RWE Renewables UK Dogger Bank South (West) Limited

RWE Renewables UK Dogger Bank South (East) Limited

Dogger Bank South Offshore Wind Farms

Policy Compliance Assessment Tables

Volume 8

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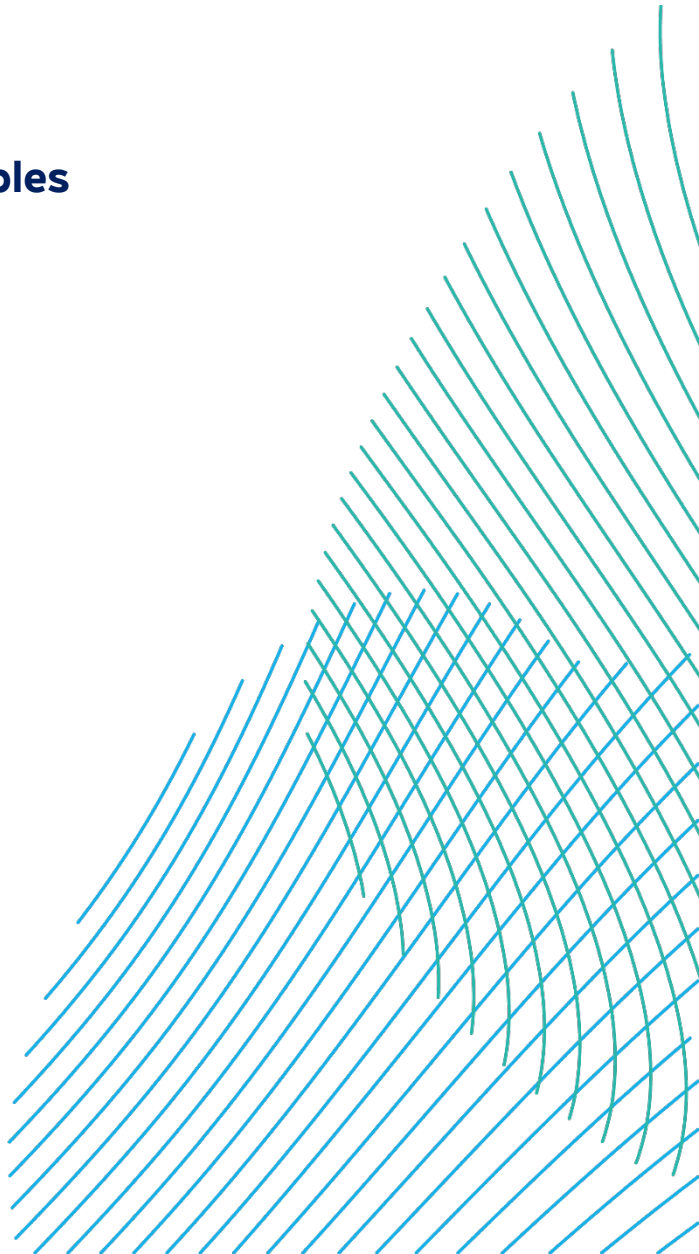

Unrestricted

Company:	**RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited**	Asset:	**Development**
Project:	**Dogger Bank South Offshore Wind Farms**	Sub Project/Package:	**Consents**
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Glossary

Term	Definition
Array Areas	The DBS East and DBS West offshore Array Areas, where the wind turbines, offshore platforms and array cables would be located. The Array Areas do not include the Offshore Export Cable Corridor or the Inter-Platform Cable Corridor within which no wind turbines are proposed. Each area is referred to separately as an Array Area.
Array cables	Offshore cables which link the wind turbines to the Offshore Converter Platform(s).
Collector Platforms (CPs)	Receive the AC power generated by the wind turbines through the array cables, collect it and transform the voltage for onward transmission to the Offshore Converter Platforms (OCPs).
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Dogger Bank South Offshore Wind Farms	The collective name for the two Projects, DBS East and DBS West.
Electrical Switching Platform	The Electrical Switching Platform (ESP), if required would be located either within one of the Array Areas (alongside an Offshore Converter Platform (OCP)) or the Export Cable Platform Search Area.
Horizontal Directional Drill (HDD)	HDD is a trenchless technique to bring the offshore cables ashore at the landfall and can be used for crossing other obstacles such as roads, railways and watercourses onshore.
Inter-Platform Cables	Buried offshore cables which link offshore platforms.
Landfall	The point on the coastline at which the Offshore Export Cables are brought onshore, connecting to the onshore cables at the Transition Joint Bay (TJB) above mean high water.

Term	Definition
Landfall Zone	The generic term applied to the entire landfall area between Mean Low Water Spring (MLWS) and the Transition Joint Bays (TJBs) inclusive of all construction works, including the landfall compounds, Onshore Export Cable Corridor and intertidal working area including the Offshore Export Cables.
National Policy Statement (NPS)	A document setting out national policy against which proposals for NSIPs will be assessed and decided upon.
Nationally Significant Infrastructure Project (NSIP)	Large scale development including power generating stations which requires development consent under the Planning Act 2008. An offshore wind farm project with a capacity of more than 100 MW constitutes an NSIP.
Offshore Development Area	The Offshore Development Area for ES encompasses both the DBS East and West Array Areas, the Inter-Platform Cable Corridor, the Offshore Export Cable Corridor, plus the associated Construction Buffer Zones.
Offshore Export Cable Corridor	This is the area which will contain the offshore export cables (and potentially the ESP) between the offshore substation/converter platforms and Transition Joint Bays at the landfall.
Onshore Converter Station	The Onshore Development Area for ES is the boundary within which all onshore infrastructure required for the Projects would be located including Landfall Zone, Onshore Export Cable Corridor, accesses, Temporary Construction Compounds and Onshore Converter Stations.
Onshore Export Cable Corridor	This is the area which includes cable trenches, haul roads, spoil storage areas, and limits of deviation for micro-siting. For assessment purposes, the cable corridor does not include the Onshore Converter Stations, Transition Joint Bays or temporary access routes; but includes Temporary Construction Compounds (purely for the cable route).

Term	Definition
Onshore Substation Zone	Parcel of land within the Onshore Development Area where the Onshore Converter Station infrastructure (including the haul roads, Temporary Construction Compounds and associated cable routeing) would be located.
Order Limits	The limits within which the Projects may be carried.
Projects Design (or Rochdale) Envelope	A concept that ensures the EIA is based on assessing the realistic worst-case scenario where flexibility or a range of options is sought as part of the consent application.
Scoping opinion	The report adopted by the Planning Inspectorate on behalf of the Secretary of State.
Temporary Construction Compound	An area set aside to facilitate construction of the Projects. These will be located adjacent to the Onshore Export Cable Corridor and within the Onshore Substation Zone, with access to the highway.
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).
Transition Joint Bay (TJB)	The Transition Joint Bay (TJB) is an underground structure at the landfall that houses the joints between the Offshore Export Cables and the Onshore Export Cables.
Wind turbines	Power generating device that is driven by the kinetic energy of the wind.

Acronyms

Term	Definition
AD&OW	Air Defence and Offshore Wind
AEZ	Archaeological Exclusion Zones
AONBs	Areas Of Outstanding Natural Beauty
BMV	Best and Most Versatile
BNG	Biodiversity Net Gain
CAA	Civil Aviation Authority
CCRA	Climate Change Resilience Assessment
CCS	Carbon Capture and Storage
CCUS	Carbon Capture, Usage and Storage
CEA	Cumulative Effects Assessment
CNP	Critical National Priority
CoCP	Code of Construction Practice
CRM	Collision Risk Modelling
DA	Danger Area
DBS	Dogger Bank South
DCO	Development Consent Order
dDCO	draft Development Consent Order
Defra	Department for Environment Food & Rural Affairs
DESNZ	Department for Energy Security and Net Zero
DML	Deemed Marine Licence

Term	Definition
EIA	Environmental Impact Assessment
EIOMP	East Inshore and Offshore Marine Plan
EPP	Evidence Plan Process
ERCoP	Emergency Response Cooperation Plan
ES	Environmental Statement
ESP	Electrical Switching Platform
ETG	Expert Topic Group
ExA	Examining Authority
FLOWW	Fishing Liaison with Offshore Wind and Wet Renewables Group
FRA	Flood Risk Assessment
GHG	Greenhouse Gas
GW	Gigawatt
HDD	Horizontal Directional Drill
HND	Holistic Network Design
HRA	Habitats Regulation Assessment
HVDC	High Voltage Direct Current
ILA	Important Landscape Area
INNS	Invasive Non-Native Species
JNCC	Joint Nature Conservation Committee
LNR	Local Nature Reserve
LWS	Local Wildlife Site

Term	Definition
MCA	Marine Conservation Area
MCAA	Marine Conservation Area Assessment
MCZA	Marine Conservation Zone Assessment
MCZs	Marine Conservation Zone
MDA	Managed Danger Area
MHWS	Mean High Water Springs
MMO	Marine Management Organisations
MOD	Ministry of Defence
MPS	Marine Policy Statement
MW	Megawatt
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NRA	Navigational Risk Assessment
NSIPs	Nationally Significant Infrastructure Project
OWEIP	Offshore Wind Environmental Improvement Package
PA 2008	Planning Act 2008
PEIR	Preliminary Environmental Information Report
PEMP	Project Environmental Management Plan
PRoW	Public Rights of Way
REZ	Renewable Energy Zone
RIAA	Report to Inform Appropriate Assessment

Term	Definition
RSPB	Royal Society for the Protection of Birds
S&IP	Strategy and Implementation Plan
SAC	Special Conservation Area
SAR	Search and Rescue
SIP	Site Integrity Plan
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
SuDs	Sustainable Drainage System
UK	United Kingdom

1 Introduction

1.1 Purpose of the Document

1. The Projects are defined as Nationally Significant Infrastructure Projects (NSIPs) under Sections 14(1)(a), 15(1) and 15(3) of the Planning Act 2008 (PA 2008) as they are for the construction of offshore generating stations in England each with capacities exceeding 100MW. The PA 2008 requires a Development Consent Order (DCO) to be obtained for the development of NSIPs and accordingly, as required by Section 31 of the PA 2008, a DCO application has been submitted to the Secretary of State (SoS) responsible for the Department for Energy Security and Net Zero (DESNZ) in respect of the Projects.

2. DCO applications are determined in line with Section 104 of the PA 2008 which provides that, subject to a number of exceptions, any application for an order granting development consent must be determined in accordance with any relevant National Policy Statement (NPS) (being a NPS which has effect in relation to development of the description to which the application relates).

3. The Applicants recognise that Paragraph 1.1.2 of the Overarching National Policy Statement for energy (EN-1) (hereafter referred to as 'NPS EN-1') applies to DCO applications for energy NSIPs. Paragraph 1.1.2 of NPS EN-1 states:

   "For such applications this NPS, combined with any technology specific energy NPS where relevant, provides the primary policy for decisions by the Secretary of State."

4. In light of the Projects being determined in accordance with Section 104 of the PA 2008, the Applicants consider that the following NPS are relevant:

   - Overarching National Policy Statement for Energy (EN-1) (DESNZ, 2023a) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration of generic impacts in relation to such projects;
   - National Policy Statement for Renewable Energy Infrastructure (EN-3) (DESNZ, 2023b) which covers technology specific matters including offshore wind; and
   - National Policy Statement for Electricity Networks Infrastructure (EN-5) (DESNZ, 2023c) which covers technology specific matters but mostly relates to the provision of overhead lines and as such, is of limited

relevance as the Projects do not propose the construction and or operation of overhead lines.

5. The Applicants have provided information on and have undertaken a summarised assessment of the Projects' compliance with the NPS (as well as other relevant plans, policies, and legislation) through **Volume 8, Planning Statement (application ref: 8.1)**.

6. This Document, however, is complimentary to **Volume 8, Planning Statement (application ref: 8.1)** as it provides a comprehensive assessment of the Projects' policy compliance against the suite of relevant national, marine, and local policy documents. Resultingly, this Document undertakes a line-by-line review of the relevant Policy documents to the Projects to provide details of compliance, or otherwise, and to signpost, where appropriate, to where the relevant supporting information can be found in the Application.

7. The Applicants recognise the potential usefulness of these Policy Compliance Assessment Tables in assisting the Examining Authority (ExA) in making its recommendation, and the SoS in making its determination, on the Projects.

1.2 UK Marine Policy Statement and Marine Plans

8. The United Kingdom (UK) Marine Policy Statement (MPS) was adopted in 2011 pursuant to the Marine and Coastal Access Act 2009 (MCAA). The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment. It aims to facilitate and support the formulation of Marine Plans, ensuring that marine resources are used in a sustainable way in line with a number of high-level marine objectives. These objectives are:

- Promoting sustainable economic development;
- Enabling the UK's move towards a low-carbon economy, in order to mitigate the causes of climate change and ocean acidification and adapt to their effects;
- Ensuring a sustainable marine environment which promotes healthy, functioning marine ecosystems and protects marine habitats, species and our heritage assets; and
- Contributing to the societal benefits of the marine area, including the sustainable use of marine resources to address local social and economic issues.

9. Marine Plans translate the MPS framework into detailed policy and guidance for particular geographical areas. Marine Plans are intended to inform and guide decisions on marine and costal development by conserving and enhancing the environment, manage competing demands on the marine area, reducing costs and increasing certainty for developers whilst also boosting economic and employment benefits.

10. Paragraph 1.1.3 of NPS EN-1 states that:

"Under the Planning Act 2008, where an NPS has effect, the Secretary of State must also have regard to … the Marine Policy Statement (MPS) and any applicable Marine Plan."

11. To this end, the Applicants have provided an assessment of the Projects' compliance with the relevant Marine Plan Policy. Those relevant Marine Plans to the Projects include the East Inshore and Offshore Marine Plan (adopted April, 2014) (Defra, 2014) and the North East Inshore and Offshore Marine Plan (adopted June, 2021) (Defra, 2021).

12. The Marine Plan Policy Review is required to align with NPS EN-1 (DESNZ, 2023a) that states the following:

"4.5.8 Applicants for a Development Consent Order must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent."

13. Terrestrial / landfall related policies in the North East Inshore and Offshore Marine Plan have been scoped out of appraisal as the onshore Order Limits are located approximately 17km from this plan area.

1.3 National and Local Planning Policy

14. In addition to a review of the NPS and the Marine Plans, the Applicants have also assessed the relevant national and local policies within this Document.

15. The Applicants have also included a review of the East Riding Local Plan Update 2020 - 2039 Strategy Document (Proposed Submission Strategy Document Update – October 2022) (East Riding of Yorkshire Council, 2023) which does not yet form part of the Local Development Framework but is considered to be far enough advanced, through examination, to be both important and relevant to the SoS' decision.

1.4 The Planning Statement

16. The Applicants have submitted a Planning Statement (**Volume 8, Planning Statement (application ref: 8.1)**) as part of the Application to provide an overview of the Projects' compliance with relevant policy and to assist the ExA and SoS in their review of the Projects' in the context of the relevant planning policy.

17. The Planning Statement has established the needs and benefits of the Projects' in the context of the NPS and national, marine and local policy. In furthering the importance of the needs and benefits case of the Projects, the newly adopted NPS EN-1 stresses, through Paragraph 4.2.2, that *"there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure"*. Low carbon infrastructure includes, among other forms of electricity generation, offshore electricity generation that does not involve fossil fuel combustion. This means that these Projects are essential for achieving the UK's net zero emissions target by 2050. The Government expressly states, through NPS EN-1, its strong support for the delivery of CNP Infrastructure and that it (the infrastructure) should be progressed as quickly as possible.

18. The newly adopted NPS policy means that, subject to any legal requirements, the urgent need for offshore wind to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by the application of the mitigation hierarchy in all but the most exceptional cases (see Paragraph 4.1.7 of NPS EN-1).

19. For the reasons set out in the Planning Statement, the Applicants have demonstrated to the SoS that the Projects would:

    - Bring about significant benefits whilst also addressing the energy requirements of the UK;
    - Satisfactorily deliver significant benefits which would outweigh any adverse impacts, following the application of the mitigation measures;
    - Not lead to the UK being in breach of any of its international obligations; and
    - Resultingly, be in accordance with the relevant NPS, under the terms of Section 104 of the PA 2008, and so justifying consent for the Projects.

1.5 The Environmental Statement

20. The Applicants have provided a full Environmental Impact Assessment (EIA), as reported in the Environmental Statement (ES) (**Volume 7, Chapters 1** to **30 (application ref: 7.1 to 7.30)**) that accompanies the Application. The ES also includes information on the relationship between the Projects and the topic-specific planning polices outlined in the NPS and, where applicable, the relevant Marine Plan Policy, the National Planning Policy Framework (NPPF) and Local Plan Policy.

21. As part of the EIA process, the scope of assessment work was undertaken in line with the relevant NPS to ensure that topic-specific policy tests were met, and so the Projects are therefore in accordance with the relevant paragraphs of the relevant NPS. The Policy and Legislative Context chapter of the ES (**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**) confirms that the specific NPS polices relevant to each environmental topic are set out in each ES chapter with information provided as to how each item has been addressed.

22. Details on the site selection process and the iterative design process in the context of the NPS has been provided in the Site Selection and Assessment of Alternatives chapter of the ES (**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**).

1.6 Other Documents

23. The responses provided in this Document, though the below tables, signpost to other relevant documentation submitted as part of the Application for development consent, as appropriate. In addition, the Applicants have sought to identify those mechanism documents which are secured by Requirement(s) or Condition(s) of the draft Development Consent Order (dDCO) **(Volume 3, Draft Development Consent Order (application ref: 3.1)**). Those documents secured by Requirement(s) or Condition(s) of the dDCO make up the embedded and / or additional mitigation measures which the Applicants have committed to, to mitigate adverse effects.

24. The following sources of information, excluding references to Figures, have been used to inform the responses to the Policy Compliance Assessment Tables:

Volume 3

- **Draft Development Consent Order (application ref: 3.1)**

Volume 4

- **Book of Reference (application ref: 4.2)**
- **Funding Statement (application ref: 4.4)**

Volume 5

- **Consultation Report (application ref: 5.1)**

Volume 6

- **Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)**
- **Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**
- **Appendix 1 - Project Level Kittiwake Compensation Plan (application ref: 6.2.1)**
- **Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)**
- **Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**
- **Round 4 Kittiwake Strategic Compensation Plan (application ref: 6.2.1.1)**
- **Round 4 Dogger Bank Strategic Compensation Plan (application ref: 6.2.3.1)**

Volume 7

- **Chapter 1 Introduction (application ref: 7.1)** to **Chapter 30 Climate Change (application ref: 7.30)**
- **Appendix 6-1 - Onshore Cumulative Effects Assessment Methodology (application ref: 7.6.6.1)**
- **Appendix 6-2 - Offshore Cumulative Effects Assessment Methodology (application ref: 7.6.6.2)**
- **Appendix 11-3 - Underwater Noise Modelling Report (application ref: 7.11.11.3)**
- **Appendix 14-2 - Navigational Risk Assessment (application ref: 7.14.14.2)**
- **Appendix 15-1 Aviation and Radar Consultation Responses (application ref: 7.15.15.1)**
- **Appendix 15-2 - Airspace Analysis and Radar Modelling (application ref: 7.15.15.2)**

- **Appendix 17-1 - Offshore Archaeology and Cultural Heritage Consultation Responses (application ref: 7.17.17.1)**
- **Appendix 17-2 - Archaeological Assessment of Geophysical Data for EIA (application ref: 7.17.17.2)**
- **Appendix 18-7 - Ornithology Overwintering Report (application ref: 7.18.18.8)** (Parts 1 to 3)
- **Appendix 18-10 Biodiversity Net Gain Strategy (application ref: 7.18.18.10)**
- **Appendix 19-2 - Geo-Environmental Desk Study and Preliminary Risk Assessment Report (application ref: 7.19.19.2)**
- **Appendix 19-3 - Onshore Waste Assessment (application ref: 7.19.19.3)**
- **Appendix 20-1 - Flood Risk and Hydrology Consultation Responses (application ref: 7.20.20.1)**
- **Appendix 20-3 - Water Environment Regulations Compliance Assessment (application ref: 7.20.20.3)**
- **Appendix 20-4 Flood Risk Assessment (application ref: 7.20.20.4)**
- **Appendix 21-1 - Land Use Consultation Responses (application ref: 7.21.21.1)**
- **Appendices 22-1 - Onshore Archaeology and Cultural Heritage Consultation Response (application ref: 7.22.22.1)**
- **Appendices 22-2 - Archaeological Desk Based Assessment (application ref: 7.22.22.2)**
- **Appendices 22-3 - Assessment of Airborne and Satellite Remote Sensing Data and Map Regression Analysis for Archaeology (application ref: 7.22.22.3)**
- **Appendices 22-4 - Heritage Walkover Survey Report (application ref: 7.22.22.4)**
- **Appendices 22-5 - Onshore Infrastructure Settings Assessment (application ref: 7.22.22.5)**
- **Appendices 22-6 - Geoarchaeological Desk Based Assessment (application ref: 7.22.22.6)**
- **Appendices 22-7 - Geophysical Assessment Report (application ref: 7.22.22.7)**
- **Appendix 24-1 - Traffic and Transport Consultation Responses (application ref: 7.24.24.1)**

- **Appendix 24-2 - Transport Assessment (application ref: 7.24.24.2)**
- **Appendix 28-1 - Socio-Economics Consultation Response (application ref: 7.28.28.1)**

Volume 8

- **Planning Statement (application ref: 8.1)**
- **Other Consents and Licenses (application ref: 8.3)**
- **Statutory Nuisance Statement (application ref: 8.4)**
- **Outline Skills and Employment Strategy (application ref: 8.5)**
- **Commitments Register (application ref: 8.6)**
- **Scoping Opinion (application ref: 8.7)**
- **Design and Access Statement (application ref: 8.8)**
- **Outline Code of Construction Practice (application ref: 8.9)**
- **Appendix A - Outline Soil Management Plan (OSMP) (application ref: 8.9)**
- **Appendix B - Outline Communications and Public Relations Procedure (application ref: 8.9)**
- **Appendix C - Outline Public Rights of Way Management Plan (application ref: 8.9)**
- **Appendix D - Outline Pollution Prevention Plan (application ref: 8.9)**
- **Appendix E - Outline Site Waste Management Plan (application ref: 8.9)**
- **Outline Ecological Management Plan (application ref: 8.10)**
- **Outline Landscape Management Plan (application ref: 8.11)**
- **Outline Drainage Strategy (application ref: 8.12)**
- **Outline Construction Traffic Management Plan (application ref: 8.13)**
- **Outline Onshore Written Scheme of Investigation (application ref: 8.14)**
- **Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)**
- **Disposal Site Characterisation Report (application ref: 8.18)**
- **Cable Statement (application ref: 8.20)**
- **Outline Project Environmental Management Plan (application ref: 8.21)**

- **Outline Written Scheme of Investigation (offshore) (application ref: 8.22)**
- **In Principle Monitoring Plan (application ref: 8.23)**
- **Outline Marine Mammal Mitigation Protocol (application ref: 8.25)**
- **In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation (application ref: 8.26)**
- **Outline Fisheries Liaison and Co-existence Plan (application ref: 8.28)**

1.7 Policy Compliance Tables

National Policy Statements: Generic Impacts and Technology-Specific Impact Policy (NPS EN-1 and NPS EN-3)

25. Paragraph 2.8.74 of NPS EN-3 recognises that, *"owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the Secretary of State"*. Guidance on how applicants should manage flexibility is set out through sections 2.6 of NPS EN-3 and 4.3 of NPS EN-1.

26. NPS EN-3 recognises that applicants of offshore wind farm developments are unlikely to know the precise details of turbines to be used on site prior to consent being granted. Where such details are still to be finalised, applicants should explain through the application which elements of the proposal have yet to be finalised, and the reason why this is the case. Under such circumstances, applicants must ensure that, to the best of their knowledge, the likely worst-case scenarios have been properly assessed to identify any and the worst-case potential impacts (the 'Rochdale Envelope') (see Paragraph 2.6.2 of NPS EN-3). Resultingly, the Policy Compliance Assessment Tables draw on the assessments and findings of the ES and the Report to Inform Appropriate Assessment (RIAA) which have been concluded against the worst-case scenario.

1.8 Policy Compliance Assessment Tables

27. The tables within this Document capture and assess the relevant elements of NPS EN-1, EN3, EN-5, other national, marine, and local policy considerations and demonstrate the Projects' accordance with them.

28. The tables are structured as follows:

National Policy Statements

29. **Table 1-1** to **Table 1-3** capture the requirements set out in the relevant NPS, how it is anticipated that the Projects will meet these requirements and how the Projects are either in compliance with or supported by the policies.

Marine Plan Policy

30. **Table 1-4** and **Table 1-5** capture the requirements set out in the relevant Marine Plans. The relevant Marine Plans to the Projects are the East Inshore and Offshore Marine Plan (adopted April, 2014) and the North East Inshore and Offshore Marine Plan (adopted June, 2021).

Other National Policy Considerations

31. **Table 1-6** captures the requirements as set out in the National Planning Policy Framework (NPPF), how it is anticipated that the Projects will meet the NPPF's requirements and how the Projects are in compliance with the NPPF policies.

Local Policy Considerations

32. **Table 1-7** and **Table 1-8** capture the relevant policy requirements of both the East Riding of Yorkshire Local Plan 2012- 2029 Strategy Document (adopted April, 2016) and the East Riding Local Plan Update 2020 - 2039 Strategy Document (Proposed Submission Strategy Document Update – October 2022).

33. The Local Plan Update was submitted on 31st March 2023. Hearing Sessions took place between the 31st of October and 16th of November 2023. The Council is currently undertaking works identified by the Inspector through the Hearing Sessions. Whilst not adopted, the Local Plan Update is considered to be both important and relevant to the SoS' decision (as per Section 104 (2)(d) of the PA 2008).

1.9 Overarching National Policy Statement (NPS) for Energy EN-1

Table 1-1 Overarching National Policy Statement (NPS) for Energy EN-1 (NPS EN-1) Table of Compliance

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
EN-1 Part 3: The need for new nationally significant energy infrastructure projects				
1.1	Introduction EN-1 (3.1)	3.1.1 This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers that the need for such infrastructure is urgent. 3.1.2 However, it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.	The Projects would make a significant contribution to the achievement of both the national renewable energy targets and to the UK's contribution to global efforts to reduce the effects of climate change. The Climate Change Act 2008 (2050 Target Amendment) Order 2019 sets a UK target for at least a 100% reduction of Green House Gas (GHG) emissions (compared to 1990 levels) by 2050. This ambitious 'net zero' target will only be met by the crucial contribution from the offshore wind industry. The new wind farm would include up to a maximum number of 200 wind turbines, across the DBS West and DBS East Array Areas which are situated at a minimum of 100 kilometres (km) and 122km from shore respectively. The Projects will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy. The ES accompanying the Application assesses any impacts and aims to mitigate these where possible. However, as noted in section 1.7 of the NPS, given the large and complex nature of such schemes, it is not always possible to avoid having any adverse impacts. The need for the Projects should therefore be ascribed substantial weight in the balance of considerations applying the presumption in favour of such developments.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
1.2	Secretary of State decision making EN-1 (3.2)	3.2.1 The government's objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and NDC.	As discussed in the ES Chapter on the introduction to the Projects, the Projects would contribute towards the UK Government meeting the overarching key national policy aims of: • Achieving Net Zero by 2050 and reducing emissions; • Increasing the security of energy supply • Lowering the cost and increasing the affordability of generated electricity; and • Contributing to sustainable development and economic opportunities	**Volume 7, Chapter 1 Introduction (application ref: 7.1)** - section 2.3

