

Application by Five Estuaries Offshore Wind Farm Limited for an Order Granting Development Consent for the proposed Five Estuaries Offshore Wind Farm

Agenda for Issue Specific Hearing 1 (ISH1):

Hearing	Date and Time	Location
Issue Specific Hearing 1 Environmental Matters	Day 1 Wednesday 18 September 2024 Seating available from 09:00 Hearing Starts at 10:00 Online Registration Process from 09:30	Blended event at Wivenhoe House Hotel Wivenhoe Park, Park Road Colchester CO4 3FA Full instructions on how to join online or by phone will be provided in advance to those who have pre-registered
	Day 2 (if required) Thursday 19 September 2024 Seating available from 09:00 Hearing Starts at 10:00 Online Registration Process from 09:30	

Agenda items

- 1. Welcome, introductions, arrangements for the Hearing**
- 2. Purpose of Issue Specific Hearing 1**

3. Matters for discussion at this Hearing

Agenda for Issue Specific Hearing 1 – Environmental Matters	
3.1	Welcome and Introductions
3.2	<p>Effects for Offshore Ecology</p> <p>Documents that may be referred to during the discussion of this item: [APP-040], [APP-045], [APP-046], [APP-049], [APP-050], [APP-051], [APP-052], [APP-053], [APP-054], [APP-055], [APP-073], [APP-074], [APP-075], [APP-076], [APP-098], [APP-103] to [APP-127] (inclusive), [APP-243], [AS-003], [RR-030], [RR-070], [RR-077], [RR-094], [PD2-002] and [PD2-005] to [PD2-010] (inclusive).</p> <p>The ExA will ask the Applicant to give a ten-minute summary of its case with regard to offshore ecology effects, including</p> <ul style="list-style-type: none">a) Species Surveysb) Assessment Methodologiesc) Compensatory Measures, including for Lesser Black-Backed Gulls at Orford Nessd) Benthic and Marine Mammal Ecology <p>The ExA will invite IPs (five-minute each IP) to comment on the Applicant's position in respect of effects for offshore ecology.</p> <p>The ExA will then ask any questions it may have in respect to the oral and written cases made by the Applicant and other IPs.</p>
3.3	<p>Effects for Navigation and Shipping</p> <p>Documents that may be referred to during the discussion of this item: [APP-078], [APP-230], [APP-233], [APP-240], [RR-015], [RR-016], [RR-043], [RR-067], [RR-071], [RR-090], [RR-095] and [RR-118]</p> <p>The ExA will ask the Applicant to give a ten-minute summary of its case with regard to navigation and shipping effects, including:</p> <ul style="list-style-type: none">a) How the Navigational Risk Assessment (NRA) [APP-240] for the Proposed Development complies with "<i>Safety of Navigation: Offshore Renewable Energy Installations (OREIs) - Guidance on UK Navigational Practice, Safety and Emergency Response</i>" (MGN 654)b) The methodology and assumptions used in the NRAc) How the design of the Proposed Development has been informed by consultation and risk modellingd) Risk assessment and mitigation measures

	<p>The ExA will invite IPs participating in the agenda item to briefly summarise their cases, with particular regard to:</p> <ul style="list-style-type: none"> a) Any implications the Proposed Development would be likely to have for shipping services and navigation to and from commercial ports on the East Coast b) Any concerns about the NRA for the Proposed Development c) Concerns set out in their Relevant Representations d) Any other matters of concern relating to likely effects of the Proposed Development for navigation and shipping <p>The ExA will then ask any questions it may have in respect to the oral and written cases made by the Applicant and other IPs.</p>
<p>3.4</p>	<p>Effects for Landscape, Visual and Seascape</p> <p>Documents that may be referred to during the discussion of this item: [APP-079], [APP-084], [APP-086], [APP-098], [APP-180] to [APP-224] (inclusive), [APP-225], [APP-227], [APP-234], [AS-006], [RR-009], [RR-027], [RR-080], [RR-106], [PD2-002], [PD2-011] and [PD2-013]</p> <p>The ExA will ask the Applicant to give a ten-minute summary of its case with regard to landscape, visual and seascape, including:</p> <ul style="list-style-type: none"> a) Site selection and alternatives b) The design for the proposed onshore substation, whether air insulated or gas insulated c) Natural England’s representations on seascape, landscape and visual matters in [PD2-002] and [PD2-011] d) The difference in seascape effects associated with a development of 41 “<i>large</i>” and 79 “<i>smaller</i>” wind turbine generators <p>The ExA will invite IPs (five-minute each IP) to comment on the Applicant’s position in respect of effects for onshore ecology.</p> <p>The ExA will then ask any questions it may have in respect to the oral and written cases made by the Applicant and other IPs.</p>
<p>3.5</p>	<p>Effects for Onshore Ecology (Not addressed in 2 above)</p> <p>Documents that may be referred to during the discussion of this item: [APP-086], [APP-098], [APP-132] to [APP-148] (inclusive), [APP-153] to [APP-158] (inclusive), [APP-225], [APP-228], [APP-254], [RR-027], [RR-030], [R-080], [RR-107], [PD2-002] and [PD2-012]</p>

