FIVE ESTUARIES
OFFSHORE WIND FARM

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10.26.1 APPLICANT'S COMMENTS ON LOCAL IMPACT REPORTS

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In preparation of this document Five Estuaries Wind Farm Ltd has made reasonable efforts to ensure that the content is accurate, up to date and complete for purpose.

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CONTENTS

DEFINITION OF ACRONYMS

TERM	DEFINTION
AIL	Abnormal Indivisible Load
ALAR	Abnormal Load Assessment Report
AONB	Area of Outstanding Natural Beauty
BNG	Biodiversity Net Gain
CEMP	Construction Environmental Management Plan
CFA	Climate Focus Area
CFD	Contracts for Difference
CTMP	Construction Traffic Management Plan
DCO	Development Consent Order
DPD	Development Plan Document
EACN	East Anglia Connection Node
ECC	Essex County Council
EIA	Environmental Impact Assessment
ES	Environmental Statement
FRA	Flood Risk Assessment
FTE	Full Time Equivalent
GELNRS	Greater Essex Local Nature Recovery Strategy
HGV	Heavy Goods Vehicle
LAT	Lowest Astronomical Tide
LBBG	Lesser Black Backed Gull
LEMP	Landscape and Ecological Management Plan
LIR	Local Impact Report

TERM	DEFINTION
LNRS	Local Nature Recovery Strategy
LPA	Local Planning Authority
LVIA	Landscape and Visual Impact Assessment
NGET	National Grid Electricity Transmission
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
ONSS	Onshore Substation
OWF	Offshore Wind Farm
OWSI	Outline Written Scheme of Investigation
PEIR	Preliminary Environmental Information Report
PINS	The Planning Inspectorate
PROW	Public Right of Way
SCC	Suffolk County Council
SLVIA	Seascape, Landscape and Visual Impact Assessment
SMP	Suffolk Shoreline Management Plan
SRN	Strategic Road Network
SWS	Site Wide Strategy
VE	Five Estuaries
WHO	World Health Organisation
WSA	Wider Study Area
WTG	Wind Turbine Generator
ZTV	Zone of Theoretical Visibility

1. INTRODUCTION

1.1 OVERVIEW

1.1.1 In this document the Applicant has set out its comments with regards to Local Impact Reports (LIR) submitted by local authorities at Deadline 2.

1.1.2 This document supports the document 10.26 Applicant's comments on Deadline 2 submissions, also submitted at Deadline 3.

1.1.3 In order to reduce space, the Applicant has not responded to every issue in the LIRs individually. The Applicant's lack of comment with regards to a specific issue or assertion should not be taken as implicit agreement with it.

2. BABERGH DISTRICT COUNCIL [REP2-040]

2.1 LANDSCAPE AND VISUAL

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
BD.01	The proposed Onshore Substation represents a significant negative feature in the local landscape during construction and in the early years post-construction, being up to 15m in height and occupying up to 58,000m2, the equivalent of approximately eight full scale football pitches. The Dedham Vale National Landscape is shown as being as close as 2Km from the project substation operational boundary and includes areas of Higher Theoretical Visibility. Small areas of Higher Theoretical Visibility also occur within the Suffolk Coast and Heaths National Landscape but beyond 5 Km distance (Fig 2.10b Landscape Designations and screened ZTV). Figure 2.11b Viewpoints and Screened ZTV shows that the only viewpoint selected within the Dedham Vale National Landscape is Viewpoint (VP) 9, Essex Way, Dedham Road. (Figure 2 24 a-c), within Tendring District Council's boundaries. The applicant has provided a wireframe 3D box in the visualisations to mark the maximum physical extent that the onshore substation would occupy to ensure the 'worst-case scenario is covered in the assessment'. The wireline does not include for the cumulative effects of the proposed pylons that would connect to the EACN.	The Norwich to Tilbury overhead electricity transmission line did not form part of the detailed cumulative assessment as insufficient information was available at the time or writing the LVIA to enable a meaningful assessment. A comment was included at paragraph 2.14.23 that the NGET overhead transmission line would not be expected to change the findings of the assessment owing to its location on the opposite side of the EACN to the location of the onshore substation. The focus of the cumulative assessment is the interaction between the VE and NF onshore substations owing to their large size and close proximity. The EACN also contributes to the cumulative interactions, as assessed in the LVIA, albeit to a lesser degree owing to its separation to the west of Grange Road and the screening effect of existing vegetation in this local area. The addition of the NGET overhead transmission line will not alter the findings of the cumulative assessment because of the following reasons. Firstly, its location on the western side of the EACN means that it will be mostly screened by this large development when seen from many of the viewpoints for VE. Secondly, there is substantial tree cover along Grange Road and around the fields to the west where the transmission line will be located which will further reduce visibility. Thirdly, the NGET overhead transmission line extends west then north-west such that it's separation distance from the VE onshore substation and the viewpoints will be increasing and therefore, the NGET transmission towers will become gradually smaller in scale. Fourthly, there are operational closer range transmission towers to the VE onshore substation and viewpoints which establish these structures as a baseline feature and create a context in which the effects of the additional transmission line would be modified. While it is accepted that the NGET overhead transmission line will have some influence on the cumulative assessment, this influence will be very limited and will not change the original assessment.
BD.02	From VP9, the substation is not likely visible from ground level. The lower half is shown screened by landform and the upper by existing vegetation. VP9 is located in an area of Lower Theoretical Visibility rather than Higher Theoretical Visibility, however, and there is an argument that an additional or alternative VP is taken just to the east or west of the existing VP9, but more within the area of Higher Theoretical Visibility. Further commentary as to how this exact location was chosen would be useful.	The location of VP 9 [APP-194] was selected for the following reasons. At the eastern end of Dedham Road, where patches of higher theoretical visibility are shown on Figure 2.9, the tree cover along the field boundary to the south is closer to the road, thus restricting the extent to which the wider landscape is visible and limiting the potential for visibility of the onshore substation. Travelling west along Dedham Road, a greater separation distance opens up between Dedham Road and the tree cover along the field boundary presenting an increased potential that the onshore substation could be theoretically visible. The viewpoint was, therefore, located where a layby allows parking as this appeared to be a well-used starting point for walkers. The reality is that the onshore substation will not be visible from any part of this road owing to a combination of the separation distance of approximately 2.6km and the extent of close to medium range intervening tree cover.

BD.03	In addition, there is an argument that an additional VP assessment is provided at 5Km distance from a public point somewhere close to Orvis Farm, Orvis Lane or clapper Farm to demonstrate the effects, or lack of effects, from within Babergh District Council boundaries. If searches for potential viewpoints have been made by the applicant in this area, some commentary to that effect in the LVIA would be useful.	The Applicant notes that the purpose of EIA to assess likely significant effects, not demonstrate no effects. EIA must be proportionate and is not designed to demonstrate 'lack' of effects' once it has been established that there is no likely significant effect. In order to seek to close this point, the Applicant has agreed to undertake an additional viewpoint in the vicinity of Orvis Farm, Orvis Lane or Clapper Farm to demonstrate the very limited visibility of the onshore substation from this area and the highly unlikely potential for a significant effect to arise. This will be submitted at a future deadline.
BD.04	The only viewpoint selected within the Dedham Vale National Landscape, (VP) 9, Essex Way, Dedham Road does not show the pylons as part of the cumulative visual effects (Figure 2 24 c). Table 2.12: Cumulative Developments identifies EACN but not the pylons exiting to the west as part of N2T.	The Norwich to Tilbury overhead electricity transmission line would be located approximately 2.8km at its nearest point from Viewpoint 9 [APP-194].

3. ESSEX COUNTY COUNCIL [REP2-042]

3.1 POLICY

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.01	5.1.1 National Policy Statement (NPS) EN-1, part 3 sets out the Governments position that there is a significant need for new major infrastructure. NPS EN-3 sets out the relevant considerations for Renewable Energy Infrastructure in particular and is heavily linked to the criteria set out in NPS EN1. NPS EN-5 taken together with the overarching NPS EN-1, provides the primary policy for decisions taken by the SoS on applications it received for electricity networks infrastructure.	Noted by the Applicant. These policies are described in the Planning Statement [APP-231]. Table 2.1, Table 3.1 and Table 4.1 of the Policy Compliance Document [APP-232] outline how the project has met the requirements of the relevant NPS.
ECC.02	5.2 Local TDC Development Plan Policies Policy SP1 (Presumption in Favour of Sustainable Development) Policy SP6 (Infrastructure and Connectivity) Policy SP7 (Place Shaping Principles) Policy SPL 2 (Settlement Development Boundaries) Policy SPL 3 (Sustainable Design) Policy HP 1 (Improving Health and Wellbeing) Policy HP 2 (Community Facilities) Policy HP 3 (Green Infrastructure) Policy HP 4 (Safeguarded Open Space) Policy PPL 1 (Development and Flood Risk) Policy PPL 3 (The Rural Landscape) Policy PPL 4 (Biodiversity and Geodiversity) Policy PPL 5 (Water Conservation, Drainage and Sewerage) Policy PPL 7 (Archaeology) Policy PPL 8 (Conservation Areas) Policy PPL 10 (App 16) (Renewable Energy Generation and Energy Efficiency Measures) Policy CP1 (Sustainable Transport and Accessibility) Policy CP 2 (Improving the Transport Network) Policy DI1 (Infrastructure Delivery and Impact Mitigation)	The Applicant has had due regard to the policies listed throughout the project design and assessments contained within the ES. These policies are described in the Planning Statement [APP-231]. Table 6.2 and Table 6.3 of the Policy Compliance Document [APP-232] outline how the project has met the requirements of the relevant policies.
ECC.03	5.3 Local ECC Development Plan Policies Policy 8 (Safeguarding Mineral Resources and Mineral Reserves) The ExA is asked to note that the following due consideration of the development proposed has no material impact on policy 8	Noted by the Applicant.

3.2 CLIMATE CHANGE

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.05	7.1.1 ECC has assessed the development as proposed against its Net Zero: Making Essex Carbon Neutral – Essex Climate Action Commission policy document. It has concluded that we are in favour of this development as a significant investment in renewable energy.	The Applicant welcomes ECC's position.
ECC.06	7.1.2 However, we remain interested in any proposals as the applicants put forward during Examination which would secure low carbon initiatives which can be introduced to offset carbon impacts within, for example, a Community Benefits commitment, discussions on the same will continue.	The Applicant notes that community benefits refer to voluntary financial or in-kind contributions to local communities which are not a legal or DCO requirement and are legally distinct from the consenting process, a point reiterated in the UK Government (Department for Energy Security and Net Zero) response to the consultation on

		Community Benefits for Electricity Transmission Network Infrastructure (December 2023), which stated: *"The proposals on community benefits for electricity transmission network infrastructure discussed within this document will remain separate to the planning process. It will not be a material consideration in planning decisions, and not secured through those decisions."* However, the Applicant welcomes ECCs engagement and will continue to engage outside of the planning process at the appropriate time.

3.3 ECOLOGY

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.07	**Adequacy of Information Provided** ECC states that they are satisfied that the Environmental Statement provides an appropriate assessment of likely impacts. 8.1.2 To account for potential changes to the detailed scheme design (once detailed design is known), it is noted that the Metric will have to be re-run, and the Biodiversity Net Gain Final Design Report shall be prepared.	Noted by the Applicant.
ECC.08	**Local Issues** 8.2.1 The onshore section of the proposed Five Estuaries Offshore Wind Farm is considered to lead to likely environmental impacts on ecological features in Essex, and in particular Tendring District. We have considered the likely impacts of the proposed provisions and requirements within the draft Order in respect of onshore ecology. We consider the ecological information provided at DCO application stage to be adequate for assessment. We welcome the embedded mitigation and compensation measures and commitments made to be secured by Requirements of any DCO made e.g. outline Management Plans such as Code of Construction Practice (CoCP) (APP-253) & Outline Landscape and Environmental Master Plan (OLEMP) (APP-254) to be finalised in consultation with the LPAs. Development consent obligations would minimise impact on the local authority's area although we seek compensation for all impacts not just significant ones to reduce the residual impacts on the habitats of Essex for the enjoyment of residents and visitors as well as the wildlife they support.	In respect of the final statement "*we seek compensation for all impacts not just significant ones to reduce the residual impacts on the habitats of Essex….*" the Applicant confirms that no significant residual impacts are anticipated to any habitat that has been identified as an important ecological feature (i.e. hedgerows, arable field margins, woodland and mature trees and/ or coastal and floodplain grazing marsh). Although unclear from its response, it is presumed that ECC's comment is in respect of other habitats such as cropland (excluding arable field margins), modified grassland, neutral grassland, scrub and man-made habitats which would also be affected by the scheme. The majority of these areas occur along the export cable corridor and would therefore be subject to reinstatement. Cropland is the only habitat that would be affected at the OnSS, both via temporary and permanent loss. Affected land that does not form part of the OnSS footprint or access roadway but which is required in operation will be established as more ecologically valuable habitat (as part of surface water management, landscape and ecology mitigation, compensation and/ or enhancement). Land which is not required in operation will be reinstated to agricultural use. In all cases the reinstatement of habitats to original or better condition is considered to result in no residual impacts. The creation of compensatory habitats for permanent loss of cropland is also considered to result in no residual impacts.
ECC.09	8.2.2 We appreciate the willingness to identify 10% offsite Biodiversity Net Gain (BNG) despite this not being a mandatory requirement for NSIPs yet and seek to continue to work with the	For clarity - the project seeks to deliver biodiversity enhancement required under current legislation and planning policy (which does not include applying the Statutory Metric) within the Order Limits. The Applicant is not proposing to create any habitat only to achieve a set value of BNG within the Order Limits. The Metric calculator will

	applicant's team to secure effective and functional BNG in line with the emerging Essex Local Nature Recovery Strategy (LNRS). We seek reassurance that BNG habitats created or enhanced will have a minimum of 30 years secured for management not just their establishment phase to avoid being considered as losses from the development.	be applied to the final scheme design, as set out in the BNG Report [APP-149]. If the final design fails to deliver 10% net gain within the Order Limits, then the remainder will be sought through off site measures. All mitigation, compensation and enhancement measures at the OnSS, will be managed for the lifetime of the development, as set out in the OLEMP [REP2-022].
ECC.10	8.2.3 We also highlight the need to deliver Environmental Net Gain (EnvNG) as required by the Regulator and again seek reassurance on its long-term management to ensure its promised benefits are delivered for the local community.	See prior response - All mitigation, compensation and enhancement measures at the ONSS will be managed for the lifetime of the development, as set out in the OLEMP [REP2-022]. These are considered to encompass Environmental Net Gain also.
ECC.11	8.2.4 ECC notes the submissions made by other parties (such as the German Federal Maritime and Hydrographic Agency with the Exa Ref RR-035]) in relation to the potential impacts of offshore wind farms on the migratory bat the Nathusius' Pipistrelle (Pipistrellus nathusii). We highlight that national and local bat survey information, particularly through volunteer participation in the National Nathusius' Pipistrelle Project, indicates that the presence of this migratory species is now established in Essex, including the coast near the landfall for the cable corridor.	As highlighted in 6.3.4 Onshore Biodiversity and Nature Conservation [APP-086], no evidence of Nathusius' Pipistrelle were found during presence/ absence surveys. However, the Applicant acknowledges during the activity survey Nathusius' pipistrelle passes were recorded at all except two survey locations across the terrestrial survey area. It is considered most likely that Nathusius' pipistrelle pass through the survey area. Any such bats would be expected to stop to forage upon abundant sources of prey. The lack of regular evidence, however, suggests the area is not a well-used resource by the local population at the time of survey.
ECC.12	8.2.5 ECC has both seen and supports the position as will be made in Suffolk County Council's Local Impact report of the impact on this species of bat. We therefore recommend that the ExA seeks Natural England advice on the SoS's obligations under this treaty in relation to Nathusius' Pipistrelle to help understand the extent to which potential harm to these bats could engage an exception under paragraphs (3) and (4) of section 104 of the Planning Act 2008. In saying so we note that these issues, impacts, and potential mitigation measures are set out in detail in Appendix 1 of the UK Government's Offshore Energy Strategic Environmental Assessment 4 (OESEA4).	The applicant acknowledges the detailed desk study laid out in Appendix 1 of the UK Government's Offshore Energy Strategic Environmental Assessment 4 (OESEA4); however it should be noted that OESEA4 contains no recommendations for UK projects in relation to migratory bat mitigation. The measures established for Borssele offshore wind farm (Boonman M (2018) Mitigerende maatregelen voor vleermuizen in offshore windparken. Evaluatie en verbetering van stilstandvoorziening. Bureau Waardenburg Rapportnr. 18-278. Bureau Waardenburg, Culemborg) (as outlined in the OESEA4) were determined after several years of monitoring and modelling at the wind farm to reduce loss in energy production and reduce the risk of bat collision mortality. There is no known example of this limitation being applied on an English offshore windfarm. The study at the Borssele further states that the areas to which the mitigation strategy should apply are those relatively close to the coast and due to the limited opportunities to rest and forage above the North Sea, bats have little choice but to continue the migration. The study concluded that it is therefore expected that the curtailment strategy will be applicable in a generic way only to the coastal zone west of the Dutch Zeeland coast which can be reached by bats within one night after departure; the proposed VE development is not within the coastal zone for either the UK or Netherlands and the considerations arising for Borssele are not applicable to Five Estuaries.
ECC.13	8.2.6 ECC notes that under Section A1a.7.3 of the OESEA4 Appendix 1 highlights a precautionary mitigation measure of imposing between 25 August and 10 October a turbine cut-in wind speed (i.e. the wind speed at which the turbine starts generating electricity) of 5.5 to 6.0m/s during an easterly wind and 5m/s during low temperatures and westerly winds. Such could be suitable for this DCO project and we note that offshore wind farms typically have cut-in speeds of between 3.5 and 4.0m/s, so the adjusted cut-in speeds could only reduce generation by a small amount over a specific time frame during the migratory periods. We are open-minded	The Applicant, as identified in [REP1-049], has stated the level of activity is not likely to be high in the area of the proposed development. As there are, therefore, no likely significant effects, no mitigation measures have been proposed. The proposed mitigation measures, as noted by ECC, cannot be assumed to be appropriate or necessary for all OWFs.

	as to whether an adjustment to cut-in speeds which is tried and tested should be secured as a design parameter in the text of the DCO or by inclusion in a suitable control document secured by a Requirement of any consent issued.	
ECC.14	**Conclusion** 8.3.1 We are confident that the Ecological Impact Assessment can be included in a Statement of Common Ground with the LPAs and look forward to discussions to progress this ahead of Examination.	This is noted by the Applicant.