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		3.2.2 We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	As stated within the ES Chapters on the Need for the Project and the Project Description, the Projects will contribute to the provision of different types of energy infrastructure, through the development of an offshore wind farm which will support the delivery of national renewable energy. Therefore, the Projects are compliant with paragraph 3.2.2 of EN-1.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
		3.2.3 It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects within the strategic framework set by government. With the exception of new coal or largescale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the government's ambitions in energy policy and other policy areas.	The ES Chapter on Policy and Legislative Context highlights several policies / paragraphs within EN-1 that demonstrate the Projects are in line with the Government's ambitions in terms of the energy system. It shows there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and therefore the Projects will play a significant role in providing such energy. For that reason, it is clear there is an established need for the Projects in light of the NPS and thus substantial weight should be place on this need by the SoS.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**
		3.2.6 The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	As noted in response to the NPS provisions made in the Policy Compliance Assessment Tables as part of the Planning Statement, the Projects are in accordance with the NPS with regards the contribution made to UK renewable energy targets. Therefore, the established need for the Projects and substantial weight that the Secretary of State may place on this need, which is now considered to be 'urgent' under the new NPS revision. The need for the Projects has been further set out in the ES Chapter on the Need for the Projects. As such, the Projects are considered to accord with the provisions of the set out under the new revision of the NPS.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 8, Planning Statement (application ref: 8.1)**
		3.2.7 In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.		
		3.2.9 This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	Please refer to the response to Paragraphs 3.2.6 and 3.2.7 of EN-1 above. The Projects are in accordance with the NPS with regards to the contribution made to UK renewable energy targets and therefore the established need for the Projects and substantial weight that the Secretary of State may place on this need.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.3	The need for new nationally significant electricity infrastructure EN-1 (3.3)	3.3.1 Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within ES Chapter 5 describing the Projects, the Projects will deliver up to a maximum of 200 wind turbines which are predicted to have an approximate generating capacity of 3 Gigawatts (GW) and as such make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UKs energy system. This includes extreme weather events, which are discussed within the ES Chapter on Climate Change.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 7, Chapter 30 Climate Change (application ref:7.30)**
		3.3.2 The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases overall costs of the system	The Projects will support the objectives within the NPS, including the UK national targets to achieve 40GW of offshore wind by 2030; a figure which was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement. The Projects will make a substantial contribution in meeting this demand of offshore wind energy, through the delivery of up to 200 wind turbines, the Projects will have a capacity of approximately 3 GW, as stated within the ES Chapter setting out the need for the Projects. The need for flexibility in the consent is a key aspect of any large development but particularly significant for offshore wind projects where technology continues to evolve quickly. Therefore, the project design envelope must provide sufficient flexibility to enable the Applicants and their contractors to use the most up to date, efficient and cost-effective technology and techniques in the construction, operation, maintenance and decommissioning of the Projects.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
		3.3.3 To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610- 800TWh in 2050.	As noted in response to the NPS provisions made at paragraph 3.2.1 and 3.2.2, the Projects are in accordance with the NPS with regards to the contribution made to UK renewable energy targets. This is because the Projects will deliver up to 200 wind turbines with an approximate capacity of 3GW which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UKs electricity system. Given the nature of the proposals (offshore wind farm), the Projects will increase flexibility within the energy system. This aligns with the government's ambition of delivering several different types of infrastructure to meet future demand and offshore wind farms like the proposed Projects are a key mechanism in reaching this target.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Considering the above, there is an established need for the Projects and substantial weight by SoS should be placed on this need. The need for the Projects have been further set out in the ES chapter on the Need for the Project.	
1.4	The need for different types of electricity infrastructure	3.3.4 There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation. 3.3.5 New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply. 3.3.6 Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity. 3.3.7 Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.	As outlined within the ES Chapter on Policy and Legislative Context and the Planning Statement, the government is seeking to meet the future increasing demand through several types of renewable sources, and the Government regards offshore wind farms, like the Projects, as a key mechanism to achieving this target. Moreover, the government anticipates that large parts of the nation's heat and transport system will be electrified by 2050. Therefore, there is an established need for the Projects which will provide an approximate capacity of 3GW. Taking into account the above, the Projects supports a mix of electricity generation types, which makes a substantive contribution to the UK's renewable energy and energy security targets. As such it is therefore considered that the Projects are in accordance with paragraphs 3.3.4-3.3.7 of EN-1.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref:7.3)** **Volume 8, Planning Statement (application ref: 8.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.5	Alternatives to new electricity infrastructure.	3.3.8 The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors. 3.3.9 Reducing total demand for energy is a key element of the government's strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3). 3.3.10 The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited. 3.3.11 Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives.	It is clear that reducing demand for energy is a key Government strategy. However, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The Projects will help to ensure that there is a sufficient supply of electricity to meet demand. In so doing, the Projects would contribute to the delivery of the 30GW of renewable energy envisaged in NPS EN1 and the ambition to deliver 40GW of offshore wind by 2030 as set out in the UK Government's 2021 announcement; a figure which was revised upward to 50GW by 2030 in the April 2022 UK Government Energy Security Statement. As such, the Projects are considered to accord with the provisions of the NPS EN-1 paragraphs 3.3.8 – 3.3.12.	**Volume 7. Chapter 3 Policy and Legislative Context (application ref: 7.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		3.3.12 Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new large-scale electricity infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.		
1.6	Delivering affordable decarbonisation	3.3.16 If demand doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon. 3.3.19 Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As per the responses to the NPS provisions made at paragraph 3.2.1 and 3.2.2, the Projects will make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, the government cites offshore wind farms like the Projects as key mechanisms to facilitating a transition to net zero. The Projects will play a key role in achieving the above Government ambition because, they will deliver up to 200 wind turbines with an approximate capacity of 3GW. This will make a substantial contribution to meeting the demand for greater energy produced from renewable sources. Therefore, it is critical that the Projects are given substantial weight by the SoS, as they represent an excellent opportunity to increase the delivery of national renewable energy during a period of increasing energy demand. Moreover, given the nature of the Projects they will also contribute to the delivery of a diverse mix electricity infrastructure which is affordable / low cost (as stated in Paragraph 3.3.19 of EN-1 within the NPS.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
1.7	The role of wind and solar	3.3.20 Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar.	The Projects meet the need in the UK for the types of energy infrastructure covered by EN-1 and would contribute significantly towards the UK's current cumulative electricity supply deployment target for 2030, enough for hundreds of thousands of households, necessary in order to achieve energy security at the same time as reducing GHG emissions.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		3.3.21 As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade. 3.3.22 However, it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine. 3.3.23 Projects for onshore wind of all sizes should be consented outside of the Planning Act 2008 process unless the Secretary of State directs otherwise under section 35 of the Planning Act 2008. 3.3.24 Projects for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	The Application will have an overall capacity of approximately 3 GW and the Projects, submitted as one DCO Application, are considered NSIPs. In addition, the Projects will create job opportunities, support the UK Government's ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy. As such, the Projects are considered to accord with the provisions set out within the NPS.	
1.8	The need for electricity generating capacity	3.3.59 All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type) providing an affordable, reliable system (through the deployment of technologies with complementary characteristics) ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As discussed in response to EN-1 paragraph 3.2.1, the Projects would contribute towards the UK Government meeting the overarching key national policy aims of: Achieving Net Zero by 2050 and reducing emissions; Increasing the security of energy supply; Lowering the cost and increasing the affordability of generated electricity; and Contributing to sustainable development and economic opportunities. The Projects will make a substantial contribution in achieving the above ambition through the delivery of up to 200 wind turbines, and will have an approximate capacity of 3GW. Furthermore, through the delivery of the above infrastructure and generating capacity, the Projects will increase national energy security which will result in positive health impacts by lessening the level of pollution emitted into the atmosphere from fossil fuels which are experienced on the international level. This statement is outlined within the ES Chapter on Climate Change, where the GHG assessment calculated the potential for the avoided emissions by replacing	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			electricity that would have been generated from natural gas, resulting in a beneficial effect. In addition, the Projects will help alleviate low to medium income groups out of fuel poverty through the provision of affordable energy. As such, the Projects are considered to accord with the provisions set out with the NPS.	
		3.3.60 Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include: • Offshore Wind (including floating wind) • Solar PV • Wave • Tidal Range • Tidal Stream • Pumped Hydro • Energy from Waste (including ACTs) with or without CCS • Biomass with or without CCS • Natural Gas with or without CCS • Low carbon hydrogen • Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants • Geothermal 3.3.61 The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above. 3.3.62 Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.	The Projects are an offshore wind project and therefore fall under a generation technology defined within Paragraph 3.3.60 of EN-1. As discussed in point 3.3.59 above, the need for Projects in making a substantial contribution towards the UK's energy targets would provide national support in addressing a CNP. Projects of this type should be viewed as being essential for achieving the UK's net zero emissions target by 2050 and should be progressed as quickly as possible. As such, the role of the Application in meeting a CNP should be attributed significant weight by the SoS during the decision-making process	**Volume 7, Chapter 5 Project Description (application ref: 7.5)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		3.3.63 Subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure, and it should be progressed as quickly as possible.	Adverse impacts during the construction, operation and maintenance as well as decommissioning stages of the Projects are discussed across the ES and each Chapter highlights, where required, the mitigation measures proposed. The Planning statement also weighs the benefits and adverse impacts of the Projects. In some instances, residual adverse impacts cannot be avoided. For example, the land required for the Onshore Converter Stations will result in medium to long-term residual effects to changes in land use and agri-environmental schemes during operation of the Projects. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Stations will be reinstated to agriculture, bounded by proposed native woodland and an area of Sustainable Urban Drainage system (SuDs). Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. In addition to these effects and in relation to Habitats Regulations Assessments (HRA), cumulative residual effects have been identified within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. The Applicants accordingly submit that with the application of the compensatory measures for the mentioned HRA effects, there is no residual unacceptable HRA impact which would prevent consent being granted. The projects are CNP infrastructure and will contribute to addressing a CNP which the Government has described as being urgent. The Projects are supported by planning policy, and there are no adverse effects which outweigh the presumption in favour of granting consent.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1).** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.9	The need for new electricity networks	3.3.82 Government has committed to reduce emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. 3.3.83 Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	As mentioned previously in response to paragraph 3.3.59 of EN-1, the Projects can make a large, meaningful and timely contribution to decarbonisation and security of supply, while helping lower bills for consumers throughout its operational life, thereby addressing important aspects of the UK's legal obligations and Government policy. The ES Chapter on Climate Change includes a whole lifecycle GHG assessment of the Projects (including how the Projects would lower emissions during the operations and maintenance stages). The GHG assessment includes an assessment of the Projects embodied and operational carbon. The document also demonstrates the net benefit of the Projects regarding lifetime carbon emission reduction compared to the Projects' baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Projects not to be developed. It is set out in the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Security Energy Strategy published in April 2022 where targets for offshore wind farms were extended to 50GW by 2023. Decisions through the consenting system must be responsive to this changed position. Decision makers can reflect this necessity by affording substantial weight in favour of consent to the energy policy objectives that will be met through projects like the Projects.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Appendix 30-2 Greenhouse Gas Assessment Methodology (application ref: 7.30.30.2)**
EN-1 Part 4: Assessment Principles				
1.10	General Policies and Considerations EN-1 (4.1)	4.1.2 The Energy White Paper and British Energy Security Strategy emphasises the importance of the government's net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.	The Projects meet the requirements of the relevant NPSs, therefore the presumption in favour of granting consent should apply given the urgent need for this type of infrastructure. This is because the Projects will deliver up to 200 wind turbines with a capacity greater than 100 Megawatts (3GW), as stated within the ES Chapter describing the project. Moreover, as outlined within the ES Chapter on Policy and Legislative Context, the government cites offshore wind farms, like the proposed Projects as critical mechanisms in supporting the nation in transitioning to net zero. As mentioned in response to EN-1 paragraph 3.3.59 the Projects' benefits would contribute towards the UK Government meeting the overarching key national policy aims of:	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.1.3 Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. 4.1.4 The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.4 of this NPS.	• Achieving Net Zero by 2050 and reducing emissions; • Increasing the security of energy supply; • Lowering the cost and increasing the affordability of generated electricity; and • Contributing to sustainable development and economic opportunities. Furthermore, the GHG Assessment undertaken as part of the ES Chapter on Climate Change demonstrates the net benefit of the Projects regarding lifetime carbon emission reduction compared to the Projects' baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Projects not to be developed. The Project Description, Policy and Legislative Context and Climate Change Chapters of the ES demonstrate that the Projects accord with the relevant policies of the NPS.	
1.11	Weighing impacts and benefits	4.1.5 In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: • its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits; • its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.	The Planning Statement sets out the planning balance for the Projects, drawing together the significant beneficial effects of the Projects and the likely significant residual effects. The Projects will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. The Projects will be a necessary part of the future energy generation mix, and as such will make a valuable contribution in the direction of adopted UK Government policy and achievement of decarbonisation commitments. The ES (both offshore and onshore within Volume 7) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment, and outlines proposed mitigation, where necessary, to ensure that all pre-mitigation adverse effects (both significant and not significant in EIA terms) are mitigated (through the use of embedded and additional mitigation measures) as far as practicable.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Alongside the overall environmental benefits, the Projects will contribute to further development in the offshore wind sector and will support the delivery of a skilled, diverse workforce, while strengthening the existing manufacturing base. Some of these benefits are described within the ES Chapter on Socio-economics which concludes that the Projects will result in a significant beneficial effect during the construction and operation stages relating to employment creation and the growth of the overall economy for The Humber Region. Regarding adverse impacts, these are discussed across the ES and where required mitigation is proposed. Unfortunately, in some instances residual adverse impacts cannot be avoided. For example, the land required for the Onshore Converter Stations will result in medium to long-term residual impacts to changes in land use and agri-environmental schemes during operation of the Projects. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Stations will be reinstated to agriculture, bounded by proposed native woodland and an area of SuDs. Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. The Planning Statement also weights the benefits and adverse impacts of the Projects and concludes that the SoS should give appropriate weight to the benefits of Projects when considering the planning balance.	
		4.1.6 In this context, the Secretary of State should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).	The Planning Statement sets out the planning balance for the Projects by weighing the significant benefits of the Projects against the significant residual adverse effects which, following the mitigation hierarchy, have been mitigated for as far as practicable. It concludes that there is a presumption in favour of granting development consent for the Projects, and that the Projects will bring significant benefits, and are supported by the NPS, Marine Plans and Local Policy, and should therefore be consented. Upon review of the adopted and draft emerging East Riding of Yorkshire Local Plan (Strategy Documents) in **Table 1-7** and **Table 1-8** of these Assessment Tables, the Applicants consider that the adopted and draft emerging Local Plan support the Projects.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			When taking into account the evidence presented in the Planning Statement and the Policy Compliance Assessment Tables, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Projects when any necessary compensatory measures are taken into consideration. It has been demonstrated that the Projects are in accordance with both national and local planning policy.	
		4.1.7 Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk	Adverse impacts during the construction, operation and maintenance as well as decommissioning stages of the Projects are discussed across the ES and each Chapter highlights, where required, the mitigation measures proposed. The Planning statement also weights the benefits and adverse impacts of the Projects. Unfortunately, in some instances residual adverse impacts cannot be avoided. For example, the land required for the Onshore Converter Station will result in medium to long-term significant residual impacts to changes in land use and agri-environmental schemes during operation of the Projects. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Stations will be reinstated to agriculture, bounded by proposed native woodland and an area of SUDs. Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the Projects when considering the planning balance. The projects will contribute to addressing a CNP which the Government have described as being urgent.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 7, Chapter 21 Land Use (application ref: 7.21)** **Volume 7. Chapter 23 Landscape and Visual Impact (application ref: 7.23)** **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
1.12	Land Rights	4.1.8 Where the use of land at a specific location is required to facilitate the development by providing for mitigation, landscape enhancement and biodiversity net gain, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land. 4.1.9 The Secretary of State will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	The Applicants are seeking to secure all of the land and rights required for the Projects through voluntary negotiation but will utilise the powers of Compulsory Acquisition available in the DCO should that prove necessary.	

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.13	Other documents	4.1.10 The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the "benchmark" for what is, or is not, an acceptable nationally significant energy development). 4.1.11 The energy NPSs have taken account of the National Planning Policy Framework (NPPF), the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate. 4.1.12 Other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.	Upon review of the adopted and draft emerging East Riding of Yorkshire Local Plan (Strategy Document) in **Table 1-7** and **Table 1-8** of these Assessment Tables, the Applicants consider that the adopted and draft emerging Local Plans support the Projects, should the Projects be consented. It is considered that in the event of a of a positive determination this would result in local development plan policies for renewable energy being met. Specific national, regional and local legislation, policy and guidance are assessed in each topic chapter across the ES (Volume 7) and provides an overview of how the Projects respond to relevant legislation at the national, regional and local levels, with the following documents having been assessed: • East Inshore and Offshore Marine Plan (April, 2014); • North East Inshore and Offshore Marine Plan (June, 2021); • National Planning Policy Framework (NPPF) (2023); • The East Riding of Yorkshire Local Plan 2012- 2029 Strategy Document (Adopted April 2016); and • The East Riding Local Plan Update 2020 - 2039 Strategy Document (Proposed Submission Strategy Document Update - October 2022). Further information regarding relevant legislation and policy at the national, regional and local levels is considered within the Planning Statement and Policy Compliance Assessment Tables.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**
		4.1.13 Where the project conflicts with a proposal in a draft Development Plan, the Secretary of State should take account of the stage which the Development Plan document in England or Local Development Plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented, or precluded.	A review of The East Riding of Yorkshire Local Plan 2012- 2029 Strategy Document (Adopted April 2016) as well as The East Riding Local Plan Update 2020 - 2039 Strategy Document (Proposed Submission Strategy Document Update – October 2022) have been considered in **Table 1-7** and **Table 1-8** of these Assessment Tables and the Applicants consider that the Projects are supported by both the adopted and draft emerging local plans.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**
		4.1.15 In the event of a conflict between these documents and an NPS, the NPS prevails for the purpose of Secretary of State decision making given the national significance of the infrastructure.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.14	Development consent	4.1.16 The Secretary of State should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects. 4.1.17 The Secretary of State should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.	The dDCO sets out the requirements considered necessary to control the delivery of the Projects and which meet the tests listed.	**Volume 3, Draft Development Consent Order (application ref: 3.1)**
		4.1.18 The Secretary of State may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the Application acceptable in planning terms, directly related to the Application, fairly and reasonably related in scale and kind to the Application, and reasonable in all other respects.	The Applicants recognise that there may be a need for certain planning obligations, in the meaning set out in the NPS, to be secured. Where such a need is identified Applicants will submit any such proposed planning obligation to the ExA and / or SoS for consideration.	
1.15	Early engagement	4.1.19 Early engagement both before and at the formal preapplication stage between the applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government's pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the Examining Authority and leading to a clear recommendation report to the Secretary of State 4.1.20 This is particularly so in the case of HRA matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the applicant to submit sufficient information to enable the Secretary of State to conduct an Appropriate Assessment if required.	As set out in the ES Chapter on Site Selection and Assessment of Alternatives, stakeholder consultation and engagement has played a fundamental role in shaping the Projects. A comprehensive account of all consultation undertaken to assist in the development of the Projects is included within ES Chapter on Consultation as well as the Consultation Report. Stakeholder engagement with Statutory Consultees took place under the Evidence Plan Process (EPP). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provides a useful stakeholder engagement approach on key elements and outcomes of the ES process which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes. On 26th July 2022, the Applicants submitted a Scoping Report to the Planning Inspectorate (Planning Inspectorate, 2022). The SoS then issued the scoping opinion for the Projects on 2nd September 2022.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 5 Consultation Report (application ref: 5.1)** **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			On 6th June 2023 the Applicants published a Preliminary Environmental Information Report (PEIR) for statutory consultation, under Sections 42 and 47 of the PA 2008, with the window for providing comments running until 17th July 2023. Following the closing of this consultation period, it was identified that a small number of properties within the consultation zone had been omitted from the statutory consultation, and a number of 3rd party stakeholders were not consulted. As a result, the Applicants carried out a supplementary statutory consultation which ran from 4th August 2023 until 15th September 2023. A further targeted statutory consultation period between the 13th November to the 10th December 2023 was undertaken involving all parties with an interest in the areas of land within the Onshore Development Area where adjustments had been made since the Projects' PEIR consultation. The consultation process described above informed several design / project changes. Where technical consultation feedback has informed the site selection or Projects' design; this is outlined in the ES Chapters on Site Selection and Assessment of Alternatives as well as on Project Description. Consultation feedback received has been carefully considered as project designs were being finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application. Regarding HRA the details of the process followed by the Projects is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP. In addition to these effects and in relation to HRA, cumulative residual effects have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the SoS concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.16	Financial and technical viability	4.1.21 In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the Application, within the market framework and taking account of government interventions. 4.1.22 Where the Secretary of State considers that the financial viability and technical feasibility of the Application has been properly assessed by the applicant, it is unlikely to be of relevance in Secretary of State decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).	The Applicants have a demonstrable track record in successfully delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty. The Funding Statement confirms that the Applicants are confident that the Projects will be commercially viable based on the assessments they have undertaken. The siting, design and refinement of the Projects' offshore and onshore infrastructure has followed a site selection process, taking account of environmental, physical, technical, commercial and social considerations and opportunities, as well as engineering requirements. This process was conducted to identify locations that would be environmentally acceptable, deliverable and consentable, whilst also being economic and efficient. Further information to evidence that the Projects have undergone smart and strategic planning is found within the ES Chapter on Site Selection and Assessment of Alternatives. As such the SoS can conclude with confidence that the financial and technical feasibility of the Projects are assured, and therefore it is considered that the Projects are in accordance with paragraph 4.1.21 and 4.1.22 of EN-1.	**Volume 4, Funding Statement (application ref: 4.4)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**
1.17	The critical national priority for low carbon infrastructure EN-1 (4.2)	4.2.1 Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology. 4.2.2 Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK's strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.	The Projects will contribute to decarbonising the power system by 2035 and supporting 2050 net zero ambitions through the development of up to 200 wind turbines with a generating capacity of approximately 3GW as described in the ES Chapter introducing the Projects. The ES Chapter on Policy and Legislative Context sets out the Government's ambition to increase supply of energy from renewable sources and the need for offshore wind farms, like the Projects, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels.	**Volume 7, Chapter 1 Introduction (application ref: 7.1)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.2.3 With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.	Regarding the references made to smart and strategic planning in Paragraph 4.2.3 in EN-1, the Projects have been informed by multiple rounds of statutory and non-statutory consultation and the siting, design and refinement of the Projects' offshore and onshore infrastructure has followed a site selection process, taking account of environmental, physical, technical, commercial and social considerations and opportunities, as well as engineering requirements. This process was conducted to identify locations that would be environmentally acceptable, deliverable and consentable, whilst also being economic and efficient. Further information to evidence that the Projects have undergone smart and strategic planning is found within the ES Chapter on Site Selection and Assessment of Alternatives. In terms of high Environmental Standards, as outlined within the ES Chapter on Policy and Legislative Context, the Projects have been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of the Projects, due regard to topic-specific legislation, policy, guidance has been considered in each of the ES chapters. Considering the above, the Projects are in accordance with the NPS in regard to the contribution made to UK renewable energy targets and therefore the established need for the Projects and the substantial weight that the SoS should place on this need.	
		4.2.4 Government has therefore concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. 4.2.5 This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means: • for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy, including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready	Offshore wind has been defined by Government as being a CNP and therefore the Projects constitutes CNP projects as outlined within the ES Chapter on Policy and Legislative Context. The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System • for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of "low carbon", such as hydrogen distribution, and carbon dioxide distribution • for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of "low carbon", such as interconnectors, Multi-Purpose Interconnectors, or 'bootstraps' to support the onshore network which are routed offshore • Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects. 4.2.6 The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.2.7 The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the Examining Authority when it is making its recommendation to the Secretary of State. 4.2.8 During decision making, the CNP policy will influence how non-HRA and non-MCZ residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2	The Projects have followed the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in assessing the impacts of the Projects within the ES as outlined within the ES Chapters on Introduction and Policy and Legislative Contexts. Each ES Chapter provides an overview of significant residual effects as well as the proposed mitigation measures to reduce the impacts. The significant residual effects per ES Topic Chapter are listed below: <u>Landscape and Visual Impact</u> The Landscape and Visual Impact assessment has considered the character and sensitivity of landscapes to accommodate the Projects. The Applicants' Assessment concludes the following significant residual effects: • Construction Impact – Landscape Effects of Landfall Zone construction works on landfall sub area; • Operational Impact 1: Landscape Effects of Onshore Converter Stations on the Onshore Substation Zone; • Operational Impact 2: Landscape Effects of the Onshore Converter Stations on the Yorkshire Wolds Important Landscape Area (ILA) on Yorkshire Wolds ILA; and • Operational Impact 3: Visual Effects of Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate. The significant residual effect relating to the Construction Impact at the Landfall Zone will reduce to **minor** adverse (not significant) following the restoration of the landscape and the minimal permanent above ground infrastructure present (manhole covers for six link boxes). <u>Terrestrial Ecology and Ornithology</u> The Applicants assessment concludes that, for construction, the following residual significant effects are anticipated: • Impact 2: Construction disturbance to non-statutory designated sites (Bentley Moor Wood and Nitrogen deposition only) which is **moderate** adverse;	**Volume 7, Chapter 1 Introduction (application ref: 7.1)** - section 2.3 **Volume 7. Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapter 23 Landscape and Visual Impact (application ref: 7.23)** **Volume 7, Figure 23-1 (application ref: 7.23.1)** **Volume 7, Figure 23-3 (application ref: 7.23.1)** **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Chapter 21 Land Use (application ref: 7.21)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Impact 3: Temporary habitat loss / fragmentation to all habitats (Bentley Moor Wood and Nitrogen deposition only) which is **moderate** adverse; and • Impact 8: Death, injury or disturbance to breeding birds which is **moderate** adverse. The detail and scope of the decommissioning works will be determined by the relevant legislation and guidance at the time of decommissioning and agreed with the regulator. As such, impacts during the decommissioning stage are assumed to be the same as those identified during the construction stage. <u>Tourism</u> For the onshore elements of the Projects a **moderate** adverse residual effect relating to landscape and visual impacts of the Onshore Converter Stations on a tourism asset (Butt Farm Caravan and Camping) has been identified. This effect will however reduce with distance, falling below the threshold of significance at no more than 1km from the Onshore Converter Stations footprint. In addition, with the consideration of the additional mitigation measures within the Outline Landscape Management Plan the significance of effect is reduced to **minor** adverse and **moderate** adverse for construction and operation, respectively. <u>Land Use</u> The land required for the Onshore Converter Stations will result in medium to long-term residual impacts to changes in land use and agri-environmental schemes during operation of the Projects which is considered a **major** adverse significant effect. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Station will be reinstated to agriculture, bounded by proposed native woodland and an area of SuDs. Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. In relation to HRA, the Applicants have submitted a Habitats Regulations Derogation Provision of Evidence document to provide evidence to support Stage 3 (Derogation) of the Habitats Regulations Assessment (HRA) Process.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the SoS concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the DCO. The Projects will also result in **moderate** beneficial effects relating to socio-economic and wider societal infrastructure through its creation of new jobs and contribution to the economy of the Humber Region. During the whole lifecycle of the Projects the reduction of GHG emissions, through the provision of clean energy, will result in an overall Beneficial effect which is considered to be significant in EIA terms.	
		4.2.9 During decision making, the CNP policy also explains the Secretary of State's approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and IROPI tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	The Applicants have prepared a Stage 1 Marine Conservation Zone Assessment (MCZA) for the Projects which is submitted with this Application. The assessment concludes that, based on the information presented in the assessment, which include assessments on the relevant broadscale habitats and features of geological interest, the conservation objective of maintaining the protected features of the Marine Conservation Zones (MCZs) in favourable condition, or restoring them to favourable condition, will not be hindered by the construction, operation and decommissioning stages of the Projects, or cumulatively with any other plan, project or activity. Based on the outcome of this Stage 1 Assessment, no further stages of MCZA are required. Details of the HRA process followed by the Projects is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP. The number of sites assessed in each topic area is as follows: • Sites designated for terrestrial ecology features – One site; • Sites designated for offshore Annex I habitats – Three sites; • Sites designated for Annex II migratory fish species – Two sites;	**Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)** **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1).** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Sites designated for Annex II marine mammals - Seven sites; and • Sites designated for marine ornithological features - 22 sites. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	
1.18	Applicant's Assessment	4.2.10 Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements	The Applicants have considered the NPS and relevant technology specific NPS's, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, The Applicants have prepared a Habitats Regulations Derogation: Provision of Evidence' document which provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The report also sets out how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy any other legal and regulatory requirements. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.2.11 Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.	The Applicants have demonstrated throughout the ES, the RIAA and the Habitats Regulations Derogation: Provision of Evidence' document, how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. Topic specific consultation responses and the Applicants' approach to them is set out in each individual ES Chapter (throughout Volume 7). These demonstrate the regard that the Applicants have had to o advice received on the approach to assessment, mitigation and impacts. In addition, full details on the consultation process undertaken for the Projects is contained in the ES Chapter on Consultation. Consultation relating to the HRA, in accordance with statutory requirements set out under the Conservative of Habitats and Species Regulations 2017 (known as the Habitats Regulations) is set out in the RIAA. It shows that the Applicants have consulted the relevant statutory and non-statutory bodies.	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)**
		4.2.12 Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	The ES topic specific chapters are structured to distinguish between the construction including reinstatement (where relevant), operation and decommissioning stages of the Projects and include assessments of residual and cumulative impacts as well as proposed mitigation measures. Details of residual and cumulative effects are discussed under the NPS EN-1 responses to Generic Impacts (section 5) later on in these assessment tables. In relation to HRA, whilst not conceding that there will be Adverse Effects on Integrity in relation to razorbill, the following provisions are being provided on a 'without prejudice' basis only. The Habitats Regulations Derogation: Provision of Evidence' document provides evidence to support Stage 3 (Derogation) of the HRA Process in relation to the kittiwake, guillemot and razorbill features of the Flamborough and Filey Coast (FFC) Special Protection Area (SPA) and the 'sandbanks slightly covered by seawater all the time' feature of the Dogger Bank Special Area of Conservation (SAC). As such it is considered that the ES for the Projects is in accordance with paragraph 4.2.12.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.2.13 Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	The Applicants have prepared a Stage 1 MCZA for the Projects which is submitted with this Application. The assessment concludes that, based on the information presented in the assessment, which include assessments on the relevant broadscale habitats and features of geological interest, the conservation objective of maintaining the protected features of the MCZs in favourable condition, or restoring them to favourable condition, will not be hindered by the construction, operation and decommissioning stages of the Projects, or cumulatively with any other plan, project or activity. Based on the outcome of this Stage 1 Assessment, no further stages of MCZA are required. In relation to HRA, whilst not conceding that there will be Adverse Effects on Integrity in relation to razorbill, the following provisions are being provided on a 'without prejudice' basis only. The Habitats Regulations Derogation: Provision of Evidence' document provides evidence to support Stage 3 (Derogation) of the Habitats Regulations Assessment (HRA) Process in relation to the kittiwake, guillemot and razorbill features of the Flamborough and Filey Coast (FFC) SPA and the 'sandbanks slightly covered by seawater all the time' feature of the Dogger Bank SAC.	**Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**
1.19	Secretary of State decision making	4.2.14 The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant's assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	As described above, the Applicants' assessment - both through the EIA, as set out in the ES, and through the HRA, as set out in the RIAA - demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met. The Projects will help address the urgent need for new electricity infrastructure and help the UK decarbonise its economy (EN-1 paragraph 3.3.58). Benefits include: • Provide security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type); • Provide an affordable, reliable system (through the deployment of technologies with complementary characteristics); • Help ensure the system is net zero consistent (by remaining in line with Government carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** **Volume 8, Outline Skills and Employment Strategy (application ref: 8.5)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			and technology scenarios, including where there are difficulties with delivering any technology) (EN-1 paragraph 3.3.59). In addition, as outlined throughout the ES, alongside its pertinent environment benefits through the delivery of clean and affordable energy, the Projects will also deliver significant social and economic benefits as outlined within the ES Chapter on Socio-economics. This includes contributing to a skilled, diverse workforce and strengthening the existing manufacturing base which will be secured via the Outline Skills and Employment Strategy.	
1.20	Non-HRA–and non MCZ residual impacts of CNP Infrastructure	4.2.15 Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. 4.2.16 As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.	In regard to non-HRA or non-MCZ residual impacts remaining after the mitigation hierarchy has been applied, no significant residual impacts, which would represent an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero, are expected.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**
		4.2.17 This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests: • where development within a Green Belt requires very special circumstances to justify development; • where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits	In order to prioritise the conservation of the natural beauty of the landscape in accordance with the NPS EN-1, the Projects have avoided National Parks, Green Belt land, and Areas Of Outstanding Natural Beauty (AONBs). The Projects have avoided Sites of Special Scientific Interest (SSSI) through the route selection process as set out in the ES Chapter on Site Selection and Assessment of Alternatives.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		(including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs. • where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and • where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.	The western extents of the landscape and visual study area (subareas 4 and 5) includes a part of the Yorkshire Wolds Important Landscape Area (ILA) as illustrated in Figure 23-4. Although a **moderate** adverse significant effect on the Yorkshire Wolds ILA is predicted during the operational stage of the Onshore Converter Stations, these effects would be localised, and would reduce with distance, falling below the threshold of significance at no more than 1km from the footprints of the Onshore Converter Stations. The Applicants' Onshore Archaeology and Cultural Heritage assessment has utilised a wealth of data and information sources in establishing an understanding of the existing environment. This includes site specific surveys and digital datasets. The assessment concludes that no impact arising from the Projects will result in an effect greater than **minor** adverse, which is not significant. The Applicants' Offshore Archaeology and Cultural Heritage assessment provides a characterisation of the existing environment for offshore archaeology and cultural heritage based on existing data. The assessment of impacts has established that with mitigation all potential impacts would be avoided, or of no greater than **minor** adverse residual significance.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Figure 23-4 (application ref: 7.23.1)** **Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)**
1.21	HRA –derogations and MCZ assessments for CNP Infrastructure	4.2.18 Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively. 4.2.19 Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations. 4.2.20 Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.	Regarding MCZ impacts, the Applicants have prepared a Stage 1 MCZA for the Projects which is submitted with this Application. The assessment concludes that the conservation objective of maintaining the protected features of the MCZs in favourable condition, or restoring them to favourable condition, will not be hindered by the construction, operation and decommissioning stages of the Projects, or cumulatively with any other plan, project or activity. In relation to HRA, whilst not conceding that there will be Adverse Effects on Integrity in relation to razorbill, the following provisions are being provided on a 'without prejudice' basis only. The Habitats Regulations Derogation: Provision of Evidence' document provides evidence to support Stage 3 (Derogation) of the HRA Process in relation to the kittiwake, guillemot and razorbill features of the Flamborough and Filey Coast (FFC) SPA and the 'sandbanks slightly covered by seawater all the time' feature of the Dogger Bank SAC.	**Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.2.21 For both derogations, the Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change: • requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and • are capable of amounting to imperative reasons of overriding public interest (IROPI) for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.		
		4.2.22 For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.	Regarding MCZ impacts, the Applicants have prepared a Stage 1 MCZA for the Projects which is submitted with this Application. The assessment concludes that the conservation objective of maintaining the protected features of the MCZs in favourable condition, or restoring them to favourable condition, will not be hindered by the construction, operation and decommissioning stages of the Projects, or cumulatively with any other plan, project or activity.	**Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			In relation to HRA, whilst not conceding that there will be Adverse Effects on Integrity in relation to razorbill, the following provisions are being provided on a 'without prejudice' basis only. The Habitats Regulations Derogation: Provision of Evidence' document provides evidence to support Stage 3 (Derogation) of the HRA Process in relation to the kittiwake, guillemot and razorbill features of the Flamborough and Filey Coast (FFC) SPA and the 'sandbanks slightly covered by seawater all the time' feature of the Dogger Bank SAC.	
1.22	Environmental Effects / Considerations EN-1 (4.3)	4.3.1 All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. 4.3.2 The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. 4.3.3The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.	The Applicants have prepared an ES (Volume 7) that forms part of the submission in accordance with the requirements of the Regulations. The ES describes the aspects of the environment likely to be significantly affected by the Projects, as scoped in the Scoping Report and agreed with the SoS in the scoping opinion. The ES assesses the likely significant effects of the Projects, covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning stages of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the Projects is in accordance with paragraph 4.3.1-4.3.3 of EN-1.	**Volume 7, ES Chapters 1** to **30 (application ref: 7.1** to **7.30)**
		4.3.4 To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	An ES has been submitted for this application which undertakes a thorough assessment including environmental, social and economic receptors. The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the ES Chapters listed in the Relevant Documents column. The Projects' Biodiversity Net Gain (BNG) Strategy sets out the approach to BNG which is also supported by an Outline Ecological Management Plan (onshore) and Outline Landscape Management Plan that provides further details of proposed mitigation measures.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** **Volume 7, Chapter 27 Human Health (application ref: 7.27)** **Volume 7, Chapter 21 Land Use (application ref: 7.21)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Unfortunately, in some instances residual adverse impacts cannot be avoided. An example of such an effect is the land required for the Onshore Converter Stations which will result in medium to long-term residual impacts to changes in land use and agri-environmental schemes during operation of the Projects which is considered a **major** adverse significant effect. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Station will be reinstated to agriculture, bounded by proposed native woodland and an area of SuDs. Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. Each of the ES Chapters allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. Where necessary, the ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. In order to demonstrate how this will be achieved a number of outline management plans are submitted with the application. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the Projects when considering the planning balance. The Projects will contribute to addressing a CNP which the Government have described as being urgent. The Projects meet the relevant tests to be considered a CNP as it complies with relevant CNP policy.	**Volume 8, Outline Skills and Employment Strategy (application ref: 8.5)** **Volume 8, Outline Ecological Management Strategy (application ref: 8.10)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
		4.3.5 For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. 4.3.6 Where the NPSs use the term 'environment' they are referring to both the natural and historic environments. 4.3.7 In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.	The ES onshore and offshore topic specific chapters (Volume 7) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Projects during the construction, operation and decommissioning stages. These have been prepared in accordance with the scoping opinion and subsequent consultation undertaken through the EIA Evidence Plan process. Both the natural and historic environments have been considered. The predicted effects at each of the Projects' stages are presented, including the construction, operation and maintenance and decommissioning stages for both onshore and offshore works. As such it is considered that the ES for the Projects is in accordance with paragraphs 4.2.5-4.2.7 of EN-1	**Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 5 Consultation Report (application ref: 5.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.23	Applicant's assessment	4.3.10 The applicant must provide information proportionate to the scale of the project, ensuring the information is sufficient to meet the requirements of the EIA Regulations. 4.3.11 In some instances, it may not be possible at the time of the application for development consent for all aspects of the Application to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the Application have yet to be finalised, and the reasons why this is the case. 4.3.12 Where some details are still to be finalised, the ES should, to the best of the applicant's knowledge, assess the likely worst-case environmental, social and economic effects of the Application to ensure that the impacts of the project as it may be constructed have been properly assessed. 4.3.13 To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the project on the likely significant environmental, social, and economic effects.	The Applicants submit that the level of detail provided is proportionate to the scale of the Projects. Information has been prepared in accordance with the Projects' scoping opinion and subsequent consultation undertaken through the EIA Evidence Plan process. Where full details cannot be provided, the Applicants have explained in the ES Chapter on EIA Methodology where flexibility needs to be maintained, and the reasons why this is the case. The EIA for the Projects is based on a Project Design Envelope (or 'Rochdale Envelope') approach on a topic-by-topic basis. As is recognised by the Planning Inspectorate in Advice Note Nine (Planning Inspectorate, 2018), at the time of submitting an application, offshore wind developers may not know the precise nature and arrangement of infrastructure and associated infrastructure that make up the Projects. This is due to a number of factors such as the evolution of technology and the need for further detailed surveys before a final design and layout can be determined. This flexibility is important as it prevents consent from being granted for specific infrastructure or a particular layout which is not possible or optimal by the time of construction, which may be several years after the granting of the DCO. In accordance with this approach, the realistic worst-case scenarios for each topic are summarised within each topic chapter. These are based on the design parameters described in the Project Description Chapter which provides further details regarding specific activities and their durations.	**Volume 7, Chapter 5 Project Description (application ref: 7.5),** **Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 5 Consultation Report (application ref: 5.1)**
		4.3.15 Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility. 4.3.16 In some circumstances, the NPSs may impose a policy requirement to consider alternatives. 4.3.17 Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.	The Site Selection and Assessment of Alternatives Chapter of the ES provides a description of the site selection process and the approach undertaken by the Projects to refine its design. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Projects.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4).** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			This Chapter also explains and details the main alternatives considered for the Projects, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, & c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations'). Where alternatives have been considered, the ES sets out the alternatives considered and explains the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in the ES Chapter on Policy and Legislative Context.	
1.24	Secretary of State decision making	4.3.18 The Secretary of State should consider the worst-case impacts in its consideration of the application and consent, providing some flexibility in the consent to account for uncertainties in specific project details. 4.3.19 The Secretary of State should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the Project Description Chapter. These parameters are realistic and considered estimations of future design parameters. Therefore, each chapter assesses the 'realistic worst-case' scenario for each of the identified potential impacts. Each topic assessment has taken the maximum design scenario approach which considers the likely worst cast environmental, social and economic effects. In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning stages of the onshore and offshore aspects of the Projects have been considered across the specific ES chapters. Each ES Chapter also considers and assesses cumulative effects as well as embedded mitigation and where required proposed additional mitigation measures for construction, operation and decommissioning of the Projects. Based on this approach and the level of information contained within the ES Chapters it is considered that the ES for the Projects is in accordance with paragraphs 4.2.19.	**Volume 7. Chapter 5 Project Description (application ref: 7.5)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.3.22 Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: • the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; • only alternatives that can meet the objectives of the Application need to be considered	To assist the SoS the ES Chapter on Site Selection and Assessment of Alternatives provides a description of the site selection process and the approach undertaken by the Projects to refine its design. This chapter also provides information on the need for new renewable energy generation, followed by details regarding the alternatives considered for both the onshore and offshore elements of the Projects. It also explains and details the main alternatives considered for the Projects, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007; the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'); and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (the 'Offshore Habitats Regulations'). Where alternatives have been considered, the ES sets out the alternatives considered and explains the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in the ES Chapter on Policy and Legislative Context.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**
		4.3.23 The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the Application. 4.3.24The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals		
		4.3.25 Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision. 4.3.26 As the Secretary of State must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the Secretary of State concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State's decision.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.3.27 Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision. 4.3.28 Alternative proposals which are vague or immature can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.		
		4.3.29 It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect the applicant to have assessed it.	For each of the alternatives, the ES sets out the alternatives considered and explains the main reasons for the choice between alternative options (including for example, relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in the ES Chapters on Policy and Legislative Contexts as well as Site Selection and Assessment of Alternatives. Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the EPP, or specific EPP meetings (e.g. Expert Topic Groups. The approach taken to site selection and alternatives allowed a multi-disciplinary team to undertake the site selection process, which included a team of specialists consisting of engineers, planners, land agents, landscape architects, legal advisors and EIA consultants. Site selection is a complex, iterative process with decisions made having considered multiple factors. Decisions on site selection are required at various stages to enable the Projects to progress and are based on the best information available at the time. The stages of the design iteration from inception through to the current point of DCO submission is more fully described in the ES Chapter on Site Selection and Assessment of Alternatives but followed mainly the following process: • Stage 1 – identification of the Array Areas location;	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 5 Consultation Report) application ref: 5.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents

			• Stage 2 – identification of possible National Grid connection locations;
			• Stage 3
			  ○ identification of the Landfall area of search;
			  ○ identification of Offshore Export Cable Corridor area of search;
			  ○ identification of Onshore Substations area of search; and
			  ○ identification of Onshore infrastructure area of search;
			• Stage 4 – ongoing project infrastructure refinement and micrositing;
			• Stage 5 - identification of a shortlist for Landfall, Offshore and Onshore Export Cable Corridors as well as Onshore Substations;
			• Stage 6 – Scoping Report submitted to Planning Inspectorate;
			• Stage 7 – ongoing project infrastructure refinement and micrositing;
			• Stage 8 – Design Freeze for EIA and PEIR report;
			• Stage 9 –
			  ○ Finalisation of Nation Grid connection location;
			  ○ Consideration of survey information; and
			  ○ Review of stakeholder feedback;
			• Stage 10 – identification of final options for Landfall, Offshore and Onshore Export Cable Corridors, Converter Stations and refinement of Array Boundary Areas;
			• Stage 11 – Design Freeze for EIA and Environmental Statement; and
			• Stage 12 - production of Site Selection and Assessment of Alternatives ES Chapter for DCO application submission.	

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Development of the Projects have continued since the production of the Scoping Report and the process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. The ES Chapter on Consultation, accompanying the DCO application, provides a record of how the Projects have had due regard to the responses received from consultative processes as the Projects have developed.	
1.25	Health EN-1 (4.4)	4.4.1 Energy infrastructure has the potential to impact on the health and well-being ("health") of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people's health.	The ES topic chapter assesses the potential risks to human health which may arise during the construction, operation and decommissioning stages of the Projects. Specifically, impacts to health for both the general population and for vulnerable groups are assessed in within the ES Chapter on Human Health. Overall, it is considered that there will be no significant negative residual effects upon Human Health. However, the Projects will result in minor to moderate public health benefits in relation to energy security for population health in the operational phase. The assessment of human health drew on assessments from other ES Chapters including air quality, land quality, traffic, noise and socio-economics.	**Volume 7, Chapter 27 Human Health (application ref: 7.27)**
1.26	Applicant assessment	4.4.4 As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. 4.4.5 The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. 4.4.6 Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society as a whole.	The ES topic chapter assesses the potential risks to human health which may arise during the construction, operation and decommissioning stages of the Projects. Specifically, impacts to health for both the general population and for vulnerable groups are assessed in within the ES Chapter on Human Health. Overall, it is considered that there will be no significant negative residual effects upon Human Health. However, the Projects will result in minor to moderate public health benefits in relation to energy security for population health in the operational phase. The Human Health Chapter of the ES also considers to potential cumulative impacts. Only potential impacts assessed as negligible or above are included in the Cumulative Effects Assessment (CEA). Those assessed as 'no impact' are not taken forward as there is no potential for them to contribute to a cumulative impact. Across the ES no significant adverse cumulative effects on health and wellbeing were found to arise as a result of the projects.	**Volume 7, Chapter 27 Human Health (application ref: 7.27)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.27	Secretary of State decision making	4.4.7 Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008. 4.4.8 However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.	Across the ES no significant adverse cumulative effects on health and wellbeing were found to arise as a result of the Projects.	**Volume 7, Chapter 27 Human Health (application ref: 7.27)**
1.28	Marine Considerations (EN-1 only) EN-1 (4.5)	4.5.1 The Marine Policy Statement (MPS) is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide. 4.5.2 Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations. 4.5.3 The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.	The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development. The marine plans and MPS have been considered in developing the Application for the Projects. The Government's Marine Plans are considered within each offshore topic chapter, with focus on the East Inshore and Offshore Marine Plan (adopted April, 2014) and the North East Inshore and Offshore Marine Plan (adopted June, 2021), where the Projects are located. Relevant policies from these marine plans are screened in. As concluded in the Planning Statement, there is no conflict with the Marine Plans.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Policy Assessment Compliance Tables (application ref: 8.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.5.5 The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on Marine Protected Areas (MPAs), including applying the mitigation hierarchy and using strategic approaches.111 The guidance will not extend to waters where the devolved administrations have competence for managing MPAs. 4.5.6 VEA deemed marine licence can be granted as part of the Development Consent Order and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and offshore substations. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea. Further information on marine licencing is provided in section 1.2 of this NPS and paragraphs 2.3.16 to 2.3.24 of EN-3. .4.5.7 Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their Development Consent Order application.	Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures, following recent consultation on this matter. A dDCO is submitted as part of the Application which identifies requirements that may be applied to the Projects. This incorporates Deemed Marine Licences (DML) that would otherwise be required under the MCAA 2009. The DMLs identify conditions that may be applied to the Projects. The Applicants have consulted with stakeholders on a non-statutory basis through the EPP and Expert Topic Groups (ETGs) since 2021, with key consultation outcomes recorded in the first appendix of each technical chapter of the ES. The Marine Management Organisations (MMO) is a member all relevant offshore ETGs. The Government's Marine Plans are considered within each offshore topic chapter, with focus on the East Inshore and Offshore Marine Plan (adopted April, 2014) and the North East Inshore and Offshore Marine Plan (adopted June, 2021), where the Projects are located. Relevant policies from these marine plans are screened in. As concluded in the Planning Statement, there is no conflict with the Marine Plans.	**Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.29	Applicant Assessment	4.5.8 Applicants for a development consent order must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent. 4.5.9 Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.	The Government's Marine Plans are considered within each offshore topic chapter, with focus on the East Inshore and Offshore Marine Plan (adopted April, 2014) and the North East Inshore and Offshore Marine Plan (adopted June, 2021), where the Projects are located. Relevant policies from these marine plans are screened in. Through scoping the application, Marine Plans, other relevant legislation and policies; and feedback from relevant stakeholders such as the MMO, has been fed into the Projects to refine and avoid impacts upon other users and the marine environment, where possible.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**
1.30	Secretary of State decision making	4.5.10 Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a development consent order where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas. 4.5.11 In making a decision, the Secretary of State is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies. 4.5.12 In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.	The Government's Marine Plans are considered within each offshore topic chapter, with focus on the East Inshore and Offshore Marine Plan (adopted April, 2014) and the North East Inshore and Offshore Marine Plan (adopted June, 2021), where the Projects are located. Relevant policies from these marine plans are screened in. Each offshore topic chapter of the ES provides an assessment of the potential environmental effects and identifies approaches to mitigation and monitoring during the construction, operation and decommissioning stages of the Projects. The assessment has had regard to the relevant requirements for assessment set out in NPS EN-1 and has been carried out in accordance with those requirements. As concluded in the Planning Statement, the Projects are in support of the Marine Plans.	**Volume 7, Chapters 8** to **17 (application ref: 7.8** to **7.17)** **Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** **Volume 7, Chapter 30 Clime Change (application ref: 7.30)** **Volume 8, Planning Statement (application ref: 8.1)**
1.31	Environmental and Biodiversity Net Gain (EN-1 only) EN-1 (4.6)	4.6.1 Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only mitigate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. 4.6.2 Biodiversity net gain is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver biodiversity net gain.	In order to secure BNG for the Projects a Biodiversity Net Gain Strategy will be provided prior to the commencement of construction. The final Biodiversity Net Gain Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final Biodiversity Net Gain Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and	**Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Detail how compensation will be legally secured, managed and monitored for a minimum 30 year period.	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)**
		4.6.3 Currently biodiversity net gain policy in England only applies to terrestrial and intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by the Government, who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for BNG and are not considered in relevant ES reports.	N/A
1.32	Applicant Assessment	4.6.6 Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, or the wider environment where possible. 4.6.7 In England applicants for onshore elements of any development are encouraged to use the most current version of the Defra biodiversity metric to calculate their biodiversity baseline and present planned biodiversity net gain outcomes. This calculation data should be presented in full as part of their application. 4.6.8 Where possible, this data should be shared, alongside a completed biodiversity metric calculation, with the Local Authority and Natural England for discussion at the preapplication stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	A BNG Strategy is submitted with the Application. The document has been prepared in accordance with the relevant guidance and requirements and uses the current version of the biodiversity metric. The BNG Strategy submitted as part of the Application provides details of off-site compensation proposals. Following consultation with external stakeholders such discussions has revealed a number of viable options for BDU delivery within the same or neighbouring LPA or NCA to the Projects. In order to secure BNG for the Projects a final BNG Strategy will be provided prior to the commencement of construction. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final Biodiversity Net Gain Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30 year period. The Outline Ecological Management Plan and Outline Landscape Management Plan, submitted as part of the Application, applies the	**Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 7, Biodiversity Net Gain Strategy (application ref: 17.18.18.10)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**
		4.6.10 Biodiversity net gain should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.6.11 Biodiversity net gain can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of biodiversity net gain to be set out within the application for development consent. 4.6.12 When delivering biodiversity net gain off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies or strategies to use.	mitigation hierarchy and identifies mitigation measures to achieve a no net loss. With regards to LNRSs, these are not yet currently available. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRSs should be in place across the whole of England. Based on the latest information available, the responsible authorities for Hull and East Yorkshire expect the Local Nature Recovery Strategy to be complete by early 2025.	
		4.6.13 In addition to delivering biodiversity net gain, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as: • reductions in GHG emissions • reduced flood risk • improvements to air or water quality, • climate adaptation, • landscape enhancement • increased access to natural greenspace, or • the enhancement, expansion or provision of trees and woodlands The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.	The Projects are designed and brought forward to meet climate change, and therefore GHG targets at the local-national scales. The Projects have also been the subject of an iterative site selection process as set out in the ES Chapter on Site Selection and Assessment of Alternatives which has taken account of and sought to avoid the most heavily constrained sites (i.e. sites that comprises designated sites). Each ES chapter also includes mitigation which will contribute to the delivery of wider environmental gains and benefit to communities and national priorities. The wider societal benefits of reductions in GHG emissions are considered in the ES Chapter on Climate Change which includes a GHG Assessment. Hydrology and flood risk matters are considered in the ES Chapter on Flood Risk. Measures to mitigate impacts to air quality are considered in the ES Chapter on Air Quality. Proposed landscape and BNG mitigation measures are captured in the Outline Landscape Management and Ecological Management Plans.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7. Chapter 26 Air Quality (application ref: 7.26)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.6.14 The Environment Act 2021 mandated the preparation of Local Nature Recovery Strategies (LNRSs) across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRSs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRSs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government's 25 Year Environment Plan.	With regards to LNRSs, these are not yet currently available. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRSs should be in place across the whole of England. Based on the latest information available on the East Riding of Yorkshire website, the responsible authorities for Hull and East Yorkshire expect the Local Nature Recovery Strategy to be complete by early 2025.	**Volume 8, Outline Ecological Management Plan (application ref: 8.10)**
		4.6.15 Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the project.	The Applicants have considered wider environmental mitigation measures within the Outline Landscape Management, Outline Ecological Management as well as the Outline Project Environmental Management Plans. The Projects have also been the subject of an iterative site selection process as set out in the ES Chapter on Site Selection and Assessment of Alternatives which has taken account of and sought to avoid the most heavily constrained sites (i.e. sites that comprises designated sites). The Design and Access Statement sets out how good design would be applied to all elements of the Projects, and what the outcomes of this design process may look like.	**Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)** **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)** **Volume 8, Design and Access Statement (application ref: 8.8)**
		4.6.16 Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', Defra's guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	It is important to note that Projects have undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.6.17 Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	The Projects have undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. The ES Chapter on Site Selection and Assessment of Alternatives sets out the stages of the design iteration and site selection process from inception through to the current point of ES DCO submission (see response to EN-1 paragraph 3.3.29 above).	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**
		4.6.18 Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	Across each technical ES chapter (Volume 7) opportunities for the creation of social and economic benefits and environmental mitigation measures have been set out.	**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
1.33	Secretary of State Decision Making	4.6.1 Although achieving biodiversity net gain is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for Development Consent Order unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	A BNG Strategy is submitted as part of the Application. In order to secure BNG for the Projects a final BNG Strategy will be provided prior to the commencement of construction. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30-year period. This is alongside the implementation of several mitigation measures to preserve existing ecological structures that will be subject to ongoing monitoring and management. Further commentary in relation to BNG approach, can be found in within the Strategy submitted with the Application.	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**
		4.6.2 The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.		
		4.6.3 The Secretary of State should give appropriate weight to environmental and biodiversity net gain, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.34	Criteria for good design for Energy Infrastructure EN-1 (4.7)	4.7.1 The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.	The design decisions in terms of the Projects' infrastructure and location are set out within the ES Chapter on Site Selection and Assessment of Alternatives. This chapter shows how design principles have been established from the outset of the Projects to guide the development from conception to operation. Additional detail of the potential reinstatement of the Onshore Export Cable Corridor and screening proposals for the Onshore Substation Zone are outlined within the Outline Landscape Management Plan. The Design and Access Statement sets out how good design would be applied to all elements of the Projects, and what the outcomes of this design process may look like. As such, in so far as practicable, it is considered that the Projects are in accordance with paragraph 4.7.1.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Design and Access Statement (application ref: 8.8)**
		4.7.2 Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.	The Projects have undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising heritage and environmental impacts and following principles of good design. The ES Chapter on Site Selection and Assessment of Alternative sets out the stages of the design iteration and site selection process from inception through to the current point of DCO submission (see response to EN-1 paragraph 3.3.29 above). The Design and Access Statement sets out how good design would be applied to all elements of the Projects, and what the outcomes of this design process may look like.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Design and Access Statement (application ref: 8.8)**
		4.7.3 Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.	The ES Chapter on Site Selection and Assessment of Alternatives sets out the Projects' approach to avoid compromising eroding cliffs, help protect sensitive receptors and minimise the extent of direct interaction with coastal features through the use of trenchless technologies, such as Horizontal Directional Drilling (HDD) at the landfall, in order to bring cables from the marine environment to the onshore environment.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.7.4 Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.	The approach taken to site selection and alternatives allowed a multi-disciplinary team to undertake the site selection process, which included a team of specialists consisting of engineers, planners, land agents, landscape architects, legal advisors and EIA consultants. Site selection is a complex, iterative process with decisions made having considered multiple factors. Decisions on site selection are required at various stages to enable the Projects to progress and are based on the best information available at the time. Through this approach the principles of good design have been applied via engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO Application, is provided and provides a record of how Projects have had due regard to the responses received.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 5, Consultation Report (application ref: 5.1)**
1.35	Applicant assessment	4.7.5 To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent. 4.7.6 Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.	The approach to design of all the projects' components, including the Onshore Substations, is contained in the ES Chapter of Site Selection and Assessment of Alternatives and the Design and Access Statement. Through the use a multi-disciplinary team, which included a team of specialists consisting of engineers, planners, land agents, landscape architects, legal advisors and EIA consultants to undertake the site selection process; it allowed for an iterative process that enabled good design principles to be embedded in the design. The Applicants confirm that a Design Champion would be appointed to the Projects. It would be their responsibility to ensure that the Onshore Development is designed and built to the highest practicable standard. The Design Champion would be the likely representative for engagement with the Projects' Design Review Panel. Both the Projects' Design Champion and the Projects' Design Review Panel will include person(s) who are not directly involved in the design development but with the authority to influence the Projects' design within the Applicants' organisation. Both the Champion and the Panel person(s) will be selected based on design experience, commitment to the aforementioned design principles and the seniority to hold the Projects' team to account and challenge decisions where appropriate.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Design and Access Statement (application ref: 8.8)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.7.7 Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.	The Projects have undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. The ES Chapter on Site Selection and Assessment of Alternative set out the stages of the design iteration and site selection process from inception through to the current point of DCO submission (see response to EN-1 paragraph 3.3.29 above). The Design and Access Statement identifies how the Projects Design principles have influenced the design development of the Projects.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Design and Access Statement (application ref: 8.8)**
		4.7.8 Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.	A summary of technical consultation responses and their consideration by the Projects where relevant are given in Appendix 1 of each technical chapter of the ES. Where feedback has informed the site selection or the Projects' design; this is outlined in the ES Chapters on Site Selection and Assessment of Alternatives and Project Description. It is proposed in the Design and Access Statement that a design panel will be engaged at the detailed design stage of the Projects. This panel will be made up of Project and external representatives through discussion with East Riding of Yorkshire Council.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 8, Design and Access Statement (application ref: 8.8)**
		4.7.9 Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.	This is noted by the Applicants and discussed within the relevant NPS section where applicable.	N/A
1.36	Secretary of State decision making	4.7.10 In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.	Good design and sustainability have been central in the development of the Projects' proposals. The Projects have undergone an iterative design and site selection process in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following the principles of good design. The ES Chapter on Site Selection and Assessment of Alternative set out the stages of the design iteration and site selection process from inception through to the current point of ES DCO submission (see response to EN-1 paragraph 3.3.29 above).	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.7.11 In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.	The Design and Access Statement sets out how good design would be applied to all elements of the Projects, and what the outcomes of this design process may look like.	
		4.7.12 In considering applications, the Secretary of State should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. 4.7.13 The Secretary of State should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the Application rather than a shorter time period. 4.7.14 The Secretary of State should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects. 4.7.15 Further advice on what the Secretary of State should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	Landscape and environmental factors have informed the design process; as stated within the ES Chapter on Site Selection and Assessment of Alternative. Where practicable, landscape and seascape area that are considered sensitive have been avoided. Where this is not possible mitigation, either embedded of additional, has been proposed as part of the relevant ES Chapters. Landscape impacts have been assessed as part of the ES Chapter on Landscape and Visual Impact. In addition, an Outline Landscape Management Plan has been prepared as part of this Application which proposes specific mitigation measures to minimise potential landscape and environmental impacts.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
1.37	Climate Change Adaptation and Resilience EN-1 (4.10)	4.10.1 Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	Each relevant topic-specific chapter of the ES takes into account the potential impacts of climate change and the potential change in the baseline that would occur without the implementation of the Projects, so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of the Projects.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.10.2 Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	The ES Chapter on Climate Change includes a Climate Change Resilience Assessment (CCRA). The methodology adopted for the CCRA is informed by IEMA guidance, Environmental Impact Assessment Guide to: Climate Change Resilience & Adaptation (IEMA 2020). The purpose of the CCRA is to evaluate the resilience and vulnerability of the design and infrastructure to the projected effects of climate change over the construction, operational and maintenance, and decommissioning stages of the Projects. This assessment identifies the likelihood of climate hazards occurring within the study area, and the consequences of the impact will be highlighted. The CCRA concludes that, accounting for embedded mitigation, the vulnerability rating of the Projects to identified climate hazards would be low. Therefore, there is a low likelihood that climate change impacts would adversely affect the Projects during the construction and, operation and maintenance phase, and any effect of climate change on the Projects would be not significant. The ES Chapter on Flood Risk and Hydrology and the Flood Risk Assessment (FRA) takes account of the potential climate change impacts. The FRA has reviewed and included appropriate climate change allowances as per the Environment Agency's climate change allowance guidance (Environment Agency, 2022). As the only above ground infrastructure, during the operational stage, is the Onshore Converter Stations, which are located in Flood Zone 1 (i.e. at low risk from either coastal or fluvial flooding), it is considered that climate change in the future is unlikely to have a significant influence on the Projects.	**Volume 7, Appendix 30-3 - Climate Change Resilience Assessment Methodology (application ref: 7.30.30.3)** **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**
		4.10.3 To support planning decisions, the government produces a set of UK Climate Projections146 as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power147 will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.		
		4.10.4 The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).		
1.38	Applicant assessment	4.10.5 In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.10.6 Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.		
		4.10.7 In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.		
		4.10.8 New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g. site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g. access roads or other critical dependencies impacted by flooding, storms, heatwaves or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.		
		4.10.9 The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments,148 Climate Impacts Tool, 149 and British Standards for climate change adaptation, 150 in accordance with the EIA Regulations.		
		4.10.10 Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.	The ES Chapter on Climate Change includes a CCRA which considers the resilience of the Projects' design and infrastructure to the projected effects of climate change over the lifespan of the Projects. The assessment has been undertaken in accordance with methodology provided in IEMA's 'Environmental Impact Assessment Guide to Climate Change Resilience and Adaptation' guidance (IEMA 2020).	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.10.11 Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.	At each stage of the design, steps will be taken to determine the climate change impact of the offshore wind farms, providing a better understanding of which measures will be effective in reducing it. Resilience to climate change has been taken into account in the design of the Projects. Example of this are: • The use of HDD to avoid compromising existing sea defences and potential impacts as a result of climate change on the Landfall Site; • The reduction of GHG emissions associated with the offshore foundation structures, which will be optimised with the aim of minimising steel mass; and • The adoption of recent advances in technology where possible on the Projects, such as the use of recycled materials in wind turbines.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Design and Access Statement (application ref: 8.8)**
		4.10.12 Where energy infrastructure has safety critical elements, the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.	Safety critical elements of the Projects have been assessed in the ES Chapter on Climate Change which includes a CCRA. The CCRA provides a climate vulnerability and resilience assessment with mitigation where required. The FRA undertaken for the Projects concludes that as the only above ground infrastructure, during the operational phase, are the Onshore Converter Stations, which are located in Flood Zone 1 (i.e. at low risk from either coastal or fluvial flooding) it is not considered appropriate to assess the credible maximum climate change scenario for flood risk.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**
1.39	Secretary of State decision making	4.10.13 The Secretary of State should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections151 and associated research and expert guidance (such as the EA's Climate Change Allowances for Flood Risk Assessments152 or the Welsh Government's Climate change allowances and flood consequence assessments153) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.	The Projects have been developed with a full understanding of the potential consequences of climate change and have incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated to the extent where no significant adverse residual effects are predicted during the construction, operation and maintenance and decommissioning stage of the Projects.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 8, Outline Drainage Strategy (application ref: 8.12)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.10.14 Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant 4.10.15 The Secretary of State should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. 4.10.16 If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. 4.10.17 Any adaptation measures should be based on the latest set of UK Climate Projections, the government's latest UK Climate Change Risk Assessment, when available, and in consultation with the EA's Climate Change Allowances for Flood Risk Assessments, or the Welsh Government's Climate change allowances and flood consequence assessments. 4.10.18 The Secretary of State may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure.	The baseline risk of flooding to the key onshore elements of the Projects have been explored for the Landfall Zone, Onshore Export Cable Corridor, Onshore Substation Zone and Onward Connection to the Proposed Birkhill Wood National Grid Substation as well as the Temporary Construction Compounds. The Landfall Zone location is considered to be at low risk from surface water flooding, as any areas identified as having a higher risk of surface water flooding are associated with watercourses or localised areas of lower-lying land. The strategy for controlling surface water runoff is detailed in the Outline Drainage Strategy. Overall, the Onshore Export Cable Corridor is not at risk of flooding from tidal, sewers, canals or other artificial sources or reservoirs during the operation of the Projects. In the areas where the Onshore Export Cable Corridor pass through areas of Flood Zone 2 and 3 consideration has been given to mitigation measures which will minimise the potential flood risk during construction. The Applicants have agreed these mitigation measures with the EA and LLFA. Overall, the Onshore Substation Zone is not considered to be at risk of flooding from tidal, sewers, reservoirs, canals or other artificial sources. There is also a low risk of flooding from groundwater sources. The onward cable route to the Proposed Birkhill Wood National Grid Substation crosses a small area of Flood Zone 3, which is also shown to be at risk from surface water flooding. In this location, the crossing methods for the Ordinary Watercourses will be considered on an individual basis and agreed with the LLFA at the detailed design stage. In regard to minimising potential flood risk to or from these Temporary Construction Compounds, the Outline Code of Construction Practice (CoCP) stipulates that the Principal Contractor will prepare a Surface Water Management Plan and an Emergency Response, Evacuation and Pollution Control Plan prior to the start of construction. Once construction is complete, all Temporary Construction Compounds and temporary access tracks will be fully reinstated and would have no operational use and therefore no further mitigation would be required.	**Volume 8, Outline Code of Construction Practice (application ref: 8.9)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.10.19 Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the Secretary of State may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).	As such, with regards climate change effects, it is considered that the Projects are in accordance with paragraphs 4.10.13 – 4.10.19 of EN-1. Further details can be found within the ES Chapter on Climate Change.	
1.40	Network Connection EN-1 (4.11)	4.11.1 The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend generation plant. 4.11.2 In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated. 4.11.3 To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission. 4.11.4 Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in 2.8.8 of EN-3 and 2.12.7 of EN-5.	The Applicants have developed DBS East and DBS West transmission infrastructure as co-ordinated projects in accordance with the National Grid Electricity System Operator (ESO) evolving Holistic Network Design (HND), as updated in February 2024. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. However, the proposed Birkhill Wood National Grid Substation is not part of the Projects and therefore not part of the DCO application. Ownership of the proposed Birkhill Wood National Grid Substation is with National Grid. Connection to the National Grid substation itself would be completed by National Grid or their appointed contractors. Connection to the proposed Birkhill Wood National Grid Substation is expected in 2029. The In Isolation, Concurrent and Sequential Development Scenarios allow for flexibility to build out the Projects using a phased approach. This would allow the Projects to adapt to National Grid Electricity Transmission Operator's development plans for the onshore grid connection points. The design of the Projects will continue to be refined as more information is made is available by National Grid ESO through the Detailed Network Design.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
1.41	Applicant assessment	4.11.5 The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional DNO or TSO to secure a grid connection.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.11.6 Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application. In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.		
		4.11.7 The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Coordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the Secretary of State or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall. 4.11.8 On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.	The Application includes infrastructure required to connect the new Converter Stations to the National Grid at the proposed Birkhill Wood National Grid Substation. The key onshore elements of the Projects are outlined within the ES Chapter on Project Description and are as follows: • Landfall Zone; • Onshore Export Cable Corridor; and • Onshore Substation Zone and Onward Connection to the proposed Birkhill Wood National Grid Substation. The projects, consisting of DBS East and DBS West, will be developed together and the design includes provision for shared infrastructure e.g. Haul Roads and Temporary Construction Compounds. Developing the Projects together would allow for construction to be Concurrently or Sequentially, with up to a two-year lag between the Projects. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. However, the proposed Birkhill Wood National Grid Substation is not part of the Projects and therefore not part of the DCO application. Ownership of the proposed Birkhill Wood National Grid Substation is with National Grid. Connection to the National Grid substation itself would be completed by National Grid or their appointed contractors. Connection to the proposed Birkhill Wood National Grid Substation is expected in 2029. The In Isolation, Concurrent and Sequential Development Scenarios allow for flexibility to build out the Projects using a phased approach. This would allow the Projects to adapt to National Grid Electricity Transmission Operator's development plans for the onshore grid connection points. To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered. This allows for the assessment of the worst-case impacts	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)**
		4.11.9 If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.11.10 It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms161 as outlined in EN-5.	specific to each topic chapter. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. The design information is based on the best available information and the parameters outlined in the project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter assesses the 'realistic worst-case' scenario for each of the identified potential impacts. Cumulative effects are assessed and reported within each topic chapter of the ES.	
1.42	Secretary of State decision making	4.11.12 The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted. 4.11.13 Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State's ability to take subsequent decisions on any related projects.	The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. However, the proposed Birkhill Wood National Grid Substation is not part of the Projects and therefore not part of the DCO application. Ownership of the proposed Birkhill Wood National Grid Substation is with National Grid. Connection to the National Grid substation itself would be completed by National Grid or their appointed contractors. Connection to the proposed Birkhill Wood National Grid Substation is expected in 2029.	N/A
1.43	Pollution Control and Other Environmental Regulatory Regimes EN-1 (4.12)	4.12.3 Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016 (EPR). The EPR requires industrial facilities to have an EP and meet limits on allowable emissions to operate. 4.12.4 Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are will now be determined through a new UK-specific BAT process.	As detailed within the Other Consents and Licenses Statement, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator, where necessary. The document provides further information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Projects.	**Volume 8, Other Consents and Licenses (application ref: 8.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.44	Applicant assessment	4.12.5 Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.	The Applicants have consulted with stakeholders on a non-statutory basis through the EPP and ETGs since 2021, with key consultation outcomes recorded in the first appendix of each technical chapter of the ES. The MMO is a member all relevant offshore ETGs. As outlined in the ES Chapter on Site Selection and Assessment of Alternatives, the Site Selection and Design process has been iterative and informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. The ES Chapter on Consultation provides a record of how the Applicants have had due regard to the responses received.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)**
		4.12.6 Many projects covered by this NPS will be subject to the EP regime, which also incorporates operational waste management requirements for certain activities. When an applicant applies for an EP, the relevant regulator (usually EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.	As detailed within the Other Consents and Licenses Statement, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides further information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Projects.	**Volume 8, Other Consents and Licenses (application ref: 8.3)**
		4.12.7 Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for EPs and other consents. Early contact with relevant regulators is strongly encouraged to ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the Secretary of State. 4.12.8 Wherever possible, applicants should submit applications for EPs and other necessary consents at the same time as applying to the Secretary of State for development consent.	As detailed within the Other Consents and Licenses Statement, the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. This document may be updated and resubmitted during the examination to demonstrate progress made on obtaining any other necessary consents, licences or permits.	**Volume 8, Other Consents and Licenses (application ref: 8.3)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)**
1.45	Secretary of State decision making	4.12.9 In considering an application for development consent the Secretary of State should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves.	The development is an acceptable use of land and sea and the ES Chapter on the Need for the Project sets out the reasons to support this statement.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.12.10 The Secretary of State should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The Secretary of State should act to complement but not seek to duplicate them.	In addition, the Application includes an Outline Project Environmental Management Plan (PEMP) and Outline CoCPs which provide the framework for the Projects controlling its emissions and discharges to the offshore and onshore environment. All onshore contractors and subcontractors will work in accordance with the CoCP, produced in accordance with the Outline CoCP. All offshore contractors will work under a PEMP, produced in accordance with the Outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures. As such, it is considered that the Projects are in accordance with paragraphs 4.12.9 – 4.12.10 of EN-1.	**Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
		4.12.11 The Secretary of State's consent may include a deemed marine licence and the MMO, or NRW, will advise on what conditions should apply to the deemed marine licence. 4.12.12 The Secretary of State and the MMO, or NRW, should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation. 4.12.13 In considering the impacts of the project, the Secretary of State may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	As set out in the ES Chapter on the Project Description, whilst a single DCO application has been made for the Projects, five separate DMLs are included as schedules to the dDCO to cover each Array Area, their associated transmission infrastructure and the inter-project cabling required for the Projects. Conditions will apply to these DMLs to ensure that the Projects comply with the relevant environmental legislation. As such, it is considered that the Projects are in accordance with paragraphs 4.12.11-4.12.13 of EN-1	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
		4.12.14 The Secretary of State should be satisfied that development consent can be granted taking full account of environmental impacts. 4.12.15 Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the Secretary of State should be satisfied, before consenting any potentially polluting developments, that:	The ES provides a full and detailed account of potential environmental impacts associated with the Projects, specifically with regards potential pollution in the offshore and onshore environment. The relevant ES chapters conclude that taking account of proposed mitigation, no likely significant effect would occur either from the Projects alone, or cumulatively with other plans and projects, from any sources of pollution.	**Volume 8, Outline Code of Construction Practice (application ref: 8.9)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; • the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the Application is added would make that development unacceptable, particularly in relation to statutory environmental quality limits. 4.12.16 The Secretary of State should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the Secretary of State to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	The Projects have proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below: • CoCP, which will accord with the Outline Code of Construction Practice, which incorporates measures to prevent pollution; • Appendix D of the Outline CoCP - Outline Pollution Prevention Plan; and • Outline PEMP, which will set out all procedures and measures (in the form of a Marine Pollution Contingency Plan (MPCP). The PEMP(s) will be developed in consultation with key stakeholders for approval by the MMO post consent of the Projects, As such, it is considered that the ES for the Projects is in accordance with paragraphs 4.12.14 - 4.12.16.	**Volume 8, Appendix D - Outline Pollution Prevention Plan** of the **Outline Code of Construction Practice (application ref: 8.9)** **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)**
1.46	Safety EN-1 (4.13)	4.13.3 Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear) and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. 4.13.4 The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	The Projects will not be subject to the Control of Major Accident Hazards Regulations 2015.	N/A