	<p>The ExA will ask the Applicant to give a ten-minute summary of its case with regard to onshore ecology, including:</p> <ul style="list-style-type: none"> a) Species Surveys b) Assessment Methodologies c) Impacts/Mitigation Designated sites and qualifying features and protected species d) Biodiversity Net Gain <p>The ExA will invite IPs (five-minute each IP) to comment on the Applicant's position in respect of effects for onshore ecology.</p> <p>The ExA will then ask any questions it may have in respect to the oral and written cases made by the Applicant and other IPs.</p>
<p>3.6</p>	<p>Effects for Farming</p> <p>Documents that may be referred to during the discussion of this item: [[APP-253], AS-004], [AS-006] Relevant Representations raising farming matters, [PD3-003] and PD3-004]</p> <p>The ExA will ask the Applicant to give a ten-minute summary of its case with regard to:</p> <ul style="list-style-type: none"> a) Agricultural Land Classification (ALC) b) Temporal impacts on agricultural activity c) Soil management short (Construction) and long term (Operation) d) Restoration of the export cable corridor and the onshore substation site e) Water resources and management Construction and Operation <p>The ExA will invite IPs to comment on the Applicants position in respect of Effects for Farming.</p> <p>The ExA will then ask any questions it may have in respect to the oral and written cases made by the Applicant and other IPs.</p>
<p>3.7</p>	<p>Effects for Terrestrial Traffic and Transportation</p> <p>Documents that may be referred to during the discussion of this item: [APP-090], [APP-172], [APP-173], [APP-257], [APP-259], [RR-009], [RR-027], [RR-079], [RR-082] and [RR-107]</p> <p>The ExA will ask the Applicant to give a ten-minute update on the current position with regard to:</p> <ul style="list-style-type: none"> a) Road traffic surveys and predicted traffic generation (construction and operational)

<ul style="list-style-type: none">b) Construction impacts for the Proposed Development on the local and strategic road network, railways and public rights of wayc) Any onshore port and transportation impacts arising from servicing the offshore worksd) Cumulative impacts of this and other proposed developments in the area <p>The ExA will invite IPs (five-minute each IP) to comment on the Applicant's position in respect of Effects for Terrestrial Traffic and Transportation.</p> <p>The ExA will then ask any questions it may have in respect to the oral and written cases made by the Applicant and other IPs.</p>

4. Any Other Business

The ExA may extend an opportunity for the Applicant, IPs and Other Persons to raise matters relevant to topics raised ISH2 that they consider should be examined.

5. Review of matters and actions arising

The ExA will discuss how any actions arising from the discussion of the dDCO are to be addressed by the Applicant, IPs or Other Persons following ISH1. A written action list will be published if required.

6. Close of Hearing

Attendees

Based on Relevant Representations received and the requests to attend ISH1 made at Pre-examination Procedural Deadline D, the ExA would find it helpful if the following parties could attend this Hearing.

Agenda Item 2 Offshore Ecology	Agenda Item 3 Navigation and Shipping	Agenda Item 4 Landscape, Visual and Seascape
<ul style="list-style-type: none"> • Applicant, including representatives with expertise in ornithology, fish, benthic ecology and marine mammals • Marine Management Organisation • Natural England • Royal Society for the Protection of Birds • Essex Wildlife Trust • Harwich Harbour Fishermen's Association • National Federation of Fishermen's Organisations 	<ul style="list-style-type: none"> • Applicant • Maritime Coastguard Agency • Trinity House • Harwich Haven Authority • Port of London Authority • UK Chamber of Shipping • Cruising Association • Royal Yachting Association • Harwich Harbour Fishermen's Association • National Federation of Fishermen's Organisations 	<ul style="list-style-type: none"> • Applicant, including a representative with an expertise in landscape architecture • Natural England • Tendring District Council • Essex County Council • Suffolk County Council • Babergh District Council • National Trust • Suffolk & Essex Coast and Heaths National Landscape Partnership
Agenda Item 5 Onshore Ecology	Agenda Item 6 Farming	Agenda Item 7 Terrestrial Traffic and Transportation
<ul style="list-style-type: none"> • Applicant • Essex County Council • Tendring District Council • Essex Wildlife Trust • National Trust • Cobra Mist Limited 	<ul style="list-style-type: none"> • Applicant, including a representative with an expertise in agricultural matters • Liana Enterprises Limited • Strutt and Parker (Farms) Limited • Interested Parties with an interest in farming 	<ul style="list-style-type: none"> • Applicant • National Highways • Essex County Council (in its capacity as the local highway authority) • Tendring District Council • Suffolk County Council (in its capacity as a local highway authority) • Network Rail

However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IP) are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the Hearing in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Timing

The ExA will keep to the agenda as much as possible. The first day of this hearing is not expected to go beyond 17:00. If necessary, the hearing will recommence at 10:00 on Thursday 19 September and close by no later than 13:00.

Anyone who is not able to provide all their oral submissions by the close of the hearing should follow it up in writing.

Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at **10:00** those attending virtually should join promptly at **09:30** to ensure that all virtual attendees can complete the Registration Process in good time.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to put its case.