3.4 LANDSCAPE

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.15	**Onshore Substation** 9.1.1 The proposed onshore substation represents a significant negative feature in the local landscape during construction and for up to 15 years operationally, being up to 15m in height and occupying up to 58,000m2, the equivalent of approximately eight full scale football pitches. 9.1.2 There are concerns regarding the approach to identifying landscape value. Para 2.11.26 of the LVIA (APP-084) states 'The value of 7A Bromley Heaths LCA is medium. This reflects the fact that there are no national, county or district level landscape planning designations covering this area, which would otherwise denote a special scenic value.' Value of landscapes is not judged solely on their designations and local landscape designations have not been government policy for around 20 years. The LVIA should be amended to reflect this. 9.1.3 It is agreed that significant negative effects would arise on the local landscape and its setting during construction and at operation. Para 2.11.32 (APP-084) confirms that *'The combination of the medium-high sensitivity of the local landscape and the high, medium-high or medium magnitude of change that will arise as a result of the OnSS will lead to a major or major/ moderate effect…'*	9.1.1 Noted by the Applicant. 9.1.2 It is agreed that landscape value should not be judged solely on designations but should also take into account local value. Landscape designations present objective and evidence-based information with regard to the special landscape characteristics that have led to an area being designated at either national or county level. This information is useful in establishing an understanding of the hierarchy of protected landscapes that exists and facilitates a consistent approach to the rating of landscape sensitivity across the country. While the assessment makes reference to the presence or absence of landscape designations, consideration has also been made of local value. The value of the local landscape is a consideration within the LVIA, as set out in Sections 2.11 and 2.14 of the LVIA [APP-084]. At paragraph 5.27, GLVIA3 states that where local designations are not in use, Landscape Character Assessments can indicate which landscape types are of particular value. In respect of 7A Bromley Heaths LCA, in which the site and much of the 5km study area is located, this is a landscape characterised by heavily modified agricultural land use with special landscape features limited to woodlands, hedgerows and historic settlements. In respect of this assessment, the sensitivity rating of medium, which is presented in the assessment, is considered appropriate. 9.1.3 Noted by the Applicant.
ECC.16	9.1.4 Para 2.11.31 of the LVIA (APP-084) states 'Mitigation planting around the Substation Zone will gradually reduce the magnitude of change on local landscape character from high, medium-high or medium to medium-low, low, negligible or no change over an approximate period of 10 to 15 years.' There is concern that it would take up to 15 years for mitigation planting to take effect and disagree that mitigation planting would reduce the negative effects on the immediate landscape and its setting to non-significant. 9.1.5 Whilst the mitigation planting can reduce the visual effects it does little to reduce the landscape effects on the site itself and its immediate setting as this is changed permanently from an open productive agricultural landscape to a semi-industrial environment surrounded by trees. Para 2.11.15 confirms that agriculture is the defining characteristic of this character area *'… in particular the "extensive arable landscape of large productive fields" presents the defining*	9.1.4 While significant effects on landscape character would be mitigated within a maximum of 15 years, it is anticipated that this would be closer to 10 years owing to the extent and strategic location of mitigation planting proposed. An outer framework of shelterbelt planting is proposed that will encapsulate the onshore substation and mitigate its influence on the surrounding local landscape. It will achieve this within 10 to 15 years owing to its separation distance from the onshore substation and the favourable effect of perspective that will arise as a result. 9.1.5 It is agreed that significant effects will remain within very close proximity around the substation but that these small pockets of land are too small to constitute an effect on 7A Bromley Heaths LCA which extends across most of the 5km study area.

	characteristic of this landscape'. We would argue the magnitude of effect remains at major or major/moderate in or near the OnSS. 9.1.6 Figure 2.1.13, Indicative Landscape Mitigation Plan is missing from Volume 6, Part 7, annex 2.1 Landscape and Visual Assessment Figures (APP-180). 9.1.7 In terms of visual effects from the OnSS, the consensus of Table 2.14: Summary of effects for LVIA (APP-084) is generally agreed, i.e. that the significance of visual effects is Major or Major/Moderate for VP 1-5 both at construction and up to 15 years post operation. However, we would suggest that the beneficial effects of planting after 5-10 years is somewhat overestimated and that views through or over the planting would remain especially in the winter months. 9.1.8 There are disagreements over the assessments contained within Table 2.14: Summary of effects for LVIA, which states that the Magnitude of Change after 15 years would be either negligible or low and that the residual effects would not be significant. Much of the success of the planting would depend on the nature of the aftercare in the OLEMP, how replacement planting is monitored, especially in the final year of a maintenance period and whether the mitigation planting is maintained for the life of the installation. We understand that the OLEMP is an iterative document and would wish to comment further on this document. 9.1.9 For VP1, it is disagreed with the statement contained within Para 2.12.15 that *'The magnitude of change after an approximate 5-to-10-year period will be negligible.'* This judgement, in our considered opinion, confuses blocking a view of an open agricultural landscape with a linear hedgerow and tree belt as being a negligible change, when a high magnitude of change in the view remains. As the key character of the landscape is that it is open and agricultural, this enclosed view should still be judged as a moderate negative effect.	9.1.6 The Applicant apologises for the omission of this plan – this is the same plan referenced to in the Outline Landscape and Ecological Management Plan – Revision C [REP2-022] and Onshore Biodiversity and Nature Conservation Chapter [APP-086]. In terms of the length of time it would take to mitigate visual effects, the proximity of the planting to the principal visual receptors such as Ardleigh Road, Grange Road, Barn Lane PRoW and local residential properties, combined with the proposed depth of the planting at 15 to 20m, ensures that an effective and robust screen will be provided. 9.1.8 It is agreed that the success of the planting is largely reliant on the aftercare programme, as well as the careful selection of species and soil preparation specified in the detailed design. The Applicant has committed to seeking and would involvement of ECC's landscape and ecological officers in the development of the LEMP and would value the input of their local knowledge and experience. 9.1.9 It is accepted that after 5 to 10 years the view north-west from Viewpoint 1 will be different from the baseline view because of the introduction of hedgerow and tree planting along the northern side of Ardleigh Road. It is, however, submitted that the residual effect would not be significant at a moderate level, as suggested, but would reduce to not significant at a negligible level, as originally assessed. This is on account of the compatibility of the hedgerow and tree planting with the baseline character of this local landscape, whereby many of the surrounding roads are enclosed by trees and hedgerows and therefore, they would appear as a familiar and harmonious feature. Furthermore, the trees and hedgerows would only enclose the northerly aspect of the road, such that the southerly aspect would remain open across the adjacent arable farm fields. The change to the view would only be concentrated within one of the aspects with the other aspect remaining unaltered by the Project.
ECC.17	**Cable corridor and landfall** 9.1.10 The direct impacts of the cable corridor will comprise a 60-72m width for open trenching within a 90m overall corridor. 9.1.11 The LVIA (APP-084) acknowledges there are likely negative landscape and visual effects during construction from undergrounding the cable route as it reaches landfall and along the corridor up until it reaches the substation. This includes potential impacts on agricultural and coastal land, hedgerows and trees, most of which are in open countryside (Section 2.10). These impacts would include temporary construction compounds, access and haul roads, plant, materials, spoil heaps and vehicles. Some of these effects would remain at the operational stage such as the loss of trees and hedgerows. The LVIA does not assess the impacts of the project on the landscape of the coastal landfall and within the cable corridor at the construction stage, although individual elements are assessed (See 2.10). It states *'… it is considered that the construction of the proposed onshore ECC and landfall will not become a prevailing or defining element or characteristic within the context of the existing landscape character and, therefore, do not have potential to give rise to significant effects and are, therefore, not assessed in the LVIA'*. 9.1.12 We disagree with this approach of disaggregating landscape elements from the overall character of the local landscape and suggest that localised significant landscape effects could arise at the construction stage along the landscape of the corridor. These potential localised	9.1.10 Noted. 9.1.11 Noted. 9.1.12 The assessment has focussed on the effects of the landfall and onshore cable corridor on the physical elements of the landscape, such as trees and hedgerows, as it is these elements that have greatest potential to undergo significant effects. The very limited occurrence and extent of significant effects on these elements supports the approach to discount a full assessment of the effects of the landfall and onshore cable corridor on landscape character, as essentially the loss of these elements would form the basis to this assessment and losses are predicted to be very limited. Moreover, the potential for effects on landscape character are limited by sensitive siting, which has minimised the loss of trees and hedgerows along the corridor and the extent to which the onshore cable corridor will be installed using trenchless installation techniques, such that that long sections of the route will remain undisturbed. The construction works will be relatively small in scale, at or below ground level, temporary in nature and short term in duration. These factors all contribute to limiting the potential for these temporary and localised construction works to redefine the character of the local landscape, much of which is currently heavily modified by intensive agricultural practices.

	effects should be identified separately, but alongside, the character area as a whole. The elements should be assessed in combination with the agricultural landscape in which they're found and not disaggregated from their context. 9.1.13 Due to the sensitivity of occupants of residential properties and recreational footpath users both within and close to the construction pathway along the cable corridor, there are likely significant visual impacts upon these receptors during construction. This is confirmed in Table 2.10: Assessment of Visual Effects of Landfall and Onshore ECC that establishes that the visual effects of the Landfall and Onshore ECC are all Significant at the Construction stage.	9.1.13 Noted.
ECC.18	**Cumulative Effects** 9.2.1 The applicant quotes GLVIA3 (Landscape Institute and Institute of Environmental Management and Assessment, 2013) in the Environmental Statement, Vol 6, Part 3, Chapter 2 Para 2.14.2 (APP-084) which defines cumulative landscape and visual effects as those that *'result from additional changes to the landscape and visual amenity caused by the proposed development in conjunction with other developments (associated with or separate to it), or actions that occurred in the past, present or are likely to occur in the foreseeable future.'* However, it is clear that the overhead element of the Norwich to Tilbury (N2T) proposals have not been included and cumulative effects of the Tendring Colchester Borders Garden Community may have been underestimated within the LVIA. 9.2.2 The Environmental Statement, Vol 6, Part 7 Annex 2.1: Landscape and Visual Impact Assessment Figures 2.13 Cumulative Developments (APP-180) identifies EACN as Cumulative Development 3, however it does not identify the overhead pylons exiting from EACN as part of that proposal. It is also noticeable that the full extent of Cumulative Development 12, Tendring Colchester Borders Garden Community, is not shown on the plan. The N2T pylons form an essential element in association with Five Estuaries, North Falls and the East Anglian Connection Node (EACN) in order to distribute energy downstream. 9.2.3 There is one viewpoint selected within the Dedham Vale National Landscape, (VP 9), Essex Way, Dedham Road but this does not show the pylons as part of the cumulative visual effects (Figure 2 24 c). Table 2.12: Cumulative Developments identifies EACN but not the pylons exiting to the west as part of N2T. The other viewpoint visualisations also do not show the pylons as part of the cumulative visual effects. 9.2.4 Table 2.12 identifies the Tendring Colchester Borders Garden Community (TCBGC) as '*Provision of suitable sites for gypsies and travellers with 30% affordable housing'* which looks like an error in drafting. TCBGC is a major allocation in the local plan, including 7,500 homes, that was adopted in the Section 1 Local Plan for Tendring District Council in 2021. A Development Plan Document (DPD**)** is currently undergoing a six-week consultation on proposed modifications and is progressing through the planning system. The TCBGC should be appropriately represented in plan form and assessed accordingly as there could be cumulative effects on the Tendring landscape. 9.2.5 Essex County Council and Tendring District Council would expect to see a compensation package offered for any residual significant landscape and visual effects as encouraged by national policy.	9.2.1 Responses on the cumulative effects of the Norwich to Tilbury overhead electricity transmission line and the Tendring Colchester Borders Garden Community, are presented at 9.2.2 and 9.2.4 below. 9.2.2 The Norwich to Tilbury overhead electricity transmission line did not form part of the detailed cumulative assessment as insufficient information was available at the time of writing the LVIA to enable a meaningful assessment. Please see Applicants comments to Babergh District Council, REP2-040, in Section 1.12. The focus of the cumulative assessment is the interaction between the VE and North Falls onshore substations owing to their large size and close proximity. The EACN also contributes to the cumulative interactions, as assessed in the LVIA, albeit to a lesser degree owing to its separation to the west of Grange Road and the screening effect of existing vegetation in this local area. The addition of the transmission line will not alter the findings of the cumulative assessment because of the following reasons: - Firstly, its location on the western side of the EACN means that it will be mostly screened by this large development when seen from many of the viewpoints for VE. - Secondly, there is substantial tree cover along Grange Road and around the fields to the west where the transmission line will be located which will further reduce visibility. - Thirdly, the transmission line extends west then north-west such that it's separation distance from the VE onshore substation and the viewpoints will be increasing and therefore, the transmission towers will become gradually smaller in scale. - Fourthly, there are closer range transmission towers to the VE onshore substation and viewpoints which establish these structures as a baseline feature and create a context in which the effects of the additional transmission line would be modified. While it is accepted that the transmission line will have some influence on the cumulative assessment, this influence will be very limited and will not change the outcome of the original assessment. 9.2.3 The visualisations do not include the transmission line because the information available prior to the submission of the LVIA lacked the certainty required to commit to published images. As stated at 9.2.2, while there may be potential for limited

		visibility, the transmission line will not change the cumulative assessment in respect of the VE onshore substation. In respect of Viewpoint 9 in Dedham Vale National Landscape, the negligible visibility of the onshore substation means that there is no possibility of a significant cumulative effect, even if the NGET overhead transmission line is also visible from this viewpoint. For a significant cumulative effect to arise there would need to be a reasonable level of visibility of both or more developments. 9.2.4 The Applicant notes that this is a drafting error and apologises for any confusion. A review of the potential cumulative effects of the Tendring Colchester Borders Garden Community (TCBGC) in conjunction with the VE onshore substation and other cumulative developments has been undertaken and the findings are presented here. The TCBGC masterplan development is extensive; located on the eastern side of Colchester City and extending from the A133 in the south to the A120 in the north, and towards the village of Elmstead Market to the east. Despite the large scale of this development, it will have a limited influence on the cumulative assessment of the VE onshore substation owing to a combination of the following; the minimum separation of 3km between the developments; the location of the TCBGC on the southern side of the A120 which creates a physical and visual divide; the limited potential for intervisibility owing to distance, relatively flat landform and presence of existing vegetation in the landscape; and the baseline presence of residential development in this settled landscape that will moderate the additional effect of TCBGC. While both developments are likely to give rise to localised significant effects, significant cumulative effects will not arise owing to the reasons listed above. This cumulative interaction falls below the threshold within which further assessment would be required. 9.2.5 Compensation under the mitigation hierarchy is only required for significant effects which cannot be avoided or mitigated to a non-significant level. The Council has made a generic statement that it expects compensation to be provided for residual significant effects but has not identified what effects it considers need to be compensated for. The LVIA [APP-084] concludes that significant effects will arise temporarily from the construction of the OnSS and continue into the operational phase until the mitigation planting matures to form an effective screen and mitigate the significant effects. The Applicant accordingly does not accept that there are any residual significant effects for which compensation could reasonably be required.
ECC.19	**Conclusion** 9.3.1 There is concern that there is the potential for significant residual adverse landscape and visual impacts during construction and during operation from the Onshore Substation on the local landscape character and visual receptors, due to its scale. 9.3.2 There is also concern that there is the potential for significant adverse landscape and visual impacts during construction from the works in the Cable Corridor on local landscape character and visual receptors. 9.3.3 We are concerned that it will take up to 15 years for the mitigation to take full effect, which is identified as half the expected life of the substation. We disagree that the proposed mitigation	9.3.1 The LVIA reports the occurrence of significant adverse landscape and visual effects but also demonstrates through the use of the visualisations that these effects would be mitigated by a maximum of 15 years. 9.3.2 The LVIA reports the occurrence of significant adverse effects on visual receptors in specific locations along the onshore cable corridor and the reasons for omitting a detailed assessment of effects on landscape character are explained at 9.1.12 above. 9.3.3 An explanation as to how mitigation will be achieved in 15 years or less is presented at 9.1.4 and 9.1.9 above.

	planting will reduce all the negative effects on the immediate landscape and its setting to non-significant. 9.3.4 There are concerns that the cumulative effects of Five Estuaries with the proposed North Falls onshore substation, the East Anglian Connection Node (EACN), and the pylons that are proposed to connect to it from the Norwich to Tilbury (N2T) scheme would have a significant cumulative effect on both landscape and visual receptors. 9.3.5 The N2T pylons do not appear to be identified in the cumulative Landscape and Visual Impact Assessment but form an essential element in association with Five Estuaries, North Falls and the EACN in order to distribute energy downstream.	9.3.4 The additional cumulative influence of the Norwich to Tilbury transmission line will be limited as explained at 9.2.2 above. 9.3.5 The additional cumulative influence of the Norwich to Tilbury transmission line will be limited as explained at 9.2.2 above.

3.5 GREEN INFRASTRUCTURE

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.20	**Local Issues** 10.1.1 Having reviewed the Environment Statement (Including Preliminary Ecological Appraisal, Biodiversity Net Gain Indicative Design Stage Report), Habitat Regulation Assessment, Planning Statement, Outline Landscape and Ecological Management Plan (LEMP) and the associated documents which accompanied the planning application, ECC raise the following points: 10.1.2 ECC welcome that the Essex Green Infrastructure (GI) Strategy and Essex GI Standards have been reviewed, and that the development will demonstrate alignment with the strategy and standards principles through the design and core documents, such as the Environment Statement, Planning Statement, Biodiversity Gain Design Stage Report, and Outline LEMP. 10.1.3 ECCs GI team promotes the delivery GI though the 'Lawton Principle' which advocates for a landscape-scale approach to conservation and the enhancement of connection between green sites- either through physical corridors or through 'stepping-stones'. A bigger, better, and connected approach to GI delivery ensures that green space is accessible to all, enhances biodiversity (both through the delivery of new habitats and wildlife corridors) and improves the character and sense of place. 10.1.4 As identified from the Environmental Statement (ES), the project has the potential to alter habitats, either through fragmentation or loss. However, the Development Consent Order (DCO) (Work Nos. 10, 15B, 15C) outlines the creation of permanent ecological and environmental mitigation works and habitat compensation measures, including: • Using trenchless crossing techniques to avoid impacting protected and important habitats. • Mitigation planting and screening for the onshore substation, taking a landscape led approach. • Retaining and protecting existing hedgerows and woodlands where possible. • Enhancing and creating new hedgerows and woodlands, including maintenance. • Creating swales, ponds, and wetlands. • Landscaping and habitat creation, including wildflower meadow and glade. • Biological enhancements such as bird and bat boxes, and hibernacula.	Point 10.1.5 makes reference to a "GI/ Landscape Strategy and Plan". This is considered equivalent to the Landscape and Ecological Management Plan [REP2-022], which is a requirement of the DCO and which would be subject to discussion and agreement with ECC prior to finalising. The Applicant is not proposing to provide any additional Strategies or Plans in this regard.

<table>
<tr><td></td><td>10.1.5 The proposed ecological mitigation measures and enhancements set out in the ES and the Preliminary Ecological Assessment (PEA) (APP-153, APP-154, and APP-155) will add to the GI and biodiversity value across the cable corridor of the project. Page 47 of the DCO for Work No 15b states that no work shall commence until a written landscape scheme and associated work programme is produced in accordance with the Outline Landscape and Ecological Management Plan (OLEMP). Details of the GI Landscaping and BNG for the scheme, especially for the proposed planting ecology and landscape screening around substation to be provided through a GI/ Landscape Strategy and Plan. With details of planting schedule, advance planting around construction sites; and the timescale for the implementation of each aspect of Green Infrastructure within that phase of development and details of the quality standard of construction and maintenance. These measures should be secured through the addition to the Requirements as attached to the DCO.</td><td></td></tr>
<tr><td>ECC.21</td><td>Biodiversity Net Gain (BNG)

10.2.1 The Onshore BNG Indicative Design Stage Report (APP-257) summaries the potential net gains for both scenario 1 and 2, which will result in:

<table><tr><td></td><td>Scenario 1</td><td>Scenario 2</td></tr><tr><td>Habitat</td><td>-13.35%</td><td>+8.55%</td></tr><tr><td>Hedgerow</td><td>+105.38%</td><td>+138%</td></tr><tr><td>Watercourses</td><td>0%</td><td>0%</td></tr></table>
10.2.2 The Environment Act (2021) BNG requirement for NSIPs is to achieve at least 10% measurable net gain from November 2025, which is to be secured for at least 30 years. Both scenarios do not meet the statutory 10% requirement for the habitat provision and will require either a review of onsite opportunities, offsite compensation or purchase of credits. It is recognised that onsite might not always be conceivable, and that off-site delivery could provide additional benefits and be used to protect areas of land that are of local natural and wildlife value. It is recommended that this is discussed with Tendring District Council, Essex County Council and Landscape/ecological specialists and for the Biodiversity Metric and Biodiversity Net Gain Plan is updated once the landscape provision for both on-site and off-site is known and fixed for the preferred cable corridor and landfall site.

10.2.3 Schedule 2, Requirement 23 (Biodiversity Net Gain) of the draft DCO (APP024) (page 51) recommends a requirement for the production of a BNG Gain Plan prior to work commencing, which is supported. ECC would recommend that the proposal submits a BNG Site Wide Strategy for the whole project covering all sections (zones) and a zone-wide Biodiversity Gain Plan for each section to be approved. See below for details on proposed additional Requirement for the DCO. Again, it is recommended to take a similar approach to the Habitat Management and Monitoring Plans.

10.2.4 It is worth noting that the ECC Growth and Development Team (NSIP), Place Services (Ecology) and Essex Biodiversity Net Gain officer are exploring a project proposal to highlight the benefits to nature recovery in Essex of BNG being set at 20% rather than 10% for NSIPs.</td><td>The Applicant does not agree with the comments made in Section 10.2 and 10.3, since these make reference to the requirements of Statutory BNG, which does not apply to this scheme (or any NSIP at the current time), or else phases and zones, which are similarly not applicable to this scheme design as regards BNG, nor do they align with comments made in respect of BNG in Section 8 (ecology). The Applicant is not proposing or seeking consent or land rights for BNG and is not proposing any new habitat provision along the cable corridor at all. The drafting sought appears to misunderstand the context of the development actually proposed in this case and reads as if it has been drafted for another case with entirely different considerations.

The Applicant has provided a BNG Indicative Design State Report [APP-149] as part of the application and has committed to providing a BNG Gain Plan as a Requirement of the DCO; this will describe the BNG balance based upon the final scheme design, once known.

The Applicant will not amend the dDCO as requested and does not propose to provide additional Strategies or Plans in this regard, i.e. a “BNG Site Wide Strategy” and/ or “zone-wide Biodiversity Gain Plan for each section” as requested by ECC is not considered necessary/ applicable.

The Landscape and Ecological Management Plan, which is also a requirement of the DCO and which would be subject to discussion and the approval of the LPA prior to finalising (as set out within the OLEMP [REP2-022]), will include management details of created habitats.