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.47	Applicant Assessment	4.13.5 Applicants should consult with the HSE on matters relating to safety. 4.13.6 Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. 4.13.7 If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	The Projects will not be subject to the Control of Major Accident Hazards Regulations 2015. The Applicants confirm that the HSE, being the competent authority, has been consulted with from an early stage.	**Volume 5 Consultation Report (application ref: 5.1)**
1.48	Secretary of State decision making	4.13.8 The Secretary of State should be satisfied that a safety assessment has been done, where required, and that the Competent Authority has assessed that it meets the safety objectives described above.	The Projects will not be subject to the Control of Major Accident Hazards Regulations 2015.	N/A
1.49	Hazardous substances EN-1 (4.14)	4.14.1 All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' 4.14.2 The Hazardous Substances Authority (HSA) has responsibility for deciding whether the risk of storing hazardous substances is tolerable for the community. The HSA will usually be the local planning authority. In some circumstances, the county council are the HSA.	The Projects are not expected to hold stocks of those hazardous substances which require the need for 'Hazardous Substance Consent'.	N/A

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		4.14.3 HSE is a statutory consultee on applications for hazardous substances consent. HSE is required to undertake detailed assessment work before producing its public safety statutory advice and the supporting consultation distances. This involves HSE considering the compatibility of the proposal outlined in the application (e.g. to store defined quantities of each hazardous substance in specific locations on site) against the risks to the offsite population. HSE advice takes into account existing and potential developments in the area. The aim of HSE's advice is to mitigate the effects of a major accident on the populations around a major hazard site or pipeline.		
1.50	Applicant Assessment	4.14.5 Applicants must consult the HSA and HSE at pre-application stage if the project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.	The Projects are not expected to hold stocks of those hazardous substances which require the need for 'Hazardous Substance Consent'.	N/A
		4.14.6 HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.		
1.51	Secretary of State Decision Making	4.14.7 Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent.167 The Secretary of State should consult HSE about this.		

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.52	Common Law Nuisance and Statutory Nuisance EN-1 (4.15)	N/A	N/A	N/A
1.53	Applicant Assessment	4.15.5 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be identified by the applicant so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).	The Statutory Nuisance Statement concludes that the only matters addressed by the EPA 1990 which have been assessed as potentially being significant for the Projects are those associated with airborne noise and vibration. However, it is demonstrated in this Statement that the Projects would have no significant effects following the implementation of the identified mitigation measures. The Design and Access Statement for the Projects sets out mitigation measures relating to artificial lighting at the Onshore Converter Stations. This includes the need to maintain dark corridors around the site for ecological and habitat reasons in line with the latest industry guidance. In addition to the DAS, dDCO Requirement 22 will secure the management and mitigation of artificial light emissions during the operation of the Onshore Converter Station. Further to the above conclusions, the dDCO that accompanies the application contains a provision in Article 8 that would provide a defence, subject to certain criteria, to proceedings in respect of statutory nuisance falling within sub-paragraphs: • (d) dust, steam, smell or other effluvia; • (fb) artificial light; • (g) noise; and • (ga) noise from a street of Section 79(1) of the EPA 1990.	**Volume 8, Statutory Nuisance Statement (application ref: 8.4)** **Volume 8, Design and Access Statement (application ref: 8.8)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
1.54	Secretary of State decision making	4.15.6 At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the Secretary of State so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration). 4.15.7 The Secretary of State should note that the defence of statutory authority is subject to any contrary provision made by the Secretary of State in any particular case in a Development Consent Order (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the Secretary of State can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.		
1.55	Security Considerations EN-1 (4.16)	N/A	N/A	N/A

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.56	Applicant Assessment	4.16.6 Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. 4.16.7 The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	The Projects have fully considered any potential effects on Ministry of Defence (MOD) Danger and Exercise Areas. The Array Areas and Offshore Export Cable Corridor lie beneath the Southern Managed Danger Area (MDA), one of four MDA complexes in UK airspace that provide segregated airspace for military training. DBS East Array Area is beneath Danger Areas (DA) EG D323D, the DBS West Array Area is beneath Das EG D323B and C, while the Offshore Export Cable Corridor is beneath DAs EG D323C, D and K. Where relevant, mitigation measures have been recommended, and further potential mitigation measures would be integrated once consulted upon with the MOD during examination and post-consent periods. This would also reflect appropriate measures that are being discussed at an industry level through the Air Defence and Offshore Wind (AD&OW) Strategy and Implementation Plan (S&IP). For further details please refer to the recommended relevant ES Chapters.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** **Volume 7, Appendix 15-1 - Aviation and Radar Consultation Responses (application ref: 7.15.15.1)** **Volume 7, Appendix 15-2 - Airspace Analysis and Radar Modelling (application ref: 7.15.15.2)**
1.57	Security considerations	4.16.8 If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the Secretary of State, it will provide confirmation of this to the Secretary of State. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. 4.16.9 In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. 4.16.10 The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government's Environmental Improvement Plan 2023.		
1.58	Air Quality and Emissions EN-1 (5.2) *Applicants Assessment*	5.2.8 Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.	The Air Quality study undertaken for the Projects considers the likely significant effects of the Projects on local air quality. The assessment provides an overview of the existing environment for the Onshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The Planning Inspectorate, as indicated in the scoping opinion (Planning Inspectorate scoping opinion, 2022), has agreed to exclude the assessment of 'Offshore Air Quality' impacts on air quality, deeming them unlikely to be significant.	
1.59		5.2.9 The ES should describe: existing air quality concentrations and the relative change in air quality from existing levels; any significant air quality effects, mitigation action taken and any residual effects, distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.	The ES Chapter on Air Quality includes a desk-based review to determine the air quality baseline within the study area. The baseline data sources are sufficient to provide an assessment of potential air quality impacts arising from the Projects and have been agreed with East Riding of Yorkshire Council and Hull City Council during technical consultation. The assessment provides a characterisation of the existing air quality conditions and an assessment of the onshore air quality impacts and potential for significant effects due to the construction and decommission stages of the Projects, including those associated with road traffic emissions. The Applicants have committed to the following embedded mitigation measures which are standard for this topic: • The iterative site selection process as set out in the ES Chapter on Site Selection and Assessment of Alternatives has taken account of and sought to avoid sensitive receptors such as residential buildings, designated sites for the substation and Onshore Export Cable Corridor. The Order Limits were developed taking these factors into account; • The Outline Code of Construction Practice sets out best practice air quality management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The assessment outcomes have informed the selection of construction measures to minimise impacts; and • The detail and scope of the decommissioning works would be determined by the relevant legislation and guidance at the time of decommissioning and agreed with the regulator. A Decommissioning Plan would be provided prior to any decommissioning commencing onshore. Based upon the outcomes of the assessment, no additional mitigation is needed as no significant effects have been identified. The impact on	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)** - section 26.5 and 26.6 **Volume 7, Chapter 4 Site Selection and Assessment of Alternative (application ref: 7.4)** **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			designated ecological sites due to increases in traffic were also considered and compared to the appropriate Critical Loads and Levels. Whilst some impacts were predicted to be below the threshold of insignificance, the impacts of certain pollutants require specific ecological consideration to determine the significance of effect. The Terrestrial Ecology and Ornithology assessment has concluded that there will be a **moderate** adverse effect of construction disturbance to non-statutory designated sites (Bentley Moor Wood and Nitrogen deposition only).This significant effect is driven by Nitrogen deposition from construction vehicles on the A164 and although it is a minor adverse impact, the high sensitivity of the ancient wood land results in a **moderate** adverse effect. As the impact will only be experienced during the construction of the Projects, it will be a short-term effect which will be outweighed by the urgent need for CNP infrastructure. This is supported by NPS EN-1 which in paragraph 3.1.2 acknowledges that it will not be possible to develop the necessary amounts of new large-scale energy infrastructure without some significant residual adverse impacts.	
1.60		5.2.10 In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022[1]and associated Defra guidance.	The construction dust and fine particulate matter assessment has been undertaken using a worst case scenario whereby the maximum amount of works (e.g., cable trenching, a construction compound, Jointing Bay and Link Box construction) are undertaken in proximity to the greatest number of human and ecological receptors. Recommended mitigation measures for these worst case locations would then be applied to all onshore construction works, to provide a conservative assessment. The effect of construction dust and fine particulate matter from the Projects on human and ecological receptors is considered not significant with the implementation of site- specific mitigation measures.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)** - sections 26.4, 26.5, 26.6, 26.7 and 26.12

[1] While EN-1 paragraph 5.2.10 refers to the Environmental Targets (Fine Particulate Matters) (England) Regulations 2022, it is understood this is a reference to the Environmental Targets (Fine Particulate Matters) (England) Regulations 2023.

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.61		5.2.12 Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets, or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/strategy at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	Please refer to the Applicants response to EN-1 paragraphs 5.2.9 above. Through the implementation of the embedded mitigation measures the Projects will not lead to a breach in the air quality thresholds.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)**
1.62		5.2.13 The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy172 in England, or the Clean Air Plan for Wales in Wales173, or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance. The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	The ES Chapter on Air Quality determines that the Projects will not lead to a breach of statutory air quality limits. This is a consequence of several mitigation measures, including the Outline CoCP that sets out best practice air quality management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. As such it is considered that the Projects are in accordance with paragraph 5.2.13 of EN-1. With regards to when the Projects are operational, activities will be limited to maintenance and the associated transport to the infrastructure elements of Projects. As planned maintenance will be minimal and would comprise limited planned site visits. effects associated with operational NRMM emissions are considered to be not significant in terms of the EIA Regulations.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
1.63	Greenhouse Gas Emissions EN-1 (5.3) *Applicants Assessment*	5.3.4 All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.3). This should include: • A whole life GHG assessment showing construction, operational and decommissioning GHG impacts, including impacts from change of land use. • An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages. • Measurement of embodied GHG impact from the construction stage. • How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures.	Chapter 30 of the ES includes a whole lifecycle GHG assessment which was undertaken in accordance with the Institute of Environmental Management and Assessment (IEMA) guidance 'Guide: Assessing Greenhouse Gas Emissions and Evaluating their Significance' (IEMA, 2022). Emissions from construction are predicted to be not significant. However, the Applicants are committed to reducing emissions during the construction phase where practicable through the following recommended management measures, which are not required as additional mitigation: • Optimise the efficiency of construction activities to reduce fuel and material consumption and promote resource efficiency, inclusion of delivery and transport coordination requirements in a Vessel Management Plan, adoption of waste hierarchy in construction management plans;	**Volume 7, Chapter 30 Climate Change (application ref: 7.30) -** sections 30.5 and 30.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology. • Calculation of operational energy consumption and associated carbon emissions. • Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. • Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed.	• Explore opportunities to reduce embodied carbon and other construction emissions by developing carbon-focused procurement criteria and incentive mechanisms for material suppliers and project partners, such as low carbon and recycled materials, circular construction methods and performance benchmarking; and • Review and include PAS 2080's key principles and requirements with respect to carbon management in the relevant project documents which may include: o Establish and communicate carbon management goals, roles and responsibilities, requirements and procedures to parties involved in the delivery of the DBS East or DBS West In Isolation. o Practice the GHG mitigation hierarchy over the Projects' lifetime. o Set carbon reduction targets for the Project against a clear baseline which is aligned to the UK's net zero targets and develop the associated Key Performance Indicators and monitoring and reporting arrangements to keep track of the carbon performance of the Projects. o Promote collaboration and information sharing across the value chain to encourage whole life carbon reductions and continual improvement. o Provide training and raise awareness among the project team and partners on key carbon emission sources and low carbon solutions. During the Operational stage of the Projects, the emission sources that were considered include marine vessels, helicopters, road vehicles and embodied carbon in spare parts. Taking into account the emissions released during operational and maintenance stages and weighing these against the emissions savings of the Projects through the provision of renewable electricity to the Grid, the effect significance during the operation and maintenance phase is considered beneficial, which is significant in EIA terms.	

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.64	*Mitigation*	5.3.5 A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. 5.3.6 Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning	The GHG assessment included in Chapter 30 of the ES shows that emissions have been minimised as far as possible. The scope of the GHG assessment considered impacts from emissions from of 'cradle-to-factory gate', a term which includes the extraction, manufacture and production of materials to the point at which they leave the site of the final processing location. Several measures to drive down climate change at each stage of the project has been proposed and is set out within the ES Chapter on Climate Change as described in the response to EN-1 paragraph 5.3.4 above. The CCRA undertaken as part of the ES Chapter on Climate Change considers the resilience of the Projects' design and infrastructure to the projected effects of climate change over the lifespan of the Projects. The assessment has been undertaken in accordance with methodology provided in IEMA's *'Environmental Impact Assessment Guide to Climate Change Resilience and Adaptation'* guidance (IEMA 2020). As set out in the ES Chapter on Site Selection and Assessment of Alternatives, the iterative project design and site selection process has ensured the impacts on the environment and climate are minimised as far as reasonably practical. In addition, each topic specific chapter of the ES has taken account of possible effects of climate change and have included mitigation measures to minimise any potential effects.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30) -** section 30.6 **Volume 7, Chapter 4 Site Selection and Assessment of Alternative (application ref: 7.4)**
1.65		5.3.7 Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, hedgerow creation and restoration, peatland restoration and through other natural habitats.	Emissions from construction were predicted to be not significant. However, the Applicants are committed to reducing emissions during the construction phase where practicable, including potential use of mitigation measures as described in the ES Chapter on Climate Change. Given the emissions savings associated with the Projects', operations, the effect significance during the operation and maintenance stage is considered beneficial, which is significant in EIA terms. Any operation and maintenance emissions released by the Projects over their lifetimes would be negligible and offset by the avoided emissions it enables.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.66	*Secretary of State decision making*	5.3.8 The Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development.	The GHG emissions for all stages on the Projects have been assessed and concludes that: • During construction- GHG emissions (all Development Scenarios) – **Minor** adverse (not significant); • During operation and maintenance GHG emissions and avoided GHG emissions from the provision of renewable energy (all Development Scenarios) - Beneficial (significant); • During decommissioning GHG emissions (all Development Scenarios) – **Minor** adverse (not significant); and • For the whole life cycle emissions and net effect on climate change (all Development Scenarios) – Beneficial (significant).	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6
1.67		5.3.10 The Secretary of State should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the Application. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure. 5.3.11 Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4 and 2.5 above), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions.	Please refer to the response to paragraphs 5.3.5 – 5.3.7 above.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6 **Volume 7, Chapter 4 Site Selection and Assessment of Alternative (application ref: 7.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		5.3.12 Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.		
1.68	Biodiversity and Geological Conservation EN-1 (5.4) *Applicants Assessment*	5.4.17 Where the development is subject to EIA, the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.	The likely significant effects of the Projects on terrestrial ecology, benthic, marine mammal, fish and ornithology as well as marine physical environment have been assessed. The assessments provide an overview of the existing environment for the Onshore and Offshore Development Areas, followed by an assessment of likely significant effects for the construction, decommissioning and operation of the Projects. Designated sites and coastal morphological features have been identified as receptors in the Marine Physical Environment ES Chapter. The Strategy sets out the strategy of assessing and securing BNG for the onshore elements of the Projects, and includes the following: • A summary of the relevant legal and policy background; • The proposed outline approach to delivering BNG for the Projects; • The proposed approach to calculating Biodiversity Units required to secure BNG for the Projects; and • The deliverables associated with the Projects' BNG assessment. Reporting and assessment within the report is based on the reasonable worst case BNG impacts, resulting from the Sequential construction scenario. Measures to conserve the biodiversity of marine mammals and birds by means of mitigation are presented in the ES Chapter on Marine Mammals and Offshore Ornithology. Chapter 19 of the ES considers the likely significant effects of the Projects on Geology and Land Quality. The Chapter provides an overview of the existing environment for the Onshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects.	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - section 8.7 **Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** **Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - section 11.8 **Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)** **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Based on the assessment it is considered that there will not be any Significant impacts on designated geological sites during construction, operation and decommissioning of the Projects.	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** **Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)**
1.69		5.4.19 The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.	Areas of biodiversity and geological interest have been avoided where possible and practicable, in the design of the Projects through sensitive routing of the Onshore and Offshore Export Cable Corridors, the siting and refinement of Array Areas, the location of the landfall zone as well as the Onshore Converter Stations. Routing and siting considerations are discussed in the ES Chapter on Site Selection and Assessment of Alternatives. The BNG Strategy sets out the strategy of assessing and securing BNG for the onshore elements of the Projects. In order to secure BNG for the Projects a final BNG Strategy will be provided prior to the commencement of construction. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30 year period. This is alongside the implementation of several mitigation measures to preserve existing ecological structures that will be subject to ongoing monitoring and management.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternative (application ref: 7.40** **Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The Applicants have therefore complied with the requirement to give consideration to the matters specified in this paragraph of the NPS in the design of the Projects.	
1.70		5.4.22 The design of energy NSIP proposals will need to consider the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development	Migratory fish have been included as a receptor group and assessed for each impact throughout the Fish and Shellfish Chapter of the ES. The conclusion of the assessment is that there will not be any significant effects on the existing environment for fish and shellfish ecology. The ES Chapter 11 (Marine Mammals) provides a characterisation of the existing environment for marine mammals based on both existing and site specific survey data which has established that, with the identified mitigation in place, the overall significance of effects will be **negligible** to **minor** adverse (not significant in EIA terms). Detailed consideration and assessment of all species that have the potential to interact is provided throughout the ES. For all scenarios (In Isolation, Concurrently or Sequentially) over-wintering and breeding birds are present within the Onshore Development Area and will be impacted by the construction works. The magnitude of impact for breeding birds will be high and pre-mitigation the effect would be **major** adverse. For over-wintering birds, the magnitude of impact will be medium and pre-mitigation the effect would be **moderate** adverse. However, through the implementation of embedded mitigation measures, as well as those set out in the Outline Ecological Management Plan (onshore), the residual effect remain as **moderate** adverse for breeding birds and be reduced to **minor** adverse for over-wintering birds. For all other species identified receptors as listed in Table 18-20 of ES Chapter 18, the residual effects will be **minor** adverse which is not significant in EIA terms. The Offshore Ornithology Chapter of the ES concludes that, for that for all stages of the Projects (construction, operation and decommissioning), the residual effects on those species of seabirds identified in Table 12-97 will be **negligible** to **minor** adverse which is not significant in EIA terms. The Applicants have therefore complied with the requirement to give consideration to the matters specified in this paragraph of the NPS in the design of the Projects.	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - sections 11.5, 11.6, 11.7 and 11.9 **Volume 7, Chapter 12 Off-shore Ornithology (application ref: 7.12)** - section 12.9 and Table 12-3 **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** - sections 18.3, 18.5 18.8 and 18.12 **Volume 7, Appendix 18-7 - Ornithology Overwintering Report (application ref: 7.18.18.7)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.71	*Habitats Regulations*	5.4.25 The applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.	For each European site screened into the Appropriate Assessment the following has been provided: • A summary of the ecology of the marine mammal species relevant for each designated site assessment; • An assessment of the potential effects during the construction, operation, maintenance and de-commissioning stages the Projects; and • An assessment of the potential for in-combination effects for the Projects alongside other relevant developments and projects. Following the Screening Response from Natural England the Moray Firth SAC, the Wash and North Norfolk Coast SAC and Berwickshire and North Northumberland Coast SAC has been screened into the HRA.	**Volume 6, Appropriate Report to Inform Assessment Habitats Regulations Assessment (application ref: 6.1)** - section 8.2 and Table 8-1 **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - section 8.3
1.72		5.4.26 If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations	The Habitats Regulations Derogation: Provision of Evidence' document provides evidence to support Stage 3 (Derogation) of the Habitats Regulations Assessment (HRA) Process in relation to the kittiwake, guillemot and razorbill features of the Flamborough and Filey Coast (FFC) SPA and the 'sandbanks slightly covered by seawater all the time' feature of the Dogger Bank SAC.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**
1.73		5.4.29 It is vital that applicants consider the need for compensation as early as possible in the design process as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process.	For each European site screened into the RIAA, the following has been provided: • A summary of the ecology of the marine mammal species relevant for each designated site assessment. • An assessment of the potential effects during the construction, operation, maintenance and decommissioning stages of DBS East and DBS West; and • An assessment of the potential for in-combination effects for the Projects alongside other relevant developments and projects. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan,	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot and Razorbill Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. The ES Chapter on Consultation provide an overview of the consultation held so far under the EPP through the various ETGs with specific reference to consultation relating to Compensation Plans. These included consultation with the MMO, Natural England, Royal Society for the Protection of Birds (RSPB), Lincolnshire Wildlife Trust, Joint Nature Conservation Committee (JNCC) and The Wildlife Trusts. The Applicants have given consideration to the need for compensation in the preparation of this application and will continue to develop their proposals throughout the examination.	**Plan (application ref: 6.2.3)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)**
1.74		5.4.30 Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.	In response to feedback from consultation undertaken during the pre-application period and discussions with the ornithology compensation and marine mammal ETGS, the Applicants have developed a derogation case. The ES Chapter on Consultation provide an overview of the consultation held so far under the EPP through the various ETGs. The Applicants are participating in strategic compensation groups for the Dogger Bank SAC and kittiwake and have taken account of the strategic plan level compensation plans in developing the project level compensation plans. These included consultation with the MMO, Natural England, RSPB, Lincolnshire Wildlife Trust, JNCC and The Wildlife Trusts.	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** - sections 8.2 and Table 8-1 **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 6, Round 4 Kittiwake Strategic Compensation Plan (application ref: 6.2.1.1)** **Volume 6, Round 4 Dogger Bank Strategic Compensation Plan (application ref: 6.2.3.1)**
1.75		5.4.31 Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government	The Applicants have consulted with a range of stakeholders during the consideration of compensation measures. This has taken the form of	**Volume 6, Report to Inform Appropriate**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	engagement with the Auk Compensation ETG, Kittiwake Compensation ETG and Benthic Compensation ETG, and has been used to shape the development of compensatory measures. A summary of the ETG meetings to date is provided in the Stakeholder Engagement sections of the Guillemot [and Razorbill] Compensation Plan, Kittiwake Compensation Plan, and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. In addition to the mitigation measures discussed in the RIAA, compensatory measures, adaptive management measures and monitoring will be secured through the development of Compensation Implementation and Monitoring Plans, which will be developed in consultation with the SNCB and MMO.	**Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**
1.76	*Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats*	5.4.32 Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phases.	Burton Bushes SSSI is designated for its oak woodland. The woodland is also listed on the Ancient Woodland Inventory. Beverly Parks Local Nature Reserve (LNR) is designated for its mixed broadleaved woodland, the largest recently planted non-commercial orchard of traditional northern apple varieties, and two fields being restored as traditional parkland. With the reduction of the Onshore Development Area since the PEIR, Burton Bushes SSSI and Beverly Parks LNR are no longer adjacent to the Onshore Development Area. Burton Bushes SSSI is now approximately 0.12km away, and Beverley Parks LNR is 0.62km away. These sites can be seen on Volume 7, Figure 18-3. Bentley Moor Wood Local Wildlife Site (LWS) is an Ancient semi-natural woodland located within the Onshore Substation Zone. The layout of substations and associated compounds have been designed to avoid direct impacts on this LWS during the operation of the Projects. The Applicants' Terrestrial Ecology and Ornithology assessment however concludes that, for construction, the following residual significant effects are anticipated:	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Figure 18-3 National Statutory Designated Sites within 2km (application ref: 7.18.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Construction disturbance to non-statutory designated sites (Bentley Moor Wood and Nitrogen deposition only) which is **moderate** adverse; and • Temporary habitat loss / fragmentation to all habitats (Bentley Moor Wood and Nitrogen deposition only) which is **moderate** adverse. All operational impacts relating to terrestrial ecology and ornithology result in residual effects that are no greater than **minor** adverse, not significant in EIA terms.	
1.77	*Protection and enhancement of habitats and species*	5.4.33 Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6.	The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30 year period. In addition, all habitats, including hedgerows where the loss is only temporary will be re-instated with native species as detailed in the Outline Landscape Management Plan (OLMP).	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** - section 18.10.8 **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** - section 18.6 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
1.78		5.4.34 Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	A BNG Strategy will be provided prior to the commencement of construction. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** - section 18.6 **Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** - section 18.10.8

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Detail how compensation will be legally secured, managed and monitored for a minimum 30-year period. This will include consideration of offsite habitat creation to achieve no net loss and a BNG, where possible. With regards to LNRSs, these are not yet currently available. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRSs should be in place across the whole of England. Based on the latest information available, the responsible authorities for Hull and East Yorkshire expect the Local Nature Recovery Strategy to be complete by early 2025.	
1.79	*Mitigation*	5.4.35 Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: • during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; • the timing of construction has been planned to avoid or limit disturbance; • during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; • habitats will, where practicable, be restored after construction works have finished; • opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realized; and	Surveys have identified one area of lowland fen within the Onshore Development Area. The lowland fen is classified as an irreplaceable habitat, regardless of the condition it is in. Trenchless crossing, such as HDD or other trenchless crossing technique, will be used to avoid any impacts on the lowland fen habitat. The Haul Road design has been amended from the PEIR to avoid any direct impacts on this habitat. The Onshore Export Cable Corridor avoids all areas of ancient woodland. There is a LWS designated for its ancient woodland (Bentley Moor Wood) and a further unnamed ancient woodland area within the Onshore Substation Zone. However, works associated with the Onshore Converter Stations will avoid direct impact on this woodland. Woodland blocks will not be directly impacted because trenchless techniques such as HDD will be used. However, there may be individual open grown trees that may be directly affected within the Onshore Substation Zone. Priority Habitat may be indirectly affected by activities which generate fugitive emissions (i.e. dust and emissions from an increase in construction traffic and road access). However, emissions would be controlled through measures set out in the Outline CoCP and are not considered significant. Potential air quality impacts to designated sites and ancient woodland have been assessed and the following impacts have been identified: • A **minor** adverse effect on the designated site from Nitrogen deposition (Humber Estuary SAC) which is insignificant in EIA terms, as per the conclusion of the HRA;	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Chapter 26 Air Quality (application ref: 7.26)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - section 11.8

