a means of escape is possible from first floor level.* *All major development proposals should consider the potential for new Blue and Green Infrastructure to help mitigate potential flood risk and include such Green Infrastructure, where appropriate."*	The Applicant has conducted a Flood Risk Assessment for both onshore and offshore, which can be found in the following documents: > Volume 5, Document 5.3.1: Flood Risk Assessment-Cable Route. > Volume 5. Document 5. 3.2: Flood Risk Assessment-Onshore Substation. The documents assess the level of flood risk to and caused by the development to be low and the development would be safe, without significantly increasing flood risk elsewhere. The construction phase maintenance and management measures have been incorporated into the CoCP, with records kept demonstrating compliance. The Applicant has also produced an Outline Substation Design Principles Document (Volume 9, Document 9.4) sets out the outline drainage proposals. Drainage. Detailed design in accordance with this is secured through a DCO requirement. This includes the storage and management of potentially polluting substances, emergency spill response procedures, clean up and

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
			control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants during the operational phase. Whilst Volume 6, Part 3, Chapter 6 outlines proposed mitigation that will ensure there are no significant effects in relation to flood risk, which is included in the CoCP (Volume 9, Report 21), secured by a DCO requirement. Volume 9, Document 9.22: Outline Landscape and Ecological Management sets out several proposals that include the provision for new blue and green infrastructure. Such proposals will contribute to further alleviating flood risk, whilst also delivering biodiversity net gains.
The Rural Landscape	Policy PPL3	*"The Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance, including to:* *a) estuaries, rivers and undeveloped coast;* *b) skylines and prominent views including ridge-tops and plateau edges;* *c) traditional buildings and settlement settings;* *d) native hedgerows, trees and woodlands;* *e) protected lanes, other rural lanes, bridleways and footpaths; and* *f) designated and non-designated heritage assets and historic landscapes including registered parks and gardens.* *Development proposals affecting protected landscapes must pay particular regard to the conservation and enhancement of the special character and appearance of the Dedham Vale and Suffolk Coast and Heaths AONBs, and their settings, including any relevant AONB Management Plan objectives. Elsewhere, development proposals should have regard to the Natural England Character Area profiles for the Greater Thames Estuary (No.81) and the Northern Thames Basin (No.111) and the Council's Landscape Character Assessments, as relevant, and should protect and reinforce identified positive landscape qualities. New development within the rural landscape should minimise the impact of light pollution on the site and its surroundings, in order to protect rural amenity and biodiversity.* *This Policy contributes towards achieving Objectives 7 and 8 of this Local Plan."*	The LVIA (Volume 6, Part 3, Chapter 2: Landscape and Visual Impact Assessment) has considered several impacts across all phases of the project (construction, operation and maintenance and decommissioning) including impacts upon agricultural land and the landscape character, estuaries, rivers and undeveloped coast, designated and non-designated heritage assets and historic landscapes and visual amenity associated with the landfall area, onshore export cable corridor and the onshore substation. Only one LCA has the potential to be significantly affected; namely the Heathland Plateaux LCT. The other LCAs and landscape designations have been discounted from the detailed assessment owing to the very limited potential for significant effects to arise. For the cable route, localised removal of taller hedgerows, hedgerow trees and trees would cause impacts. However, the majority of these will be avoided through careful routing of the onshore export cable corridor and placement of the onshore substation. The use of trenchless crossing techniques such as horizontal directional drilling is also committed to in a number of locations which further reduces impacts. 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. The OnSS would likely give rise to some significant effects on landscape character in the immediate local area. However, VE will mitigate these effects using mitigation planting and screening. Good design principles will be secured through the: Outline Landscape and Ecological Management Plan (Volume 9, Document 9.22) which sets out several measures to enhance

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
			biodiversity and minimise any significant landscape effects. This is alongside the iterative site selection process within Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives which has sought to avoid the most heavily constrained sites (i.e. sites that comprises designated sites).