The Applicant is therefore not proposing to prepare a “Habitat Management and Monitoring Plan” as requested by ECC, as its function is considered covered within the LEMP.</td></tr>
</table>

ECC.21	**Proposed Additional Requirements** 1) Additional Requirement 1 Biodiversity Net Gain Site Wide Strategy and Zone Wide Biodiversity Gain Plan To produce a Biodiversity Net Gain Site Wide Strategy (BNGSWS) that sets a framework and principles for the whole of the Five Estuaries Windfarm project for the delivery and enhancement of Biodiversity Net Gain. Then more detailed a Zone Wide Biodiversity Gain Plan (ZWBGP) for each phase of delivery. Before or concurrently with the first application for the approval of reserved matters for each stage of the Five Estuaries delivery, a ZWBGP that accords with the principles set out in the BNGSWS shall be submitted to and approved in writing by the Local Planning Authorities. The ZWBGP shall include the following: i. Strategic aims and objectives of management, including securing biodiversity net gain using the most up to date DEFRA metric as at the date of the planning application submission. ii. Description and evaluation of the features to be managed. iii. Framework of management options to achieve aims and objectives as set out in the SWS. iv. Detail of the roles and responsibilities of personnel involved in delivery of the ZWBGP. v. Framework for the monitoring of ecological features, target condition and remedial measures. vi. Framework for long term monitoring and management including funding. The approved ZWBGP shall be implemented in accordance with the details approved in writing by the local planning authority. Reason: In order to demonstrate measurable biodiversity net gains and allow the local planning authorities to discharge its duties under the NPPF (2023) and in the interest of wildlife habitat protection and achieving enhanced biodiversity through a range of measures in accordance with Local Plan policies Plan.	The Applicant disagrees with the proposed additional requirements. The Applicant has already included in the draft DCO: • Req 23 - a commitment to providing a BNG gain plan prior to work commencing; and • Req 12 - a commitment to production of a landscape and ecological management plan in line with the OLEMP [REP2-022] These two elements, but in particular Requirement 12 which ECC will be involved in the finalisation of, demonstrate that the project will achieve enhanced biodiversity through a range of measures, in accordance with local planning policy i.e. will meet ECCs reason for suggesting the additional requirements.
ECC.22	2) Additional Requirement 2 Zone wide Habitat Management and Monitoring Plans Planning applications subject to mandatory BNG shall require a Habitat Management and Monitoring Plan to be submitted to and approved in writing by the local planning authority. To ensure that the net gain in biodiversity agreed upon in the Biodiversity Gain Plan/ Assessment shall be implemented in full within a 30-year period. The Habitat Management and Maintenance Plan shall include 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports. Each Habitat Management and Maintenance Plan shall demonstrate how it accords with the principles in the Zone Wide Biodiversity Gain Plans approved and should cover: • Details of the management and maintenance operations, actions and work schedule for years 1 – 5 and with broader management aims for the lifetime of the BNG commitment of 30 years. • Proposals for monitoring needed to measure the effectiveness of management, including methods, frequency and timing.	Please see response above.

	• Details of the roles and responsibilities for implementation and monitoring, as well as the legal, financial, and other resource requirements for BNG delivery, are secured. • Including setting out the reporting procedures and options for remedial works and adaptive management to account for necessary changes in work schedule to achieve the required targets if needed. Reason: In order to ensure measurable net gains are being delivered and effectively maintained and in accordance with LPA's BNG Policy, allowing the LPA to discharge its duties under the NPPF (2023).	
ECC.23	Climate Focus Area Five Estuaries Windfarm proposed cable corridor runs through the Essex Climate Action Commission's (ECAC) recommended Climate Focus Area (CFA), which is formed of the Blackwater and Colne River catchment areas, as mentioned in our previous consultation response in April 2023. 10.4.2 The CFA requires developments to consider the following requirements to comply with the guidelines outlined in the NPPF: a) Biodiversity net gain to enhance biodiversity and the natural environment by creating Natural Green Infrastructure contributing to the CFA 30% by 2030 target and the wider Local Nature Recovery Network/Strategy. b) Flood and water management, for those properties at risk of flooding to include Integrated Water Management and Natural Flood Management techniques. c) Adopting Sustainable Land stewardship practices. 10.4.3 The DCO references the restoration and decommissioning of temporary construction areas (page 49 and 51), and the ES states that any removed hedgerows will be replaced as part of the reinstatement works, along with replacement tree planting within the project order. That this should be implemented within 12 months of completion of the relevant stages of works. The ES also mentions that as part of standard practice that any temporary land will be restored to agriculture land or other where practical. It is recommended to explore opportunities to work with landowners for Sustainable Land Stewardship, that could contribute to the CFA targets and Local Nature Recover Strategy.	Noted by the Applicant.
ECC.24	Greater Essex Local Nature Recovery Strategy (GELNRS) 10.5.1 The Environment Act 2021 introduced a number of measures to support local nature recovery, including Local Nature Recovery Strategies (LNRS). These strategies are locally led and establish priorities for nature recovery. ECC is the *'Responsible Authority'* for delivering the Greater Essex Local Nature Recovery Strategy (GELNRS) working closely with the Essex Local Nature Partnership to provide direction and ensure key stakeholders are engaged. 10.5.2 Consideration should be given to the emerging GELNRS (currently out to public consultation) aims to deliver practical, county-wide initiatives for nature recovery and identifies areas of current particular importance for biodiversity and strategic opportunity locations where habitat creation or improvement can provide multiple benefits for nature and the environment.	Noted by the Applicant.

	This will ensure a strong relationship between new development proposals and relevant strategic opportunity locations. 10.5.3 The GELNRS plays a crucial role in Biodiversity Net Gain (BNG) by offering a strategic approach to off-site BNG delivery. The GELNRS includes strategic opportunity maps highlighting areas with the highest potential for environmental benefits for new habitat creations across Essex. Sites of strategic significance offer a 15% uplift in biodiversity units compared to other sites, providing a 15% bonus on units purchased in these locations.	
ECC.25	**Restoration** 10.6.1 There will be an expectation for restoration to contribute to sustainable land stewardship, climate change mitigation and adaptation, biodiversity and environmental net gain through the delivery of natural GI. If the restoration proposal is to return the site to arable land it will need to a better grade than before and demonstrate how it will deliver sustainable land stewardship with potential to link to Landscape recovery – a successor to the Countryside Stewardship scheme. 10.6.2 It is noted that Schedule 12, Part 1 (Removal of Hedgerows) of the draft DCO on pages 147-149 list the hedgerows to be recovered but does not state what will be replaced or where. 10.6.3 The following additional requirement is proposed: 3) Additional Requirement 3 **Restoration and Decommissioning plan** It is recommended that a site wide restoration and decommissioning plan should be submitted to demonstrate how the site will be restored to a natural habitat post the operational life of the application site. The decommissioning plan should include details of the removal of all equipment, facilities and structures including any subsurface cabling and footings. Any access roads created for building or maintaining the system shall also be removed and replanted with an appropriate landscape scheme. All other equipment and boundary fences to be removed from the project site. Reason: To ensure that the site and its established GI is protected and restored in an appropriate manner consistent with the aims and aspirations of the original Landscape and Ecology Management Plan and GI strategic outcomes.	The Applicant notes that this point is inconsistent with the request in ECC's additional Deadline 2 submission [REP2-042] for a different restoration requirement. The Applicant considers that the Council's drafting refers to 'the site' which encompasses the while order limits but the standard sought is completely inappropriate to the cable corridor. This has been written as if the development were a single building on a site wholly in the ownership and control of the Applicant. The cable corridor will have been returned to agriculture use some decades before decommissioning takes place and the day to day management of the land would be by landowners not the Applicant (subject to the restrictions for the protection and maintenance of the cables). The Applicant would not have the necessary land rights or control within the cable corridor, nor would it consider it proportionate or reasonable to seek such right, to ensure that the landowners are bound to any land stewardship scheme at any stage. The Applicant considers that to be an unreasonable request outside its control which would have to be imposed on landowners and would therefore increase the restrictions imposed on them for which additional compulsory powers would require to be sought. The Applicant does not consider that such powers can reasonably be sought. For the OnSS, the drafting of the reason pre-supposes a return to 'natural habitat' but the current use is agricultural, the drafting then seeks to impose land stewardship requirements on such use. Where land is acquired compulsorily and the use for which it was acquired ceases, the Applicant/OFTO is required by law to offer it back to the landowner from whom it was acquired. This restriction would in practice therefore not serve any function once the land was no longer in the control of the Applicant/OFTO. The Applicant also considers that the drafting mixes together 2 different concepts: 'restoration' of land post-construction and 'decommissioning' post-operation. Given the considerable time lag between these 2 activities the Applicant does not consider that this an appropriate or helpful approach. A requirement relating to restoration is already included in the dDCO (Requirement 14). For the post-construction restoration, the Applicant considers that the wording sought by the Council is inappropriate in that it either duplicates matter already covered other requirements, e.g. the CoCP and SMP which cover pe-construction survey and reinstatement requirements or introduce impreciseness through 'such condition' contrary to other control documents and potentially the landowner agreements.

		Onshore decommissioning is also already provided for in the dDCO under Requirement 22 ‘Onshore decommissioning'. It is noted that, unlike the Applicant's drafting, the ECC drafting does not provide any timing for the submission of the decommissioning plan. To submit a decommissioning plan ahead of the time at which construction restoration is required would be to pre-empt decommissioning work and the applicable policy and standards some decades ahead of it being carried. Submission of a decommissioning plan no less than 6 months ahead of such works commencing, as proposed by the Applicant in the dDCO. The ECC reasoning pre-supposes the standards which will apply at decommissioning and does not take any account of the collaboration with North Falls. For example, it refers to ‘site-wide’ but the Applicant cannot remove access of which are still in use for North Falls. It cannot remove all of fencing structures, cabling etc form ‘the site’ as only part of that will belong to Applicant.
ECC.26	**Outline Landscape and Ecological Management Strategy (OLEMS)** 10.7.1ECC welcome the inclusion of an outline Landscape and Ecological Management Strategy and the proposed 5-year planting aftercare. However, it is recommended extending the aftercare period to a minimum of 10 years, considering the 30-year Biodiversity Net Gain (BNG) requirement where applicable. 10.7.2 Additional Measures for Requirement 12 of the draft DCO 10.7.3 ECC support the DCO Requirement 12 (Landscape and Ecology Management Plan) on page 48 and ES Chapter 4 for no work to commence until a written LEMP in accordance with the OLEMS for that stage has been submitted and approved by the planning authority. It is recommended that this is approved by a SuDS and landscape specialists. The OLEMS sets out the principles applied in the design of the landscape and ecological plans and highlights that the aftercare and restoration will be the responsibility of VE and the landowners. 10.7.4ECC recommend that the LEMP include all ecological mitigation measures proposed within the ES, PEA, substation landscaping, and restoration plans. Additionally, as noted in our previous consultation response from April 2023, the LEMP should specify who is responsible for GI assets (including any surface water drainage systems), the maintenance activities and frequencies, and appropriate monitoring to ensure the GI is maintained throughout the proposal’s lifetime. The distinction between the maintenance of landscaping/planting and woodland planting (within the order limits) by private landowners and those owned by the applicant was unclear in the OLEMS. We also expect details on how management company services for the maintenance of GI assets and green spaces will be funded and managed for the development’s lifetime. This is to ensure that appropriate management, maintenance arrangements, and funding mechanisms are established to maintain the high-quality value and benefits of the GI assets. 10.7.5 The LEMP to also include measures for early establishment of new trees to be considered at the time of planting, which is often insufficient leading to poor survival rate of young trees. This should include weeding, mulching and watering. All newly planted trees with a trunk diameter of 6cm or more will be watered for three years via a buried watering tube, irrigation bag or irrigation well; applying 60 litres per visit, at least 14 times between May and September. Mulch, stakes, ties and weed establishment will also be inspected and actioned as required. Stakes and ties should be removed 3 years after planting.	The Applicant notes that it is important to be clear that the 5 year maintenance obligation applies to replacement planting along the ECC and not the landscape and mitigation planting proposed at the OnSS. The Applicant considers that this period is the correct balance between ensuring that planting establishes and interfering with landowners’ management of their own land within the Onshore Order Limits of the ECC. To extend this to 10 year means that the Applicant would have prevent landowners from undertaking any activity which may affect the planting for that period. For example, where planting is adjacent to a field access, the landowner could not be allowed to remove it to widen that access to accommodate new or different equipment as the Applicant would be bound to replace and maintain it. The Applicant does not consider that is reasonable or necessary. The Applicant does not consider it necessary or appropriate for a requirement to specify which specialists within the LPA should be consulted on any discharge. That is a matter for the LPA at determination stage and will be discussed further after the Applicants DCO Exam period. The reference to funding for maintenance of green spaces misunderstands the development proposed. There are no green spaces to be maintained outside the OnSS site where it will all be maintained as part of the operation of that site, There is no landscape or woodland planting to be maintained by private landowners. Any offsite BNG will be maintained as set out in the BNG plan and secured via a commercial and supporting planning agreement to be agreed with the LPA. The Applicant notes the comment 10.7.5 and advises that the method for installing the landscape mitigation screening is yet to the finalised at the detailed design stage. This will be determined with input from local stakeholders and the LPA which will be undertaken during the Final Design process, including appropriate selection of species mixes and an implementation and maintenance plan as part of the LEMP.10.7.7. No CEMP is proposed as all of the matters which require to be secured are secured through the CoCP and oLEMP. The planting proposals are contained in the oLEMP not the CoCP.

	10.7.6 Additional Measures for Requirement 8 (Code of Construction Practice): 10.7.7 As part of the Code of Construction Practice (CoCP) referenced as part of the draft DCO Requirement (Code of Practice) on page 47 and ES or through the provision of a Construction Environmental Management Plan (CEMP) to ensure early establishment through advanced planting when opportunities for phased implementation arise, or evidence that substantive GI is secured as early as possible in the initial phases of delivery. Recognise, however, that it is crucial to plant when the planting will thrive the most to prevent poor growth and potential plant failure. Therefore, a CoCP or CEMP will be required to set out how retained GI, such as trees, hedges and vegetation, as well as any nature designated sites (e.g. SSSI's etc.) will be protected during construction and evidence of phased GI planting.	
ECC.27	**Woodland and Tree Planting** 10.8.2 Moving forward, ECCs GI team recommends that Senior Forestry and Woodland Officer is consulted in relation to trees and woodland. There are opportunities to work with the Essex Forest Initiative to assist in tree planting for new development, including funding and advice. For more information, please contact Environment@essex.gov.uk who would be very interested in discussing further. 10.8.3 Big Green Internet 10.8.4 There is a Big Green Internet project aiming to plant and connect the woodlands from Tendring to Epping Forest, which potentially the path of this proposal may well pass through and the opportunities to contribute and the potential effects should be considered. https://thebiggreeninternet.co.uk/ourjourney/	This is noted by the Applicant.
ECC.28	**Shoreline Management Plan** 10.9.1 The following comments relate to Volume 6, Part 3, Chapter 6: Hydrology, Hydrogeology and Flood Risk of the ES (APP-088). 10.9.2 In ECC previous response to the Stage 2 consultation in April 2023, ECC highlighted several points regarding the Essex and South Suffolk Shoreline Management Plan (SMP). It is noted in the ES and DCO that consideration has been given to the long-term management intent, such as maintaining the current defence for the lifetime of the SMP at Frinton-on-Sea or adopting a dual policy of 'Hold the Line' and 'Managed Realignment' for the Holland-on-Sea shoreline area, as previously recommended in Shoreline Management Plan 2. 10.9.3 ECC also noted that the SMP indicates the "Hold the Line" policy for the period up to 2055 is contingent on sufficient funding. It highlights that long-term maintenance will be challenging and may require diverse funding sources. Additionally, the SMP states that even economically viable defences may not receive public funding, which the developer should consider. 10.9.4 The focus of this consideration is primarily on ensuring the resilience of installed infrastructure to flooding, rather than on the implications of managed realignment for the siting of the onshore cabling and associated infrastructure. This encompasses the impact on access and egress for construction and ongoing maintenance, as well as the environmental implications from such activities and the potential effects of a change in management at the landfall location.	The Applicant notes the ECC points around the Shoreline Management Plan and has responded to these within Volume 5, Report 5.3.1: Onshore ECC FRA [APP-038] particularly paragraph 66 "Once installed, the cable will be buried at depth and any future change to management of shoreline coastal defences is highly unlikely to affect the installed infrastructure."

	Managed realignment can create new habitats for plants, birds, and fish, which may require specific measures and restrictions to be implemented.	

3.6 HIGHWAYS AND TRANSPORTATION

The Applicant notes that Essex County Council has raised a number of detailed points on traffic and transport in its Local Impact Report (Appendix 21). The comments that required simple clarification were responded to in the Applicant's response to Essex County Council's Deadline 1 submission. Where further discussion with Essex County Council or more detailed consideration is required, the Applicant proposes to respond to these points, along with any necessary updates to documents at a later deadline.

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.29	11.1.1 It is important to consider the temporal nature of the project, both in its own context and in the context of the cumulative impacts. The assessment method 50 is based on Scenario 1, which identifies the greatest peak impact in traffic; however, further clarity is needed on Scenario 3, which has the potential to result in greater temporal impacts, due to the removal and reinstatement of elements of the works, meaning residents are subjected to the same repeated impacts at certain locations for the projects. In terms of public perception and the length of the experience, the potential exists for these impacts to exceed the impact of the in-combination project delivery.	The Applicant has included a high level assessment of the potential effects under Scenario 3 in an updated version of 6.3.8 Traffic and Transport - Revision C [APP-043], to be submitted at Deadline 3 of the Examination.
ECC.30	11.1.3 It is considered that the development will have the following negative transport and traffic impacts on the local highway network, and, as above, the significance of these impacts would be greater if the impacts exceed those that have been assessed: > Minor increases in delay and congestion on the A133 as a result of increased traffic movements, and particularly the proportional increase in HGV movements, as well as AILs. > Increases in congestion, delay, severance through the built-up environment of Clacton on the B1027 and B1032, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Minor increases in congestion and delay on the B1032 northeast of Clacton, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Minor increases in congestion and delay on the B1033 west of Weeley, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Increases in congestion, delay, severance through the community of Weeley and Weeley Heath on the B1441, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Increases in congestion, delay, severance through the community of Weeley on the B1033, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Increases in congestion, delay, severance on the B1414 Harwich Road, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements.	The premise of the submission, that impacts would be greater than assessed if the assessment is correct, is not supported by evidence from the Council that the numbers are incorrect or any challenge to them. This list, as with the following sections, is therefore entirely speculative, unsupported by evidence and should not be given weight. The Applicant has assessed the traffic and transport effects in 6.3.8 Traffic and Transport - Revision C [APP-043] and no significant effects have been identified, with the implementation of measures within the final CTMPs and WTPs. The traffic numbers used are considered to provide a robust worst case assessment. It is almost always true to say that if traffic numbers exceed those assessed the impacts may increase, however unless the Council has some objective reason or evidence to indicate that the traffic numbers are not robust (which the Applicant does not accept), then this statement does not change any assessed outcome and the list given is meaningless. The Applicant is updating the Outline Workforce Travel Plan [APP-259] and the Outline Construction Traffic Management Plan [AS-055] with a number of further measures, controls and monitoring regimes to ensure traffic and transport effects are minimised as far as practicable.

	> Increases in congestion, delay, severance through the community of Thorpe Le Soken on the B1414 south of the B1033, and on the B1033 east of the B1414, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Minor increases in congestion and delay on the B1033 east of Weeley, as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Minor increases in congestion and delay on the B1035 north of Thorpe Green as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Minor increases in congestion and delay on the B1035 south of the A120 as well as reduced vulnerable road user amenity as a result of increased traffic and particularly the proportional increase in HGV movements. > Significant increases in congestion and delay on Bentley Road, as a result of proportional increases in traffic and large proportional increases in HGVs. > Significant reduced vulnerable road user amenity as a result of increased traffic on Waterhouse Lane, Little Bromley Road and Ardleigh Road. > Very minor increases in congestion, delay, severance through the community of Great Bromley on the B1029, as well as reduced vulnerable road user amenity as a result of increased traffic.	
ECC.31	The following junctions are considered likely to see a worsening in their operation, as noted above the significance in the negative impacts may be greater if the assessed impacts are incorrect: > Increased delay on Harwich Road south approach to A120 / Harwich Road roundabout. > Increased delay on Bentley Road approach to A120, as a result of increased vehicle movements. > Increased delay at the B1035 approaches to the A120 / B1035 roundabout. > Increased congestion and delay at the following junctions on the A133. > A133 / A133 roundabout junction. > A133 / B1033 roundabout junction. > A133 / Progress Way roundabout junction. > A133 / Brook Way roundabout junction. > A133 / B1027 roundabout junction. > Increased congestion and delay at the following junctions on the B1027 and B1032 in Clacton: > B1027 / Old Road mini roundabout junction. > B1027 / Oxford Road mini roundabout junction. > B1027 / Burrs Road mini roundabout junction. > B1027 / B1032 Holland Road mini roundabout junction. > B1032 / Kings Parade roundabout junction.	The premise of the submission, that impacts would be greater than assessed if the assessment is correct, is not supported by evidence from the Council that the numbers are incorrect or any challenge to them. This list, as with that above, is therefore entirely speculative, unsupported by evidence and should not be given weight. The Applicant has set out the forecast number of vehicle movements associated with the construction of VE during a peak hour on the local highway network in 6.6.8.1 Traffic and Transport Baseline Report - Part 1 - Revision C [AS-045] and 6.3.8 Traffic and Transport - Revision C [APP-043], which are based on a set of robust parameters. A justification for not undertaking formal capacity assessments at junctions is also provided, given the most likely period when these vehicle movements might occur is during the evening peak hour in the winter months due to the availability of daylight and when baseline flows are generally much lower than the summer months and therefore would not likely be worse than the congestion and delay during the summer months. The Applicant is updating the Outline Workforce Travel Plan [APP-259] and the Outline Construction Traffic Management Plan [AS-055] with a number of further measures, controls and monitoring regimes to ensure VE construction vehicle movements during the peak hours are minimised.