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• mitigations required as a result of legal protection of habitats or species will be complied with.	• A **moderate** adverse effect is identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for: o Impact 2: Construction disturbance - Non-statutory designated sites; and o Impact 3: Temporary habitat loss / fragmentation (impact 2) relating to nitrogen deposition at Bentley Moor Wood and ancient woodland. Measures to conserve the biodiversity of marine mammals by means of mitigation is set out in the ES Chapter on Marine Mammals.	
1.80		5.4.36 Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.	The BNG Strategy sets out the strategy of assessing and securing BNG for the onshore elements of the Projects, and includes the following: • A summary of the relevant legal and policy background; • The proposed outline approach to delivering BNG for the Projects; • The proposed approach to calculating Biodiversity Units required to secure BNG for the Projects; and • The deliverables associated with the Projects' BNG assessment. Reporting and assessment within the report is based on the reasonable worst case BNG impacts, resulting from the Sequential construction scenario. The Outline Ecological Management Plan, submitted as part of the Application, includes requirements for ecological management systems to be put in place. This includes the appointment of a suitably qualified Ecological Clerk of Works who will oversee and manage the implementation of the various systems.	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**
1.81		5.4.41 The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.	The Applicants have submitted Outline Landscape and Ecological Management Plans as part of the DCO application which provide the approach to mitigation to secure a no net loss. In addition, the BNG Strategy sets out the strategy of assessing and securing BNG for the onshore elements of the Projects. A final BNG Strategy will be provided prior to the commencement of construction which will:	**Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Outline Ecological management Plan (application ref: 8.10)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30-year period. As such the Projects is in accordance with this NPS provision, and the Secretary of State may place weight on the benefits associated with this low carbon energy proposal.	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)**
1.82		5.4.42 As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. 5.4.43 If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm.	The Applicants have, through an iterative design process, avoided geological designated and SSSI sites. During construction there will be an impact on a locally designated site but as this will be fully reinstated the impact is not considered significant. The Projects have applied the mitigation hierarchy and, in most cases, any adverse impacts are avoided through mitigation. In some instances, residual adverse impacts cannot be avoided. For example, the land required for the Onshore Converter Station will result in medium to long-term residual impacts to changes in land use and agri-environmental schemes during operation of the Projects. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Station will be reinstated to agriculture, bounded by proposed native woodland and an area of SuDs. Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. In addition to these effects and in relation to HRA, cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The Applicants accordingly submit that with the application of the compensatory measures for the mentioned HRA effects, there is no residual unacceptable HRA impact which would prevent consent being granted. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of Projects when considering the planning balance. The Projects will contribute to addressing a CNP which the Government have described as being urgent and the Projects meets the relevant tests to be considered a CNP. As such it is considered that the Projects accord with paragraphs 5.4.42-5.4.43 of EN-1.	**Plan (application ref: 6.2.3)** **Volume 8, Planning Statement (application ref: 8.1)**
1.83		5.4.55 The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which they consider may result from a proposed development.	The Terrestrial Ecology and Ornithology Chapter of the ES considers the likely significant effects of the Projects on terrestrial ecology and ornithology. It provides an overview of the existing environment for the Onshore Development Area, followed by an assessment of likely significant effects for the construction, operation and decommissioning of the Projects. The assessment concludes that: • **Moderate** adverse effects identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for: o Construction disturbance - Non-statutory designated sites; and o Temporary habitat loss / fragmentation (impact 2) relating to nitrogen deposition at Bentley Moor Wood and ancient woodland. There will be a **moderate** adverse residual effect on breeding birds as a result of the Projects during construction which is significant in EIA terms. However, the effect relating to breeding birds will be managed through the implementation of mitigation measures to: • Avoid vegetation clearance during breeding season where possible. Nesting bird checks when this is not possible; • Relevant buffers if active nest is identified; and • Pollution control.	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18).** Section 18.12 **Volume 8, Outline Ecological Management Plan (application ref: 8.10)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)** **Volume 7, Chapter 8 Marine Physical environment (application ref: 7.8)** - section 8.13

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			These mitigation measures are included in the Outline Ecological Management Plan and the Outline Code of Construction Practice. The detail and scope of the decommissioning works would be determined by the relevant legislation and guidance at the time of decommissioning and agreed with the regulator. A Decommissioning Plan would be provided prior to any decommissioning commencing onshore. As such, impacts during the decommissioning stage are assumed to be the same as those identified during the construction stage. The ES Chapter on Marine Physical Environment considers the likely significant effects of the Projects on the marine physical environment (which includes marine sediment and water quality). It provides an overview of the existing environment for the Offshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. The characterisation of the existing environment for the marine physical environment based on both existing and site-specific survey data has established that the significance of effect on the identified receptors during construction, operation and decommissioning stages of the Projects (in isolation and if both Projects are built together) are considered to be **negligible** to **minor** adverse.	
1.84	Civil and Military aviation and defence interests EN-1 (5.5) *Applicants Assessment*	5.5.37 Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3). 5.3.39 The applicant should consult the MOD, Met Office, Civil Aviation Authority (CAA), NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.	The likely significant effects of the Projects have been considered on Aviation and Radar, including the aviation interests of the United Kingdom Civil Aviation Authority (CAA), MOD, regional airports, local aerodromes, NATS (that currently comprises NATS (En Route) plc (NERL) and NATS (Services) Limited (NSL)) and other UK aviation stakeholders. The Aviation and Radar Chapter of the ES provides an overview of the existing environment for the Offshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. The Applicants have consulted as part of the EIA scoping and further formal consultation on the PEIR as well as through targeted e-mail correspondence with aviation stakeholders. The feedback received throughout this process has been considered in preparing the ES, and the Aviation and Radar Chapter has been updated following consultation in order to produce the final assessment submitted within the DCO Application. The Consultation report attached as an appendix to the Aviation and Radar ES Chapter provides a summary of the responses received to date relevant to this	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - sections 15.5 and 15.6 **Volume 7, Appendix 15-1 Consultation (application ref: 7.15.15.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			topic, and details how the comments have been addressed within this chapter. A range of mitigation measures will be embedded in the Projects' design to reduce potential aviation effects. These include the development of an Emergency Response Cooperation Plan (ERCoP) to mitigate the effects on Search and Rescue (SAR) operations, notification to aviation stakeholders of the location and height of all structures during construction of the wind farms, and an aviation obstacle lighting scheme agreed with the relevant authorities. Consultation is ongoing with aviation stakeholders to agree additional appropriate mitigations to safeguard offshore oil and gas helicopter operations. Potential technical mitigation solutions for Air Defence radar interference are being sought and such solutions will be discussed and agreed with the MOD. No other significant effects on aviation and radar have been identified.	
1.85		5.5.40 Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.	The effects on civil and military aviation during the construction, operation and decommissioning stages of the Projects have been assessed. The cumulative effects have also been assessed. No significant residual effects on aviation and radar have been identified. The cumulative effects assessment for Aviation and Radar has not identified any schemes where significant cumulative effects could arise.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - sections 15.5 and 15.8
1.86	*Secretary of State decision making*	5.5.49 The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets or operations have been addressed by the applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.	An effects assessment is undertaken with respect to the Projects in relation to Aviation and Radar. In summary the assessment concludes that no significant residual effects will be created as a result of the Projects and associated air traffic during the construction, operation and decommissioning stages. Notwithstanding these conclusions a range of mitigation measures will be embedded in the Projects' design to reduce any potential aviation effects. These include the development of an ERCoP to mitigate the effects on SAR operations, notification to aviation stakeholders of the location and height of all structures during	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - Table 15-14

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			construction of the wind farms, and an aviation obstacle lighting scheme agreed with the relevant authorities. Consultation is also ongoing with aviation stakeholders to agree additional appropriate mitigations to safeguard offshore oil and gas helicopter operations. Potential technical mitigation solutions for Air Defence radar interference are being sought and such solutions will be discussed and agreed with the MOD.	
1.87		5.5.53 If there are conflicts between the government's energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK's energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.	Potential mitigation for impacts on military radars have been developed and form part of the assessment process. Engagement with the MOD will continue through examination and post-consent.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - section 15.6
1.88		5.5.54 There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.	Marking and lighting requirements have been considered as part of the ES Chapter on Aviation and Radar. In accordance with ANO Article 223, lighting intensity would be reduced at and below the horizontal and further reduced when visibility in all directions from every wind turbine is more than 5km.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - section 15.3
1.89		5.5.55 Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.	Marking and lighting requirements have been considered as part of the ES Chapter on Aviation and Radar (section 15.3). In accordance with ANO Article 223, lighting intensity would be reduced at and below the horizontal and further reduced when visibility in all directions from every wind turbine is more than 5km.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.90		5.5.59 Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the Secretary of State should consider whether: • a development would prevent a licensed aerodrome from maintaining its licence and the defence, or result in substantial local/national economic loss, or emergency service needs • it would cause harm to aerodromes' training or emergency service needs • the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training • the development would have a negative impact on the safe and efficient provision of enroute air traffic control services for civil aviation, in particular through an adverse effect on CNS infra-structure • the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UK's flood agencies	The Projects have the potential to generate clutter on radar displays and thus have an effect on the safe and effective use of defence assets. However, technical mitigation is being sought as discussed in the ES Chapter on Aviation and Radar (section 15.6.2.1.5). Once mitigation has been implemented there will be no significant effects on any of the stated infrastructure or services.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)**
1.91		5.5.60 Provided that the Secretary of State is satisfied that the impacts present risks to national security and physical safety, such that they outweigh the urgent need for an acceleration in the deployment of offshore wind, or other technology; and provided that the Secretary of State is satisfied that all efforts have been made by the parties to find an acceptable mitigation of the impact, and that such mitigation is not available, consent should not be granted.	An effects assessment is undertaken with respect to the Projects in relation to Aviation and Radar. In summary the assessment concludes that no significant residual effects will be created as a result of the Projects and associated air traffic during the construction, operation and decommissioning stages. Notwithstanding these conclusions a range of mitigation measures will be embedded in the Projects' design to reduce any potential aviation effects. These include the development of an ERCoP to mitigate the effects on SAR operations, notification to aviation stakeholders of the location and height of all structures during construction of the wind farms, and an aviation obstacle lighting scheme agreed with the relevant authorities. Consultation is also ongoing with aviation stakeholders to agree additional appropriate mitigations to safeguard offshore oil and gas helicopter operations.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Potential technical mitigation solutions for Air Defence radar interference are being sought and such solutions will be discussed and agreed with the MOD. The Projects will make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favour of such developments should apply.	
1.92	Coastal Change EN-1 (5.6)	5.6.4 Where onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation.	Historic and future trends in coastal change have been considered in the ES Chapter on Marine Physical Environment. Monitoring of beach elevation change at the landfall was undertaken between 2008 and 2015 (Coastal Explorer, 2016). The results show that over a seven year period, there was relatively little elevation change (±0.25m) across the majority of the beach with the exception of the backshore near the foot of the cliffs where lowering of up 2.25m occurred.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - sections 8.5 and 8.6
1.93		5.6.10 Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	An expert coastal geomorphological assessment has been undertaken to understand sediment transport modelling. The assessment concludes that the effects of the Projects on sediment transport and seabed morphology are likely to be of **negligible** significance of effect. No additional mitigation is proposed.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - section 8.5
1.94		5.6.11 The ES (see section 4.3) should include an assessment of the effects on the coast, tidal rivers and estuaries. In particular, applicants should assess: • the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast • the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs)207(which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term	Designated sites and coastal morphological features have been identified as receptors and considered in the wider impact assessment. Potential changes resulting from climate change have been identified and presented within the ES Chapter on Marine Physical Environment. The existing coastal management strategies are presented in the ES Chapter on Marine Physical Environment and the impact of the Projects in relation to these strategies has been outlined. The effects of the Projects on marine ecology and biodiversity, coastal heritage assets and coastal recreation sites are set out and discussed in the relevant ES Chapters 8 and 9. The FRA undertaken for the Projects, taking into account coastal change, have not identified and significant impacts from coastal flooding.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - sections 8.5, 8.6 and 8.7 **Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area), any relevant Marine Plans, River Basin Management Plans, and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas • the effects of the proposed project on marine ecology, biodiversity, protected sites and heritage assets • how coastal change could affect flood risk management infrastructure, drainage and flood risk • the effects of the proposed project on maintaining coastal recreation sites and features • the vulnerability of the proposed development to coastal change, taking account of climate change, during the project's operational life and any decommissioning period	The Onshore Study Area, which falls within East Riding of Yorkshire Council, has a varied tourism and recreation offer. Stretching down the Holderness Coast, the Onshore Study Area includes the coastal settlements of Skipsea, Hornsea and Mappleton. This coastal area provides good beach access and supports a range of marine recreational activities such as angling. Campsites, motorhomes and caravan sites play a relatively important role in providing accommodation for visitors. Skipsea Beach is the only stretch within the Onshore Study Area within the Direct Assessment Area. This narrow sandy beach has suffered from coastal erosion over time and now features a series of sea defences. Skipsea Beach tends to be relatively quiet, and its main uses are birdwatching and fishing (The Beach Guide, 2023a). Access to this beach would not be closed to the public during construction, unless unforeseen and unplanned events occur during which emergency access is required, so no impact on the public's ability to use the beach for recreational purposes are expected as a result of the Projects. A CCRA has been undertaken. The assessment considers: several climate change variables (such as sea level rise, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected such as the coast. The CCRA concludes that all receptors have a low vulnerability to climate variables and their resulting hazards.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**
1.95		5.6.13 The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Protected Areas (MPAs). These could include MCZs, habitat sites including Special Areas of Conservation and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identity any effects on the special character of Heritage Coasts.	Designated sites and coastal morphological features have been identified as receptors and considered in the wider impact assessment.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - section 8.7
1.96		5.6.15 Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what	Embedded mitigation is included in the Marine Physical Environment Chapter of the ES. As this Chapter concludes that there will be no significant effects in relation to changes to the coast, no additional mitigation is included.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		appropriate mitigation requirements might be attached to any grant of development consent.	Consultation with regard to marine physical environment has been undertaken in line with the general process described in the ES Chapter on Consultation. The key elements to date include EIA Scoping, formal consultation on the PEIR under section 42 of the Planning Act 2008 and the ongoing EPP via the Marine Physical Environment ETG.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Appendix 8-1 - Marine Physical Environment Consultation Responses (application ref: 7.8.8.1)**
1.97		5.6.16 The Secretary of State should be satisfied that the Application will be resilient to coastal erosion and deposition, taking account of climate change, during the project's operational life and any decommissioning period. Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure. 5.6.17 The Secretary of State should not normally consent new development in areas of dynamic shorelines where the Application could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	The ES Chapter on Marine Physical Environment provides a characterisation of the existing environment for the marine physical environment based on both existing and site-specific survey data which has established that the significance of effect on the identified receptors during construction, operation and decommissioning stages of the Projects (In Isolation and if both projects are built together) are considered to be **negligible** to **minor** adverse. Some small theoretical changes that are predicted as a consequence of storm waves and as a consequence of climate change, are expected to exceed those which theoretically could occur as a result of the presence of the operational wind farms. Moreover, the Projects are resilient to coastal erosion by virtue of the relevant infrastructure (export cables) being buried and the coastal interface, with the burial depth informed by detailed coastal and bedform migration analyses to ensure the burial depth is adequate to protect the export cables throughout the lifetime of the Projects.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)**
1.98		5.6.21 In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.	The ES Chapter on Marine Physical Environment provides a detailed account of the NPS and non NPS policy tests of relevance to the consideration of marine physical processes.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)**
1.99	Dust, odour, artificial light, smoke, steam and insect infestation	5.7.5 The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	The effect of construction dust and fine particulate matter from the Projects on human and ecological receptors is considered not significant with the implementation of site- specific mitigation measures.	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** - section 18.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
	EN-1 (5.7) *Applicant Assessment*		Chapter 18 of the ES assesses the potential disturbance to species from artificial lighting during the operation of the Onshore Converter Stations. To mitigate potential impacts the permanent lighting at the Onshore Converter Stations has been designed to be directed inwards and provided only to essential areas of the site such as key routes and building entrances. In addition, the Design and Access Statement for the Projects sets out mitigation measures relating to artificial lighting at the Onshore Converter Stations. This includes the need to maintain dark corridors around the site for ecological and habitat reasons in line with the latest industry guidance. As there will be no requirement for continuous lighting across the Onshore Converter Stations site, disturbance impacts on species is not predicted. In addition to the inward directed lighting and the mitigation measures proposed in the DAS, dDCO Requirement 22 will secure the management and mitigation of artificial light emissions during the operation of the Onshore Converter Station. The Statutory Nuisance Statement provides additional assessment information and proposed mitigation measures for construction and operational noise, dust and lighting.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)** - sections 26.4 and 26.6 **Volume 8, Statutory Nuisance Statement (application ref: 8.4)** **Volume 8, Design and Access Statement (application ref: 8.8)**
1.100		5.7.6 In particular, the assessment provided by the applicant should describe: • the type, quantity, and timing of emissions; • aspects of the development which may give rise to emissions; • premises or locations that may be affected by the emissions; • effects of the emission on identified premises or locations; • measures to be employed in preventing or mitigating the emissions.	The Air Quality assessment considers the likely significant effects of the Projects on local air quality. The Chapter provides an overview of the existing environment for the Onshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)**
1.101	*Mitigation*	5.7.8 Mitigation measures may include one or more of the following: • engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated;	The Air Quality Assessment contains embedded mitigation as defined in the Institute of Environmental Management and Assessment (IEMA) guidance as either primary or tertiary mitigation.	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)** - sections 26.3, 26.6 and 26.7`

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material; • administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.	Additional site-specific mitigation relating to dust has been developed as an outcome of the project-specific dust assessment which has been undertaken. The Statutory Nuisance Statement proposes further mitigation measures for construction and operational noise, dust and lighting. The final Code of Construction Practice will set out mitigation measures to be implemented during construction to further reduce any potential adverse effects.	**Volume 8, Statutory Nuisance Statement (application ref: 8.4)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
1.102		5.7.9 Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	The final Code of Construction Practice, which must accord with the Outline Code of Construction Practice, will be secured by dDCO Requirement 19.	**Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
1.103		5.7.13 If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the Development Consent Order.	The Statutory Nuisance Statement concludes that the only matters addressed by the EPA 1990 which have been assessed as potentially being significant for DBS are those associated with airborne noise and vibration. However, it is demonstrated in this Statement that the Projects would have no significant effects following the implementation of the identified mitigation measures. Notwithstanding the above conclusions, the dDCO that accompanies the application contains a provision in Article 8 that would provide a defence, subject to certain criteria, to proceedings in respect of statutory nuisance falling within sub-paragraphs (d) dust, steam, smell or other effluvia, (fb) artificial light, (g) noise and (ga) noise from a street of Section 79(1) of the EPA 1990.	**Volume 8, Statutory Nuisance Statement (application ref: 8.4)**
1.104	Flood Risk EN-1 (5.8)	5.8.12 Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques.	The FRA undertaken for the Projects concludes that as the only above ground infrastructure, during the operational phase, are the Onshore Converter Stations, which are located in Flood Zone 1 (i.e. at low risk from either coastal or fluvial flooding) it is not considered appropriate to assess the credible maximum climate change scenario for flood risk further.	**Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The Flood Risk and Hydrology Chapter of the ES considers the likely significant effects of the Projects on flood risk and hydrology. The assessment provides an overview of the existing environment for the Onshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. There would be no net loss of floodplain storage.	
1.105	*Application Assessment*	5.8.13 A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving: • sites of 1 hectare or more • land which has been identified by the EA or NRW as having critical drainage problems • land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future • land that may be subject to other sources of flooding (for example surface water) • where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.	A site-specific FRA has been completed for the Projects.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** - section 20.6
1.106		EN-1, 5.8.15 sets out the minimum requirements for Flood Risk Assessments (FRA).	The FRA provides sufficient justification to regulators and other stakeholders that the Projects are appropriate and in line with planning and national policy requirements regarding flood risk. The assessment is proportionate to the scale and nature of the Projects, as required by national policy. The aims of the FRA are: • To establish whether the Projects are likely to be affected by current or future flooding from any source of flood risk; • To assess and identify the potential for the Projects to increase flood risk elsewhere to off-site receptors; • To provide recommendations on potential measures required to reduce flood risk, if applicable; and	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• To provide information required to support the EIA with regards to flooding, supported by the application of the Sequential Test and, where necessary, the Exception Test.	
1.107		5.8.18 Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.	Consultation with regard to Flood Risk and Hydrology has been undertaken in line with the general process described in the Consultation Chapter of the ES. The key elements to date have including scoping, the ongoing EPP via the Flood Risk and Hydrology ETG and the PEIR. The Flood Risk and Hydrology Chapter has been updated following consultation in order to produce the final assessment submitted within the DCO application. Appendix 20-1 provides a summary of the consultation responses received to date relevant to this topic, and details how the comments have been addressed within this Chapter.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 7, Appendix 20-1 - Flood Risk and Hydrology Consultation Responses (application ref: 7.20.20.1)**
1.108		5.8.21 The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.	The FRA has been undertaken in accordance with NPPF and the methodology and criteria provided for the application of the Sequential Test and Exception Test within the PPG. The Projects are to be located principally in Flood Zone 1 and are at low risk from surface water flooding, including the majority of the Onshore Export Cable Corridor and the Onshore Substation Zone. Furthermore, there is a low risk of flooding from all other sources of flood risk. Permanent above-ground structures, comprising the Onshore Converter Stations, are to be located within Flood Zone 1 and are therefore in accordance with the Sequential Test guidance related to placing development in the lowest flood risk areas. Subterranean development is also located primarily in Flood Zone 1, with some locations in Flood Zone 2 and 3 where it is required to pass under, or in proximity to, existing watercourses. With regards to surface water flood risk, it is noted that the Landfall Zone and Onshore Converter Stations are principally at low risk of surface water flooding.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** - section 20.2

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Therefore, it is considered that flood risk concerns can be appropriately mitigated within the detailed design. On this basis, the Projects are in accordance with the Sequential Test in that areas principally at low risk have been identified over those areas at increased risk.	
1.109	*Mitigation*	5.8.24 To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.	Potential impacts on water quality, the physical characteristics of surface watercourses and the quality and quantity of groundwater are considered.	**Volume 7, Appendix 20-3 - Water Environment Regulations Compliance Assessment (application ref: 7.20.20.3)** **Volume 8, Outline Drainage Strategy (application ref: 8.12)**
1.110		5.8.25 In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: • source control measures including rainwater recycling and drainage • infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities • filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns • filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed • basins, ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding • flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding	As part of the FRA the discharge of surface water from the Onshore Converter Stations have been considered within the context of the surface water flood risk and the need to ensure that any drainage solutions do not result in an increase in flood risk either to or from the Onshore Converter Stations. Surface water drainage requirements will be designed to meet the requirements of the NPPF, NPS EN-1 and the CIRIA SuDS Manual C753 (CIRIA, 2015), as well as East Riding of Yorkshire Council's Combined Planning Note and Standing Advice on Sustainable Drainage Systems (SuDS) & Surface Water Drainage Requirements for New Development (2016). Runoff from the Onshore Converter Stations will be limited and discharged in accordance with best practice. Details of the proposed surface water drainage design, including the approach to the adoption of the Sustainable Drainage System (SuDS) Hierarchy, during construction and operation has been set out within the Outline Drainage Strategy. The production of detailed construction and operational drainage strategies has been secured via Requirement 16 of the dDCO.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 8, Outline Drainage Strategy (application ref: 8.12)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.111		5.8.26 Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	The Outline Drainage Strategy provides details of the proposed surface water drainage design, including the approach to the adoption of the SuDs Hierarchy. It provides confirmation that sufficient storage will be provided to attenuate surface water and discharge it at a controlled rate following a rainfall event, in accordance with best practice guidance and policy including that set out by the East Riding of Yorkshire Council. An indicative volume and location for the proposed attenuation features has been provided and this will be confirmed, in accordance with the above guidance, during the development of the detailed design. The operational drainage at the Onshore Converter Stations will be developed in consultation with the East Riding of Yorkshire Council (as the LLFA) to ensure the runoff rates are maintained at pre-development rates. This will include confirmation of the greenfield runoff rate, proposed runoff rates, volume of storage required and the final proposed approach for discharge of water from the Onshore Converter Stations. The Outline Drainage Strategy considers the likely maintenance requirements of the new drainage infrastructure. It confirms that a management and maintenance plan for the surface water drainage infrastructure will be agreed with relevant stakeholders and that it will remain the responsibility of the asset owner or operator for the lifetime of the development.	**Volume 8, Outline Drainage Strategy (application ref: 8.12)**
1.112		5.8.33 The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	An Emergency Response and Flood Evacuation Plan will be developed as part of the detailed Code of Construction Practice, which will conform to the requirements of the Outline Code of Construction Practice and set out details of the Flood Evacuation measures for those areas of works located in Flood Zone 2 and 3.	**Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
1.113		5.8.41 Energy projects should not normally be consented within Flood Zone 3b , or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage, and will not impede water flows.	The Projects are to be located principally in Flood Zone 1 and are at low risk from surface water flooding, including the majority of the Onshore Export Cable Corridor and the Onshore Substation Zone. Furthermore, there is a low risk of flooding from all other sources of flood risk. Permanent above-ground structures, comprising the Onshore Converter Stations, are to be located within Flood Zone 1 and are therefore in accordance with the Sequential Test guidance related to placing development in the lowest flood risk areas.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Subterranean development is also located primarily in Flood Zone 1, with some locations in Flood Zone 2 and 3 where it is required to pass under, or in proximity to, existing watercourses. With regards to surface water flood risk, it is noted that the Landfall Zone and Onshore Converter Stations are principally at low risk of surface water flooding.	
1.114	Historic Environment EN-1 (5.9) *Applicant Assessment*	5.9.9 The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA, and describe these along with how the mitigation hierarchy has been applied in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	The likely significant effects of the Projects on Offshore Archaeology and Cultural Heritage have been considered in the relevant ES Chapter. It provides an overview of the existing environment for the Offshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** **Volume 7, Appendix 22-1 - Onshore Archaeology and Cultural Heritage Consultation Response (application ref: 7.22.22.1)** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Appendix 17-2 - Archaeological Assessment of Geophysical Data for EIA (application ref: 7.17.17.2)** **Volume 7, Appendix 17-1 - Offshore Archaeology and Cultural Heritage Consultation Responses (application ref: 7.17.17.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.115		5.9.10 As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	The likely significant effects of the Projects on Onshore Archaeology and Cultural Heritage have been assessed. The assessment provides an overview of the existing environment for the Onshore Development Area and wider study areas, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. Consultation with regard to Onshore Archaeology and Cultural Heritage has been undertaken in line with the general consultation process. The key elements to date include scoping, the ongoing EPP via the Onshore Archaeology and Cultural Heritage ETG and the PEIR. The feedback received throughout this process has been considered in preparing the ES. A summary of the consultation responses received to date relevant to this topic, and details how the comments have been addressed within this Chapter. The likely significant effects of the Projects on Offshore Archaeology and Cultural Heritage have been assessed. The assessment provides an overview of the existing environment for the Offshore Development Area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. Consultation with regard to Offshore Archaeology and Cultural Heritage has been undertaken in line with the general consultation process. The key elements to date include Scoping, formal consultation on the PEIR under Section 42 of the Planning Act 2008 and the ongoing EPP via the Historic Environment ETG. The following ETG meetings have been carried out for Offshore Archaeology and Cultural Heritage: • 15/09/2021 Pre-Scoping ETG for both Onshore and Offshore Archaeology and Cultural Heritage attended by Historic England, East Riding of Yorkshire Council, Lincolnshire County Council and East Lindsey District Council; • 19/01/2023 Pre-PEIR ETG for both Onshore and Offshore Archaeology and Cultural Heritage attended by Historic England and East Riding of Yorkshire Council; • 10/05/2023 ETG meeting for Offshore Archaeology and Cultural Heritage to discuss the approach to geophysical and geoarchaeological assessment attended by Historic England and Wessex Archaeology;	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** **Volume 7, Appendix 22-1 - Onshore Archaeology and Cultural Heritage Consultation Response (application ref: 7.22.22.1)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** **Volume 7, Appendix 17-1 - Offshore Archaeology and Cultural Heritage Consultation Responses (application ref: 7.17.17.1)** **Volume 7, Appendix 17-2 - Archaeological Assessment of Geophysical Data for EIA (application ref: 7.17.17.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• 20/09/2023 ETG meeting for Offshore Archaeology and Cultural Heritage to discuss the interim results of the geophysical and geoarchaeological assessments attended by Historic England and Wessex Archaeology; and • 14/12/2023 ETG meeting for Offshore Archaeology and Cultural Heritage to discuss the final results of the geophysical assessment and the approach to the WSI attended by Historic England. In addition, a draft version of the archaeological assessment report was provided to Historic England for comment and a written response was received 19/12/2023. The feedback received throughout this process has been considered in preparing the ES. A summary of the consultation responses received to date relevant to this topic, and details how the comments have been addressed within this Chapter.	
1.116		5.9.11 Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.	Desk-based assessment for both the offshore archaeological and heritage assets; and the offshore archaeological marine geophysical and geotechnical data (field evaluation); has been undertaken and the results of the assessment has been documented in the various Appendices listed.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - section 22.6 **Volume 7, Appendix 22-1 - Onshore Archaeology and Cultural Heritage Consultation Response (application ref: 7.22.22.1)** **Volume 7, Appendix 22-2 - Archaeological Desk Based Assessment (application ref: 7.22.22.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
				Volume 7, Appendix 22-3 - Assessment of Airborne and Satellite Remote Sensing Data and Map Regression Analysis for Archaeology (application ref: 7.22.22.3) **Volume 7, Appendix 22-4 - Heritage Walkover Survey (application ref: 7.22.22.4)** **Volume 7, Appendix 22-5 -Onshore Infrastructure Settings Assessment (application ref: 7.22.22.5)** **Volume 7, Appendix 22-6 - Geoarchaeological Desk Based Assessment (application ref: 7.22.22.6)** **Volume 7, Appendix 22-7 - Geophysical Assessment Report (application ref: 7.22.22.7)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** - section 17.5