Biodiversity and Geodiversity	Policy PPL 4	*"Sites designated for their international, European and national importance to nature conservation: including Ramsar sites; Special Protection Areas (SPAs); Special Areas of Conservation (SACs); Marine Conservation Zones (MCZs); National Nature Reserves (NNRs); and Sites of Special Scientific Interest (SSSIs) will be protected from development likely to have an adverse effect on their integrity.* *Where proposals for development are likely to significantly impact upon International and European sites, applications must be supported by a Habitats Regulation Assessment (HRA) to provide sufficient information to the Council to establish the likelihood and nature of impacts before a decision can be made. If necessary, this may need to be followed by a more detailed 'Appropriate Assessment' of the impacts. An Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) has been completed in compliance with the habitats Directive and Habitats Regulations. Contributions will be secured from residential development, within the Zones of Influence, towards mitigation measures identified in RAMS."*	There are a number of designated sites relatively close to the study area, including Special Protection Areas, Ramsar sites, Sites of Special Scientific Interest, Local Nature Reserves and Local Wildlife Sites. Volume 6, Part 3, Chapter 4: Onshore Biodiversity and Nature Conservation and Volume 6, Part 3, Chapter 5: Ground Conditions and Land Use outline how designated site will be protected. One approach has been via the site selection process, which has sought to avoid sensitive sites of biodiversity and geodiversity interest (see Volume 6, Part 1, Chapter 4: Site Selection and Consideration of Alternatives). A Marine Conservation Zone Assessment has been undertaken and supports the DCO Application (Volume 5, Report 6: Marine Conservation Zone Assessment). The document concludes that the VE construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of either MCZ, either alone or cumulatively and therefore a stage 2 assessment is not required. With regards to HRA, the Applicant has produced a Report to Inform Appropriate Assessment (Volume 5, Report 4: Report to Inform Appropriate Assessment) (RIAA), which assesses the potential effects from VE with respect to the conservation objectives of the European and Ramsar sites identified where a potential for a Likely Significant Effect (LSE) cannot be ruled out, to determine the potential for an Adverse Effect on Integrity (AEoI) alone and/or in-combination with other plans or projects. The RIAA concludes that, VE, in-combination with other plans and projects, would have no AEoI on any designated European site, apart from the following two sites:

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
			> Alde-Ore Estuary (AOE) SPA – lesser black-backed gull (*Larus fuscus*) feature (collision during the O&M phase); and > Alde-Ore Estuary Ramsar – lesser black-backed gull feature (collision risk during the O&M phase). In terms of the Flamborough and Filey Coast SPA (FFC SPA), although the SoS has concluded an AEoI for kittiwake (*Rissa tridactyla*) for a number of recent projects, the contribution from VE alone across all bio-seasons equates to one (0.8) individual per annum (representing an increase of just 0.006% in baseline mortality). It is considered that this level of impact is not of sufficient magnitude to make a material contribution to natural kittiwake mortality rates at this site and, therefore, a conclusion of no AEoI has been reached for VE alone and in-combination. Where there is a need to reduce impacts further following the outcome of the assessment, extra measures have been identified for a majority of the impacts. Compensation has been sought as a last resort and applies only to impacts to Lesser Black Backed Gulls as a result of the operational wind farm. An area has been identified at Orford Ness where fencing to protect breeding from predators may be installed. This area, if implemented, would compensate for impacts to this species as a result of the operational wind farm. In addition to the installation of fencing, the habitat would be managed to make it more suitable for Lesser Black Backed Gulls and the success of this measure would be monitored throughout the lifetime of the Project. Further information can be found within Volume 6, Part 8, Chapter 1: Lesser Black Backed Gull Compensation Area EIA. Whilst, the Applicant has endeavoured to avoid and reduce impacts, impacts in relation to Lesser Black Backed Gulls are not possible and compensation is proposed in line with the mitigation hierarchy. The Applicant accordingly submits that with the application of the compensatory measures for the conceded HRA effect, there is no residual unacceptable HRA impact which would prevent consent being granted.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