	> Increased delay at the B1033 Colchester Road / B1035 Tendring Road priority junction > Increased delay at the B1441 Weeley Road / B1414 Harwich Road priority junction	
ECC.32	11.1.3 It is considered that the development will have the following negative transport and traffic impacts on the local highway network, and, as above, the significance of these impacts would be greater if the impacts exceed those that have been assessed: • Increased delay and reduced road safety as a result of the use of the proposed construction accesses. • Reduced road safety as a result of the use of the proposed crossing points.	The premise of the submission, that impacts would be greater than assessed if the assessment is correct, is not supported by evidence from the Council that the numbers are incorrect or any challenge to them. This list, as with that above, is therefore entirely speculative, unsupported by evidence and should not be given weight. The proposed construction accesses and haul road crossings have been subject to a Stage 1 Road Safety Audit, with any problems identified addressed. Safety at the proposed construction accesses and haul road crossings would be maintained through traffic management measures, the final details of which would be discussed and agreed with Essex County Council prior to their construction and will be set out in respective final Construction Traffic Management Plans.
ECC.33	11.1.4 Further discussions are needed to determine whether mitigation is required for the assessed impacts. However, based on proportional changes the Council believes that proportional localised mitigation should be considered at Links 23, 24, through Clacton, Link 27 through Weeley and Weeley Heath and Link 28 on B1414 Harwich Road.	The Applicant is preparing a detailed response to the comments related to the traffic and transport assessment, with some additional analysis, which will be shared with Essex County Council before a further meeting, to endeavour to resolve this and other points.
ECC.34	11.1.5 In order to ensure that the impacts remain as those assessed, the most pragmatic approach is to ensure that appropriate management measures are in place to control and monitor construction traffic to avoid exceedance.	The Applicant is updating the Outline Workforce Travel Plan [APP-259] and the Outline Construction Traffic Management Plan [AS-055] with a number of further measures, controls and monitoring regimes to ensure VE construction vehicle movements are no greater than those assessed.
ECC.35	11.1.9 There is no reference to cable drums AILs within the Traffic and Transport [APP-090] chapter at paragraph 8.4.31, but it became clear at the hearing that there is a requirement for these to access the accesses on the local road network. There are concerns around the access for AILs for cable drums associated with all of the accesses on the route, particularly the number and frequency, what assessment has been undertaken of the routes, including whether a structural assessment has been undertaken to ensure the deliverability of their routes i.e. can the local road network accommodate these movements. If an assessment has not been undertaken of the routes, it may be that they are not deliverable, and so would have to use alternative routes with different impacts.	The Applicant submitted an Abnormal Indivisible Load Technical Note to the Examining Authority at Deadline 2 in response to the actions at Issue Specific Hearing 1. This provided swept path analyses of the largest cable drum delivery vehicle between the A120 and each proposed construction access route, which did not identify any issues with the vehicle manoeuvres.

3.7 SOCIO ECONOMICS

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.36	The proposed development is a major project which could result in increased demand for construction skills and equipment at a time when other major projects may also commence with similar timeframes and result in labour shortages. Though we welcome this development as a positive change for skills and employment in the County, we are cognisant of the fact that various developments, happening at the same time, could create skills shortages in our economy. The Construction Growth in Essex 2020-2040 report produced by MACE on behalf of ECC suggested that major projects across the county will add 15,000 local labour demand at peak and that labour shortages are expected to peak in 2031. This has been referenced in the Five Estuaries Outline Skills and Employment Strategy, but no comment was made about how this will be considered for skills planning in the future. Therefore, we would welcome more evidence that the applicant has demonstrated extensive research of the local skills and	It is notable that while helpful in setting the context for wider skills and employment demand and supply, the Construction Growth in Essex 2020-2040 report is somewhat outdated in terms of its labour forecasts (for example, 10,000 of the 15,000 demand identified in 2031 is related to Bradwell B, which is stalled and no longer appears on the Planning Inspectorate's page of live pre-application projects, and even if progressed could not realistically mobilise to overlap with VE). Nonetheless the Applicant is cognisant of wider employment and skills demand in the area and has included both the existing baseline and consideration of future baseline within the ES, also referring to sector-specific issues reported by CITB in

	employment needs alongside existing projects in the area. This must be underpinned by the inclusion of a skills and employment review that outlines the skills and jobs requirements and potential impact on the local economy and jobs market.	their sub-sector skills forecast, and reports including the Construction Growth in Essex 2020-2040 report. Rather than try to estimate additional demand on top of these published forecast demands, the Applicant has focused on ensuring detailed data is provided on the number and type of roles likely to be brought forward by this Project, and then to develop an understanding of the priorities identified by ECC to address potential skills shortfalls – namely these are (from the Construction Growth in Essex 2020-2040 report) that opportunities should be focused on: a) *Developing capabilities at level 2 and above in construction occupations;* b) *Building a legacy and capability in the county beyond the lifetime of the project; and* c) *Offering a long-term focus on transferable skills, fabrication and assembly, manufacturing and engineering supply-chains.* A detailed breakdown of the roles the Project will create is set out in the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] (Section 3) and Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085]. The oSES has been developed to align with the challenges identified in published research and strategy including the Construction Growth in Essex 2020-2040 report, but being cognisant of the need to remain flexible and responsive to further intelligence around potential forthcoming skills shortages.
ECC.37	The Outline Skills and Employment Strategy should clarify whether opportunities listed as FTE are new or existing vacancies. There was no attempt to indicate which of the two counties would benefit from the various opportunities listed in the strategy. This should be done via a travel to work analysis. If a split of these FTEs by county is impossible, that should be made explicit in the strategy.	The FTE (Full Time Equivalent) employment estimates within the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] represent the new economic activity that would be required to deliver the Project. This has been split between work type / skill / work package. Some of these opportunities will be advertised as ‘vacancies’ in the local area, while others will be delivered by existing local and regional contractors with their own workforce. The purpose of Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085] and the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] is to identify the overall number and type of FTEs required for the Project, in the context of the existing labour market. The construction labour market is substantial, with high mobility (construction workers tend to commute long distances and move regularly from project to project). Working with Tendring District Council and Essex County Council and Contractors on the SES will shed light on the right level of opportunity and focus for the local element of the employment, in-line with the Councils’ pre-existing employment and skills programmes and priorities. The purpose of the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] is to focus on maximising opportunities within Essex and especially

		Tendring as set out in Table 3 (Themes and Approach) which identifies example measures.
ECC.38	We would expect the applicant to fully engage with local supply chains for labour, material, and equipment. This not only adds to local economic benefit but also reduced greenhouse gas and pollutants deriving from extended travel. We also expect the applicant to engage with the skills landscape in the county and work directly with partners in Essex to maximise skills and employment opportunities.	The Applicant agrees with this approach which is set out within the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260]. The applicant will welcome future engagement with Essex County Council and Tendring District Council to ensure alignment of the Project's approach with existing plans, programmes and networks to maximise skills and employment opportunities and contract opportunities and reduce carbon.
ECC.39	With the area containing a significant number of tourist destinations, and a wide variety of differing types of available accommodation, tourism is the main contributor to the local economic job profile, whether that is directly in hotels, caravan and chalet parks and tourist attractions or indirectly in shops, cafés and restaurants. The landward side of the construction works as proposed by this DCO proposal could have a significant impact on the areas attractiveness to tourism, with disturbance to both the attractiveness of the rural landscape and transportation as a result of the DCO within the wider Tendring peninsular.	The Applicant has responded to this point within 10.4 Applicant's Responses to Relevant Representations (Clean) [REP1-049] – see response to ECC-RR09.

3.8 HEALTH

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.40	Although exposure to EMF (all phases) has been scoped out of the assessment, we recognised that communities may be concerned about the potential effects associated with EMFs. We strongly recommend implementing mitigation measures that address perceptions of risk through clear and non-technical information provided through community engagement that provides transparent information about EMFs and their safety.	Potential exposure to EMF would remain substantially below the ICNIRP electromagnetic fields public exposure threshold, which is set to be protective of the environment and human health.
ECC.41	Section 1.1.20 [Human Health Baseline] provides data in relation to community safety, however, highest rate referred to as Lincolnshire, this needs to be clarified.	Reference to Lincolnshire is an error and should say Essex. This can be corrected in Errata .
ECC.42	The Chief Medical Officers report on Health in Coastal Communities notes that the area faces significant challenges in attracting good-quality jobs and reaching those most in need. We strongly recommend ensuring that the local residents have accessible opportunities to benefit from the project.	An Outline Skills and Employment Strategy [APP-260] has been prepared, and sets out the approach that will be adopted by the Applicant, with the aim of promoting skill and employment opportunities for local economic benefit within Essex and wider region.
ECC.43	The Human Health Baseline has not considered mental health indicators for Tendring. Given the ES chapter follows the recognised WHO definition of health, which includes mental health, this aspect should be reflected in the Human Baseline as well.	The Human Health Baseline draws from the Index of Multiple Deprivation domains, one of which is 'health deprivation and disability' which measures the risk of premature death and the impact of poor physical or mental health on quality of life. As a result, the analysis presented under the 'health' heading for each relevant LSOA is inclusive of mental health.

3.9 FLOOD RISK, DRAINAGE AND SURFACE WATER

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.44	The Flood Risk Assessment details how good practises will be employed during the construction phase to mitigate surface water run and how pollution will be managed. ECC as LLFA has engaged collaboratively with the Applicants commissioned drainage consultants to scope the detail required to assess the proposed surface water drainage strategy and other supporting documents including Flood Risk Assessment, Ground Investigation report, water quality assessment, flood management during construction phase of the scheme. Essex County Council as Lead Local Flood Authority for the county of Essex supports the proposed scheme. Essex County Council as LLFA is satisfied with the level of information provided to support that the proposed scheme would not increase risk of flooding from Surface water, Ground water and from ordinary watercourses during the operational phase of the development. Surface water drainage system (SuDS) have been developed in accordance with local standards (SuDS Design Guide) and national planning policies (NPPF) and industrial best practice guidance (CIRIA SuDS Manual C753) to minimize the impact from the proposed scheme to quantity and quality of the surface water runoff and to maximise the amenity and biodiversity opportunities along the length of the proposed scheme where possible.	Noted and welcomed by the Applicant.

3.10 BUILT HERITAGE

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.45	Archaeology and Cultural Heritage ES Chapter (APP-089) Table 7.1 does refer to the paragraphs in EN-1 on substantial harm and states that the proposed development will not result in any substantial harm, but fails to mention that the proposal would result in less than substantial harm to the significance of a number of designated heritage assets. Paragraph 7.5.19 of the ES Chapter confirms that *'minor negative effect'* equates to less than substantial harm at the lower end of the scale and *'moderate negative effect'* equates to less than substantial harm at the upper end of the scale. It is assumed that the word 'negative' here should actually refer to 'adverse'. With reference to the summary of effects table (Table 7.12), it is therefore understood that the below designated built heritage assets have been assessed as experiencing less than substantial harm to their significance (at the lower end of the scale). However, this is not explicitly mentioned within the ES Chapter: • Great Holland Mill House, Grade II listed building (construction phase) • Hempstalls Farmhouse, Grade II listed building (construction phase) • Abbotts Hall, Grade II listed building (construction phase) • Great Holland Lodge, Grade II listed building (construction phase)	This is noted by the Applicant, and is a result how the assessments within ES are presented in terms of the language used in the Regulations. However, it is clear from the ES that "minor adverse" equates to "less than substantial harm at the lower end of the scale"), so the relevant paragraphs of EN-1 have been complied with.

	• Church of St Mary, Grade II* listed building (construction and operational phase) • Bounds Farmhouse, Grade II listed building (construction phase) • Jennings Farmhouse, Grade II listed building (operational phase)	
ECC.46	Jennings Farmhouse is identified in the summary of effects table (Table 7.12) of the Archaeology and Cultural Heritage ES Chapter (APP-089) as only experiencing an effect during the operational phase, but the construction of the nearby proposed substation and associated works would have a negative and harmful effect during construction too and this should be accounted for.	The Assessment considered the operational effect to represent the worst case, simply based on duration. The Construction effect is acknowledged, but this effect is considered to be no greater than that assessed for the operational phase and was implicit in that assessment. For clarity, this asset will experience an indirect effect during the construction phase that is “minor adverse” and “less than substantial at the lower end of the scale” lasting only for the during of the construction programme).
ECC.47	It is not agreed that the agricultural surroundings of Jennings Farm make a smaller contribution to its significance because the farmhouse no longer has an associated farm (paragraph 7.11.5). The agrarian landscape in which the farmhouse is located still allows an appreciation of the significance of the building as a farmhouse with a historic functional connection to its surrounding landscape. Furthermore, the proposed mitigation planting (as shown in Viewpoint 4 of Volume 6, Part 7, Annex 2.2, Figure 2.19a-d (APP-187)) would screen the proposed substation in views from Jennings Farmhouse but the screening itself would be harmful to some degree in curtailing the views of the open, agrarian landscape surrounding the historic farmhouse which has been found to contribute to its significance.	The Applicant maintains its position and does not agree with the statement from ECC. The ability to appreciate the original intended function of the Farm is still appreciable, but clearly it is no longer in its original use and is disassociated from the wider farming landscape consequently. The statement with regard to proposed screening is noted, but the Applicant still considers that the assessed effect (“minor adverse” and not significant for purposes of the Regulations, and equates to less than substantial harm at the lower end of the scape) is appropriate.

3.11 URBAN DESIGN

Ref.	Excerpt / Summary of LIR comment	Applicant’s comments
ECC.48	From an urban design perspective, our points of concern for a project such as this relate to any above ground onshore structures. We will not comment on any offshore, underground, or structures temporary for the construction period or pieces of infrastructure. Looking to Route Section 7, as seen in the Onshore Project Description Document, there are a number of structures proposed. The order limits in this route section occupy a field to the north of Ardleigh Road and directly opposite Lawford Substation, which sits immediately south of the road. It also directly borders Badley Hall, a quaint and attractive older building, to its west, as well as Grange Road to its north and Hungerdown Lane to its north-west. The plans indicate space for a connection node to the National Grid, a substation area, space reserved for underground cabling, space reserved for access and drainage, an indicative location for the North Falls project’s substation operational boundary, and space for a temporary construction compound. The latter area will not be considered in this response because it is a temporary structure related to the construction period.	This is noted by the Applicant.
ECC.49	It is understood that the size and locations of these areas are somewhat flexible due to the long term nature of this project and the rate at which relevant technologies advance. That being said, the plans as presented by the current application are considered to represent an inefficient use of space, with the North Falls Indicative Substation Operational boundary jutting out into the eastern portion of the order limits in an uncomfortable and disorganised manner. It would represent an improvement if, when the arrangements of these areas are considered in more certain terms, the applicant prioritises a space efficient arrangement which feels more organised	The orientation of the VE and North Falls onshore substations have been influenced principally by the direction from which the onshore cables are required to ingress and egress the onshore substations, as well as other technical and environmental constraints that occur on site. While the orientation may present a disorganised appearance on the plan, this is possibly because planning is principally a plan-based process, and the expectation is for developments to align with the NSEW grid pattern of the plan. On the ground, the variance with the grid pattern will not be apparent and

	and causes less visual degradation to the eastern portion of the field. However, it is appreciated that there may be overarching influences relating to connectivity or wider constraints that mean the indicative layout would need to be carried forward.	the onshore substations will be seen in a more organic context in which trees and hedgerows follow variable orientations. The establishment of the proposed mitigation planting will help to create a setting for the onshore substations and will provide coherence and order through the implementation of a well-defined landscape framework, as shown in the Outline Landscape and Ecological Management Plan – Revision C [REP2-022].
ECC.50	The Badley Hall building on the boundary for the area reserved for the National Grid connection node would be a key constraint for the proposal from an urban design perspective given it is attractive in appearance which is in part due to its rural setting.	Badley Hall is located approximately 600m west of the VE onshore substation. Its principal orientation is west towards Little Bromley Road. Views to the east are enclosed within the close range by tree cover, hedgerow and walling in the back garden and then by a complex of farm sheds in the adjacent yard. A dense shelterbelt lines the field boundary in the middle range and hedgerow planting and trees line the western side of Grange Road. The combined screening effect of these components means that the onshore substation will have a very limited, if any, influence on Badley Hall. Furthermore, the development of the EACN substation will add further to the screening of the VE onshore substation from this area.
ECC.51	There is also the question of views of the substations and associated infrastructure from Ardleigh Road, Little Bromley Road, Hungerdown Lane, and Grange Road. Whilst, as before, we will leave detailed comments for a relevant landscape specialist, we would note that, from an urban design perspective, we would encourage the infrastructure and any hard surfaces to be screened from the public realm through the use of landscaping. The applicant has stated that there will be mitigation planting both onsite and offsite, which is positive to see albeit it is noted that this would still result in harm from a landscape perspective.	The screening of the VE onshore substation has been a priority in the development of the proposed mitigation planting, shown in the Outline Landscape and Ecological Management Plan – Revision C [REP2-022]. While the mitigating effect of the planting will not be instant, it is anticipated that significant effects will be gradually mitigated within a maximum of 15 years and within 5 to 10 years where planting has been located adjacent to principal visual receptors such as roads, PRoWs and settlement. The assessment of these mitigated effects is presented in Sections 2.11, 2.12 and 2.14 of the LVIA [APP-084] and are illustrated in the LVIA visualisations [APP-181-196].
ECC.52	Finally, there is the Landfall Compound seen in Route Section 1. We are unclear whether this would be an above ground structure. If so, then we would recommend similar treatments as were listed above. It should be well screened to the public realm through the use of landscaping and any boundaries which are otherwise sensitive.	The Applicant notes the Landfall Compound is a temporary compound for undertaking the complex trenchless crossing under the seawall. It is similar in design to the Temporary Construction Compounds along the export cable corridor). The land will be reinstated and returned to agricultural use at the end of construction.

3.12 PUBLIC RIGHTS OF WAY (PROW)

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.53	To support the above suggestions, it would be really helpful if the applicant has a website address (included on the notices) where they provide details of forthcoming closures, who at the applicants to contact to report any issues such as failures to re-open PROW by agreed times, poor surface conditions, missing signage, or any safety-related issues. This would also help alleviate the issue of notices on site being removed or becoming illegible though the applicant would monitor that.	The Applicant notes this comment. This can be discussed and agreed with Essex County Council as part of the final Public Access Management Plan.

ECC.54	The Outline PAMP is somewhat non-committal regarding manned (PROW) crossings. It is always the PROW teams preference that where vehicles and machinery are crossing PROW that banksmen should be present to safely manage and monitor this activity, giving priority to public rights and ensuring public safety. Where the applicants decide in the Final PAMP that a crossing can be unmanned ECC would expect an explanation as to why they view it so. Reasons such as 'PROW is low usage' would not in our view be mitigation as it only takes one user and one incident to result in a tragedy.	The Applicant notes this comment. This can be discussed and agreed with Essex County Council as part of the final Public Access Management Plan.

3.13 ARCHAEOLOGY

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.55	Further surveys would be required where ground disturbance is to occur in order to fully understand the archaeological impact of the development where there is likely to be a negative impact on the archaeological and geoarchaeological remains. In order to provide an effective mitigation strategy for heritage, any 'gaps' in the datasets need to be completed and the results of the geophysical survey should be 'ground-truthed' through a programme of trial trench evaluation. Any identified or known assets within the construction corridor need to be fully assessed so that the significance and value can be determined and assigned. Further intrusive assessment by trial trenching would provide clarity on significance and reduces project risk, particularly when targeted at key construction areas such as cable landing and direct drilling sites.	Noted, and this is covered in the Outline Written Schemes of Investigation (OWSI) [APP-256].The Applicant agrees with the approach set out by ECC. During the pre-application phase, as is normal for offshore wind farm projects, the project had to balance undertaking enough surveys to understand the potential archaeological effects with the impacts to arable farms of extensive trial trenching campaigns along the whole route. The Applicant focussed on the OnSS where there is less flexibility to microsite around potential archaeology.
ECC.56	DCO - However, it is recommended that this needs further detail in part due to the limited level of intrusive evaluation undertaken to date. The requirements will need to make clear that two stages of archaeological investigation will be required, initially in the form of the intrusive evaluation work so far not completed, and then the mitigation phase to ensure that either the identified deposits are protected within the scheme or are appropriately excavated in advance of any development occurring in that area. It is also recommended that the role of Historic England and the Local Authority Archaeological Advisors are identified in their role in signing off the field work and post excavation work within each area of archaeological investigation.	The Applicant notes it has submitted 10.23 Little Clacton Road Evaluation Report for information at this deadline which shows additional trial trenching since submission. No further information is expected to be available prior to the close of the examination. Although an extensive programme of archaeology surveys is planned pre-construction as detailed in the OWSI [APP-256]. The Applicant intends that the OWSI [APP-256] reflects the start of a phased approach to mitigation, with subsequent detailed WSIs being prepared for agreement by the relevant Consultees, prior to commencement, and updated based on previous phases (as necessary). The Applicant will work with the Local Authority Archaeological Advisors (and Historic England) to ensure that the documentation is robust, and provides an effective means of controlling and achieving the mitigation in accordance with the DCO Requirements.