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.116		5.9.12 The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected.	An account of the potential impact of the Projects upon the onshore heritage assets; and the offshore marine geophysical and geotechnical data (field evaluation); and their significance has been undertaken and documented.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - section 22.6 **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** - section 17.5
1.117		5.9.13 The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible: • enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected • considering where required the development of archive capacity which could deliver significant public benefits • considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme	Potential opportunities for enhancement of the archaeological record are outlined as appropriate within the Outline Written Scheme of Investigation (Onshore). The potential for enhancement of the archaeological record for the North Sea is included in the Outline Written Scheme of Investigation (Offshore).	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - section 22.4 **Volume 8, Outline Onshore Written Scheme of Investigation (application ref: 8.14)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** - section 17.8 **Volume 8, Outline Written Scheme of Investigation (offshore) (application ref: 8.22)**
1.118		5.9.15 Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.	There is potential for the Projects to contribute to the wider, cumulative, beneficial effect of accumulated data for offshore archaeology from multiple studies for offshore development within the North Sea. Data sharing across national boundaries equally has the potential to result in a significant beneficial transboundary effect.	**Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** - section 17.6 **Volume 8, Outline Onshore Written Scheme of Investigation (application ref: 8.14)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Should the Projects be granted consent, the approach to realising this public benefit, and to the creation of joined-up objectives for post-consent investigation and mitigation, including links with academic and industry wide research initiatives, will be established post-consent in consultation with key stakeholders, including Historic England. Potential opportunities for enhancement of the archaeological record, both offshore and onshore, are outlined as appropriate within the Outline Written Scheme of Investigation (Onshore) and (Offshore).	**Volume 8, Outline Written Scheme of Investigation (offshore) (application ref: 8.22)**
1.119		5.9.18 Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.	A written scheme of archaeological investigation (onshore), which must accord with the outline written scheme of investigation, will by secured by dDCO Requirement 18. An Archaeological Written Scheme of Investigation in relation to the offshore Order limits seaward of Mean High Water Springs (MHWS), which must accord with the Outline Written Scheme of Investigation, will be secured by DCO Requirements 15, 13 and 11 for the DML 1 and 2, 3 and 4, and 5 respectively.	**Volume 8, Outline Onshore Written Archaeological Scheme of Investigation (application ref: 8.14)** **Volume 8, Outline Written Scheme of Investigation (offshore) (application ref: 8.22)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** - Schedule 2 Requirements
1.120	Landscape and Visual EN-1 (4.7; 5.10) *Applicant Assessment*	Section 4.7 sets out criteria for good design for energy infrastructure. It notes that the visual appearance of energy infrastructure and how it relates to the landscape is often considered to be the most importance factor in good design.	Landscape and visual amenity has been considered in the preliminary site section and design of the Projects as described in the ES Chapter on Landscape and Visual Impact Assessment. Embedded design mitigation has been developed for the Projects and a Landscape Mitigation Plan has been developed. This is developed further in the Outline Landscape Management Plan. The Design and Access Statement sets out how good design would be applied to all elements of the Projects, and what the outcomes of this design process may look like.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.3 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
				Volume 8, Design and Access Statement (application ref: 8.8)
1.121		5.10.5 Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.	The Landscape and Visual Impact Assessment considers the likely significant effects of the Projects on Landscape Character and visual amenity. The Chapter provides an overview of the existing environment for the Onshore Development Area landward of Mean High Water Springs (MHWS), followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23**)
1.122		5.10.11 Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.	There are no statutory landscape designations (National Parks or AONBs) within the landscape and visual study area. The candidate Yorkshire Wolds AONB is over 11km to the north-west of the landscape and visual study area (and 12.5km and 15.5km from the Onshore Export Cable Corridor and Onshore Substation Zone, respectively). This lies outside the landscape and visual study area and has not been considered in detail in the onshore LVIA, as agreed with stakeholders.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.3
1.123		5.10.14 The Secretary of State would have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project	The predicted visual effects of the Projects are clearly set out in the Landscape and Visual Impact Assessment Chapter of the ES to inform the decision-making process. The Projects have followed the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 in assessing the impacts of the Projects within the ES. The Landscape and Visual Impact assessment has considered the character and sensitivity of landscapes to accommodate the Projects. The Applicants' Assessment concludes the following significant residual effects: • Construction Impact – Landscape Effects of Landfall Zone construction works on landfall sub area; • Operational Impact 1: Landscape Effects of Onshore Converter Stations on the Onshore Substation Zone; • Operational Impact 2: Landscape Effects of the Onshore Converter Stations on the Yorkshire Wolds Important Landscape Area (ILA); and	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.6 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			• Operational Impact 3: Visual Effects of Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate. The significant residual effect relating to the Construction Impact at the Landfall Zone will reduce to **minor** (not significant) following the restoration of the landscape and the minimal permanent above ground infrastructure present (manhole covers for six link boxes).	
1.124		5.10.16 The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects.	Cumulative effects arising from the Projects have been included in the assessment. During the construction stage, there would be no significant effects on Landscape Character along the Onshore Export Cable Corridor. This is due to the very localised direct landscape effects of the Onshore Export Cable Corridor as well as embedded mitigation measures to minimise disruption to the landscape during construction. With relation to landfall, **moderate** (significant) adverse effects are expected during construction for landscape and visual receptors. This is a result of construction works along the beach, including installation of six exit pits, with the potential for some loss of hedgerows within the landfall zone. On completion of construction, the vast majority of the landfall and export cable corridor would be fully reinstated to its previous condition and therefore effects of construction are reversible. **Moderate** Significant effects on Landscape Character and the Yorkshire Wolds ILA are predicted during the operational stage of the Onshore Converter Stations. This is due to the loss of landscape features and the change in character from open arable fields to two Onshore Converter Stations. These effects would be localised, and would reduce with distance, falling below the threshold of significance at no more than 1km from the footprints of the Onshore Converter Stations. For visual receptors at the Onshore Converter Stations there will be an operational impact on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - sections 23.6, 23.7 and 23.8 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			A landscape mitigation scheme would be implemented around the Onshore Converter Stations. The effects identified above are assessed based on planting at year 1 providing little or no mitigation. Once more matured (year 10), the mitigation planting would help provide additional screening of the Projects and the residual effect would be **moderate** adverse (significant) for the Yorkshire Wolds LIA in terms of landscape and a limited number of visual receptors.	
1.125		5.10.17 The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	Landscape Character impacts and local development plan policies relating to landscape designation are considered in the ES Chapter on Landscape and Visual Impact Assessment.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - sections 23.4 and 23.6
1.126		5.10.18 For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.	Due to the distance offshore and the curvature of the earth, there would be no visibility of the turbines from sea level at the coast, over 100km from the Array Areas. The Planning Inspectorate agreed that the operational effects of the Offshore Export Cable Corridor and arrays could be scoped out of a Seascape and Landscape Visual Impact Assessment (SLVIA), due to their considerable distance offshore. The Planning Inspectorate did not agree that offshore platforms could be similarly scoped out, as these could be closer to shore. The Projects may include an offshore platform outside the Array Area. These would be a minimum of 52km from the landfall point, which equates to over 37km from the closest location on land (Flamborough Head). The '*Ready reckoner of visual effects related to turbine size*' (White et al., 2019), published by Natural Resources Wales (NRW), indicates that structures would need to be over 250m to have a 'low' magnitude of effect at distances of approximately 37km. At this distance, therefore, the platform(s) would not have likely significant effects on views from land. Therefore, effects of offshore infrastructure have not been considered further in the LVIA assessment.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.4

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.127		5.10.19 The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised and incorporated into the design, delivery and operation of the scheme.	Landscape and visual amenity have been considered in the preliminary site selection and design of the Projects. Embedded design mitigation has been developed for the Projects and a landscape mitigation plan has been developed. This is developed further in the Outline Landscape Management Plan.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.3 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
1.128		5.10.20 The assessment should include the effects on landscape components and character during construction and operation.	The Landscape and Visual Impact Assessment has considered the potential effects on landscape components and character during construction and operation.	**Volume 7, Chapter 23 – Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.3 and 23.6
1.129		5.10.21 The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation.	The effects on visual amenity and views during construction and operation have been assessed. This includes consideration of the effects of light pollution on visual amenity. The effects of lighting on nature conservation interests are considered in the ES Chapter on Terrestrial Ecology and Ornithology.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.6 **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)**
1.130		5.10.22 The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions, from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these would be minimised.	Effects on visual amenity and views as a result of lighting during the construction and operational stages have been assessed.	**Volume 7, Chapter 23 - Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.131		5.10.24 Applicants should consider how landscapes can be enhanced using landscape management plans, as this would help to enhance environmental assets where they contribute to landscape and townscape quality.	Opportunities for mitigation and enhancement have been identified where appropriate in the assessment. An outline approach to embedded design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape Management Plan. The final written Landscape Management Plan (which would be required to accord with the Outline Landscape Management Plan) will be secured by Requirements 10 and 11 of the dDCO.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - sections 23.3 and 23.6 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
1.132		5.10.26 Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function.	Proposed mitigation for the Projects is set out in relation to commitments made and further mitigation has been identified where appropriate in the Landscape and Visual Impact Assessment. Key elements of embedded mitigation for the Onshore Converter Stations have also been identified. A landscape scheme will be developed to secure the restoration and, where possible, enhancement of the landscape post-construction. An Outline Landscape Management Plan is provided as part of the Application.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - sections 23.3, 23.6 and Table 23-3 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Commitments Register (application ref: 8.6)**
1.133		5.10.27 Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.	The detailed design parameters for the Projects is secured via Requirement 9 of the dDCO. Table 23-3 and Section 23.6 of the Landscape and Visual Impact Chapter identifies embedded mitigation measures and outlines where those mitigation measures are secured. External appearance and details of materials used for the construction of the Projects' onshore elements have been captured within the Design and Access statement. This includes principles for Landfall, the Onshore Export Cable Corridor and the Onshore Converter Stations. Further to the above and as secured by Requirement 9 of the dDCO, the Applicants confirm that a Project Design Champion would be appointed to the Projects to ensure that the Onshore Development is designed and built to the highest practicable standard.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** - Schedule 2, Part 1 Requirements **Volume 8, Design and Access Statement (application ref: 8.8)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.134	*Secretary of State decision making*	5.10.28 Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.	Consideration has been given to off-site mitigation. It was concluded that the Onshore Substation Zone offered sufficient potential to provide adequate mitigation without the use of off-site locations.	**Volume 7, Chapter 23 - Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.4
		5.10.32 When considering applications for development within National Parks, the Broads and AONBs the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas.	In order to prioritise the conservation of the natural beauty of the landscape in accordance with the NPS EN-1, The Projects have avoided National Parks, Green Belt land, and AONBs. The western extents of the landscape and visual study area (subareas 4 and 5) includes a part of the Yorkshire Wolds ILA as illustrated in Figure 23-4. Although a **moderate** adverse significant effect on the Yorkshire Wolds ILA is predicted during the operational stage of the Onshore Converter Stations, these effects would be localised, and would reduce with distance, falling below the threshold of significance at no more than 1km from the footprints of the onshore converter stations.	**Volume 7, Chapter 23 - Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.5
		5.10.35 The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	The predicted adverse effects of the Projects have clearly been set out in a manner which informs the decision-making process.	**Volume 7, Chapter 23 - Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.6
1.135		5.10.36 In reaching a judgement, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	The duration and reversibility of all effects is considered as part of the impact assessment.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - sections 23.4 and 23.6
1.136		5.10.37 The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	The proposed mitigation measures for the Projects have been developed to minimise landscape and visual impacts. These measures consist of embedded mitigation as well as additional site-specific mitigation measures. The outline approach to embedded design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape Management Plan.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.3 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			Details of good design and how this will be applied to all elements of the Projects, and what the outcomes of this design process may look like, is set out in the Design and Access Statement.	**Volume 8, Design and Access Statement (application ref: 8.8)**
1.137	Land Use, Including Open Space, Green Infrastructure, and Green Belt EN-1 (5.11) *Applicant Assessment*	5.11.8 The ES (see Section 4.3) should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, the applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	The likely significant effects of the Projects on Land Use has been considered and assessed. The assessment provides an overview of the existing environment for the Onshore Development Area landward of MHWS, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. The Land Use Chapter of the ES describes the impacts of any temporary or permanent land take within the Onshore Development Area that may occur to the following receptors: • Agriculture: including agricultural land cover, agricultural drainage and soil types; and • Land use: Environmental Stewardship schemes, designated areas (e.g. Sites of Special Scientific Interest), sites allocations, Public Rights of Way (PRoW), cycle routes, coastal paths and utilities. The existing ground conditions and potential sources of contamination are discussed in the ES Chapter on Geology and Land Quality. Further details are provided in the Geo-Environmental Desk Study and Preliminary Risk Assessment Report. An assessment of the potential impacts relating to contaminated land associated with the construction and operation of the Projects have been provided in the Geology and Land Quality Chapter of the ES. Potential mitigation measures, for example targeted ground investigations in areas of concern, are also discussed within this Chapter.	**Volume 7, Chapter 21 Land Use (application ref: 7.21)** - section 21.5 **Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - sections 19.5 and 19.6 **Volume 7, Appendix 19-2 Geo-Environmental Desk Study and Preliminary Risk Assessment Report (application ref: 17.19.19.2)**
1.138		5.11.9 Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicant's should refer to the Green Infrastructure Framework.	Consultation with regard to land use has been undertaken in line with the general process described in the Consultation Report. The key elements to date have included scoping, the ongoing EPP via the Public Rights of Way and Access ETG and the PEIR.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Appendix 21-1 - Land Use Consultation Responses (application ref: 7.21.21.1)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The Tourism and Recreation assessment confirms that, through a considered site selection process, all open space and common land has been avoided except at Skipsea Beach where there would be temporary works (should the short HDD route to Landfall be selected). The feedback received throughout this process has been considered in preparing the ES. Updates to the report have been made following consultation in order to produce the final assessment submitted within the DCO application. A summary of the consultation responses received to date relevant to this topic, and details on how the comments have been addressed are included within the consultation report.	**Volume 5, Consultation Report (application ref: 5.1)** **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** - section 29.6
1.139		5.11.11 During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	Projects wide pre-application discussions have been undertaken with the local authority (East Riding of Yorkshire Council) through the Evidence Plan process and with the local community through the Introductory Consultation and ongoing landowner discussions. Statutory consultation on the Projects have also been undertaken via the Section 42 consultation process.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Appendix 21-1 - Land Use Consultation Responses (application ref: 7.21.21.1)**
1.140		5.11.12 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	Impacts on the Best and Most Versatile (BMV) agricultural land and soil quality have been assessed together with impacts associated with potential loss of agricultural land and disruption to farming practices. Minimisation of impacts to BMV agricultural land would be undertaken where possible. However, the predominant land cover between landfall and the Onshore Substation Zone is classed as BMV agricultural land, and therefore the ability to avoid use of BMV agricultural land would be extremely limited. Considering that farms would have the majority of their agricultural land returned to them, reinstated to its original condition, within 2 years or following the completion of construction for the Onshore Export Cable Route, the works are deemed temporary (short-term) and the magnitude of impact is considered to be **minor** adverse (not significant). The significance of effect in relation to the loss of agricultural land during the operation of the Projects cannot be reduced as the land would be unavailable for use in the medium to long-term. As such, the	**Volume 7, Chapter 21 Land Use (application ref: 7.21)** - section 21.6 **Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - section 19.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			significance of effect remains **major** adverse for the Substation Zone and the area of the Onshore Converter Stations. However, it should be noted that the permanent loss of agricultural land at the Substation Zone is all classed as Grade 3b and is not BMV. The moderate adverse effect relates to the area of land lost which exceeds 20ha.	
1.141		5.11.14 Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	An Outline Soil Management Plan has been appended to the Outline Code of Construction Practice and is secured by Requirement 19 of the dDCO. The Soil Management Plan (SMP) forms part of the embedded mitigation measures for the Projects where the detailed SMP will be produced at the detailed design stage, post-consent.	**Volume 8, Outline Code of Construction Practice (application ref: 8.9)** **Volume 8, Appendix A – Outline Soil Management Plan (OSMP)** of the **Outline Code of Construction Practice (application ref: 8.9)**
1.142		5.11.15 Developments should contribute to and enhance the natural and local environment by preventing new and existing developments from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.	The existing ground conditions and potential sources of contamination has been identified. The baseline environment and assessment have been informed by the Geo-Environmental Desk Study and Preliminary Risk Assessment Report, which reviewed potential sources of contamination associated with the current and historical land uses within the study area. An assessment of the potential impacts associated with the construction and operation of the Projects have been undertaken. Potential mitigation measures, for example targeted ground investigations in areas of concern, are also discussed within the Geology and Land Quality Chapter of the ES. The Applicants has undertaken assessments as part of the ES to determine potential effects of the Projects on air quality, noise, water and geology. Taking into consideration the embedded mitigation measures proposed, none of these assessments have found significant effects on the local or natural environment.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - sections 19.5 and 19.6 **Volume 7, Appendix 19-2 - Geo-Environmental Desk Study and Preliminary Risk Assessment Report (application ref: 7.19.19.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.143		5.11.18 For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	Following the completion of a contaminated land and groundwater schemes and if required, a generic quantitative risk assessment will be undertaken to assess the potential risks to human health and controlled water receptors from the Projects. The assessment will also include recommendations for further works, including remediation, should they be deemed necessary. This will be secured via Requirement 29 of the dDCO.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** - Part 1 Schedule 2 Requirements
1.144		5.11.19 Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	The Geology and Land Quality Chapter of the ES has identified Mineral Safeguarding Areas and potential impacts to these areas during construction and operation of the Projects. Measures to mitigate the potential impacts during construction and operation are also discussed within these sections. The assessment concludes that the residual effect would be **minor** adverse (not significant) which would be mitigated further through consultation with East Riding of Yorkshire Council with regards to feasibility of mineral extraction prior to commencement of works and the production of a Mineral Resources Assessment if required.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - section 19.6 and Table 19-11
1.145	*Mitigation*	5.11.27 Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The applicant should assess the impacts on, and loss of, all trees and woodlands within the project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.	Vegetation clearance will be limited as the Onshore Export Cable Corridor has been designed to avoid trees and woodland as far as possible. Trenchless crossings will be used to minimise effects on existing areas of woodland. In addition, the Projects are committed to replacement of all trees that are lost post-construction.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		5.11.30 Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.	There will be no permanent closures of any recreational routes. However, there would be one minor permanent diversion where a PRoW crosses the permanent access for the Onshore Substation Zone, to allow for a change in level. Any disturbance would be temporary and reinstated as soon as reasonably practical.	**Volume 8, Appendix C - Outline Public Rights of Way Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**

		5.12.6 Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:
		• a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise
		• identification of noise sensitive receptors and noise sensitive areas that may be affected
		• the characteristics of the existing noise environment
		• a prediction of how the noise environment will change with the proposed development
		  ○ in the shorter term, such as during the construction period
		  ○ in the longer term, during the operating life of the infrastructure
		  ○ at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year
		• an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely
			The assessment of noise impacts follows the general impact assessment methodology as set out in the ES Chapter on the EIA Methodology whilst the ES Chapter on Noise describes the methods used to assess the likely significant effects on noise and vibration.
			The assessment of significance of an effect is informed by the sensitivity of the receptor and the magnitude of the impact.
			A total of 51 Noise Sensitive Receptors (NSR) locations have been identified which is a reduction compared to PEIR due to refinement of the Onshore Development Area. Temporary noise and vibration effects during construction have been assessed. With appropriate mitigation in place, significant adverse effects can be avoided. Should 24-hour HDD working be required at crossings of Hornsea Road and the A164, additional mitigation (programming of works and noise screening) will be implemented.
			Changes in noise level at NSRs due to increases in construction traffic relating to the Projects have been assessed. It has been found that **minor** adverse effects are likely to occur in a number of locations but with appropriate mitigation no significant effects have been identified.
			Noise emissions from the operational Onshore Converter Stations have been assessed to lead to no worse than **minor** adverse effects at NSRs, which are not significant.
			The cumulative effects assessment for noise and vibration has not identified any schemes where significant cumulative effects could arise.
				Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)
				Volume 7, Chapter 25 Noise (application ref: 7.25) - sections 25.4, 25.5, Table 25-16 and 25.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas • if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise • all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.		
		5.12.8 Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	Impacts from ancillary works, for example vehicle movements, are assessed to have at-worst a **minor** adverse (not significant) residual effect. Therefore, no additional mitigation measures are proposed.	**Volume 7, Chapter 25 Noise (application ref: 7.25)** - section 25.6
1.146		5.12.9 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The current relevant British Standards (BS) have been used for the operational noise from the Onshore Converter Stations (BS4142) and the construction noise from the Projects (BS5228).	**Volume 7, Chapter 25 Noise (application ref: 7.25)** - section 25.4 and 25.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.147		5.12.10 Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e. physical design and location of development). The applicant should consult the EA and/or the SNCB, and other relevant bodies, such the MMO or NRW, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	Noise impacts on terrestrial protected species are considered within the Terrestrial Ecology and Ornithology assessment. Construction activities will inevitably result in new sources of noise, ground vibration. These have the potential to impact nearby wildlife such as breeding birds, bats (roosting and non-roosting), amphibians, riparian mammals, badgers, invertebrates, and other terrestrial wildlife. It has been assumed that all construction works along the onshore cable corridor will be undertaken during daylight hours where possible and appropriate mitigation measures (e.g., temporary screening around working areas, use of silences and / or enclosures around noisy equipment) will be implemented. Where this is not possible, appropriate mitigation measures will be implemented (e.g. use of directional lighting to prevent light spill). Mitigation measures will be implemented that will include turning off of plant when not in use, ensuring equipment is in good working order and installation of screening to further reduce noise levels where required.	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** - sections 18.3 and 18.6 **Volume 7, Chapter 25 Noise (application ref: 7.25)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)**
1.148		5.12.11 In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	Noise impacts on marine protected species are considered in the Marine Mammals assessment.	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)**
1.149	*Mitigation*	5.12.15 The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).	The principles of good design have been taken into consideration throughout the site selection process, where possible.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4).** **Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 8, Design and Access Statement (application ref: 8.8)**
1.150	*Secretary of State decision making*	5.12.17 The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:	These aims are met by the adoption of the proposed additional mitigation which results in no significant residual effects on health and quality of life. • Specific mitigation measures during construction include: Further screening of noise: Localised screening around specific	**Volume 7, Chapter 25 Noise (application ref: 7.25)** - section 25.6

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• avoid significant adverse impacts on health and quality of life from noise • mitigate and minimise other adverse impacts on health and quality of life from noise • where possible, contribute to improvements to health and quality of life through the effective management and control of noise.	equipment is included within the numerical noise predictions used in this assessment. Where practicable, further screening in the form of noise barriers at the site boundary or in proximity to the affected receptors will be used; and • Programming of works: The effect of night-time construction will be minimised by ensuring that HDD at crossings near sensitive receptors are programmed to avoid times of the year when the climate is warmer (e.g. summer) and residents may open windows at night to avoid overheating. When windows are closed, noise levels inside dwellings will be significantly reduced. Construction noise and vibration will be monitored in line with the CoCP, which will accord with the OCoCP, and set out the noise and vibration monitoring measures for the construction phase, as well as procedures for dealing with complaints and managing potential exceedances of relevant noise and vibration criteria. Requirement 21 of the dDCO requires a Noise Management Plan for the control of noise during the operational phase of the Projects to be prepared and implemented. This would require an assessment of operational noise to be carried out, and a scheme for monitoring noise levels to be set out.	**Volume 7, Chapter 27 Human Health (application ref: 7.27)** **Volume 3, Draft Development Consent order (application ref: 3.1)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
1.151		5.12.18 When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Where relevant, requirements and mitigation measures to ensure that limits are not exceeded are included in the assessment.	**Volume 7, Chapter 25 Noise (application ref: 7.25)** - section 25.6
1.152	Socio-Economic EN-1 (5.13) *Applicants Assessment*	5.13.2 Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).	The socio-economic impacts have been addressed as a Chapter within the ES.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**
		5.13.3 The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better understanding of local or regional issues and opportunities.	Consultation with regard to socio-economics has been undertaken in line with the general process described in the ES Chapter on Consultation. The key elements involving the East Riding of Yorkshire Council and Hull City Council were scoping, the ongoing Evidence Plan Process and the PEIR.	**Volume 7, Chapter 28 Socio-Economics (application ref: 7.28)** - section 28.2

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
				Volume 7, Chapter 7 Consultation (application ref: 7.7)

1.153		5.13.4 The applicant's assessment should consider all relevant socio-economic impacts, which may include:
		• the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero
		• the contribution to the development of low-carbon industries at the local and regional level as well as nationally
		• the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities
		• any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains
		• effects (positive and negative) on tourism and other users of the area impacted
		• the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development
			In all scenarios, the assessment identified multiple beneficial effects, including a significant effect for The Humber Region during the construction of the two projects Concurrently. These include:
			• Either DBS East or DBS West In Isolation would support;
			  ○ Up to 1,190 jobs supported across the UK, including 760 jobs supported across the Humber Region during the development and construction;
			  ○ £488 million GVA in the UK, including £200 million GVA in the Humber Region during the development and construction; and
			  ○ 580 jobs in the UK, including 400 in the Humber Region during the operations and maintenance stage.
			• Both DBS East and DBS West built Concurrently would support;
			  ○ Up to 2,380 jobs supported across the UK, including 1,520 jobs supported across the Humber Region during the development and construction;
			  ○ Almost £1 billion GVA in the UK, including £400 million GVA in the Humber Region during the development and construction; and
			  ○ 1,120 jobs in the UK, including 810 in the Humber Region during the operations and maintenance stage.
			• Both DBS East and DBS built Sequentially would support;
			  ○ Up to 1,550 jobs supported across the UK, including 930 jobs supported across the Humber Region during the development and construction;
			  ○ Almost £1 billion GVA in the UK, including £400 million GVA in the Humber Region during the development and construction; and
			  ○ 1,120 jobs in the UK, including 810 in the Humber Region during the operations and maintenance stage.
				Volume 7, Chapter 28 Socio-economics (application ref: 7.28) - sections 28.6 and 28.7

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• cumulative effects - if development consent were to be granted for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region	Across the three scenarios the job creation would have a beneficial impact on the projected declining working age population in the Humber Region. The impacts on loss of, disruption to or pressure on local infrastructure and disturbance to social infrastructure will be **negligible** adverse. For the operational and maintenance stage the following impacts have been assessed: • Impact from expenditure associated with the Projects; • Impact from increased employment; • Impact from a change in demographics due to immigration; and • Impact from disturbance (noise, air quality, visual and traffic) to social infrastructure. The assessment concludes that the impacts at a local level for operation and maintenance stages would be minor beneficial for expenditure, employment and change in demographics. The impacts on disturbance to social infrastructure will be **negligible** adverse.	
1.154		5.13.6 Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	The Applicants intend to maximise local economic benefits as described in the Socio-economics Chapter of the ES. An Outline Skills and Employment Strategy is submitted as part of the Application. A final Skills and Employment Strategy will be developed and submitted to the relevant planning authority for the discharge of Requirement 26 of the dDCO.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** - section 28.6 **Volume 8, Outline Skills and Employment Strategy (application ref: 8.5)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.155	Traffic and Transport EN-1 (5.14) *Applicant Assessment*	15.4.5 If a project is likely to have significant transport implications, the applicant's ES should include a transport appraisal. The Department for Transport's Transport Analysis Guidance (TAG) and Welsh Governments WelTAG provides guidance on modelling and assessing impacts of transport schemes.	The Traffic and Transport Chapter of the ES and the accompanying Traffic Assessment have been produced in accordance with current transport guidance.	**Volume 7, Chapter 24 Traffic and Transport (application ref: 7.24)** - section 24.4 **Volume 7, Appendix 24-2 - Transport Assessment (application ref: 7.24.24.2)**
1.156		5.14.6 National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.	The scope of the assessment presented have been discussed and agreed with East Riding of Yorkshire Council, in consultation with their own highways team, Hull City Council and National Highways as appropriate (referred to hereafter as the relevant highway authorities). No decision has been made regarding a preferred base port for the offshore construction and operation of the Projects. To ensure that any potential effects associated with the Projects' offshore construction and operational stages (including cumulative effects) are assessed and mitigated, the dDCO includes a requirement to produce construction and operational phase Port Traffic Management Plan(s) (PTMPs) once the final location of the preferred base port (or ports) is known. This approach has been agreed with the relevant highway authorities and the approach to scoping out of the onshore effects of the traffic and transport associated with offshore construction, operation and decommissioning activities has also been accepted by the Planning Inspectorate for other recently consented nationally significant offshore wind farm projects, e.g. Norfolk Vanguard, East Anglia TWO and THREE, and Hornsea Three and Four.	**Volume 7, Appendix 24-1 - Traffic and Transport Consultation Responses (application ref: 7.24.24.1)** **Volume 7, Appendix 24-2 - Transport Assessment (application ref: 7.24.24.2)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
1.157		5.14.7 The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by active, public and shared transport to: • reduce the need for parking associated with the proposal; • contribute to decarbonisation of the transport network;	The Traffic and Transport Chapter of the ES contains an assessment of the potential effects on the transport network associated with the Projects and outlines mitigation measures. An Outline Construction Traffic Management Plan (OCTMP) is provided in support of the DCO application. The OCTMP includes outline travel plan measures, which would be developed further in consultation with the relevant highway authorities prior to the commencement of the Projects. The production of a final Construction Traffic Management Plan is secured by Requirement 14 of the dDCO.	**Volume 7, Chapter 24 Traffic and Transport (application ref: 7.24) -** section 24.6 and 24.7 **Volume 8, Outline Construction Traffic Management Plan (application ref: 8.13)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		• improve user travel options by offering genuine modal choice.		**Volume 3, Draft Development Consent Order (application ref: 3.1)**
1.158		5.14.8 The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports).	The assessment of the potential effects on the transport network associated with the Projects concludes that no effects upon other transport services or infrastructure are anticipated.	**Volume 7, Chapter 24 Traffic and Transport (application ref: 7.24)** - section 24.6
1.159	*Mitigation*	5.14.11 Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to: • reduce the need to travel by consolidating trips; • locate development in areas already accessible by active travel and public transport; • provide opportunities for shared mobility; • re-mode by shifting travel to a sustainable mode that is more beneficial to the network; • retime travel outside of the known peak times; • reroute to use parts of the network that are less busy.	The Outline Construction Traffic Management Plan (OCTMP) contains the control measures and monitoring procedures for managing the potential traffic and transport effects of constructing the Projects. The objective of the OCTMP is to define a strategy to ensure that the construction traffic parameters (e.g. traffic numbers and routes) assessed within the ES are managed and not exceeded. The OCTMP would form the basis for a final Construction Traffic Management Plan (CTMP) for each phase of the Projects' onshore works, which would be prepared and submitted prior to the commencement of construction of the relevant phase for approval by the relevant highway authorities. This is secured by Requirement 14 of the dDCO.	**Volume 8, Outline Construction Traffic Management Plan (application ref: 8.13)**
1.160		5.14.16 Applicants should consider the DfT policy guidance "Water Preferred Policy Guidelines for the movement of abnormal indivisible loads" when preparing their application.	The report on access arrangements for abnormal indivisible loads sets out the manner in which such loads will be dealt with.	**Volume 7, Appendix 24-3 - Abnormal Indivisible Load Access Report (application ref: 7.24.24.3)**
1.161	*Secretary of State decision making*	5.14.18 A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.	The highway network within the Traffic and Transport Study Area have been assessed for the impacts of amenity, severance, road safety and driver delay. With the application of additional mitigation measures (as appropriate) the residual effect upon all receptors was assessed to be not significant in EIA terms.	**Volume 7, Chapter 24 Traffic and Transport (application ref: 7.24)** - section 24.13 and Table 24-42

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.162	Resource and Waste Management EN-1 (5.15)	5.15.2 Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): • prevention • preparing for reuse • recycling • other recovery, including energy recovery • disposal	The Onshore Waste Assessment assesses the types of solid wastes and materials that are likely to be produced as part of the onshore development of the Projects during the construction, operation, and decommissioning stages. The report considers the proposed options for recycling, recovery or disposal of waste, and the capability and capacity of the existing local or regional waste management facilities to manage the waste to be generated.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** **Volume 7, Appendix 19-3 - Onshore Waste Assessment (application ref: 7.19.19.3)**
1.163		5.15.3 Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Waste will be managed in line with the Outline Site Waste Management Plan (OSWMP). The OSWMP will be refined as part of the detailed CoCP(s) approved upon appointment of a Principal Contractor(s) and will set out detail measures for ensuring compliant and best practice management of waste on site during construction.	**Volume 7, Appendix 19.3 Onshore Waste Assessment (application ref: 7.9.19.3)** - section 19.2.5 **Volume 8, Appendix E - Outline Site Waste Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**
1.164	*Applicant Assessment*	5.15.6 Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The Outline Soil Management Plan and the Outline Site Waste Management Plan outlines the mitigation measures and best practice techniques, which contractors would be obliged to comply with. This will include measures to comply with the relevant Defra policies.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - section 19.3.4 **Volume 8, Appendix A - Outline Soil Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
				Volume 8, Appendix E - Outline Site Waste Management Plan of the **Outline Code of Construction Practice (application ref: 8.9)**
1.165		5.15.8 The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation, and construction activities.	General principles of waste management are set out in the waste assessment. These measures would promote sustainable waste management practices by maximising waste prevention, re-use, recycling, and recovery opportunities for material destined for off-site waste management. These measures will be incorporated into the Projects' OCoCP.	**Volume 8, Appendix E - Outline Site Waste Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)** - section 19.2.5
1.166		5.15.9 The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.	Options for reuse or recovery, for example to a soil conditioning facility; or beneficial use as restoration material at a local landfill, would be prioritised to ensure that the amount of waste excavated material being disposed to landfill is reduced to an absolute minimum. Following the assessment it has been determined that there are sufficient facilities within the region to recycle, treat or dispose of all generated wastes from the Projects.	**Volume 8, Appendix E - Outline Site Waste Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)** - sections 19.2.6 and 19.2.7