Water Conservation, Drainage and Sewerage	Policy PPL 5	*"All new development must make adequate provision for drainage and sewerage and should include Sustainable Drainage Systems (SuDS) as a means of reducing flood risk, improving water quality, enhancing the Green Infrastructure network and providing amenity and biodiversity benefits. Applicants should explain and justify the reasons for not using SuDS if not included in their proposals, which should include water inputs and outputs designed to protect and, where possible, enhance the natural environment. New dwellings will be required to incorporate measures to achieve a water consumption rate of not more than 110 litres, per person, per day.* *Proposals for development must demonstrate that adequate provision exists, or can be provided in time, for sewage disposal to a public sewer and water recycling centre (sewage treatment works)."*	Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk outlines that VE will make use of Sustainable Drainage Systems (SuDS) and confirms how these will be maintained/managed for the lifetime of development. The FRA for the Onshore Substation (Volume 5, Report 3.2) includes details on the proposed drainage designs during construction and operation. The OnSS drainage design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area. Volume 9, Document 9.4: Onshore Substation Design Principles Document sets out the outline drainage proposals. Drainage. Detailed design in accordance with this is secured through a DCO requirement.
Archaeology	Policy PPL 7	*"Any new development which would affect, or might affect, designated or non-designated archaeological remains will only be considered where accompanied by an appropriate desk-based assessment. Where identified as necessary within that desk-based assessment, a written scheme of investigation including excavation, recording or protection and deposition of archaeological records in a public archive will be required to be submitted to, and approved by, the Local Planning Authority.* *Proposals for new development affecting a heritage asset of archaeological importance or its setting will only be permitted where it will protect or where appropriate enhance the significance of the asset. Where a proposal will cause harm to the asset, the relevant paragraphs of the NPPF should be applied dependent on the level of the harm caused. Proposals will be treated favourably where they:* *a. are explained and justified through an informed assessment and understanding of the significance of the heritage asset (including any contribution made to that significance by its setting); and* *b. are of a scale, design and use materials and finishes that respect the heritage asset.* *Within the District the Council keeps a record of scheduled monuments at risk of degradation. The Council will support proposals that protect and enhance heritage assets at risk.* *Proposals for new development which are not able to demonstrate that known or possible archaeological remains will be suitably protected from loss or harm, or have an appropriate level of recording, will not be permitted."*	All designated and non-designated archaeological assets that may be affected by the application have been described within the following chapters for both offshore and onshore matters: Volume 6, Part 2, Chapter 11: Offshore Archaeology and Cultural Heritage Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage. The assessments within the above chapters have been informed by desk-based studies, supplemented by walkover survey and specific receptor visits as well as ongoing geophysical surveys. The chapters also set out mitigation which demonstrate that the archaeological assets will be suitably protected from loss or harm and will be recorded via a written scheme of investigation. This will be secured for both onshore and offshore matters and an outline can be found in the following documents: Volume 9, Document 9.19: Outline Marine Written Scheme of Investigation. Volume 9, Document 9.23: Outline Onshore Written Scheme of Investigation. These plans are secured through a condition / requirement in the draft DCO.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
Conservation Areas	Policy PPL 8	*"New development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area."*	Volume 6, Part 3, Chapter 7: Onshore Archaeology and Cultural Heritage considers the negative effects on setting to designated conservation areas be limited spatially both geographically and in the context of any individual assets. No cases have been identified where substantial harm to the significance of a designated heritage (a Major or Moderate adverse effect in EIA terms) asset would arise. A small number of minor adverse effects (less than substantial harm) have been identified and these have been balanced against the public benefits of the VEs as part of the decision-making process. This is summarised within Volume 9, Document 9.1: Planning Statement.