3.14 TOURISM

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ECC.57	As for the impact on tourism, which is identified as a key component of the Tendring District Local Plan 2013 – 2033 and Beyond, as was formally adopted by the Council in two sections – Section 1 in January 2021 and Section 2 in January 2022, Policy PP8 (Section 2 of the Plan) identifies tourism as a key component to the areas socioeconomic profile is worth more than £276 million to the Tendring District. With the area containing a significant number of tourist destinations, and a wide variety of differing types of available accommodation, tourism is the main contributor to the local economic job profile, whether that is directly in hotels, caravan and chalet parks and tourist attractions or indirectly in shops, cafés and restaurants. The landward side of the construction works as proposed by this DCO proposal could have a significant impact on the areas attractiveness to tourism, with disturbance to both the attractiveness of the rural landscape and transportation as a result of the DCO within the wider Tendring peninsular.	The Applicant has responded to this point within 10.4 Applicant's Responses to Relevant Representations (Clean) [REP1-049] – see response to ECC-RR09.

4. SUFFOLK COUNTY COUNCIL [REP2-046]

4.1 SEASCAPE, LANDSCAPE AND VISUAL

Ref.	Applicant's comments	Applicant's comments
SCC.01	7.1 Good design: Paragraphs 4.7.10 to 4.7.15 of the Overarching National Policy Statement for energy ("EN-1") stress the importance of good design to Secretary of State ("SoS") decision making. Energy Infrastructure developments should be sustainable and as attractive, durable and adaptable as they can be. Functionality, aesthetics, amenity benefits and visual impacts should be considered as far as possible by the applicant. Further, paragraph 5.10.37 requires the SoS to 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. 7.2 AONBs: Paragraphs 5.10.7 to 5.10.9 of EN-1 give specific information on treatment of development which may impact on AONBs. These elaborate on the enhanced duty on public bodies, including the SoS, to "seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty", which was introduced by section 245 of the Levelling-up and Regeneration Act 2023. This is a relatively recent change to the statutory framework and so far, the Sheringham and Dudgeon Extension Projects is the only DCO decision for an offshore wind made following the coming into force of this new duty as far as SCC is aware. 7.3 SCC notes that the proposal is dependent for its connection to the National Grid on the provision of an as yet unconsented substation forming part of the proposed East Anglia Connection Node at Lawford, provision for which is not made by the Applicant and which is dependent on a separate NSIP project (Norwich to Tilbury) being promoted by National Grid Electricity Transmission securing consent. That project is not yet the subject of a NSIP application and is still at its pre-application stage. At Issue Specific Hearing 2 ("ISH2") SCC made representations that, given the uncertainties that attach to that project at the present time, the Applicant's proposal should be phased so that those elements which would have harmful impacts on the SCHAONB are not permitted to take place until it is clear that the required connection to the National Grid will be provided (see SCC's response to Agenda Item 3.1(d) in its Post Hearing Submissions following ISH2 in [REP1-071]). SCC considers that the securing of such a phasing requirement within any made DCO would be one way in which harm to the SCHAONB could be avoided, unless and until it was shown to be required to deliver the energy benefits of the proposal. SCC notes that this issue did not arise in the case of the Sheringham and Dudgeon Extension Projects, where the Grid connections for those projects (to an	7.1. The Applicant recognises the need for Good Design outlined in NPS EN-1. The offshore design principles document (9.3 Offshore Design Principles [APP-233]) sets out all considerations that informed the offshore design for the array. This has included mitigation relating to seascape, landscape and visual receptors, as described in Table 10.18 of 16.2.10 Seascape, Landscape and Visual Assessment [APP-079]. The Applicant considers that 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. Impacts on the designated SCHAONB coastline within East Suffolk are likely to be Moderate/Minor at worst in EIA terms and not significantly adverse. 7.2. The Applicant notes that the duty to 'seek to further' (LURA, 2023) was considered by the Secretary of State in determining the Sheringham and Dudgeon Extension Projects DCO (2024). The duty was held to be met because in that case the "the Applicant has taken reasonable precautions to avoid compromising the purpose of the designation". The Applicant would submit that it has also taken reasonable precautions and meets the standard as applied by the SoS. The Applicant refers to the detailed responses on this point set out at [7.27 to 7.29 and 7.32 to 7.37] below. 7.3. The Applicant does not accept that there is harm to the AONB – the nearest turbine would be 37km away from the AONB. As per the Applicant's 10.16 Applicant's Summaries of Oral Submissions for ISH1 (REP1-059) a conclusion of harm at this distance would be unprecedented. Accordingly, the premise on which SCC proposes a Grampian condition is rejected. Even if there were harm, a Grampian condition would fail the tests for planning conditions as applicable to DCO requirements pursuant to the MHCLG guidance '*Planning Act 2008: Content of a Development Consent Order required for Nationally Significant Infrastructure Projects*' (April 2024). First, it is not necessary. As discussed at ISH1 and ISH2 the Applicant would not construct turbines as part of a £multi-billion project unless it was confident that the project would be connected to the grid pursuant to its grid connection agreement with NGET. Second, precision and enforceability. SCC refers to a control by reference to when it is "clear the required connection to the National Grid will be provided". This test is extremely vague and would be unenforceable. At what point would it be "clear" that Norwich to Tilbury "will" be provided? Third, reasonableness. The uncertainty just referred to is clearly unreasonable – when would the condition be satisfied? The Applicant has multiple decisions to make when preparing its Contract for Difference bid, engaging with the supply chain, potentially placing orders for long lead times etc. It needs to know that it has an unfettered DCO in the usual way, otherwise it has the potential to adversely impact delivery and slow the entire project down. It is not justifiable to impose the kind of fetter proposed, even if it were better defined. Even if accepted at face value, the level of harm alleged does not justify the type of condition proposed. The Sheringham and Dudgeon Extension Project did require substantial works by NGET to connect the project (namely a major extension to the Norwich Main substation) which did not have planning permission at the time of the ExA's report or the Secretary of State's decision. This was referenced in paragraph 5.4.20 of the ExA's report:

	existing substation south of Norwich) were not dependent on the unconsented Norwich to Tilbury project 7.4 Paragraph 5.10.8 is particularly relevant to the offshore elements of this project, as a development outside the boundaries of the Suffolk Coasts and Heath AONB which may have impacts within it. The SoS should be satisfied that measures to further the purposes of designation are sufficient appropriate and proportionate to the type and scale of development. Paragraph 5.10.20 states that for AONBs, assessments should include effects on the natural beauty and special qualities of these areas. 7.5 Landscape management plans: Paragraph 5.10.24 of EN-1 requires applicants to 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. 7.6 Seascape: Paragraph 2.8.208 of the National Policy Statement for renewable energy infrastructure ("EN-3") requires that a seascape, landscape and visual impact assessment ("SLVIA") should be undertaken in accordance with the relevant offshore wind farm environmental impact assessment ("EIA") policy and the latest Offshore Energy SEA, including the White 2020 report.	*"5.4.20. The ExA is satisfied from the information provided by the Applicant that the signed grid connection contract does not depend on the delivery of the Norwich to Tilbury project. The ExA does acknowledge that additional NGET infrastructure will be needed to accommodate future energy generation in the East Anglia area. However, the ExA is of the view that this is a matter for NGET to address and not the Applicant given the signed grid connection contract that is in place. It is also evident that National Grid are actively seeking to address the issue. Further, as set out in NPS EN5 (Paragraph 2.3.5), NGET has a statutory duty to provide a connection whenever and wherever one is required."* Accordingly, the Secretary of State could, in theory, have imposed a Grampian condition linked to the impact (or otherwise) on the AONB in that case, of the kind suggested by SCC, but did not do so. 7.4. The Applicant agrees that as the Project is outside the designated SCHAONB landscape, the relevant policy test is that "[t]he Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development" (NPS EN1, para 5.10.8). The Applicant has fully considered the likely significant effects of the VE array areas on the special qualities of the SCHAONB in 6.2.10 Seascape, Landscape and Visual Assessment [APP-079] (pages 208-227 and Table 10.26). The conclusion of this assessment is that the VE array areas will not have significant adverse impacts on the natural beauty and special qualities of the SCHAONB. The natural beauty indictors of the SCHAONB, which inform its special qualities, are set out in the SCHAONB Natural Beauty and Special Qualities Indicators report ('the 'Special Qualities Report') (EDF Energy, SCHAONB Partnership, Suffolk County Council, Suffolk Coastal District Council and Waveney District Council, 2016), and in Table 10.14 of 6.2.10 Seascape, Landscape and Visual Assessment [APP-079]. These include **landscape qualities** such as its intactness, condition and influence of existing influence of 'incongruous' features (such as power stations and offshore wind turbines); **scenic qualities** such as its distinctive sense of place, striking landform, land cover, memorable views and sensory stimuli; the **relative wildness** and **relative tranquillity** of pockets of landscape associated with the coast and estuaries; as well as special qualities relating to natural heritage and cultural heritage. The VE array areas will not result in any direct changes to the current pattern of elements that define the landscape character of the closest areas of the coastline. No physical attributes that define special qualities of the SCHAONB will be changed. Many of the landscapes where special qualities are experienced are contained to the narrow strip where the coastal edges of Suffolk meet the sea, between Covehithe in the north, Orford Ness and Felixstowe – either from the shingle coast, occasional low cliffs and 'pockets' of coastal landscape associated with estuaries and marshes. These pockets of estuary and marshland are often very low-lying, situated inland from the coastal edge and visually contained, where open sea views are restricted. The effects of the VE array areas derive from changes to views from the low cliffs and parts of the shingle coast of the SCHAONB out to sea, adding an additional element in the simple composition of shingle, sea and sky - the juxtaposition of elements perceived from the coastal edge. Due to their location at considerable distance outside the SCHAONB and from the Essex coastline, the VE array areas only impact on the perception of character and qualities – which is considered an indirect effect. Changes to the perceived character occur in views from parts of the SCHAONB, rather than 'on' or 'within' the landscape. Some effects on the SCHAONB have been identified including in relation to specific individual 'special qualities'. These are particularly those aspects that relate to the large open vistas across heaths and along the coast, out to sea and from sea to the coastline; and the juxtaposition of elements in these views, as experienced from parts of the coastal edge of the SCHAONB looking out to sea. The SLVIA has found that the VE array areas would not give rise to significant effects on these views or the perceived character and qualities of the coastline, owing principally to its location at long distance offshore from both the SCHAONB coast of Suffolk (over 37.3 km to the array areas), together with the position of the VE arrays subsumed behind operational wind farms and the limited additional lateral spread of the VE WTGs on the sea skyline. 7.5. The Applicant has prepared an Outline Landscape and Ecological Management Plan (OLEMP) (REP2-022) which sets out

		the in principle measures which will be implemented for the onshore elements of VE to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources. 7.6. The Applicant's seascape, landscape and visual impact assessment (SLVIA) is contained in 6.2.10 Seascape, Landscape and Visual Assessment [APP-079] in line with NPS-EN3 (Paragraph 2.8.208)
SCC.02	A Lesser Black Backed Gull Compensation Area will be created at Orford Ness with predator exclusion fencing being installed. SCC considers that effects of the predator-proof fencing on the visual amenity of visual receptors in the 2km study area would be limited. There are no settlements or roads close to the site owing to the divisions created by the River Ore and River Alde, the presence of marshlands and reclaimed farmland. The nearest settlement is Orford, which is approximately 3.2km to the southwest and from which the construction activities associated with the erection of the proposed fence will not be readily visible to residents. 7.12 It will mostly be walkers within the local area of Cobra Mist and the shingle ridge whose views would be potentially affected by the proposed predator-proof fencing and its construction. 7.13 It is expected that there would be limited adverse effects on the visual receptors in the immediate area around the site, owing to existing restrictions on public access. From where visibility for walkers would occur (from the England Coast Path), typically beyond approximately 400m, the construction works and the predator-proof fence would appear relatively distant and small-scale and would be seen within a wider landscape and seascape in which other, larger structures have a greater visual influence. 7.14 The Council considers the proposed site as shown on Figures 1-3 of document 6.8.1.2 Lesser Black Backed Gull Landscape and Visual Impact Assessment ("the LBBG LVIA", [AS-047]) acceptable and to be suitably remote. 7.15 SCC notes the Applicant's recent change request to the LBBG compensation area. SCC's comments are made taking into account the applicant's change request. 7.16 Provided that there will be minimisation and rationalisation of existing fencing (i.e. that existing fencing, which may be rendered obsolete by the proposed predator-proof fencing, would be removed) and that the predator-proof fencing itself is minimised, it is expected that the effects on the landscape character and on visual receptors would be overall neutral in landscape terms in the context of other built structures which are visually more prominent. 7.17 SCC has had useful recent engagement with the Applicant with regards to this site and would welcome further clarification from the Applicant on the above points.	7.11. Noted by the Applicant, discussions will continue with all relevant parties.

SCC.03	Five estuaries offshore wind turbine arrays 7.18 The Council considers that (during good to excellent visibility conditions) there would be short term adverse effects on the perceived seascape and the coastal landscape character areas within the SCHAONB resulting from construction activities within the VE array areas. 7.19 The Applicant concludes in Document 6.2.10 Seascape, Landscape and Visual Assessment [APP-079] that these effects would be broadly of the same magnitude as effects experienced during the operational phase.	7.18. The Applicant agrees that there would be short-term effects on the perceived seascape and coastal character resulting from construction activities within the VE array areas (during very good to excellent visibility conditions only). 7.19. The Applicant confirms that its assessment is that these construction phase effects would be broadly of the same magnitude as effects experienced during the operational phase, which are assessed as generally being of low magnitude and no greater than moderate/minor and not significant EIA terms, noting that effects will be short-term and with some variation in appearance of the construction activities, mainly due the partial and progressive installation of WTGs and influence of offshore installation vessels.
SCC.04	Five Estuaries offshore wind turbine arrays – operational phase 7.20 As demonstrated by the Applicant's photomontages [APP-204] to [APP224] there would be theoretical visibility of the wind turbines throughout the year, however in reality weather conditions would limit actual visibility. It is expected that there would be visibility of the turbines for around 20.9% of the time throughout the course of a year under the worst-case scenario. While this may not seem high, this is higher than the 10% national average. 7.21 Throughout the year, when a south westerly airstream occurs, the turbines will be orientated 'full face' towards the towards the SCHAONB coastline. This will result in the turbines being illuminated by the sun's glow producing an enhanced appearance along the horizon. 7.22 The periods of the year with the best visibility are also likely to coincide with peak visitor times (summer holidays and especially on summer days when the sun is setting late). 7.23 Nevertheless, The Council considers that, in isolation, the proposed Five Estuaries wind turbine arrays would not result in significant effects on seascape and landscape or the SCHAONB. 7.24 This view was arrived at, when the Council commissioned White Consultants to provide an update addendum19 to their 2020 report into Suffolk Seascape Sensitivity Study to Offshore Wind Farms20. White Consultants concluded that turbines over 400m tall should be at least 40km away from the coast and preferable further. If the nearest wind turbine of any given array is around 40km away from the AONB coast, it would be highly desirable for the number around this distance to be minimised in order to avoid significant adverse effects on the National Landscape. 7.25 SCC assessed the potential effects of the maximum height turbines (399m at the time) at 37km and, as set out within the parameters of the update addendum, considers that the resulting visual effects on seascape and landscape or the SCHAONB and the	7.20 – 7.22. The Applicant highlights that 20.9% theoretical visibility frequency is based on the closest viewpoint within Suffolk, at Orford Ness, to the VE array areas. The range of distances from the viewpoints in Suffolk to the nearest point of the VE array areas is between 38.2km (Orford Ness, Viewpoint 9) to 49 km (Felixstowe Old Town, Viewpoint 11). Taking account of Met Office data, in the case of Viewpoint 11 at 49km, the visibility frequency likelihood is 8.9%. For Viewpoint 9 at 38.2km, the frequency is 20.9% (as the closest viewpoint within Suffolk). The full extent of the range of visibility frequency at viewpoints in Suffolk is therefore 8.9%-20.9%. The Applicant notes that for 79.1% of the time there would be no visibility, or only very poor visibility of the VE WTGs from the East Suffolk coast (based on Met Office visibility frequency data). Based on the Met Office Data and its own field survey observations, the Applicant agrees with the advice of East Suffolk Council's Landscape Officer, that due to weather conditions and distance, it is often more likely that the VE WTGs will not be highly visible on the horizon. The Applicant notes that the blades would not face the SCHAONB coastline during south-westerly winds. During these conditions the turbines would face into the wind, i.e. towards the south-west and facing into the Thames Estuary, presenting an oblique view towards the Suffolk coast. Given that SCHAONB is predominantly to the north west of the array, it is winds from this direction that would result in the blades facing the coastline as described. These winds occur approximately 10% of the time. Nonetheless, on a worst-case basis all assessments have been based on the turbine blades facing the receptor. 7.23. The Applicant notes that Suffolk County Council considers that, in isolation, the VE array areas would not result in significant effects on seascape and landscape or the SCHAONB. The Applicant agrees with this conclusion 7.24. The Applicant notes the findings of the addendum to the Suffolk Seascape Study (White Consultants, June 2023), on which it has provided comments in its response to Relevant Representations submitted at deadline 1 (REP1-049). The Applicant also highlights the reduction in the maximum height of WTGs to 370m (above LAT) (as per the Applicant's change request (AS-014 to AS-061)), noting the 'very approximate ratio' between WTG height and distance in Figure 2 of the Suffolk Seascape Study (White Consultants, June 2023), a WTG of 370m height located at 37km would fall below the medium magnitude threshold (and below the 'probable' significance threshold for a high sensitivity receptor). 7.25. The Applicant notes that Suffolk County Council considered that for 399m height WTGs the resulting effects on seascape, landscape and visual receptors, including the SCHAONB, would remain under the threshold for significance for Environmental Impact Assessment ("EIA") purposes. The Applicant highlights the reduction in the maximum height of WTGs to 370m (above LAT) (AS-014 to AS-061), which further reduces the level of seascape and landscape visual impact.

	Suffolk Heritage Coast would remain under the threshold for significance for Environmental Impact Assessment ("EIA") purposes. 7.26 However, both in isolation and in accumulation with neighbouring wind energy arrays, the height of the proposed wind turbines (now between 370m and 324m), may result in residual visual effects, even if this is found to sit below the level of a likely significant effect for EIA purposes. The strengthened duty to further the purpose of conserving and enhancing natural beauty in relation to the SCHAONB by reason of section 85 of the Countryside and Rights of Way Act 2000 (in effect since 26 December 2023) is unlikely to be met if the assessment only addresses likely significant effects for EIA purposes. All residual effects should be brought into account. The reason for this is that the proposed wind turbines, especially those which are 370m tall, are noticeably taller than those of neighbouring arrays and therefore will not only visually stand out more themselves but also potentially draw the attention to the accumulation of arrays along the coast more generally, thereby increasing the perceived adverse visual effects. In the Applicant's Seascape, Landscape Visual Impact Assessment (SLVIA) [APP-079], the Applicant considers impacts which fall below the threshold of likely significant effects to not require appropriate mitigation. SCC disagrees, for reasons discussed in paragraphs 6.33 to 6.37 below. 7.27 From some of the Suffolk viewpoints the proposed turbines would be positioned behind the existing Galloper/Gabbard wind farms. In combination with other, existing or consented wind energy arrays, however, there is concern with regards to the creation of a curtaining effect when viewed from the more northern viewpoints along the coast, by closing the visual gap between East Anglia Two and Galloper. 7.28 In conclusion, there is potential for long-term cumulative adverse visual effects both above and below the significance threshold to affect the perceived character of the wider seascape, the landscape character of LCAs/LCTs within, and the special qualities of the designated landscape. 7.29 The Applicant appears to be using a Rochdale envelope approach to allow for flexibility in the number and height of the turbines they will be installing. SCC understands that the Applicant aims to reserve the option to choose any height and number of turbines within this range, so long as it does not exceed the maximum rotor swept area as detailed in the draft Development Consent Order ("dDCO"). In the SLVIA the previous maximum height of 399 metres was considered to be the worst-case scenario [APP-079, table 10.17]. The Applicant has provided wirelines for the 79 turbines at 324 meters scenario for comparison purposes [PD4-010]. SCC considers the 41 turbines at 370 metres each to be the worst-case scenario because the 370m turbines will appear noticeably	7.26. The Applicant notes and agrees that small area of the VE array areas which are theoretically visible for limited periods of time in ideal weather conditions will result in some residual visual effects with neighbouring arrays but considers that these fall below the level of likely significant effects in EIA terms. The Applicant notes that the authorised development is not located within the national landscape. At 37km at the closest point, the Applicant also submits that it is not within the immediate setting of the national landscape. Even if the development is found to be within the setting, the NPPF is clear that it is not the setting itself that is being protected but the impact of any changes on the designated areas. The setting is not important in its own right (a principle recently re-confirmed by the judgement in R (Ardleigh Parish Council) v Tendring District Council [2024] EWHC 648 (Admin)). The same should apply to duty, it is only the impact within the designated area that is applicable. The setting is the area which affects how a designation is experienced. Visibility from a landscape or within the setting does not automatedly equal harm to that landscape as it does not necessarily change the experience of that landscape. Any change is also not automatically harmful. The Applicant submits that the experience of the landscape cannot reasonably be held to be harmed by the addition of turbines that are only theoretically visible in ideal conditions, are set in the context of closer and more prominent windfarms, and at a minimum 37km distant. To adopt this position is equating any visibility with harm. Just because something is visible, does not mean that the special qualities of a national landscape are harmed and that this is an impact which require to be mitigated (by which SCC are understood to mean compensated for in this case as mitigation measures have already been applied through design). While there is as yet very limited consideration of this duty, the Sheringham and Dudgeon decision did not set the bar for compliance at the level suggested by SCC but rather at the quoted level that the Applicant has taken reasonable precautions to avoid compromising the purpose of the designation. The Applicant considers that it has already applied appropriate mitigation relating to seascape, landscape and visual receptors, as described in Table 10.18 of 16.2.10 Seascape, Landscape and Visual Assessment [APP-079], which has ensured that effects are not significant, and in addition, it has further reduced the maximum height of WTGs to 370m (above LAT) (as per the Applicant's change request (AS-014 to AS-061)). The Applicant is aware that the Levelling-up and Regeneration Act 2023 (LURA) places a duty in respect of all 'relevant authorities' to 'seek to further the purpose of conserving and enhancing the natural beauty of the AONB'. The Applicant highlights that LURA does not say that a project cannot have an impact on natural beauty, or that it cannot result in harm(s) to special qualities. The duty is to 'seek to further the purpose'. In line with this duty, the Applicant has sought to conserve the natural beauty of the SCHAONB through the siting and design of the VE array areas, including mitigation embedded in the project design, which ensures significant effects are avoided. The Applicant has further minimised any theoretical impact by reducing tip height to 370m. The Applicant considers that the project reasonably conserves the special qualities and features of the SCHAONB and that all reasonable efforts have been made to avoid or minimise significant adverse impacts on the SCHAONB, as set out further in relation 7.33 to 7.37 below. 7.27. The Applicant has provided comments on the 'curtaining effect' in its response to Relevant Representations submitted at deadline 1 (REP1-049 and REP1-051). The Applicant's position is that the 'curtaining' effect is not significant given the retention of a gap between VE and EA2 in the majority of views; the very long distance of the viewpoints where the gap is narrowest; the relatively narrow additional increase in lateral spread of the VE WTGs; their introduction as elements that are similar to and mainly behind those that are present or consented; and their very long distances from the SCHAONB