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
1.167		5.15.12 The UK is committed to moving towards a more 'circular economy'. Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.	The Applicants have a circularity framework which has three core circular principles, namely: • Reducing consumption & increasing inflow of circular materials; • Enhancing material (re)use and lifetime; and • Minimising end-of-life treatment. The OCoCP sets out that during construction the Principal Contractor(s) will be required to have strategies in place that reduce resource consumption and associated GHG emissions over the life cycle of the Projects. Further details will be added to the detailed CoCP(s) on the management of carbon and resource efficiency during construction. This will conform to the measures as set out in the Climate Change Chapter of the ES. The production of a detailed CoCP(s) is secured via Requirement 19 of the dDCO.	**Volume 7. Chapter 30 Climate Change (application ref: 7.30)** - section 30.3.4 **Volume 8, Outline Code of Construction Practice (application ref: 8.9)** - section 5.20 **Volume 3, Draft Development Consent Order (application ref: 3.1)**
1.168		5.15.13 Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.	General principles of waste management are set out in the waste assessment. These measures would promote sustainable waste management practices by maximising waste prevention, re-use, recycling, and recovery opportunities for material destined for off-site waste management. These measures will be incorporated into the Projects' OCoCP.	**Volume 7, Appendix 19-3 - Onshore Waste Assessment (application ref: 7.19.19.3)** - sections 19.3.5 and 19.3.7 **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**
1.169	Water Quality and Resources EN-1 (5.16) *Applicant assessment*	5.16.3 Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	The Flood Risk and Hydrology Chapter of the Environmental Statement (ES) considers the likely significant effects of the Projects on flood risk and hydrology. The Chapter provides an overview of the existing environment for the Onshore development area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. Potential impacts on water quality, the physical characteristics of surface watercourses and the quality and quantity of groundwater are considered in the Flood Risk and Hydrology Chapter of the ES as well as the water environment regulations compliance assessment.	**Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** - section 20.6 **Volume 7, Appendix 20-3 - Water Environment Regulations Compliance Assessment (application ref: 7.20.20.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
			The existing marine water quality baseline and impacts on marine water quality are described and assessed in the ES Chapter on Marine Physical Environment.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - sections 8.6 and 8.7
1.170		5.16.7 The ES should in particular describe: • the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges • existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to • abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance • existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics • any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales)	The Flood Risk and Hydrology Chapter of the ES considers the likely significant effects of the Projects on flood risk and hydrology. The Chapter provides an overview of the existing environment for the Onshore development area, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. Potential impacts on water quality, the physical characteristics of surface watercourses and the quality and quantity of groundwater are considered the Flood Risk and Hydrology Chapter of the ES as well as the Water Environment Regulations Compliance Assessment.	**Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** - section 20.6 **Volume 7, Appendix 20-3 Water Environment Regulations Compliance Assessment (application ref: 7.20.20.3)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
		Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions • how climate change could impact any of the above in the future • any cumulative effects		
1.171		15.6.9 The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	The Outline Project Environmental Management Plan (OPEMP), which includes a Marine Pollution Contingency Plan (MPCP), has been developed and submitted as part of the application for the Projects. A detailed PEMP, which will conform to the OPEMP, will be developed and is secured under DML 1 & 2 (Condition 15), DML 3 & 4 (Condition 13) and DML 5 (Condition 10). The Outline Pollution Prevention Plan (OPPP) has been prepared as part of the Outline Code of Construction Practice (OCoCP) to present pro-active management measures where there may be risk of pollution as a result of onshore and intertidal construction activities, and to ensure that any pollution that may occur is minimised, controlled, remediated and reported to the relevant parties as soon as reasonably practical.	**Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 8, Appendix D - Outline Pollution Prevention Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**
1.172	*Mitigation*	5.16.11 Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	An Emergency Response, Flood Evacuation and Pollution Control Plan will be developed as part of the detailed Code of Construction Practice which will conform to the Outline Code of Construction Practice and set out details of the emergency procedures in cases of spillages or leaks during construction. This will also include the Flood Evacuation measures, for those areas of works located in Flood Zone 2 and 3. Details of abstractions have been obtained from the Environment Agency. Although there are no surface water abstraction points within the Onshore Development Area, several active surface water abstraction licences are located within 1 km of the Onshore Development Area, which are for agricultural spray irrigation.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** **Volume 7, Appendix 19-2 - Geo-Environmental Desk Study and Preliminary Risk Assessment Report (application ref: 7.19.19.2)**

Ref.	Topic & Relevant NPS Section	Relevant Paragraph and Policy Text	Assessment	Relevant Documents
				Volume 7, Figure 19-8 Hydrogeology and Hydrology (a - c) (application ref: 7.19.1)
1.173	*Secretary of State decision making*	5.16.12 The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	The implementation of outlined control measures secured in the Outline Construction Code of Practice (OCoCP) during construction means there would be no activities that have the potential to cause non-temporary effects (i.e., effects that are not permanent, but could last for the duration or beyond the current River Basin Planning Cycle) to the status of any of the river and groundwater bodies assessed. Construction and operation of the Projects would not prevent water body status objectives being achieved in the future. Impacts on protected areas within 2km are not anticipated. The Projects are therefore considered to be compliant with WER requirements.	**Volume 8, Outline Code of Construction Practice (application ref: 8.9)** **Volume 7, Appendix 20-3 - Water Environment Regulations Compliance Assessment) (application ref: 7.20.20.3)**

1.10 NPS for Renewable Energy Infrastructure EN-3 (NPS EN-3)

Table 1-2 NPS for Renewable Energy Infrastructure EN-3 (NPS EN-3) Table of Compliance

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.1	1.1.1 to 1.1.4	***Background*** There is an urgent need for new electricity generating capacity to meet our energy objectives. Electricity generation from renewable sources is an essential element of the transition to net zero and meeting our statutory targets for the sixth carbon budget (CB6). Our analysis suggests that demand for electricity is likely to increase significantly over the coming years and could more than double by 2050. This could require a fourfold increase in low carbon electricity generation, with most of this likely to come from renewables. In the Net Zero Strategy, published in October 2021, government committed to action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60% increase in demand. The British Energy Security Strategy, published in April 2022, accelerates this plan and sets out a series of bold commitments to deliver a more independent, more secure energy system and support consumers to manage their energy bills. More low-cost renewables on the system will reduce household electricity bills and help to increase security of supply through domestic energy production.	The Projects would make a substantial contribution to the achievement of national renewable energy targets. This would include contributions towards net zero and to the UK's contribution to global efforts to reduce the effects of climate change by reducing emissions and increasing the proportion of renewables within the energy mix and generating more electricity from low-carbon sources. Based on an estimated capacity of 3GW, once fully operational, the Projects could be capable of generating enough electricity to meet the average annual domestic energy needs of around 3 million typical UK homes[2]. The Projects would reduce carbon emissions and significantly contribute to the economy by providing substantial investment locally and nationally, as well as employment and new infrastructure during all stages of the Projects. The Climate Change Assessment concludes that, across all Development Scenarios, the impact of the operation and maintenance emissions, relating to the Projects, and the avoided GHG emissions from the provision of renewable energy to the global atmosphere (as a receptor) would result in a beneficial residual effect.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - Table 30-31 **Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** - sections 2.3 and 2.5
2.2	2.1.1 to 2.1.4	***General Assessment and Technology Specific Information – Introduction*** Part 4 of EN-1 sets out the general principles that should be applied in the assessment of development consent applications across the range of energy technologies.	**Table 1-1** of this Document details the Applicants assessment of the policy contained within Parts 4 and 5 of EN-1 and how the Projects are compliant with these paragraphs. Through this Table, the Applicants have considered and assessed the Projects compliance with all those requirements as contained within NPS EN-3 which are relevant to the development of offshore wind energy proposals.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2) -** sections 1.9 and 1.10

[2] Calculation based on 2021 generation, and assuming average (mean) annual household consumption of 3,509 kWh, based on latest statistics from Department of Energy Security and Net Zero (Subnational Electricity and Gas Consumption Statistics Regional and Local Authority, Great Britain, 2021, Mean domestic electricity consumption (kWh per meter) by country/region, Great Britain, 2021

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		Part 5 of EN-1 sets out policy on the assessment of impacts which are common across a range of these technologies (generic impacts). This NPS is concerned with impacts and other matters which are specific to biomass and EfW, offshore wind energy, pumped hydro storage, solar PV and tidal stream energy, or where, although the impact or issue is generic and covered in EN-1, there are further specific considerations arising from the technologies covered here. The policies set out in this NPS are additional to those on generic impacts set out in EN-1. Applicants should show how their application meets the requirements in EN-1 and this NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements. This includes the assessment principles as set out in Part 4 of EN-1, and the consideration of impacts as set out in Part 5 of EN-1.		
2.3	2.3.1 to 2.3.5	***Factors influencing site selection and design*** Factors influencing site selection by applicants for renewable energy generating stations are set out below. The specific criteria considered by applicants and the weight they give to them will vary from project to project. Where there are requirements on applicants or the Secretary of State to consider specific factors, these are made clear in the text. The choices which applicants make in selecting sites reflect their assessment of the risk that the Secretary of State, following the general points set out in Section 4.1 of EN-1, will not grant consent in any given case. It is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure. In specific circumstances it may be appropriate to provide some direction or guidance, for example to areas of search or areas to avoid through Marine Plans, Strategic Environmental Assessments (SEAs) or The Crown Estate Leasing Rounds, in respect of marine renewable technology. All of the examples given consider marine specific aspects of many of the assessment principles set out in Part 4 of EN-1.	In November 2017, The Crown Estate announced a new round of offshore wind leasing. In September 2019, the final bidding areas were announced, and the Offshore Wind Leasing Round 4 was launched. As part of the Round 4 process, developers were able to identify preferred sites within bidding areas defined by The Crown Estate. Applications were submitted by developers under a competitive bidding process, culminating in an auction held in February 2021. The Applicants undertook their own analyses of environmental and technical constraints to identify preferred project locations. Economic assessments were then undertaken to understand the Applicants' competitive advantage associated with the shortlist of project options that the Applicants had identified, leading to the preference to co-locate two 1500MW projects. The Applicants were successful in the commercially driven auction process, securing preferred bidder status for the DBS East and DBS West projects (the Projects). The Crown Estate Leases for the DBS East and DBS West Projects require a minimum power density of 5MW/km^2. As the initial Array Area boundaries for each Project defined in the Applicants Agreement for Lease would have resulted in minimum power density of less than 5MW/km^2, it was decided to refine the Array Area footprints in advance of application for a DCO.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - sections 4.7 and 4.7.1

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			A cross-discipline exercise was undertaken following the submission of the Projects' PEIR to consider the potential technical, environmental, ecological and socio-economic constraints within the Array Areas, and whether there were specific geographical constraints that could be avoided if possible. The Array Areas were subsequently refined to minimise interphases with constraints where possible.	
2.4	2.3.12	***Seabed leasing*** Applicants must obtain a lease from The Crown Estate or Crown Estate Scotland prior to placing any offshore structures on, or passing cables over, the seabed and its foreshore.	The Applicants have signed Agreements for Lease for the Array Areas with The Crown Estate and have applied for a DCO. The Applicants have submitted the Offshore Export Cable Corridors together with relevant supporting information to The Crown Estate as an application for consideration by The Crown Estate's Cable Route Identification and Approval (CRIA) process. This process will result in the award of Agreements for Lease for the Offshore Export Cable Corridor for the Projects.	**Volume 7, Chapter 1 Introduction (application ref: 7.1)** - section 1.2
2.5	2.3.16	***Marine Licensing*** Marine Licences are required for all the marine elements of a proposed offshore development (up to Mean High Water Springs), including associated development such as the cabling, offshore substations that are required, and any other aspects of a development that the appropriate licensing authority, such as the MMO or NRW, may consider licensable under s66 of the Marine and Coastal Access Act 2009.	DMLs are included as schedules to the DCO to cover the Array Areas and associated transmission infrastructure for each of the Projects. This approach allows each Project to retain rights to their own particular assets should ownership of each Project change.	**Volume 7, Chapter 1 Introduction (application ref: 7.1)** - section 1.5
2.6	2.3.23	***Marine Licensing*** Applicants must approach the Marine Licensing regulator (MMO in England and NRW in Wales) early in the pre-application process to ensure that they are aware of any needs for additional marine licence consents alongside their DCO application.	The Applicants have been in continuous discussion with the MMO via meetings under the EPP. These meetings have sought to ensure that the needs for marine licence consents are understood. Further details of the specific technical issues discussed as part of the EPP are presented in the ES topic Chapters.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** - Table 7-2 **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
2.7	2.4.1 to 2.4.4	***Climate change adaptation and resilience*** Part 2 of EN-1 covers the government's energy and climate change strategy, including policies for mitigating climate change. Section 4.10 of EN-1 sets out generic considerations that applicants and the Secretary of State should take into account to help ensure that renewable energy infrastructure is safe and	The Applicants have assessed Part 2 and Section 4.10 of EN-1 in detail through **Table 1-1** of this Document. That notwithstanding, the Applicants confirm that a CCRA has been undertaken for the Projects. The Assessment considers: several climate change variables (such as sea level rise, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding)	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** - section 1.9 **Volume 7, Chapter 30 Climate Change**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		resilient to climate change, and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. Section 4.10 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES. Section 5.6 Coastal Change and Section 5.8 Flood Risk of EN-1 set out generic considerations that applicants and the Secretary of State should take into account in order to manage coastal change and flood risks.	and the possible receptors affected. The CCRA concludes that all receptors have a low vulnerability to climate variables and their resulting hazards. The Applicants have also assessed sections 5.6 Coastal Change and 5.8 Flood Risk of EN-1 in detail through **Table 1-1** of this document.	**(application ref: 7.30)** - section 30.6 and Table 30-30
2.8	2.4.8	***Offshore wind*** Whilst offshore wind farms will not be affected by flooding, applicants should demonstrate that any necessary land-side infrastructure (such as cabling and onshore substations) will be appropriately resilient to climate-change induced weather phenomena. Similarly, applicants should particularly set out how the proposal would be resilient to storms.	Sections 20.6.1 and 20.6.2 of the Flood Risk and Hydrology Chapter conclude that the impacts and effects associated with changes to surface and groundwater flows and flood risk resulting from construction and operation of the Projects, across all Development Scenarios, will result in effects that are no greater than **minor** adverse; and so not significant in EIA terms. A CCRA has been undertaken. The Assessment considers: several climate change variables (such as sea level rise, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected. The CCRA concludes that all receptors have a low vulnerability to climate variables and their resulting hazards.	**Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6.2 and Table 30-30
2.9	2.5.2	***Consideration of good design*** Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage.	The Design and Access Statement establishes the Site Context. An extensive review of the wider site context of the Onshore Development Area, including topics such as landscape, flood risks, terrestrial ecology and ornithology and the historic environments, was undertaken to provide an evidence base for the Onshore site selection. This was reviewed over a number of stages as the Onshore Development Area sought to avoid settlements, sensitive habitats, historically significant sites and has taken into account other technical and environmental constraints. In relation to site selection of the Array Areas and Offshore Export Cable Corridor, the Applicants have considered, for example,	**Volume 8, Design and Access Statement (application ref: 8.8)** - sections 3 and 4 **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			environmental considerations and the numbers of identified seafloor targets to ensure good design is achieved.	
2.10	2.6.1 and 2.6.2	***Flexibility in the project details*** Where details are still to be finalised, applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case. Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed.	The key aspects of the Projects for which flexibility in the project design envelope is required include: wind turbine type and capacity (e.g., maximum tip height and foundation types), construction and maintenance methodologies and the Development Scenarios. The need for flexibility in the consent is particularly significant for offshore wind projects where technology evolves quickly. Therefore, the Projects' design envelope must provide sufficient flexibility to enable the Applicants and their contractors to use the most up to date, efficient and cost-effective technology and techniques in the construction, operation, maintenance and decommissioning of the Projects. With the above need for flexibility in mind, the Applicants confirm that the ES has assessed the likely worst-case development scenario.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** - section 5.1.2 **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
2.11	2.8.3 to 2.8.5	***Offshore Wind - Introduction*** There are two main UK sea areas where offshore wind farms can be built: • in UK territorial waters, which generally extend up to 12 nautical miles (nm) from the coast; and • beyond the 12 nm limit where, under international law, the UK is able to construct wind farm installations or other structures to produce renewable energy in the Renewable Energy Zone (REZ) as declared in the Energy Act 2004. Any reference within this NPS to offshore wind farm infrastructure includes all the elements which may be part of an offshore wind farm application including: • wind turbines; • all types of foundations (fixed bottom or floating); • onshore and offshore substations; • anemometry masts;	The DBS West and DBS East Array Areas are situated at a minimum of 100 km and 122km from shore respectively and are located within the Renewable Energy Zone (REZ) as declared in the Energy Act 2004. The Applicants recognise those references to infrastructure which may form part of an offshore wind farm application. The Applicants note that the key offshore components of the Projects comprise: • Wind turbines; • Offshore platforms, including offshore Collector Platforms (CPs) and / or Offshore Converter Platforms (OCPs), an Electrical Switching Platform (ESP) and an Accommodation Platform (hereafter collectively referred to as offshore platforms unless specified); • Foundation structures for wind turbines and offshore platforms; • Array cables; • Inter-Platform Cables;	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** - section 5.1 **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** - section 1.11

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		• accommodation platforms; and • cabling (offshore transmission). In addition, this section on offshore wind makes many references to cabling and offshore transmission. Applicants bringing forward proposals for that infrastructure should note all such references; cabling refers to all types of electricity network infrastructure including offshore transmission as well as the inter-array cables for a wind farm.	• Offshore Export Cables from the Array Areas to the landfall; and • Scour / cable protection (where required). With regard to cabling, the Applicants recognise that array cables, Inter-platform Cables and Offshore Export Cables from the Array Areas to the landfall constitute electricity network infrastructure and so the Applicants have considered the Projects' compliance with the relevant paragraphs as contained within NPS EN-5, see **Table 1-3** of this Document.	
2.12	2.8.6 to 2.8.10	***Consenting process*** For guidance on DCOs and Marine Licences, applicants and the Secretary of State should consult section 2.3.16 of this NPS. Given ambitions to deliver up to 50 GW of offshore wind by 2030, including up to 5 GW of floating wind, there is a need to speed up, and reduce delays in, the consenting process. The British Energy Security Strategy committed to implementing an Offshore Wind Environmental Improvement Package (OWEIP), which aims to streamline environmental assessments, decrease consenting times, and maintain marine environmental protections. The OWEIP includes measures to: • revise Marine Protected Area assessment guidance (including Habitats Regulations and Marine Conservation Zone (MCZ) Assessments) to streamline and simplify the information applicants must supply. • revise the Habitats Regulations and MCZ assessment process for offshore wind to facilitate the delivery of compensation measures whilst maintaining valued protection for wildlife. • facilitate the delivery of strategic environmental compensation measures to offset environmental effects and reduce delays to projects, including development of a library of compensation measures, through the Collaboration on Offshore Wind Strategic Compensation (COWSC) programme. • implement an industry-funded Marine Recovery Fund (MRF), into which developers can choose to contribute to meet their environmental compensation obligations.	The Applicants have consulted and assessed section 2.3.16 of EN-3 below, within this Table. The Applicants are cognisant of the need to speed up the consenting process in order to deliver up to 50 GW of offshore wind by 2030. The commitment made, through the British Energy Security Strategy, to implementing an Offshore Wind Environmental Improvement Package (OWEIP) is recognised by the Applicants as being part of the emerging national context for UK climate and renewable energy policy. The Applicants recognise that the Energy Act 2023, Part 13, Chapter 1 enshrines the key elements of the OWEIP.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** - section 1.10 **Volume 7, Chapter 3 Policy and Legislative (application ref: 7.3)** - section 3.5

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		• common requirement for designing wind farms and offshore transmission infrastructure, providing greater certainty and speeding up the consenting process. • develop a strategic approach to environmental monitoring. Various aspects of the Offshore Wind Environmental Improvement Package (OWEIP) will be subject to public consultation and guidance will be produced in due course. The OWEIP applies to "the planning, construction, operation or decommissioning of offshore wind electricity infrastructure" and the identification of an area for such an activity. Infrastructure is defined in the Energy Act and includes offshore transmission infrastructure such as bootstraps.		
Applicant assessment				
2.13	2.8.11 to 2.8.13	***Factors influencing site selection and design*** General factors influencing site selection by applicants are set out at Section 2.3 of this NPS. Specific considerations involved in the siting of an offshore wind development are additionally likely to be influenced by factors set out in the following paragraphs. The specific criteria considered by applicants, and the role that they play in site selection, will vary from project to project.	The Applicants have undertaken an assessment of those general factors influencing site selection, as set out through Section 2.3 of EN-3 through this Table. The Applicants have also considered and assessed the Projects' compliance with the specific considerations and factors as set out in those paragraphs succeeding 2.8.12 of EN-3 through this Table. The specific criteria considered by the Applicants have been detailed through the Site Selection and Assessment of Alternatives Chapter. At a high level, the Chapter explains that physical, technical, commercial and social considerations and opportunities, as well as engineering requirements were key considerations through the Site Selection process.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** - section 1.10 **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**
2.14	2.8.14	***Offshore Energy Strategic Environmental Assessment*** In proposing sites for offshore wind and/or offshore transmission infrastructure, NSIP applicants should demonstrate that their choice of site takes into account the government's Offshore Energy SEA 4 and any successors to it.	The Applicants have considered the Government's Offshore Energy SEA 4 which concludes that there are no overriding environmental considerations preventing the plans for 25GW offshore wind and a further 8GW existing planned capacity if mitigation measures are implemented to prevent, reduce and offset significant adverse effects. For the purposes of the ES, two types of mitigation have been utilised by the Applicants. These are:	**Volume 7, Chapter 3 Policy and Legislative (application ref: 7.3)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			• Embedded mitigation measures which are identified and adopted as part of the design evolution of the Projects, and are included an assessed in the EIA; and • Additional mitigation measures that are identified during the EIA process specifically to reduce or eliminate any predicted likely significant effects. Additional mitigation is therefore subsequently adopted as a commitment of the Projects. Through the commitment to embedded and additional mitigation measures, as summarised in the Commitments Register, the Applicants have been able to prevent, reduce and offset a majority of likely significant pre-mitigation adverse effects.	**Volume 8, Commitments Register (application ref: 8.6)**
2.15	2.8.16	***Marine Planning*** Marine planning currently enables the increasing demands for use of the marine area to be balanced and managed in an integrated way that protects the marine environment whilst supporting sustainable development.	The Applicants acknowledge Paragraph 2.8.16 of EN-3 and recognise the importance of Marine Plans and marine planning more generally in protecting, balancing, and integrating developments in a sustainable way. The Applicants have undertaken a policy assessment of the relevant Marine Plans through Tables 1-4 and 1-5 of this Document.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** - sections 1.12 and 1.13
2.16	2.8.17	***Marine Planning*** Marine plans provide a transparent framework for consistent, evidence-based decision making and should be used by applicants to guide site selection.	The Application has considered all relevant Marine Plans and Policies, as has been confirmed through Tables 1-4 and 1-5.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**
2.17	2.8.20	***Seabed leasing*** The Crown Estate issues leases for offshore wind farms in tendering rounds. Applicants must obtain a lease prior to placing an offshore wind structure on, or passing transmission export cables over, the seabed and its foreshore (see section 2.3.10 of this NPS for information in seabed leasing and capacity extensions).	The applicants have signed Agreements for Lease for the Array Areas with The Crown Estate and have applied for a DCO. The Applicants have submitted the proposed Offshore Export Cable Corridors together with relevant supporting information to The Crown Estate as two applications for consideration through The Crown Estate's Cable Route Identification and Approval (CRIA) process. This has commenced the process for entering into the Agreements for Lease for the Offshore Export Cable Corridors for the Projects.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.7.1
2.18	2.8.22 and 2.8.24	***Seabed leasing*** To date, each offshore wind leasing round has been supported by a plan level HRA, which assesses the impact of the leasing round on protected sites. It should also be noted that aspects of plan level HRAs that remain relevant at the project level might be able to be	Details of the HRA process followed by the Projects is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP.	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		relied upon to inform the project level HRA, reducing the project level effort required and reducing duplication. Where an assessment concludes that there will still be an adverse impact, a case for derogation can be considered. This must meet strict legal tests, which includes identifying compensatory measures.	The Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the HRA Process The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence document contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan for Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**
2.19	2.8.28, 2.8.29, 2.8.31 and 2.8.32	***Wind resource, water depth and foundation conditions*** Available wind resource is critical to the economics of a proposed offshore wind farm. To inform their economic modelling, applicants may collect wind speed data using an anemometry mast or similar. Water depth, bathymetry and geological conditions are all important considerations for the selection of sites and will affect the design of the foundations of the turbines, the layout of turbines within the site and the siting of the cables that will export the electricity. The onus is on the applicant to ensure that the foundation design is technically suitable for the seabed conditions and that the application caters for any uncertainty regarding the geological conditions.	In November 2017, The Crown Estate announced a new round of offshore wind leasing. In September 2019, the final bidding areas were announced, and the Offshore Wind Leasing Round 4 was launched. As part of the Round 4 process, developers were able to identify preferred sites within bidding areas defined by The Crown Estate. Subsequently, the Applicants undertook their own analyses of environmental and technical constraints to identify preferred Projects' locations for the offshore Array Areas as defined through the Offshore Wind Leasing Round 4 process. From this, the Applicants have considered all those important considerations and environmental conditions (as identified through paragraphs 2.8.28, 29, 31 and 32) in coming to the conclusion that the Projects are economically viable. The physical character of the site has been considered and the design envelope for the project has been refined accordingly.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.7
2.20	2.8.34	***Offshore-onshore network connection***	The Applicants have developed DBS East and DBS West transmission infrastructure as co-ordinated projects in accordance with the National Grid Electricity System Operator	**Volume 7, Chapter 4 Site Selection and Assessment of**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission is required. The previous standard approach to offshore-onshore connection involved a radial connection between single wind farm projects and the shore. A coordinated approach will involve the connection of multiple, spatially close, offshore wind farms and other offshore infrastructure, wherever possible, as relevant to onshore networks. Co-ordinated transmission proposals have principally been developed through, and as a consequence of, a process of ongoing reform including through strategic network planning, such as the Holistic Network Design for onshore-offshore transmission, as outlined in EN-5. Further details are provided in EN-5, section 2.12-2.15. As part of the transition to more co-ordinated transmission, it is anticipated that some proposals for transmission could be consented separately to those for the wind farm (array) application. For this to occur, an applicant will need to make a request to the Secretary of State. The Secretary of State would then decide whether to give direction under Section 35 of the Planning Act 2008. For some wind farm projects, the electricity network connection proposals in the application could comprise a wind farm export cable to an offshore transmission connection point on part of an offshore transmission network taking power to shore or exported to another market via a multi-purpose interconnector (MPI). MPIs will enable direct power flow from wind farms to two or more countries. They will provide the electricity network with flexibility needed to integrate the increased deployment of intermittent offshore renewable generation into the system by: • allowing market-to-market trading when there is additional capacity on the cable; and • limiting the need to curtail offshore wind generation when domestic demand has been met by providing a direct route for export to neighbouring North Sea countries.	(ESO) evolving HND, as updated in February 2024. An Electrical Switching Platform (ESP) was required as part of the original HND. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. However, to allow for further evolution of the HND, the ESP is included for assessment. The platform, if required may be located either within one of the Array Areas (likely alongside a converter station) or mid-way along the Offshore Export Cable Corridor.	**Alternatives (application ref: 7.4)** - sections 5.1.1 and 5.5.4.2

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		This will provide system benefits, reduce costs to consumers and maximise market access for generators. The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are futureproofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.		
2.21	2.8.43	***Offshore-onshore network connection*** The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are futureproofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.	The onshore grid connection points for the Projects were determined by the HND process, the results of which were published in February 2024. The HND recommended that both Projects were connected via ahigh voltage direct current (HVDC) connection. Following Statutory Consultation, high voltage alternating current (HVAC) technology (previously assessed in PEIR) was removed from the Projects' design envelope. As a result, only HVDC technology has been taken forward. With regard for future proofing and at the time of application there has been no confirmation from National Grid ESO (NGESO) as to whether an Electrical Switching Platform (ESP) is required. Previous communication with NGESO had required the Projects to be "mesh ready", which the Applicants understood to mean the provision of an ESP in either of the Array Areas or the Offshore Export Cable Corridor to allow connections to other infrastructure in the HND. The latest HND statements from NGESO and Ofgem do not explicitly include the need for an ESP. The Applicants' will have further discussions with NGESO during the Examination process to ascertain if the ESP can now be removed from the application.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.10 **Volume 7, Chapter 5 Project Description (application ref: 7.5)** - section 5.1.1 **Volume 7, Appendix 4-1 Ofgem and National Grid Electricity System Operator HND Statements (application ref: 7.4.4.1)**
2.22	2.8.44	***Other offshore infrastructure and activities*** There may be constraints imposed on the siting or design of offshore wind farms because of the presence of other offshore infrastructure, such as oil and gas, Carbon Capture, Usage and Storage (CCUS), co-location of electrolysers for hydrogen production, marine aggregate dredging, telecommunications, or activities such as aviation and recreation.	The ES Chapter on Site Selection and Assessment of Alternatives provides a rational for the location of the Array Areas, Offshore Export Cable Corridor platform area of search and Offshore Export Cable Corridor, which includes consideration of constraints associated with other offshore infrastructure, such as oil and gas.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.23	2.8.45 and 2.8.46	***Other offshore infrastructure and activities*** Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, and the importance of the UK Continental Shelf (UKCS) in supporting progress towards net zero commitments there will be increasing demand on the UKCS which could give rise to conflicts. The occurrence of conflict between offshore development projects in the short term could restrict the capacity of the UKCS to support the variety of technologies required for the delivery of net zero. Applicants should consult the government's Marine Plans (further detailed in Section 4.5 of EN-1) which are a useful information source of existing and known or potential activities and infrastructure.	The Projects' Array Areas lie within the UK Continental Shelf and so the Applicants are cognisant of the potential for conflict between offshore development projects. The Applicants ES assessment does not conclude that any residual effects relating to the Projects' construction, operation and maintenance and decommissioning would result in an effect greater than **minor** adverse, not significant in EIA terms, to other offshore development projects. The Applicants have assessed the detailed paragraphs, as provided for through Section 4.5 of EN-1) through **Table 1-1**. A comprehensive review and assessment of the relevant Marine Plans has also been undertaken and captured within this document, through **Table 1-4** and **Table 1-5**.	**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** - sections 1.9, 1.12 and 1.13
2.24	2.8.47	***Other offshore infrastructure and activities*** Prior to the submission of an application involving the development of the seabed, applicants should engage with key stakeholders, such as The Crown Estate and statutory bodies to ensure they are aware of any current or emerging interests on or underneath the seabed which might give rise to a conflict with a specific application. This will ensure adequate opportunity to reduce potential conflicts and increase time to find a resolution.	The Consultation Report demonstrates how the Applicants have complied with their duties under sections 42, 47, 48 and 49 of the Planning Act 2008. Both non-statutory consultation and statutory consultation with the Crown Estate and statutory bodies, such as Natural England, for example, have been undertaken to help shape the final DCO application.	**Volume 5, Consultation Report (application ref: 5.1)**
2.25	2.8.51 and 2.8.52	***Marine Protected Areas*** The UK Government has obligations to protect the marine environment with a network of well managed Marine Protected Areas (MPAs), which also includes Highly Protected Marine Areas (HPMAs). MCZs together with HPMAs, SACs SPAs, and Ramsar sites and marine elements of SSSIs form an ecologically coherent network of MPAs. The government has set a target for MPA condition under the Environment Act 2021. Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, applicants will need to give close consideration to impacts on MPAs, either alone or in combination, and employ the mitigation hierarchy, and if necessary provide compensation (both individually and in combination with other plans or projects) which may be needed to approve their projects.	The Applicants have submitted a MCZA (as the marine licensable activities sought have an approximate 1km^2 overlap between the Offshore Export Cable Corridor's Construction Buffer Zone and the Holderness Inshore MCZ; and so the licensable activities have the potential to impact the MCZ as well as neighbouring MCZs. The MCZA concludes a Stage 1 assessment as, based on the information assessed in the MCZA that the conservation objective of maintaining the protected features of the MCZs in a favourable condition, or restoring them to a favourable condition, will not be hindered by the construction, operation and decommissioning stages of the Projects, or cumulatively with any other plan, project or activity. Consequently, no further stages of MCZA are required and so no further assessment of MCZs has been undertaken within this Planning Statement.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			For each European site screened into the RIAA document (e.g., the Flamborough and Filey Coast SPA), the following has been provided: • A summary of the ecology of the designated features relevant for each designated site assessment; • An assessment of the potential effects during the construction, operation, maintenance and decommissioning stages of DBS East and DBS West; and • An assessment of the potential for in-combination effects for the Projects alongside other relevant developments and projects. Where the RIAA has concluded that adverse effects on site integrity cannot be ruled out, the Habitats Regulations Derogation: Provision of Evidence document provides evidence to support the Applicants' derogation case. That document contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. The Applicants accordingly submit that with the application of the compensatory measures for the mentioned HRA effects, there is no residual unacceptable HRA impact which would prevent consent being granted.	**Bank Compensation Plan (application ref: 6.2.3)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)**
2.26	2.8.55	***Marine Protected Areas*** The British Energy Security Strategy included a commitment to introducing mechanisms to support strategic compensatory measures, including for projects already in the consenting process (where possible), to offset environmental impacts and reduce delays to individual projects. Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to make good any remaining significant adverse effects to site integrity.	The Habitats Regulations Derogation: Provision of Evidence explains the long list of alternative solutions/ measures considered by the Applicants. These alternatives include: alternative Offshore windfarm locations; Alternative Scale; Alternative Design and Method; Alternative Timing. However, the Habitats Regulations Derogation: Provision of Evidence confirms that none of these alternative solutions are feasible and so an HRA derogation case has been made and concludes with a commitment to compensatory measures. The compensatory measures provided for within the Projects do not include strategic	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** - section 4.4 and 4.7 **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			level compensatory measures but does include a Project level Dogger Bank Compensation Plan as a compensatory measure.	**Plan (application ref: 6.2.3)**
2.27	2.8.56	***Marine Protected Areas*** Applicants are expected to seek advice from SNCBs and Defra for projects in England, in conjunction with relevant regulators, Local Planning Authorities and/or landowners, on potential mitigation and/or compensation requirements at the earliest opportunity and comply with future statutory requirements and/or guidance once available.	The Applicants have consulted with stakeholders on a statutory and non-statutory basis through the EPP since 2021, with key consultation outcomes recorded in the relevant topic specific Chapters of the ES. The Applicants have had early and ongoing engagement with local authorities, statutory consultees and the local community to ensure compliance with the statutory requirements surrounding Marine Protected Areas.	**Volume 5, Consultation Report (application ref: 5.1)**
Technical Considerations				
2.28	2.8.62	***Network connection*** Transmission cabling from offshore energy infrastructure can negatively impact (both during installation and over their lifetime) seabed habitats and protected sites.	The Applicants are cognisant of the potential negative effects that can arise from the installation and operation of offshore transmission cabling. Several options were explored for the preferred offshore Export Cable Corridor for DBS West and East respectively. Constraints considered include, but were not limited to: cable length, environmental considerations and seafloor gradients). The Applicants' on an individual basis with mitigation have assessed impacts as not significant. However including cumulative impacts the ES assessment concludes that there will be two moderate adverse, significant in EIA terms, residual effects arising from the Projects' cable corridor. These are Impact 1: Loss or restricted access to fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) and Impact 2: Displacement leading to gear conflict and increased pressure on adjacent fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning).	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.11.6 **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**
2.29	2.8.66	***Network connection*** The location of arrays and transmission infrastructure should be assessed strategically (especially where they are not covered by the same consent or marine licence), and the mitigation hierarchy should be used to address any environmental impact.	In November 2017, The Crown Estate announced a new round of offshore wind leasing (Offshore Wind Leasing Round 4). As part of the Round 4 process, developers were able to identify preferred sites within bidding areas defined by The Crown Estate. In July 2022, the HND recommended that the Projects were both connected via an HVDC connection to a new National Grid substation in the vicinity of Creyke Beck. This recommendation	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.7