Renewable Energy Generation and Energy Efficiency Measures	Policy PPL 10	*"Proposals for renewable energy schemes will be considered having regard to their scale, impact (including cumulative impact) and the amount of energy which is to be generated.* *All development proposals should demonstrate how renewable energy solutions, appropriate to the building(s) site, and location have been included in the scheme and for new buildings, be designed to facilitate the retro-fitting of renewable energy installations.* *For residential development proposals involving the creation of one or more dwellings, the Council will expect detailed planning applications to be accompanied by a 'Renewable Energy Generation Plan' (REGP) setting out the measures that will be incorporated into the design, layout and construction aimed at maximising energy efficiency and the use of renewable energy.* *Planning permission will only be granted where the applicant can demonstrate that all reasonable renewable energy and energy efficiency measures have been fully considered and, where viable and appropriate, incorporated into the design, layout and construction. The Council will consider the use of planning conditions to ensure the measures are delivered.* *Nothing in this policy diminishes or replaces the requirements of Energy Performance Certificates (EPC) and Standard Assessment Procedures (SAP) for constructed buildings and compliance with the relevant building regulations."*	The Project will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. The Needs Statement that supports this DCO application (see Volume 1, Chapter 2: Need, Policy and Legislative Context) explains in detail the UK's commitment to decarbonisation and should be read alongside this Planning Statement. The VE includes up to 79 wind turbine generators (WTGs), across two separate seabed areas in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. The VE will create job opportunities, whilst also support Tendering District Council's ambitions to promote renewable energy generation in the district.

SECTION/ TOPIC	PARAGRAPH REF	LOCAL PLAN REQUIREMENT	COMPLIANCE WITH LOCAL PLAN POLICY
Sustainable Transport and Accessibility	Policy CP1	*"Proposals for new development must be sustainable in terms of transport and accessibility and therefore should include and encourage opportunities for access to sustainable modes of transport, including walking, cycling and public transport. Providing options for non-motorised vehicles is especially important for the large-scale developments at Clacton and the Tendring Colchester Borders Garden Community.* *Planning applications for new major development likely to have significant transport implications will normally require a Transport Statement. If the proposal is likely to have significant transport implications or a Transport Assessment, the scope of which should be agreed in advance between the District Council and the applicant, in consultation with Essex County Council as the Highway Authority. In order to reduce dependence upon private car transport, improve the quality of life for local residents, facilitate business and improve the experience for visitors, all such applications should include proposals for walking and cycling routes and new or improved bus-stops/services. Where relevant, improvements to railway station passenger facilities should be included and greater connectivity between places and modes of transport demonstrated.* *Travel Plans and Residential Travel Information Packs should be provided as appropriate and in accordance with Essex County Council published guidance.* *The Essex Cycling Strategy will be used as a guide to ensure the provision of appropriate cycling infrastructure."*	The Applicant has set out numerous measures to promote sustainable forms of transport and accessibility and has produced several transport related documents that supports ambitions set out within Policy CP1, as listed below: > Volume 6, Part 3, Chapter 8: Traffic and Transport > Volume 9, Document 9.21: Code of Construction Practice > Volume 9, Document 9.24: Outline Construction Traffic Management Plan > Volume 9, Document 9.25: Outline Public Access Management Plan > Volume 9, Document 9.26: Outline Workforce Travel Plan To give an example of how sustainable transport will be encouraged, in terms construction workers, Volume 9, Document 9.26: Public Access Management Plan aims to encourage movement associated within construction personnel is done in the most sustainable manner. In terms of promoting sustainable modes of transport generally, the Applicant has produced a Public Access Management Plan (PAMP) which includes the provision that all recreational routes and PRoWs are managed appropriately, and any alterations will be signposted and accessible to all groups. Regarding safe and suitable access to the site for all users, Volume, 9 Document 9.24: Construction Travel Management Plan will ensure the site access is safe and accessible for all users. This is through several measures, including: vehicle routing, the installation of signage and the maintenance of walking and cycling routes where practically possible. These Plans are secured through a requirement in the dDCO.

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