	taller than the existing arrays to a greater extent than any other scenario and as a result, draw more attention to neighbouring arrays, increasing perceived negative visual impacts	on the sea skyline, all of which diminishes the potential 'curtaining' effect, and limits the cumulative effect to occurring in only the most optimum, infrequent, visibility conditions. 7.28 The Applicant notes that Suffolk County Council conclude that there is potential for cumulative effect above and below the significance threshold. Based on the detailed assessments undertaken in 6.2.10 Seascape, Landscape and Visual Assessment [APP-079], it is the Applicant's position that the cumulative effect falls below that which would be considered significant in EIA terms. In line with its SLVIA methodology (APP-197) the Applicant considers that the VE array areas would not provide a defining influence on the SCHAONB nor result in a material change to its existing landscape character and special qualities, in which the baseline characteristics will continue to provide the definitive influence. The Applicant considers that Suffolk County Council has not articulated which special qualities would be affected by the VE array areas and how these qualities might be changed as a result. The Applicant's assessment of the special qualities, assessed in detail in the 6.2.10 Seascape, Landscape and Visual Assessment [APP-079] (pages 208-227, Table 10.26 and Table 10.36) finds that many of the SCHAONB special qualities will not be changed at all and will continue to prevail regardless of the proposed development, which will only result in effects on the visual/perceptual aspects of particular scenic qualities of the SCHAONB relating to its long distance and panoramic views out to sea. The Applicant's overall conclusion is that the VE array areas will not have significant adverse impacts on the natural beauty and special qualities of the SCHAONB. 7.29. The Applicant wishes to again clarify that the proposal is not to develop either 41 'large' or 79 'smaller' WTGs. The commitment in the DCO is that the number of WTGs will not exceed 79 and the maximum tip height will not exceed 370m LAT. The controlling parameter is therefore total swept area, which allows for a sliding scale between these two extremes (maximum no. WTGs and maximum height). For the purposes of EIA two indicative array layouts were produced, one with the maximum number of larger turbines allowed within the swept area calculation (which equated to 41 at the original tip height of 399m LAT), and one with the maximum number of turbines at a nominal lower height (noting that the turbines could ultimately be shorter than the 324m tip height referred to, but could never be more numerous than 79). On that sliding scale there could be up to 46 WTGs at 370m LAT tip height, a figure that has always been within the assessed maximum design scenario, and therefore does not affect the worst case assessment. This point is further elaborated in Document 10.20.5 – Technical Note: Number of Wind Turbine Generators submitted at Deadline 3. Additional wireline visualisations for a 41 WTG layout at 370m tip height were submitted at Deadline 1 and 2 to allow direct comparison between the relative heights of the 399m tip height and the reduced tip height. It should not be taken that this represented a 'new' worst-case scenario. The Applicant agrees that the indicative scenario of 41 WTGs at the maximum blade tip height (399m – as assessed in the SLVIA) represents the worst-case scenario for seascape, landscape and visual. The Applicant has provided comments on the apparent height of the VE WTGs in its response to Natural England's Relevant Representation submitted at deadline 1 (REP1-051). The Applicant accepts that the taller height of the closest WTGs within the northern VE array area would be noticeable (in very good and excellent visibility) compared to the operational WTGs, however it would highlight that this becomes less noticeable with distance, as the apparent height of the VE WTGs diminishes. The apparent blade tip height of WTGs within the southern VE array area will generally be in keeping with the existing Galloper and Greater Gabbard WTGs, albeit with a perceptibly larger rotor diameter, however scale effects are diminished by the WTGs being subsumed behind the existing arrays.
SCC.05	On-shore substation – construction, operational and decommissioning phases	The ZTV is a tool used as a starting point in landscape and visual assessment and its limitations need to be recognised. A common misunderstanding with ZTV mapping relates to the fact that areas of 'high visibility' can be shown 500m from the proposed development as well as 5km from the proposed

	7.30 Given the existing landform, intervening built structures and intervening vegetation, visibility of the proposed substation, including construction works, is expected to be limited from visual receptors within Suffolk. The Council does, however, consider it important to fully assess potential visual receptor locations within the Dedham Vale AONB and Suffolk Coast and Heaths AONB from areas of higher visibility, and to include cumulative effects with other projects into the assessment. 7.31 The Council agrees with Babergh and Mid Suffolk Councils that the effects of the pylons which are expected to be built as part of the Norwich to Tilbury Grid Reinforcement need to form part of this assessment, and should be provided at the earliest opportunity.	development. This term can be misleading as it refers to the proportion of the development theoretically visible from that point and should not be interpreted as a measure of the potential magnitude of change. For example, the proposed development might be visible in its entirety from 500m and from 5km, with both areas identified on the ZTV as 'high visibility', and while would form a close range and large scale feature from 500m, would be seen as a small-scale and distant feature from 5km where the magnitude of change would likely be negligible. In relation to Dedham Vale AONB, there is no potential for significant effects or cumulative significant effects to arise owing to the separation distance between the National Landscape and the onshore substation which means that even if actual visibility were to arise, the onshore substation would be seen as a relatively compact feature in a wider landscape. Site work has confirmed that the potential for actual visibility is limited by the screening effect of existing vegetation across this landscape. In relation to Suffolk Coast and Heaths AONB, there is even less chance of a significant effect arising as the separation distance is over 5km, there is a greater accumulation of intervening tree cover and if actual visibility were to arise, the onshore substation would be seen as such a small and distant feature that there would be no potential for it to redefine the character of the local landscape or view. The Norwich to Tilbury overhead electricity transmission line will have a very limited influence on the cumulative assessment of the VE onshore substation, principally owing to its location to the west and north-west of the EACN - which is in the opposite direction to the location of the onshore substation. The addition of this transmission line to the cumulative context will not change the findings of the cumulative assessment presented in the LVIA [APP-084].
SCC.06	7.32 To ensure any negative effects on the setting and visual amenity of the SCHAONB are avoided until they are required to deliver the energy benefits of the proposal, consideration should be given to a phasing restriction on undertaking works to construct the offshore WTGs until it is clear that the East Anglia Connection Node, on which the proposal is wholly dependent for its own Grid connection, has been consented and is to be delivered 7.33 To ensure that any negative effects on landscape and visual amenity are minimised, the differences in effects resulting from the two extremes of the potential windfarm formations should be fully assessed. It is expected, that, as the array area will not change, the curtaining effect would remain largely unchanged across the range of possibilities. However, it would need to be assessed whether fewer, taller wind turbines and their potential jarring contrast with other arrays or a higher number of smaller wind turbines, which would result in denser and therefore potentially more visible arrays, would overall result in the least adverse impact in landscape and visual terms. These findings would then also need to be balanced against requirements of other topic areas. 7.34 SCC considers that a very clear justification should be required for an applicant to request consent for a range of options within a project, in which the taller options are more harmful to the AONB, in order to allow them to choose, in due course, which to impose on the designated landscape.	7.32 The Applicant does not accept that there is any possibility of any significant adverse effect on the SCHAONB, as supported by the ES, and therefore submits that the restriction sought is unnecessary, serves no planning purpose above. and should not be imposed. Please also refer to 7.3 at point SCC.01 7.33 In line with the Rochdale Envelope approach to EIA (Planning Inspectorate Advice Note Nine: Rochdale Envelope (PINS, 2018), the maximum height WTG that could be installed under the DCO is assessed in the SLVIA as the worst-case scenario (APP-079, table 10.17), in which the number of WTGs will not exceed 41 at the 399m maximum tip height used as the maximum design scenario in the EIA. The 'range of configurations' or differences in effects resulting from the two extremes of the project design does not need to be assessed as the worst-case scenario has been assessed under the Rochdale Envelope approach. The Applicant considers that the effects of 79 WTGs at the minimum height (324m) is likely to be of slightly lower magnitude than 41 turbines at the assessed 399m tip height, due to the smaller apparent height of the 324m WTGs (in comparison to 399m); scale comparisons with operational WTGs; and the lesser extent of the ZTV, however the difference is relatively subtle and unlikely to change the effects below the thresholds already assessed for the worst-case scenario 'larger' WTG layout in the ES. These effects are already assessed as generally being of low magnitude and no greater than moderate/minor and not significant EIA terms for, and this is accepted by IPs. Please see Document 10.20.5 – Technical Note: Number of Wind Turbine Generators submitted at Deadline 3 for detail on this point. 7.34 to 7.36. The Applicant notes that an application for consent for a project with a design envelope is common practice for developments of this nature, as set out in Planning Inspectorate Advice Note Nine: Rochdale Envelope (PINS, 2018). As set out above at 7.26, the Applicant considers that the Project has sought to further the purposes of the SCHAONB by minimising adverse impacts as far as practicable, avoiding significant effects such that it reasonably conserves the special qualities of the SCHAONB, and therefore that the Project has been designed sensitively given the various siting, operational, and other relevant constraints. The Applicant is unable to commit to building the 'least harmful' or lowest impact

	7.35 SCC considers that this justification is necessary in the context of a general obligation to minimise harm, and, more particularly in the context of the AONB, a statutory obligation to further the statutory purposes, at least so far as practicable. 7.36 In SCC's opinion, if the outcome and aims of the project can be achieved with the less harmful scenario, there would need to be very strong justification to allow a more harmful scenario to remain as part of the proposals. SCC acknowledges the Applicant's position that such flexibility is required due to technology changes that may occur over a period of time, but SCC is not convinced that this rationale is sufficient where a greater degree of harm is caused. 7.37 To the extent that, even with the minimisation of harmful impacts, there will still be residual harm to the SCHAONB, SCC considers that the new duty to seek to conserve and enhance the natural beauty of the SCHAONB requires measures to be put forward, so far as practical, to offset that harm. SCC would welcome discussions with the Applicant, in conjunction with the Suffolk and Essex Coast & Heaths National Landscape Partnership, on proportionate and deliverable improvement measures that could be undertaken to enhance the natural beauty of the SCHAONB by way of offsetting the residual harm.	option, and indeed notes that this would not only require a subjective judgment to be made but would restrict turbine selection and procurement with no regard to any other factor, including other environmental factors, undermine the ability to deliver the most efficient development balancing all the applicable factors and be fundamentally destructive to the consent being fit for purpose. Designing the layout in the most optimal way involves balancing a number of competing technical, economic, functional and environmental factors. Turbine selection for the project cannot be driven by non-significant AONB impacts, which do not result in any assessed harm to the AONB special qualities and do not justify committing to the smallest turbine as a form of mitigation beyond the measures already embedded within the project design. The DCO application needs to allow for required flexibility in the final design, as the scale of the wind farm needs to be sufficient to be commercially viable, achieve a CFD and utilise the optimal turbine technology available on the market at the time of construction, in order to maximise energy generating potential in response to UK Government policy. The Applicant highlights that the term 'harm' is not defined or used within published guidance for the assessment of landscape and visual impacts (Guidelines for Landscape and Visual Impact Assessment, Landscape Institute, 2013, 3rd Edition). In line with published guidance, assessments undertaken in 6.2.10 Seascape, Landscape and Visual Assessment [APP-079] focus on identifying and assessing likely significant effects, in accordance with the EIA Regulations. The Applicant considers 'harm' to be a planning policy term that is part of the planning balance judgement. In the Applicant's professional judgement, 'harm' would most likely be associated as occurring where significant effects arise and equally, that it is unlikely that harm would arise where effects have been assessed as not significant in EIA terms. It is the Applicant's view that residual, non-significant effects cannot be considered harmful to the purposes of a designation. The fact that significant effects have been avoided does, in the Applicant's view, mean that the proposed development has minimised harm to the landscape, and has included appropriate mitigation to minimise adverse effects, in line with NPS EN-1 policy (5.10.34 and 5.10.37). 7.37. The Applicant considers that it is not proportionate for further measures to be imposed given the low magnitude, non-significant impacts arising. The Applicant considers that the project reasonably conserves the special qualities and features of the SCHAONB and that reasonable efforts have been made to avoid or minimise significant adverse impacts on the SCHAONB. As it is outside the designated landscape, the relevant policy test is that *"[t]he Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development"* (NPS EN1 5.10.8). The Applicant takes the strong position that the impact of the Project on the special qualities of the SCHAONB is of low magnitude, not significant (moderate/minor) and indirect and therefore is not 'harm' which requires to be offset. To reiterate further, the project is situated 37 km offshore at its closest point, with the majority of WTGs beyond that distance (and behind existing projects) which further supports the conclusion of no significant effects and the very limited impact on the designated landscape. The Applicant submits, given there are no significant effects, it is not proportionate for further measures to be imposed and that current measures are sufficient and appropriate. The Applicant reiterates that the duty applies in the context of a planning determination, any measures imposed would still have to meet the tests for imposition in that context, including being necessary to achieve a planning purpose. The Applicant submits that no such necessity has or can be demonstrated given the assessed, and agreed, level of potential worst case impact is not significant. The conclusion of the SCC position appears to be that if a development can be theoretically seen from an AONB on occasion, despite the fact it will be seen at a considerable distance and as part of a seascape already containing the same form of built development, that is harmful and the duty to enhance requires

		the Applicant to 'offset' this unevidenced harm. The suggestion for doing this is through 'improvement measures' which are not defined, and no case is made as to how they offset the alleged harm.

4.2 TRAFFIC AND TRANSPORT

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
SCC.07	8.11 There may be a negative impact on the local transport network and communities due to additional road traffic from construction and decommissioning activity and related AIL, HGV, LGV and car movements in terms of severance, pedestrian delay, pedestrian amenity, fear and intimidation, driver delay, accidents and safety, noise and air pollution.	The Applicant has updated Table 8.17 in 6.3.8 Traffic and Transport chapter - Revision C [AS-043] to show the split of the distributed workforce vehicles from the A12 North that are forecast to arrive from / depart to the A12/ A14 Copdock Roundabout for those living in Ipswich (4.4%, which equates to 8 in the peak hour for Five Estuaries (VE) or 10 for VE and North Falls Offshore Wind Farm (NF OWF)). This is based on the agreed distribution with Essex County Council and National Highways. The remaining 14.4% of workforce vehicles originating from the A12 North are assumed to originate from Babergh District (6.0%) Mid-Suffolk District (1.0%), Suffolk Coastal (1.4%) which would be dissipated on the local road network within Suffolk. The remaining 6% is attributed to other locations other further than Ipswich; however, as workers are unlikely to travel greater than 45 minutes, it is assumed this proportion of workers would arrive from the locations listed above which would be dissipated on the local road network within Suffolk. HGVs would originate form the A14 west or east, which is the strategic road network (SRN). Some may originate from the A12 north, which is in the jurisdiction of Suffolk County Council; however, it is likely these would be limited and have no material impact. Given the above, it is not expected there would be any significant traffic and transport effects on the local road network in Suffolk.
SCC.08	8.12 An accumulation of NSIPs in the region could exacerbate effects of traffic arising from this project. These include Norwich to Tilbury, EA2 and Sizewell C, which the Applicant has accounted for in their cumulative assessment [REP1-018, table 8.45], but also others which the Applicant has not included in its assessment. These include four other electricity grid upgrades (Sealink, Lionlink, Bramford to Twinstead and Nautilus interconnector) and other offshore windfarms, including EA1N and EA3. For SCC to be satisfied that there will not be a significant impact on the Suffolk local highways network, the Applicant must expand its study area and consider the cumulative impacts of the other NSIPs listed above.	The Applicant has updated Section 8.12 (Environmental Assessment: Cumulative Effects) in 6.3.8 Traffic and Transport chapter - Revision C [AS-043], with additional commentary setting out the reasoning for not including Sea Link, Lion Link, Bramford to Twinstead, Nautilus and East Anglia THREE in the cumulative impact assessment and is being submitted as Revision D at Deadline 3.
SCC.09	8.13 The Applicant has not yet provided substantive details of whether it plans to have AILs travel through Suffolk, including from a port in, or to the north of, Suffolk. Use of such a port would inevitably mean that traffic would make use of SCC's local highways network, which includes the A12 north of Ipswich. SCC understands that the Applicant will submit a technical note for Deadline 2 on this issue. The Applicant has provided some information on what AILs it expects the project to require in the revised version of the OCTMP [REP1-043, section 2.3], but the Applicant still has not specified explicitly whether it plans for these AILs to travel through Suffolk at all. SCC expects a definitive answer on whether the Applicant plans on moving AILs	The Applicant cannot provide a definitive answer on this point. There may be some requirement for the use of the Suffolk local highway network for Abnormal Indivisible Load (AIL) deliveries, depending on the port that is selected, with the exception of the largest AIL, which is the transformer for the Onshore Substation. The Applicant however notes, again and as set out in the AIL technical note [REP2-029] that there are special order AILs (such as the transformers) and non-special order (such as the cable drums) separate consent is already required by legislation for all AIL movements from the relevant highway authority, Section 2.3.8 of the Outline Construction Traffic Management Plan (Revision C) [AS-055] sets out the process whereby the relevant local highway authority/ authorities would be notified of any Abnormal Indivisible Load (AIL) deliveries including advising of timings, routes and any asset protection measures. Further information on this process is provided in the response to SCC.10 below.

	of any form through Suffolk included within its technical note to be submitted at Deadline 2.	
SCC.10	8.14 If the Applicant intends for AILs to travel through Suffolk, then SCC requires assurance that the proposed routes have been adequately assessed and demonstrated to be fit for purpose. This includes proving that highway structures are capable of bearing the anticipated loads. This may require surveys or investigation of structures where such information is dated or not available and, if necessary, repairs or temporary works to these structures.	Section 4.1.16 of the Outline Construction Traffic Management Plan (Revision C) [AS-055] states how an Abnormal Load Assessment Report (ALAR) would be prepared and would be discussed and agreed with the relevant highway authority/ authorities. The Applicant however notes that any movement of AILs is subject to the need to obtain an order from the relevant highway authority. The Applicant noted that in ISH4 SCC tried to argue that this did not properly protect them for unspecified reasons. The Applicant notes however the advice given on SCC's own website (https://www.suffolk.gov.uk/roads-and-transport/lorry-management/apply-to-move-abnormal-loads#:~:text=If%20you%20are%20moving%20an,the%20responsibility%20of%20National%20Highways. a pdf copy of the relevant page as accessed on 9 November 2024 is attached as Appendix 1) provides: "**You must get consent from us** to drive a vehicle carrying an abnormal load, which is excessively long, wide or heavy, through Suffolk" (emphasis added) and: "You must provide an indemnity to the highway authority for any vehicle over 44 tonnes". That webpage states that the need for consent "gives Bridge, Highway and Police authorities the opportunity to check that the movement of an abnormal load will not place undue stress on the structures being crossed or, for police authorities, will not cause a hazard to other road users". The Applicant accordingly maintains it position that SCC is seeking to unnecessarily duplicate an existing control regime in place precisely to control the movement of AILs on the public highway and protect the highway assets.
SCC.11	8.15 Another factor which could affect the impact of AIL movement within Suffolk is the extent to which the Applicant coordinates their AIL strategy with North Falls. AIL coordination would be feasible due to the proximity of the two projects and would mitigate the amount of disruption caused by the movement of AILs. SCC welcomes the commitment by the applicant to coordinate with North Falls on AIL strategy in its Coordination Document [APP-263, paragraph 6.3]. In this paragraph, the Applicant submits that a coordinated AIL strategy will be set out in each projects' respective Construction Traffic Management Plans ("CTMPs").	The Applicant notes that this comment relates to the Tripartite Position Statement within 9.30 Coordination Document [APP-263]. *"6.3 Further details will be set out within each projects' Construction Traffic Management Plans as to how communication will be undertaken between projects and how traffic impacts will be managed between the projects, including for example communication around abnormal load delivery timings and routes"* Communication around AIL timings and routes is given as an example of coordinated communication There is no commitment that the projects will produce a coordinated AIL Strategy.
SCC.12	8.16 Additionally, if possible, special-order movements across the A137 Ostrich Creek bridge, on the southern outskirts of Ipswich, should be avoided, since this requires a temporary structure, the installation and removal of which creates significant disruption to local traffic.	The Applicant notes this comment – the A137 Ostrich Creek bridge relates to the use of Ipswich port and would not be used by special order AIL deliveries. The Applicant however notes, again and as set out in the AIL technical note [REP2-029] and in response to SCC.10 above that separate consent is already required by legislation for AIL movements from the relevant highway authority.
SCC.13	8.17 The Applicant notes in its Workforce Travel Plan [APP-259] at section 2.3.1 that the movement of AILs will require agreements with relevant highways authorities which are separate to the CTMP. SCC requests that the applicant provides SCC with heads of terms for such an agreement during the examination period so that it can inform the ExA of any issues arising out of these negotiations. Particularly, SCC is concerned about how the Applicant intends to use Suffolk's rural road network to reach strategic road networks if it intends on moving AILs from a Suffolk port.	There may be some requirement for the use of the Suffolk local highway network for Abnormal Indivisible Load (AIL) deliveries, depending on the port that is selected, with the exception of the largest AILs, which are the transformers for the Onshore Substation. Similarly as in the responses to SCC.10 & SCC.14 the Applicant has outlined the existing regulations that are used to cover the AILs, hence there is no need for "Heads of Terms". .

SCC.14	8.18 SCC requests that the Applicant coordinates its strategy for AIL movement with the North Falls project, if it intends to move AILs through Suffolk at all, in accordance with the provisions of NPS EN-5. This kind of coordination would ensure that disruption and damage caused by the movement of AILs is mitigated as far as possible, and so seems to be a sensible form of mitigation from SCC's point of view. SCC notes that the Applicant refused to coordinate with North Falls on this point, on the basis that it is prevented by competition law from doing so. Despite this, the Applicant is coordinating with North Falls on a multitude of other issues for the purpose of mitigating harms, such as reducing the order limits required by their onshore cabling, and has previously claimed it will coordinate on this issue [APP-263, paragraph 6.3]. Hence, SCC requests that, if the Applicant is refusing to coordinate with North Falls on the grounds of competition law, the Applicant should give a strong justification as to why exactly this is the case, and why it is unable to coordinate with North Falls on this issue, but is able to do so on many other issues.	The Applicant has produced a technical Note [REP2-029] outlining the Construction and Use Regulations and Special Movement Order (SMO) categories of AILs. The purpose of these regulations is to manage the movement of AILs and allow various Highways Authorities a mechanism to control their use. The Applicant will not commit to this as the Applicant cannot commit North Falls to such co-ordination, neither project has committed to specific ports for the bulk of deliveries. The Applicant considers that SCC is unreasonably seeking to restrict use of the public highway through the DCO in circumstances where such use is already controlled through another legislative regime.
SCC.15	8.19 to 8.23 relating to a Port Construction Traffic Management Plan	This was addressed by the Applicant under Agenda item 3.7 of ISH1 and in [REP1-059]. With reference to the other DCOs mentioned by SCC, it is not clear to the Applicant why a management plan would be required. These documents are forms of mitigation, however the Applicant is not proposing any development at a port, and therefore has not assessed impacts and accordingly has no need for mitigation. The same would apply to any other ancillary facility, factory or other location (e.g. a waste disposal site) where vehicles that may support the project would use, but which would be managed under consents and any required traffic management plans associated with those sites. Such sites, including any port, will have assessed traffic impacts associated with the use of their facility as part of their consent, and there is no reason why project-related traffic should be considered any differently or cumulatively to any other user of an existing port. As an example only (referenced because it is an operational, local port within Essex which can handle abnormal loads and for which traffic numbers are publicly available as part of the recent Tilbury 2 DCO process), the Port of Tilbury generates approximately 16,500 movements a day (3,000 of which were for the Tilbury 2 expansion and 13,500 of which are for the original port). The Applicant's traffic numbers, even at the worst case assessed peak and with every movement using that Port (which is unrealistic), would not make any material difference in the traffic flows in and out of the Port or on the route to the Port in that context. The Applicant notes the submission made that some of the East Anglia OWF DCOs have such a condition. That does not mean it is necessary in this case or even of any meaningful use in those cases. The Applicant has no direct experience of the East Anglia projects but one its shareholders is developing the Sofia OWF with a similar requirement. The experience on that project is that this is entirely unnecessarily catching every port used by the project and requiring plans to be submitted to local authorities far from the development site in relation to use of operational ports, which authorities do not see any need for such plans given the context is in use of an operational port as part of existing traffic flows. This is significant as there appears an assumption that a single construction port is identified and then used, however it reality a number of ports may be used for different activities and requiring the Applicant to submit a port traffic management plan for mobilising a site survey (for example), which is routinely undertaken from operational ports, is wholly disproportionate. Furthermore this requirement has the effect of reducing flexibility of the project which actually limits the potential benefits to local ports. The Applicant is aware of at least one example of a contractor wishing to

		change from a European port to using a local UK port but that this could not be accommodated given the time it would take to have a traffic management plan in place for the minor activities proposed. LPAs with stretched resources are being asked to approve plans for traffic to an operational port for a development they have no knowledge of or interest in and which in some cases is hundreds of miles away, with ports being used including for example Fraserburgh in North-east Scotland for the English Sofia OWF development. In no case has this process resulted in change to the plans submitted in terms of the HGV or other vehicles movements. This requirement is serving no useful purpose but is causing delay for the project and unnecessary work for LPAs.
SCC.16	8.24 The Lesser Black Backed Gull Landscape and Visual Impact Assessment [APP-227] includes a reference to the works being likely to take around three weeks. If this was a commitment to the works taking no more than three weeks, SCC would view the level of disruption as being negligible. SCC would like to see language inserted into a suitable control document (such as the Outline Construction Traffic Management Plan [APP-257]) which ensures that the impacts are either negligible or appropriately managed.	The Applicant does not see any need for a control document such as a Construction Traffic Management Plan for the scope of the works at Orford Ness and associated likely vehicle movements. The Applicant does not accept that the traffic movement numbers generated for the construction of the fence would be of a level where any likely significant effect could occur (a point that SCC appears to agree, subject to a commitment on timing). Therefore traffic controls are not necessary or justified. The Applicant notes that as well as space on the quay there is a large car park (The Orford Quay Car Park) already in situ where vehicles could park in order to access the boat to Orford Ness. Whilst the Applicant notes SCC's suggestion of a commitment on timing, this can cannot be committed to at this stage as the exact length of the works will be subject a number of factors including weather and availability of vessels (noting the LBBG EIA states that 'Fence installation and any installation works would be *expected* to take around three weeks'). As the DCO already contains a requirement that requires a construction method statement to be approved by the relevant authority (in this case East Suffolk Council) and given the scale of the works, this is sufficient for controlling the potential minor impacts. The Applicant also notes the local planning application for the near-identical proposal at Orford Ness for the Norfolk Projects (DC/22/3447/FUL). In the officer's report consideration was given to traffic impacts, with the conclusion being that "Given the small-scale of the construction works, using standard construction vehicles, and the good existing road links to Orford Quay, there is not anticipated to be any potential for any traffic disruption to arise as a result of the installation of the predator-proof fence, and no likely significant effects, related to traffic and transport, are anticipated.". As such no condition for a traffic management plan was imposed and the Applicant sees no reason it's proposal would differ from this approach.

4.3 ECONOMIC DEVELOPMENT AND SKILLS

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
SCC.17	9.16 The project could provide some benefit in terms of additional spend of non-home-based workers. However, without further evaluation this can only be assumed to have negligible impacts in Suffolk. 9.17 The applicant could work with the Councils on schemes/strategies encouraging non-homebased workers to spend locally. The Applicant could document its intention to assess these numbers as relevant to Suffolk in future iterations of the OSES.	The effect of workforce spending on (for example) food, drink, entertainment, travel and accommodation (for workers temporarily living in the area during construction) has been assessed at the Wider Study Area (WSA) and Local Study Area (LSA) level within Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085]. The effect is considered to be beneficial, but not significant at either scale. It is not considered to be within the scope of the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] to encourage workers to spend locally. Inherently these workers will spend locally due to the need for sourcing accommodation within these areas, and therefore it is likely that convenience retail spend would also inherently be retained locally.

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
SCC.18	The Applicant should work with their associated supply chains, contractors and local partners to recruit and train local people ahead of the construction period which will ensure that they develop their skills and are enabled to move between roles and different types of contracts as we see a range of energy infrastructure projects in the region. The project, as part of the wider energy infrastructure construction projects, is an opportunity to generate skills and employment outcomes and subsequently contribute to the achievement of both national and local policy objectives. The project could have some minor positive impacts on the local supply chain through investment in local businesses to support delivery of the installation of the project. However, given the relatively short construction period of the project, the benefits on the local supply chain is not expected to have a long-term impact unless consideration is given to the wider network projects and how local supply chain can support all of these. There are, in addition to Five Estuaries, further projects requiring similar skillsets in planning that are expected to be constructed. Therefore, a developed, experienced local supply chain can expand to take advantage of these projects and be in a position to export their expertise to similar largescale project opportunities nationally. To maximise these opportunities, the Council expect the Applicant to work with local stakeholders to develop programmes that will support local businesses to grow and offer their services to supply the promoters project and other related projects within and outside the region.	As set out in Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085], an Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] has been developed through engagement with regional stakeholders, with measures that seek to identify and secure a greater contingent of local workforce (than assessed in the ES), increasing skills locally and lowering the number of workers needed from beyond the boundaries of the WSA while supporting the regional co-ordination of major construction projects and their workforce skills delivery. The strategy is secured as a Requirement within the draft DCO [APP-024] and provides an outline strategy that can be developed further with the relevant key consultees into a Skills and Employment Strategy that will facilitate positive and meaningful commitments and activities within the region by the Applicant. The Applicant recognises the importance of continued engagement between Local Authorities, major projects and contractors, supply chains and the skills and business infrastructure in the area.
SCC.19	SCC welcome the Applicant's production of an outline skills and employment strategy. SCC believes that with a few changes to the OSES, and through a continued collaborative approach, the project will prove socio-economically beneficial to Suffolk. SCC wishes to work with the Applicant to ensure that its activities in this domain are coordinated with others which are happening in Suffolk to maximise the possible benefits for the people of Suffolk. To achieve these positive impacts, including for those furthest from the workforce and vulnerable groups, the applicant would need to identify the different skills required across their total workforce, and then the propensity and flexibility of the labour market within the study area to fill these identified roles. SCC would expect a tightening of the labour market due to other major energy projects, including Sizewell C, taking place in relative proximity at a similar time. In parallel, the applicant would also need to identify local supply chain companies that can become involved in the project. It would be helpful if the Applicant included definitions of what is specifically meant by its use of geographical terminology, such as "local", in its OSES. This is because it is sometimes unclear whether this term is meant to include Essex, Suffolk, or parts of Essex and/or Suffolk. Clarification of the use of such terminology will ensure that SCC fully understands what activities the Applicant intends to carry out in Suffolk. The Applicant needs to work collaboratively with local stakeholders, share detailed skills and job information in advance and provide funding for interventions that will ensure a pipeline of local people can be trained and enter the labour market at the right time with the right skills to take up opportunities that the scheme will provide.	The Applicant notes that the opportunity to utilise the local supply chain in Suffolk may be detrimentally impacted by the traffic movement restrictions SCC is seeking to have imposed on the Applicant. Reference to 'local' primarily relates to Tendring District, and this is the scale of the Local Study Area (LSA) used within Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085]. Paragraph 4.1.4 of the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] (Section 3) sets out the reasons why the focus is on Tendring: • This has been identified as a key focus area by consulted stakeholders (including Suffolk and Essex County Councils). • Promoting local workforce and supply chain will retain economic benefit to those communities most likely to experience change from VE. • Reducing workforce travel by employing local labour will reduce carbon and wider effects on traffic and transportation. • Tendring (as set out further within this section) currently experiences severe socio-economic deprivation which is in part driven by low skills, low qualification attainment and income and employment inequalities – and therefore offers the greatest potential for effective change driven by VE.

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
SCC.20	The Council considers there is a likely negative impact on workforce availability to regional businesses due to workforce displacement and churn. Within the region, there are numerous energy infrastructure projects planned and expected to be in construction around the same period as the Applicant's development. These projects would likely require some of the skills and workforce needed for the construction of this project. To mitigate this impact, the Applicant should include provision in the OSES to work collaboratively with the Council to ensure a strategic approach in order to help control the rate of workforce displacement. Labour required should also include members of the local workforce who might not have the necessary skills without some investment in training locally. Labour market churn occurs as workers move between jobs. While the Council welcomes, in principle, opportunities for individuals to access jobs with better pay and enhanced career paths, in this case the Council considers that labour market churn will have a damaging negative impact on the local economy. Given the relatively short construction period of this proposal, any employment churn, where skilled labour prematurely leaves their current local employment to work on the project, will have a damaging negative impact on the local economy.	The Applicant has responded to Suffolk County Council's concerns about workforce churn and displacement in 10.4 Applicant's Responses to Relevant Representations (Clean) [REP1-049] (SCC-RR19). Overall, the Project's local workforce demand is very small in the context of the overall labour market supply, and workforce churn is a normal part of the labour market.
SCC.21	SCC expects the negative impacts of labour market churn to be especially pronounced during the transition from the construction to the operational phases of the project due to the significant shift in the number of workers required by the project as it moves into its operational phase. SCC expects the Applicant to mitigate this impact during this transitional phase by facilitating further opportunities for their workforce. This can be achieved in a variety of ways which will be discussed with the Applicant during consultation regarding the drafting of the SES. Such methods may include assisting workers in gaining employment in other nearby green energy NSIPs which require similar roles/skills, or finding employment in related, non-NSIP roles/industries. SCC also expects the Applicant to remain engaged and work alongside with the Regional Skills Coordination Function delivered by SCC during all phases of operations.	The Applicant considers this point to be somewhat contradictory, given Suffolk County Council also raises concerns about a *lack* of supply to meet long-term, civils construction and NSIP construction demand. The Applicant notes that most construction workers are used to moving projects/sites regularly, and will have planned as such (or their employers will have – they will continue to work for their employer if in employment, or if self-employed will be ready to move on, and this will be enhanced by the skills that they will have gained from working at Five Estuaries secured by Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260]). For further clarity, the Applicant refers to a report referenced within Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085] (CITB, 2023. Workforce Mobility and Skills in the UK Construction Sector – East of England Report 2022) which notes that: 4.3.1 47% of construction workers in the East of England are self-employed and therefore very familiar with regular moves from site/project to site/project • The remaining 53% are either with an employment agency or contractor and therefore would move work/site with the contractor as standard • 37% of construction workers are employed on a temporary basis – so regular mobility is not uncommon 4.3.2 Only 13% of construction workers are undertaking formal construction industry qualifications / accreditations – the project would likely expect higher rates and therefore leave a legacy of improved likelihood of those employed on our project to gain new work • Only 8% of workers expect to be working on a site for more than a year, demonstrating regular transition and short tenures in the sector

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
		• Despite this, only 6% (8% in England as a whole) are not confident that when they finish this job, they will get a job that allows them to travel from their permanent home to work on a daily basis
SCC.22	SCC anticipates that the project, given its location close to the Suffolk Coast & Heaths National Landscape and Dedham Vale National Landscape Area and other rural areas of Suffolk of importance to the tourism economy, could have impacts upon visitor perception, and visitor numbers. In combination with other projects happening simultaneously in the area, the impact could be significant. Moreover, negative impacts on tourism and visitor numbers will likely be greater during the operational phase of the project due to the longer timescale.	The Applicant has responded to Suffolk County Council's concerns about tourism and perceived impacts / visitor numbers in 10.4 Applicant's Responses to Relevant Representations (Clean) [REP1-049] (SCC-RR11).
SCC.23	9.31 SCC wants to see that the economic and skills benefits maximised in a way which doesn't involve duplicate or discordant initiatives coming forward due to a lack of coordination. This point extends to initiatives, activities and effects on Suffolk's workforce resulting from other NSIPs in the region. So, SCC contends that there should be, written into the Requirement, a clear commitment that there is consultation with SCC, which is coordinating those various employment skills matters within Suffolk, to ensure that the maximum benefit is gained from the measures in the strategy. SCC believes that there is nothing problematic with this proposal and that it is a better way of ensuring that the benefits are widespread and are realised. Specifically, this requested change to Requirement 18 must ensure that SCC be named as a statutory consultee of the discharging authority of the Requirement. 9.32 Although SCC is happy to be consulted by the Applicant during the formation of the SES, SCC claims that it also ought to be a statutory consultee of the discharging authority for this requirement to ensure that SCC's interests are properly considered by the Applicant. This alteration is vital for SCC to ensure that it is satisfied with the details of the final SES as they relate to Suffolk and to ensure that the public interest is properly safeguarded in relation to the important issue of skills and employment benefits.	The Applicant has been grateful for their engagement with Suffolk County Council in developing a collaborative approach to the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260]. However, given that Suffolk County Council is not a host authority, and that a very small proportion of the local workforce is anticipated to be drawn from Suffolk (given the relative proximity of urban centres in Tendring and Colchester which together have a construction labour pool of 16,000 workers), there is no requirement for mitigation of an impact and the Applicant does not consider it necessary for Suffolk County Council to be a named statutory consultee of the discharging authority of Requirement 18. Volume 6 Part 3 Chapter 3 (6.3.3) Socio-Economic, Tourism and Recreation [APP-085] sets out that it is anticipated that the Project would require a construction workforce from the local labour market of up to around 100 workers (offshore and onshore combined) on average over construction phase. It is noted from CITB labour market mobility studies referenced earlier in this table that around a third of construction workers in the East of England travel less than 10 miles to work. Applying this radius to the project's Order Limits provides an estimate the available labour market by location – there are 22,000 construction workers living in this area. Around a third of those workers live in Suffolk (mainly south Ipswich, at the very edge of the 10 mile radius). As such it is not anticipated that Suffolk would contribute substantially to the resident labour demand for the Project (the Applicant estimates around 40 workers). Ipswich's construction labour pool (2021 Census) is nearly 6,000 construction workers. However the Applicant would recognise the benefit to SCC of being informed about the skillsets and quantitative labour demands of the Project. Paragraph 4.1.4 of the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] sets out the reasons why the focus is on Tendring and Essex rather than Suffolk: 4.3.3 This has been identified as a key focus area by consulted stakeholders (including Suffolk and Essex County Councils). 1) Promoting local workforce and supply chain will retain economic benefit to those communities most likely to experience change from VE.

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
		2) Reducing workforce travel by employing local labour will reduce carbon and wider effects on traffic and transportation. 3) Tendring (as set out further within this section) currently experiences severe socio-economic deprivation which is in part driven by low skills, low qualification attainment and income and employment inequalities – and therefore offers the greatest potential for effective change driven by VE. While a WSA has been used to account for those travelling longer distances, the Applicant therefore considers that it is more proportionate to reach an agreed oSES with Tendring and Essex Councils. That does not preclude information sharing, consultation, and support to and from SCC who the Applicant considers is both a relevant party and would benefit from said information, and can provide input to support the Applicant, ECC and TDC based on their experience of NSIP delivery, particularly offshore wind, and its Regional Skills Coordination Function.
SCC.24	SCC notes that neither the OSES, nor the Socio-Economic, Tourism and Recreation assessment [APP-085] include any statement on the issue of workforce displacement. SCC contends that the SES should include workforce displacement within its scope of mitigations. Examples of how this could be achieved include the Applicant assisting its workforce with finding employment after their tenure is complete. This could be achieved either by helping them transition into industries related to their previous ones, or by helping them transition into working on other, similar NSIPs, or by some other means created through collaboration between SCC and the Applicant. To mitigate this impact, the Applicant should include provision in the OSES to work collaboratively with the Council to ensure a strategic approach in order to help control the rate of workforce displacement. Labour required should also include members of the local workforce who might not have the necessary skills without some investment in training locally.	The SES will provide for upskilling to support employment transition. Paragraph 2.3.3 of the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] provides examples of initiatives that include e.g. "*Early-stage careers by providing work, experience, apprenticeships, traineeships/internships*"; and "*Upskilling and encouraging Continued Professional Development of employees*".
SCC.25	SCC is encouraged by the fact that the Applicant acknowledges the levels of economic inactivity and unemployment in Suffolk in their OSES [APP-260, section 4.5.6]. SCC also acknowledges the Applicant's example activities which it wishes to emulate regarding promoting opportunities for those with disabilities and under-represented communities [APP-260, table 3] SCC hopes that in the final version of this document, the Applicant will commit to providing and facilitating opportunities for these and other vulnerable groups in Suffolk not mentioned in the OSES. Such facilitation of opportunities could be included in the proposed initiatives mentioned in section 2.3.3 and table 3 and could include initiatives tailored towards specific vulnerable groups with the aim of facilitating their employment in relation to their differing needs.	The Applicant agrees with SCC's suggestion of providing and facilitating opportunities for vulnerable groups in Suffolk [and Essex] and this will be set out in the development of the SES through consultation with the statutory consultees and Suffolk County Council – It is noted that the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] does not limit which groups would be included within skills measures. Paragraph 2.3.3 provides examples of initiatives that include *"Supporting the increase of diversity of people in the offshore wind workforce and improving inclusion in the industry*"
SCC.26	SCC appreciates the Applicant's intention to coordinate with North Falls in their respective SESs [APP-260, section 1.2]. However, SCC notices that details on how the Applicant's approach will adapt to the presence of other large-scale NSIPs, most notably Sizewell C, are omitted in its OSES.	The Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] does not exclude engagement with other NSIPs and the Councils and working with going forward. SCC is identified as a consultee.

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
	SCC requests that the Applicant include a detailed strategy on how it will adapt its approach to its various activities and employment strategies in Suffolk based on the presence of other NSIPs which demand high numbers for their own workforce including commitment to engage and work alongside with the Regional Skills Coordination Function delivered by SCC	Paragraph 2.1.3 of the oSES states: "*The Applicant intends to feed into existing local and regional structures and workstreams rather than duplicating them and ensure coordination with other NSIP projects in the area, such as North Falls and the National Grid Norwich to Tilbury project*" As such, the SES will be developed through engagement with SCC's Regional Skills Coordination Function and will be cognisant of the presence and employment demand of other NSIPs as a result.
SCC.27	SCC notes that the sections relevant to skills, employment and economic development from its Energy and Climate Adaptive Infrastructure Policy and Strategic Engagement are omitted from the OSES. Such references are relevant to section 4.3 of the OSES and are desirable to be included. The policy states that applicants ought to seek to maximise their economic benefits, such as from economic growth, skills, STEM education for the benefit of the communities of Suffolk to support long-term economic growth. Applicants should also aim to add social value through their projects, and should integrate relevant communities into their projects.	Primarily, the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] is reflective of ECC and TDC policy, but in development of the detailed SES the Applicant will ensure that any relevant policy such as SCC's Energy and Climate Adaptive Infrastructure Policy and Strategic Engagement are considered.
SCC.28	SCC welcomes the Applicant's mention of apprenticeships as an example of activities it could undertake in the OSES [APP-260, sections 7.1.3, 2.3.3 and table 3]. SCC believes that this would be a fruitful activity for Suffolk, though Suffolk is not presently mentioned specifically in relation to apprenticeships. SCC acknowledges that this is likely due to the OSES currently being an early iteration, but notes that the Applicant should ensure that its apprenticeship strategy adequately covers Suffolk. The Applicant should ensure that it develops a clear, detailed plan for an apprenticeship strategy, which is in accordance with relevant NPS and other relevant legislation, in its SES in order to maximise apprenticeship opportunities in Suffolk. This point also demonstrates why SCC considers it necessary for itself to be consulted by the Applicant during the formation of the SES, and with the relevant discharging authority for this Requirement. Such consultation is necessary to ensure that SCC is satisfied with the Applicant's final apprenticeship strategy, is formed to be as effective as possible, and coordinated with other apprenticeship activities happening within a similar timeframe within Suffolk by other NSIPs	Apprentices are a core part of the Outline Skills and Employment Strategy (Volume 9, Report 27) [APP-260] and will be for the SES – however the Applicant notes that is likely to focus on the population / labour market most local to the site given the financial constraints on apprenticeships.

4.4 OFFSHORE ECOLOGY

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
SCC.29	Negative Impacts – Nathusius pipstrelle The Council notes the submissions made by other parties (such as the German Federal Maritime and Hydrographic Agency [RR-035]) in relation to the potential impacts of offshore wind farms on the migratory bat the Nathusius' pipistrelle (Pipistrellus nathusii). It should be noted that national and local survey information indicates that this species is present in Suffolk and Norfolk and Essex.	As highlighted in 6.3.4 Onshore Biodiversity and Nature Conservation [APP-086], no evidence of Nathusius' Pipistrelle were found during presence/ absence surveys. However, the Applicant acknowledges during the activity survey Nathusius' pipistrelle passes were recorded at all except two survey locations across the terrestrial survey area. It is considered most likely that Nathusius' pipistrelle pass through the terrestrial survey area. Any such bats would be expected to stop to forage upon abundant sources of prey. The lack of

		regular evidence, however, suggests the area is not a well-used resource by the local population at the time of survey.
SCC.30	In addition, it appears that migratory bats and especially juveniles, are vulnerable to death from collision with, or proximity to, moving wind turbine blades. Proximity to wind turbines is known to result in death through barotrauma, which occurs because of exposure to the pressure changes located near the surface of moving wind turbine blades. Fast-moving wind turbine blades create regions of high- and low-pressure variations along the blade surfaces. If bats fly within these regions, the rapid change in pressure may cause internal bleeding, damage to lungs or other organs, and damage to the inner ear.	While mortality of bats at wind farms include barotrauma (results from exposure to the pressure variations caused by rotating turbine blades) as first presented by Baerwald et al. (2008) a number of studies have been undertaken since, including NREL (2012) *Reducing Bat Fatalities From Interactions with Operating Wind Turbines* and Lawson et al. (2020) *An investigation into the potential for wind turbines to cause barotrauma in bats*, which disputes the hypothesis that barotrauma is responsible for a significant number of wind-turbine-related bat fatalities. However, it should be noted, the more recent studies have been undertaken on several mammal species (representative of bat species) as there is no data available on pressure change levels that cause barotrauma in bats. Therefore, it is better to assess the potential for impacts from collision to include barotrauma as they are closely related with regards to the proximity to the blades in which a bat has to be for an impact to occur.
SCC.31	As a migratory species, Nathusius' pipistrelle is protected by the Convention on the Conservation of Migratory Species, to which the UK is a signatory state. SCC recommends that advice is sought from Natural England on the Secretary of State's obligations under these treaties in relation to Nathusius' pipistrelle. This would help the ExA and the Secretary of State to understand the extent to which potential harm to these bats could engage an exception under paragraphs (3) and (4) of section 104 of the Planning Act 2008.	As noted by Natural England in their recent submission to the ExA [REP2-059], as this issue was raised by the German body, they advise that it is a matter for them.
SCC.32	These issues, impacts, and potential mitigation measures are set out in detail in Appendix 1 of the UK Government's Offshore Energy Strategic Environmental Assessment 4 ("OESEA4") 15.	The Applicant acknowledges the literature review desk study laid out in Appendix 1 of the UK Government's Offshore Energy Strategic Environmental Assessment 4 (OESEA4); however it should be noted that OESEA4 contains no conclusions or recommendations for UK projects in relation to migratory bat mitigation. The measures established for Borssele offshore wind farm (Boonman M (2018) Mitigerende maatregelen voor vleermuizen in offshore windparken. Evaluatie en verbetering van stilstandvoorziening. Bureau Waardenburg Rapportnr. 18-278. Bureau Waardenburg, Culemborg) (as outlined in the OESEA4) were determined after several years of monitoring and modelling at the wind farm to reduce loss in energy production and reduce the risk of bat collision mortality. There is no examples of this limitation being applied on an English offshore wind farm. The study at the Borssele further states that the areas to which the mitigation strategy should apply are those relatively close to the coast and due to the limited opportunities to rest and forage above the North Sea, bats have little choice but to continue the migration. The study concluded that it is therefore expected that the curtailment strategy will be applicable in a generic way only to the coastal zone west of the Dutch Zeeland coast which can be reached by bats within one night after departure, the proposed VE development is not within the coastal zone for either the UK or Netherlands and the considerations arising for Borssele are not applicable to Five Estuaries.
SCC.33	Required Mitigation Section A1a.7.3.1 of the OESEA4 appendix highlights a precautionary mitigation measure for the Borssele offshore windfarm of imposing between 25 August and 10 October a turbine cut[1]in wind speed (i.e. the wind speed at which the turbine starts generating electricity) of 5.5 to 6.0m/s during an easterly wind and 5m/s during low temperatures and westerly winds. Whilst the precise dates chosen are not explained in	The Applicant, as identified in [REP1-049], has stated the level of activity is not likely to be high in the area of the proposed development. As there are, therefore, no likely significant effects, no mitigation measures have been proposed. The proposed mitigation measures, as noted by SCC, cannot be assumed to be appropriate or necessary for all OWFs.

	OESEA4, they would seem to relate to periods of higher autumn migratory activity (see section A1a.7.1.1).	
SCC.34	SCC consider that this precautionary mitigation measure would be suitable for this project. Offshore wind farms typically have cut-in speeds of between 3.5 and 4.0m/s, so the adjusted cut-in speeds would only reduce generation by a small amount over a specific time frame.	
SCC.35	Any argument that imposition of this measure would be disproportionate should be accompanied by a calculation of the generating losses that it would entail as compared to a more conventional cut-in speed.	
SCC.36	SCC is open-minded as to whether this adjustment to cut-in speeds should be secured as a design parameter in the text of the DCO or by inclusion in a suitable control document.	

5. EAST SUFFOLK DISTRICT COUNCIL [REP1-041]

5.1 SEASCAPE, LANDSCAPE AND VISUAL

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ESDC.01	The Five Estuaries wind turbines will be located approximately 37km off of the East Suffolk coast at the closest point, being located behind existing wind farms when viewed from most East Suffolk coastal viewpoints. ESC notes that impacts have been assessed 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 and Essex Coast and Heaths National Landscape (formerly AONB). The Applicant's seascape assessment concludes that the majority of the wind turbines 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. Our primary concern has been reflected in our responses to the pre-application consultations as well as our Relevant Representation [RR-024], and relates to potential seascape visual impacts introduced on the Suffolk and Essex Coast and Heaths National Landscape resulting from the further extension to the Galloper offshore wind farm. At the time of submission, the Applicant was proposing wind turbines up to 399m above sea level, much taller than the existing intervening Galloper offshore wind turbines having a maximum blade tip height of only 180.5m above sea level. The existing Galloper wind turbines are located approximately 27km offshore and the proposed Five Estuaries wind turbines will be positioned behind the existing windfarm when viewed from the coast, noting these will be almost twice the height of the Galloper turbines. However, without repeating the full narrative set out within our Relevant Representation [RR-024], it was acknowledged at the time of submission that the Applicant had reduced the maximum height of the proposed wind turbines to 399m (from approximately 420m) following the Preliminary Environmental Information Report (PEIR) consultation, as part of the Five Estuaries' project development, including the turbine array area being reduced following pre-application consultation feedback, with a section of the northern array being removed to help avoid filling in the 'gap' between existing wind farms as seen from the Suffolk coast. Moving from the Scoping stage to PEIR, ESC notes that the northern array's developable area was reduced by 22% (a 16% reduction of the total developable area). The justification presented for this refers to the sensitivity of views from the coast, particularly from within the National Landscape (formerly AONB). Therefore, ESC's initial seascape visual impact concerns were reduced following review of the Applicant's detailed assessment materials for the DCO submission. Whilst it is understood that there will be no effective visibility for the majority of the year, the most likely chance of visibility is likely to occur at the time of year of highest visitor numbers and therefore it could be argued that there is a possibility of added impact above and beyond that for local residents because visitors have a higher expectation of a clear view to the horizon. However, seascape views may be more sensitive to additional wind turbines being introduced if there are existing offshore wind turbines within the vista. There are concerns that, where visible from some viewpoints, there will be an almost continuous row of visible turbines across the horizon from the proposed ScottishPower Renewables (SPR) East Anglia 2 array, through 6 Five Estuaries, Galloper and Gabbard, to North Falls (if all fully built out), although it is accepted that this will still be dependent on weather conditions which determine visibility.	The Applicant notes the full narrative set out within East Suffolk Council's (ESC) Relevant Representation [RR-024] and the Applicant has provided comments on this in its response to Relevant Representations submitted at deadline 1 (REP1-049). The Applicant notes that ESC considers that the reduction in the maximum height of wind turbine generators from 399m to 370m (above LAT) (as per the Applicant's change request [AS-014 to AS-061] and Draft DCO [AS-031]) further reduces the level of any seascape and landscape visual impact. The Applicant agrees with ESC that the VE array areas are not likely to result in significant adverse visual effects on the Suffolk coastline or its designated landscapes.

	ESC considers that there will be adverse impacts on the designated National Landscape coastline within East Suffolk, however we accept that these impacts are likely to be Moderate/Minor at worst in LVIA terms, and they are not significantly adverse to justify objection for landscape and visual impact related reasons. We come to this conclusion principally because of the influence of meteorological/atmospheric conditions in determining the frequency of visibility, and because of the presence of existing and already consented wind farms which mean that the magnitude of change arising from this proposal is moderated in comparison to there being no existing windfarms (despite the presence of existing offshore wind turbines potentially increasing the sensitivity of the view to additional offshore wind turbines as stated earlier). In addition, we do not consider that the statutory purposes for designation of the National Landscape are compromised to an extent that justify grounds for objection. This conclusion is based on the currently submitted proposals, should these change at any stage, ESC would need to revisit our position in terms of seascape visual impacts. ESC also notes from the Applicant's 'Five Estuaries Offshore Wind Farm Project – Deadline 1 Covering Letter' (3rd October 2024), that they will be '…limiting some Project parameters within the 3.1 Draft Development Consent Order – Revision B, as indicated at Deadline D. This includes a reduction in the maximum height of wind turbine generators from 399m to 370m above lowest astronomical tide'. ESC notes that this further reduces the level of any anticipated seascape and landscape visual impact, which at a closest distance of approximately 37km offshore, is not likely to result in significant adverse visual effects on the Suffolk coastline or its designated landscapes.	

5.2 LESSER BLACK BACKED GULL COMPENSATION

Ref.	Excerpt / Summary of LIR comment	Applicant's comments
ESDC.02	ESC, as the relevant planning authority, makes comment on the Applicant's proposals for Lesser Black Backed Gull compensation at Orford Ness. ESC notes the engagement with the Applicant on this proposal and the inclusion of the relevant planning authority in the steering group for the proposed measure. ESC also notes the potential collaboration with North Falls and the non-objection to the proposed measures.	The Applicant notes the full narrative set out within East Suffolk Council's (ESC) Relevant Representation [RR-024] and the Applicant has provided comments on this in its response to Relevant Representations submitted at Deadline 1 (REP1-049). In reference to collaboration with North Falls, the Applicant continues to engage with North Falls on compensation matters and it will be for that project to decide on the further development of their measures. The Applicant is pleased that ESC recognise engagement to date, and are grateful to the input provided by the council. The Applicant is committed to ongoing dialogue and consultation with the council as the measure is progressed.

6. APPENDIX 1: SCREEN CAPTURE OF SUFFOLK COUNTY COUNCIL WEBSITE REGARDING AILS - 9 NOVEMBER 2024

Apply to move abnormal loads

You must get consent from us to drive a vehicle carrying an abnormal load, which is excessively long, wide or heavy, through Suffolk.

Share this page

You must check the Suffolk Police guidance before you plan your route and notify them using the details on their site.

If your route uses a trunk road you will also need to contact National Highways for permission.

You must provide an indemnity to the highway authority for any vehicle over 44 tonnes.

Heavy, wide or long loads are commonly referred to as 'abnormal loads' although the correct term is an 'Abnormal Indivisible Load' (AIL). An abnormal indivisible load is one which cannot be divided into two or more loads for carriage on roads without undue expense or risk of damage.

Mobile cranes, engineering plant and road recovery vehicles are also likely to fall within STGO legislation.

- For heavy loads, the loaded vehicle must exceed 44,000kg in gross vehicle weight.
- For wide loads, the loaded vehicle must exceed 3m in width, including any left of right projections.
- For long loads, the loaded vehicle length must exceed 18.75m rigid length.

The Legislation	Notification procedures	Advance notice requirements	Indemnity required for Highways & Bridge Authorities	Short noti movemen & geographi area cove

The Legislation

The legislation that covers the movement of abnormal loads is called 'The Road Vehicles (Authorisation of Special Types) (General) Order 2003'. It is more commonly referred to as The STGO. You can access the full legislation online - The Road Vehicles (Authorisation of Special Types) (General) Order 2003 (legislation.gov.uk)

Why is the legislation in place?

Depending on the loaded vehicle weight, width or length, the STGO requires hauliers intending to transport an abnormal load to pre-notify Highway, Bridge and Police authorities of their intention to move. This gives Bridge, Highway and Police authorities the opportunity to check that the movement of an abnormal load will not place undue stress on the structures being crossed or, for police authorities, will not cause a hazard to other road users.

Contact us

Abnormal loads officer, Suffolk County Council Abnormal Load Service, c/o Cascade Software, Brixbury House, Down Lane, Compton, Surrey, GU3 1DQ

Tel: 01483 811822

9am to 5pm Monday to Thursday

9am to 4pm Friday

Email: suffolk@abloads.com

Webchat

Find out how to contact Customer Services quickly and securely using live chat.

You can also find options to help yourself online, and phone us if needed.

Contact Customer Service

⚠ Report a highways issue

You can report a highways issue such as a pothole quickly and easily online.

Apply to move abnormal loads

You must get consent from us to drive a vehicle carrying an abnormal load, which is excessively long, wide or heavy, through Suffolk.

You must check the Suffolk Police guidance before you plan your route and notify them using the details on their site.

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The legislation that covers the movement of abnormal loads is called ‘The Road Vehicles (Authorisation of Special Types) (General) Order 2003’. It is more commonly referred to as The STGO. You can access the full legislation online - The Road Vehicles (Authorisation of Special Types) (General) Order 2003 (legislation.gov.uk)

Why is the legislation in place?

Depending on the loaded vehicle weight, width or length, the STGO requires hauliers intending to transport an abnormal load to pre-notify Highway, Bridge and Police authorities of their intention to move. This gives Bridge, Highway and Police authorities the opportunity to check that the movement of an abnormal load will not place undue stress on the structures being crossed or, for police authorities, will not cause a hazard to other road users.

Notification procedures

A notice, usually referred to as an ‘abnormal load notification’ must be submitted by the haulier moving the abnormal load and must contain the specific detail required with the STGO. This includes:

A list of all the authorities to which the notice is given

Details of the user of the vehicle to include address, telephone number, fax number, email address, users licence number, users reference number

Details of the intended journey to include point of departure, point of destination, time, date and route of the journey and details of the load being carried

Details of the vehicle or vehicle combination to be used including registration number, type of vehicle (s), loaded vehicle dimensions including length (including front and rear projections), width (including lateral projections), height, gross weight, number of wheels per axle, all axle weights and spacings.

The full requirements can be found online - The Road Vehicles (Authorisation of Special Types) (General) Order 2003 (legislation.gov.uk)

Advance notice requirements

Dependent on the loaded vehicle weight, width or length, the abnormal load notification must be provided by hauliers to authorities prior to any movement taking place.

Weight:

For a gross weight of the loaded vehicle up to 80,000kgs, 2 clear working days' notice must be provided to Highway and Bridge Authorities

For a gross weight of the loaded vehicle exceeding 80,000kgs and up to 150,000kgs, 5 clear working days' notice must be provided to Highway and Bridge Authorities and 2 clear workings days' notice must be provided to police authorities.

For a gross weight of the loaded vehicle exceeding 150,000kgs, a Highways England BE16 Special Order form must be submitted with 8 weeks' notice and a notification must also be submitted to Highway, Bridge and Police Authorities giving 5 clear working days' notice.

Width:

For a width of the loaded vehicle exceeding 3m and up to 5m, 2 clear working days' notice must be provided to Police Authorities

For a width of the loaded vehicle exceeding 5m and up to 6.1m, a Highways England VR1 form must be submitted giving 10 days' notice and a notification must also be submitted to Police Authorities giving 2 clear working days' notice

For a width of the loaded vehicle exceeding 6.1m, a Highways England BE16 Special Order form must be submitted with 8 weeks' notice and a notification must also be submitted to Highway, Bridge and Police Authorities giving 5 clear working days' notice.

Length:

For a rigid length exceeding 18.75m up to 27.4m, 2 clear working days' notice must be provided to Police Authorities

For a vehicle combination exceeding 25.9m, 2 clear working days' notice must be provided to Police Authorities

For a rigid length exceeding 30m, a Highways England BE16 Special Order form must be submitted with 8 weeks' notice and a notification must also be submitted to Highway, Bridge and Police Authorities giving 5 clear working days' notice.

Notes to remember: Clear working days do not include weekends or bank holidays.

Indemnity required for Highways & Bridge Authorities

The STGO stipulates that hauliers must provide Highway and Bridge Authorities with an indemnity to cover either a specific movement, added to an abnormal load notification or to cover a period of one year, known as an annual block indemnity and usually submitted from 1 January to 31 December each year.

The STGO also stipulates the wording that the haulier must use within the indemnity. Details can be found The Road Vehicles (Authorisation of Special Types) (General) Order 2003 (legislation.gov.uk) (at the bottom of the page accessed within this link.

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