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			was made following the assessment of a number of different connection options assessed against four different objectives. This strategic process made sure the most appropriate connection location was taken forwards. The four key design criteria included consideration of option cost to consumer, deliverability and operability, impact on environment and Impact on local communities. Following the recommendation of the connection location, the Projects undertook further work to develop detailed connection options. In order to fully consider the assessment of alternatives, the Applicants retained flexibility for one of the Projects to be connected via a HVAC connection as both technologies have different advantages in terms of infrastructure size and requirements, operability, efficiency and economics. Beyond the technology type of the cables connecting the Array Areas to Landfall, the final routing of the Offshore Export Cable Corridor has been subject to several design and engineering assumptions. These are: being able to connect to viable landfall locations; being as short as possible; minimising number of crossings of existing offshore cables and pipelines, where crossing is required, cables and pipelines to be crossed at approximately 90°; maintaining required separation distances with other offshore cables and pipelines; maintaining sufficient space for offshore cable installation (including anchor spread of installation vessels whilst maintaining an appropriate safety buffer with existing sub-sea cables and pipelines); avoiding known historic wrecks as far as possible; minimising sterilisation of aggerate dredging areas and other lease areas; avoiding direct significant impacts to sites designated for nature conservation as far as possible (SACs, SPAs, MCZs); and avoiding direct significant impacts to ecologically important sandbanks and potential reefs as far as possible. With the above principles in mind, the Applicants confirm that they have utilised the mitigation hierarchy to design out negative effects where possible, have assessed a worst-case scenario, and have resultingly made use of additional mitigation, where necessary.	**Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** - section 6.6.5

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.30	2.8.68	***Network connection*** The applicant should assess the effects of the offshore transmission and any associated infrastructure on the marine, coastal and onshore environment.	The Applicants have duly considered, assessed and mitigated, wherever possible, all potential effects arising from the Offshore Export Cables. The results are summarised within the 'Summary of Potential Likely Significant Effects' table as contained within each of the relevant ES Chapters. These Assessments consider the effects of the offshore transmission and all associated infrastructure on the marine, costal and onshore environment. Resultingly, the Applicants have complied with the requirements of Paragraph 2.8.68 of NPS EN-3.	**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
2.31	2.8.69 and 2.8.70	***Network connection*** Where the applicant does not know the precise location of the offshore transmission cables and any associated infrastructure, a corridor should be identified within which the specific infrastructure is proposed to be located. The ES for the proposed project should assess the effects of including this infrastructure within that corridor.	An Offshore Export Cable Corridor and its associated construction buffer provides space for the installation works and any foreseeable operation and maintenance activities such as cable reburial or repairs. The Offshore Export Cable Corridor is 1km wide (with a 500m temporary working area buffer either side). The ES has taken account of, and has assessed, the full extent of the Offshore Export Cable Corridor. The defined route for the Offshore Export Cable will be confirmed at the detailed design stage, post-consent. Each Project would have it's own transmission infrastructure. This infrastructure will be installed in a shared corridor to a distance of approximately 80km from shore, At this point, the individual cable corridors serving each project would diverge.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** - section 5.5.7
2.32	2.8.72	***Network connection*** Assessment of environmental effects of transmission infrastructure and any proposed offshore or onshore substations should assess effects both alone and cumulatively with other existing and proposed infrastructure.	The Applicants approach to EIA has assessed the potential for the likely significant effects of the Projects to act cumulatively with the effects of other plans and projects both within the UK and internationally. The details of the cumulative assessments are presented within the relevant chapters of the ES.	**Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** - section 6.7 **Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)** **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**
2.33	2.8.73	***Network connection*** Applicants should include details on how avoidance has been achieved, good design principles have been followed and provide proposals for mitigation. If the development is in English and Welsh waters, they should also demonstrate that they have considered	A number of design principles and engineering assumptions have been used to determine the Offshore Export Cable Corridor. These include but are not limited to; being as short as possible, minimizing the number of crossings of existing offshore cables and pipelines, avoiding historic wrecks and the avoidance of direct significant effects to sites designated for nature	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		how their proposals can contribute towards environmental net gain.	conservation, as far as possible. Details of how these assumptions have gone into achieving good design has been captured within the Site Selection and Assessment of Alternatives Chapter and the Design and Access Statement.	**(application ref: 7.4) -** section 4.11 **Volume 8, Design and Access Statement (application ref: 8.8)**
2.34	2.8.74	***Flexibility in the project details*** Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the Secretary of State. Such aspects may include: the precise location and configuration of turbines and associated development; the foundation type and size; the installation technique or hammer energy; the exact turbine blade tip height and rotor swept area; the cable type and precise cable or offshore transmission route; the exact locations of offshore and/or onshore substations;	The key aspects of the Projects for which flexibility in the project design envelope is required include: wind turbine capacity (e.g., maximum tip height and foundation types), construction and maintenance methodologies and the Development Scenarios. The need for flexibility in the consent is particularly significant for offshore wind projects where technology evolves quickly. Therefore, the Projects' design envelope must provide sufficient flexibility to enable the Applicants and their contractors to use the most up to date, efficient and cost-effective technology and techniques in the construction, operation, maintenance and decommissioning of the Projects.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** - section 5.1.2 **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
2.35	2.8.77	***Micrositing and microrouting*** To inform micrositing/microrouting applicants should undertake high-resolution survey work and make provision for investigative work, such as archaeological examination, to assess the impacts of any proposed cables or foundation placement on potential heritage assets.	The Applicants have acquired Site Specific Marine Geophysical and Geotechnical surveys and assessments to base the offshore archaeology impact assessment. Further investigation and data gathering will be progressed post-consent which will include high resolution surveys, alongside additional mitigation requirements. The resultant data will be used to inform detailed design.	**Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** - section 17.4
2.36	2.8.78	***Micrositing and microrouting*** Applicants should submit an outline archaeological Written Scheme of Investigation (WSI) as part of the DCO submission, with a commitment to complete a project specific WSI post-consent in consultation with Historic England.	An Outline WSI has been submitted as part of the DCO submission. The draft Development Consent Order secures the completion of detailed onshore and offshore WSIs. The detailed Written Archaeological Scheme of Investigation (Onshore) is secured through Requirement 18 of Schedule 2 Part 1. The detailed archaeological written scheme of investigation in relation to the offshore Order limits seaward of MHWS is secured by DML 1 & 2 (Condition 15), DML 3 (Condition 13), DML 4 (Condition 13) and DML 5 (Condition 11).	**Volume 8, Outline Written Scheme of Investigation (offshore) (application ref: 8.22)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
2.37	2.8.79	***Micrositing and microrouting*** Where the applicant requests micrositing or microrouting tolerance, and insofar as it is reasonably possible to do so, the	The EIA methodology for the Projects is based on a project design envelope (or 'Rochdale Envelope') where the impact assessment is based on assessing project design parameters likely to result in the maximum adverse effect (i.e., the worst-case scenario).	**Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** - section 6.6.4

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		applicant should factor this tolerance into the environmental impact assessment of the development's worst-case scenario.	The Offshore Export Cable Corridor is 1km wide (with a 500m temporary working area buffer either side). The ES has taken account of, and has assessed, the full extent of the Offshore Export Cable Corridor.	
2.38	2.8.89	***Decommissioning*** Where requested by the Secretary of State, applicants should submit a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning.	The Applicants will submit an offshore Decommissioning Programme prior to the commencement of the offshore works based on the relevant guidance and legislation. Production of the Decommissioning Programme is secured via Requirement 7 of the draft Development Consent Order.	**Volume 3, Draft Development Consent Order (application ref: 3.1)**
Impacts				
2.39	2.8.101	***Biodiversity and ecological conservation*** Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.3 and 5.4 of EN-1).	The ES, specifically Chapters 8 (Benthic and Intertidal Ecology), 10 (Fish and Shellfish Ecology), 11 (Marine Mammals) and 12 (Offshore Ornithology) have undertaken detailed assessments across all stages of the Projects. The Applicants have assessed the impacts of the Projects across all stages through its assessments (e.g., the Marine Conservation Zone Assessment, the ES and the Habitats Regulations Derogation: Provision of Evidence).	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** **Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11) -** section 11.6 **Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)** - section 12.6 **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** - section 10.3

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
				Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)
2.40	2.8.103	***Biodiversity and ecological conservation*** Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects.	The Applicants have assessed the potential effects, both positive and negative, arising from the Projects on marine ecology and biodiversity. The Applicants' assessment concludes that: • For the Marine Physical Environment, no residual effect is greater than **minor** adverse and so not significant in EIA terms; • For Benthic and Intertidal Ecology, no residual effect is greater than **minor** adverse and so not significant in EIA terms; • For Fish and Shellfish Ecology, no residual effect is greater than **minor** adverse and so not significant in EIA terms; • For Marine Mammals, no residual effect is greater than **minor** adverse and so not significant in EIA terms with the exception of decommissioning effects which are to be determined prior to decommissioning; and • For Offshore Ornithology, residual effects arising from potential impacts are no greater than **minor** adverse, and so not significant in EIA terms, for most receptors. Impact 9 (Cumulative Assessment of Operational Displacement) on Gannet, Guillemot, Razorbill, Puffin and Impact 10 (Cumulative Assessment of Operational Collision Risk) on Gannet, Kittiwake, Lesser black-backed gull, Herring gull and Great black-backed gull result in a **negligible** – **moderate** adverse residual effect which is significant in EIA terms. The Applicants confirm that measures in relation to offshore ornithology (e.g., wind turbine minimum tip clearance and routing of vessel traffic) have been secured via DML 1 & 2 (Conditions 2, 15 and 21), DML 3 & 4 (Conditions 13 &19) and DML 5 (Conditions 11 & 15) of the dDCO. Compensatory measures in relation to HRA are also secured in Schedule 18 of the dDCO. Resultingly, the Applicants have complied with the requirements of paragraph 2.8.103 of EN-3.	**Volume 7, Chapters 8** to **12 (application ref: 7.8** to **7.12)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.41	2.8.104	***Biodiversity and ecological conservation*** Applicants should consult at an early stage of pre-application with relevant statutory consultees and energy not-for profit organisations/ non-governmental organisations as appropriate, on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options which should be undertaken.	The Applicants have consulted with stakeholders on a statutory and non-statutory basis through the EPP since 2021, with key consultation outcomes recorded in the relevant topic specific Chapters of the ES. The EPP is divided into several ETG which follow the majority of topics covered by the EIA and HRA. The ETGs are used to discuss, and if possible, agree, the detail of the EIA information requirements for the DCO application. The Applicants' ongoing consultation with the relevant statutory consultees and energy not-for profit organisations/ non-governmental organisations mean that the Applicants are in compliance with the requirements of this Paragraph.	**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)** **Volume 5, Consultation Report (application ref: 5.1)**
2.42	2.8.105	***Biodiversity and ecological conservation*** In developing proposals applicants must refer to the most recent best practice advice originally provided by Natural England under the Offshore Wind Enabling Action Programme, and/or their relevant SNCB.	The Applicants have used the most recent best practice guidance and other Statutory Nature Conservation Bodies guidance when developing the Projects.	**Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** - section 6.3
2.43	2.8.106 and 2.8.107	***Biodiversity and ecological conservation*** Any relevant data that has been collected as part of post-construction ecological monitoring from existing operational offshore wind farms should be referred to where appropriate. A range of research programmes are ongoing to investigate impacts of offshore wind farm development, including, but not limited to: BEIS SEA Research Programme, ORJIP, ScotMER, the ORE Catapult and OWEC. Applicants should explain why their decisions on siting, design, and impact mitigation are proportionate and well-targeted, referring to relevant scientific research and literature as appropriate.	Where relevant, studies of an academic, strategic or project-specific nature (relating only to offshore wind farms) have been referred to and have been incorporated into the baseline information of Chapters 11 (Marine Mammals) and 12 (Offshore Ornithology), for example.	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** **Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)**
2.44	2.8.108	***Biodiversity and ecological conservation*** Applicants are expected to have regard to guidance issued in respect of Marine Licence requirements and consult at an early stage of pre-application with the MMO or NRW.	The Applicants have consulted with the MMO on statutory and non-statutory basis through the EPP since 2021. The EPP is divided into several ETGs which follow the majority of topics covered by the EIA and HRA. The MMO have been a part of all ETGs relating to offshore topics.	**Volume 5, Consultation Report (application ref: 5.1)**
2.45	2.8.109	***Biodiversity and ecological conservation*** Applicants should have regard to duties in relation to Good Environmental Status (GES) of marine waters under the UK Marine	The ES has considered the international, national, regional and local planning policy and legislative context that is relevant to the impact assessment of the Projects. This includes the Marine Strategy Framework Directive.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		Strategy and MPA target (including any interim target) in England, set under the Environment Act 2021.		
2.46	2.8.111, 2.8.112 and 2.8.113	***Physical environment*** The construction, operation and decommissioning of offshore energy infrastructure, including the preparation and installation of the cable route and any electricity networks infrastructure can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors: • water quality – disturbance of the seabed sediments or release of contaminants can result in direct or indirect effects on habitats and biodiversity, as well as on fish stocks thus affecting the fishing industry; • waves and tides – the presence of the turbines can cause indirect effects through change to wave climate and tidal currents on flood and coastal erosion risk management, marine ecology and biodiversity, marine archaeology and potentially coastal recreation activities; • scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels, marine archaeology, and impact biodiversity and seabed habitats; • sediment transport – the resultant movement of sediments, such as sand across the seabed or in the water column, can indirectly affect navigation channels for marine vessels, and could affect sediment supply to sensitive coastal sites and impact biodiversity and seabed habitats; • suspended solids – the release of sediment during construction, operation and decommissioning can cause indirect effects on marine ecology and biodiversity; • sandwaves – the modification/clearance of sandwaves can cause direct physical (such as in affecting unknown archaeological remains) and ecological effects both at the	The existing baseline for the marine physical environment has been established through the ES. The assessment contained within Section 8.7 of Chapter 8 (Marine Physical Environment) assesses the Projects impacts upon marine water quality, waves and tides, scour effects, sediment transport, suspended sediment, the loss of seabed and changes to water circulation. Chapter 8 concludes that no construction, operation and maintenance, or decommissioning effect will be greater than **minor** adverse and so not significant in EIA terms. The construction, operation and decommissioning impacts arising from the Projects on habitats have been assessed with regard for benthic habitats and fish and shellfish ecology (through Chapters 9 and 10 of the ES respectively). These Chapters conclude that no construction, operation or decommissioning effect will be greater than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - section 8.7 **Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** - section 9.7 **Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** - section 10.7

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		seabed and within the water column due to disturbance and suspension of sediment, and potentially indirect effects (e.g., changes to seabed morphology in water depths where waves can influence the seabed, which can in turn affect wave climate and sediment transport); and • water column – wind turbine structures can also affect water column features such as tidal mixing fronts or stratification due to a change in hydrodynamics and turbulence around structures. Applicant assessments are expected to include predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and seabed morphology that will result from the construction, operation and decommissioning of the required infrastructure. Assessments should also include effects such as the scouring that may result from the proposed development and how that might impact sensitive species and habitats.		
2.47	2.8.114	***Physical environment*** Applicants should undertake geotechnical investigations as part of the assessment, enabling the design of appropriate construction techniques to minimise any adverse effects.	Geotechnical investigations have been undertaken as part of the assessment. The result have been used to inform the assessment works and to help iterate the project design – ensuring proposals remain appropriate. Geotechnical evidence has been incorporated into impacts assessments on the marine physical environment and offshore culture heritage.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - sections 8.6, 8.7 and 8.13 **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)**
2.48	2.8.119	***Intertidal and coastal habitats and species*** Applicant assessment of the effects of installing offshore transmission infrastructure across the intertidal/coastal zone should demonstrate compliance with mitigation measures in any relevant plan-level HRA including those prepared by The Crown Estate as part of its leasing round, and include information, where relevant, about: any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice; any alternative cable installation methods that have been considered by the applicant during the	The Applicants have undertaken a thorough and systematic site selection and alternatives exercise in coming to the Projects landfall. The Applicants have considered several alternative cable installation methods for flexibility. Chapter 9 (Benthic and Intertidal Ecology) has assessed: the potential impacts of the project intertidal habitat, with consideration of physical environmental impacts covered in the marine physical environment chapter. Key the impacts assessed include those arising from disturbance during construction and operation; the increase in suspended sediment loads in the	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.9 **Volume 7, Chapter 5 Project Description**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		design phase and an explanation for the final choice; potential loss of habitat; disturbance during cable installation, maintenance/ repairs and removal (decommissioning); increased suspended sediment loads in the intertidal zone during installation and maintenance/repairs; potential risk from invasive and non-native species; predicted rates at which the intertidal zone might recover from temporary effects, based on existing monitoring data; and protected sites.	intertidal zone during construction and operation; the potential risk from invasive and non-native species; the resilience or ability of a receptor to recover and those protected sites. The Assessment concludes that no construction or operation and maintenance effect upon the intertidal/coastal zone will be greater than **minor** adverse and so not significant in EIA terms.	**(application ref: 7.5)** - section 5.5.7 **Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - section 8.7 **Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** - sections 9.7, 9.8, 9.9 and 9.12
2.49	2.8.123	***Subtidal habitats and species*** The applicant should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round.	In line with the conclusions of The Crown Estate's plan-level HRA, an In Principle Site Integrity Plan has been developed for the Projects, which will set out the approach to deliver any Project-level mitigation or management measures. The Projects have ensured that the design parameters do not exceed those established as maxima within The Crown Estate's Round 4 Plan Level HRA. For example, the Projects' wind turbine parameters are lower than those contained within the Plan Level HRA whilst the Projects have also ensured that no exceedance of 10% cable protection would occur where cable is laid within the Dogger Bank Special Area of Conservation.	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 8, In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation (application ref: 8.26)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
2.50	2.8.124	***Subtidal habitats and species*** Applicants should follow guidelines for leasing transmission assets infrastructures, and any successor to it produced by The Crown Estate.	The Projects have followed the *'Cable Route Identification & Leasing Guidelines, Transmission Assets Infrastructure for Offshore Renewable Installations'* as published by The Crown Estate in December 2021.	N/A
2.51	2.8.125	***Subtidal habitats and species*** All work associated with cable installation including trenching, laying and surface protections are licenced through a Deemed Marine Licence as part of the DCO, with the exception of Welsh inshore waters,(defined as the region extending seaward 12	The draft Development Consent Order provides that the Marine Licences 1 - 5 at Schedules 10 – 14 of the draft Order are deemed to have been granted. The DMLs allow for operation and maintenance of cables as far as is practicably foreseeable.	**Volume 3, Draft Development Consent Order (application ref: 3.1)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		nautical miles from Mean High Water Springs (MHWS) to the territorial limit) where a Marine Licence cannot be deemed. In all offshore windfarm cases however, applicants should be aware that the operation and maintenance of cables after construction may require new Marine Licences.		
2.52	2.8.126	***Subtidal habitats and species*** Applicant assessment of the effects on the subtidal environment should include: loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes, e.g. sandwave/ boulder/ UXO clearance; environmental appraisal of inter-array and other offshore transmission and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/ cable protection and sandwave/ boulder/ UXO clearance; habitat disturbance from construction and maintenance/ repair vessels' extendable legs and anchors; increased suspended sediment loads during construction and from maintenance/ repairs; predicted rates at which the subtidal zone might recover from temporary effects; potential impacts from EMF on benthic fauna; potential impacts upon natural ecosystem functioning; protected sites; and potential for invasive/ non-native species introduction.	Chapter 9 (Benthic and Intertidal Ecology) has assessed: permanent habitat loss, disturbances to habitats, an increase in suspended sediment, the resilience or ability of a receptor to recover, the potential impacts arising from the Projects construction and operation in relation to the functioning of the natural ecosystem, potential impacts upon protected sites and the potential impacts arising from the colonization of introduced substrate. Chapter 9 concludes that no construction, operation and maintenance, or decommissioning effect will be greater than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** - sections 9.5, 9.6 and 9.12
2.53	2.8.127 to 2.8.129	***Marine mammals*** Construction activities, including installing wind turbine foundations by pile driving, geophysical surveys, and clearing the site and cable route of unexploded ordinance (UXOs) may reach noise levels which are high enough to cause disturbance, injury, or even death to marine mammals. All marine mammals are protected under Part 3 of the Habitats Regulations (cetaceans within Schedule 2 and seal species within Schedule 4). If construction and associated noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations (which would include deliberately disturbing, injuring or killing), applicants will need to apply for a wildlife licence to allow the activity to take place.	Chapter 11 (Marine Mammals) includes an assessment of pile driving which includes noise modelling results. The impacts arising from the Projects during construction pile driving are anticipated to result in residual effects which are no greater than **minor** adverse and so not significant in EIA terms. These residual effects are subject to the imposition of Marine Mammal Mitigation Protocols (MMMPs) for piling activities. An outline MMMP has been submitted alongside the ES and is secured by the DML 1 & 2 (Condition 15), and DML 3 & 4 (Condition 13).	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11) -** section 11.6 **Volume 8, Outline Marine Mammal Mitigation Protocol (application ref: 8.25)**
2.54	2.8.130	***Marine mammals***	The ES has assessed impacts on fish and any indirect effects as a result of impacts on prey species and the risk of collision with	**Volume 7, Chapter 11 Marine Mammals**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		The development of offshore wind farms can also impact fish species (see paragraphs 2.8.245 – 2.8.249), which can have indirect impacts on marine mammals if those fish are prey species.	construction and maintenance vessels. The Assessment concludes that there are no residual adverse effects on marine mammals which are significant in EIA terms.	**(application ref: 7.11)** - section 11.6 **Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)**
2.55	2.8.131	***Marine mammals*** Where necessary, assessment of the effects on marine mammals should include details of: likely feeding areas and impacts on prey species and prey habitat; known birthing areas/haul out sites for breeding and pupping; migration routes; protected sites; baseline noise levels; predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance; operational noise; duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects; collision risk; entanglement risk; and barrier risk.	Through the Assessment of Significance and Cumulative Effects Assessment, Chapter 11 (Marine Mammals) considers all those 'assessment of effects' detailed through Paragraph 2.8.131 of NPS EN-3. Chapter 11 concludes that no construction, operation and maintenance, or decommissioning residual effect will be greater than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - sections 11.6 and 11.7 **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)**
2.56	2.8.132	***Marine mammals*** The scope, effort and methods required for marine mammal surveys and impact assessments should be discussed with the relevant SNCB.	The Applicants have discussed the requirements of the marine mammal surveys with the relevant Statutory Nature Conservation Bodies.	**Volume 5, Consultation Report (application ref: 5.1)**
2.57	2.8.133 and 2.8.134	***Marine mammals*** The applicant should discuss any proposed noisy activities with the relevant statutory body and must reference the joint JNCC and SNCB underwater noise guidance, and any successor of this guidance, in relation to noisy activities (alone and in-combination with other plans or projects) within SACs, SPAs, and Ramsar sites, in addition to the JNCC mitigation guidelines for piling, explosive use, and geophysical surveys. NRW has a position statement on assessing noisy activities which should also be referenced where relevant. Where the assessment identifies that noise from construction and UXO clearance may reach noise levels likely to lead to noise thresholds being exceeded (as detailed in the JNCC guidance) or an offence as described in paragraph 2.8.127- 2.8.129 above, the	The Applicants have discussed those proposed noisy activities (being proposed pile driving) with Natural England through the EPP. Chapter 11 (Marine Mammals) includes an assessment of pile driving which includes noise modelling results. The impacts arising from the Projects during construction pile driving and UXO clearance are anticipated to result in residual effects which are no greater than **minor** adverse and so not significant in EIA terms. These residual effects are subject to the imposition of a Marine Mammal Mitigation Protocols (MMMPs) for piling activities and an indicative MMMP for UXO. An outline MMMP has been submitted alongside the ES and is secured by the DML 1 & 2 (Condition 15), and DML 3 & 4 (Condition 13).	**Volume 5, Consultation Report (application ref: 5.1)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - section 11.6

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		applicant must look at possible alternatives or appropriate mitigation.		
2.58	2.8.135	***Marine mammals*** The applicant should develop a Site Integrity Plan (SIP) or alternative assessments for projects in English and Welsh waters to allow the cumulative impacts of underwater noise to be reviewed closer to the construction date, when there is more certainty in other plans and projects.	An in-principle Site Integrity Plan (SIP) has been developed for the Projects and has been submitted with the DCO application. The production of a detailed SIP has been secured by Condition 16 of DML 1 and 2, and condition 14 of DML 3 and 4 of the dDCO.	**Volume 8, In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation (application ref: 8.26)**
2.59	2.8.136	***Birds*** Offshore wind farms have the potential to impact on birds through: collisions with rotating blades; direct habitat loss; disturbance from construction activities such as the movement of construction/ decommissioning/ maintenance vessels and piling; displacement during the operational phase, resulting in loss of foraging/ roosting area; impacts on bird flight lines (i.e. barrier effect) and associated increased energy use by birds for commuting flights between roosting and foraging areas; impacts upon prey species and prey habitat; and impacts on protected sites.	Those potential impacts arising from offshore wind farms on birds has been assessed through the assessment of significance as contained within Chapter 12 of the ES (Offshore Ornithology). The Assessment concludes that: Impact 9 Cumulative Assessment of Operational Displacement on Gannet, Guillemot, Razorbill, Puffin and Impact 10 Cumulative Assessment of Operational Collision Risk on Gannet, Kittiwake, Lesser black-backed gull, Herring gull and Great black-backed gull result in a residual **negligible-moderate** adverse effect which is significant in EIA terms. With regard for the above conclusions, the Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the HRA Process. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)** - sections 12.6, 12.7 and 12.12 **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**
2.60	2.8.137	***Birds*** Currently, cumulative impact assessments for ornithology are based on the consented Rochdale Envelope parameters of	The Offshore Ornithology cumulative assessments are based on current advice, as is established through the assessment methodology section, and do not consider headroom.	**Volume 7, Chapter 12 Offshore Ornithology**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		projects, rather than the 'as-built' parameters, which may pose a lower risk to birds.		**(application ref: 7.12)** - sections 12.4 and 12.7
2.61	2.8.138	***Birds*** The applicant must ensure any draft consents include provisions to define the final 'as built' parameters (which may not then be exceeded). These parameters must be used in future cumulative impact assessments.	Provisions to define and confirm the 'as built' parameters for the Projects' wind turbines following completion of construction so that these can be used in Cumulative Impact Assessments (CIAs) for future developments is included as a condition of DMLs 1 – 5 (as set out in Schedules 10 – 14) of the dDCO.	**Volume 3, Draft Development Consent Order (application ref: 3.1)**
2.62	2.8.143 and 2.8.144	***Birds*** Applicants should discuss the scope, effort and methods required for ornithological surveys with the relevant statutory advisor, taking into consideration baseline and monitoring data from operational windfarms. Applicants must undertake collision risk modelling, as well as displacement and population viability assessments for certain species of birds. Applicants are expected to seek advice from SNCBs.	As noted within Appendix 12.1 to Chapter 12 (Offshore Ornithology), the Applicants have consulted with Natural England on these matters. The Applicants have undertaken Collision Risk Modelling (CRM), displacement and population viability assessments as part of the Environmental Assessment.	**Volume 7, Chapter 12 Offshore Ornithology Appendices (application ref: 7.12.12.1 to 7.12.12.13)**
2.63	2.8.145	***Birds*** Where necessary, applicants should assess collision risk using survey data collected from the site at the pre-application EIA stage.	In order to provide site specific and up to date information on which to base the impact assessment, 24 months of digital aerial survey have been completed. The survey methodology was discussed and agreed with Natural England through the ETG process.	**Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)** - section 12.4.2 **Volume 7, Appendix 12-2 Technical Appendix (application ref: 7.12.12.2)**
2.64	2.8.148	***Fish*** There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities, and nursery areas of particular species.	The impacts arising from the construction, operation and maintenance and decommissioning of the Projects on fish and shellfish have been assessed. The assessment concludes that no residual effect will be greater than **minor** adverse and so not significant in EIA terms. Impacts on commercial fisheries, as a result of impacts to fish stocks, have been assessed also. This assessment concludes that: Impact 1: Loss or restricted access to fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) and Impact 2: Displacement leading to gear conflict and increased pressure on adjacent fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) on dredge results	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** - section 10.6. **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			in a **moderate** adverse residual cumulative effect which is significant in EIA terms. All other effects are no greater than **minor** adverse and so not significant in EIA terms. The Applicants have committed to mitigation measures so that the residual effects of the Project are no greater than **minor** adverse whilst those **moderate** adverse residual effects are cumulatively with other projects and plans only. In order to reduce adverse cumulative effects, the Applicants would explore options to encourage co-existence between receptor groups and construction vessels and / or activities to further mitigate the of loss or restricted access to fishing ground in light of restrictions within the Dogger Bank SAC.	
2.65	2.8.149	***Fish*** There are potential impacts associated with energy emissions into the environment (e.g. noise or electromagnetic fields (EMF)), as well as potential interaction with seabed sediments.	Chapter 10 (fish and shellfish), through the Assessment of Significance, considers EMF effects arising from cables during the operation and maintenance phase of the Projects. The potential impact results in a residual effect (no mitigation measures proposed) that is **negligible** – **minor** adverse, not significant in EIA terms.	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** - section 10.6
2.66	2.8.150	***Fish*** The applicant should identify fish species that are the most likely receptors of impacts with respect to: spawning grounds; nursery grounds; feeding grounds; over-wintering areas for crustaceans; migration routes; and protected sites.	Chapter 10 (fish and shellfish), through the Assessment of Significance, has considered temporary habitat disturbance to fish and shellfish species and spawning and / or nursery grounds which are anticipated during the construction, operation and maintenance and decommissioning stages of the Projects. Impact 1 (Temporary Habitat Disturbance to Fish and Shellfish Species and Spawning and / or Nursery Grounds) results in a residual effect (no mitigation measures proposed) that is **negligible** – **minor** adverse, not significant.	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** - section 10.6
2.67	2.8.151	***Fish*** Applicant assessments should identify the potential implications of underwater noise from construction and unexploded ordnance including, where possible, implications of predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance, and addressing both sound pressure and particle motion) and EMF on sensitive fish species.	Through the ES, the Applicants have considered impacts on fish and shellfish species as a result of underwater noise and vibration. Noise generating scenarios assessed include: impact piling, UXO clearance and other activities (e.g., vessel traffic and rock placement). The assessment concludes that no potential noise generating impacts will result in an residual effect upon fish and shellfish receptors which is greater than **negligible** – **minor** adverse and so not significant in EIA terms. See **Ref 2.65** regarding EMF implications.	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** - section 10.6

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.68	2.8.153	***Commercial fisheries and fishing*** The UK fishing industry is diverse. The type and significance of impacts will therefore vary depending on the section of the fleet affected. Applicants should consider both direct impacts on fishing activity and indirect impacts such as displacement (on both the industry and Marine Protected Sites) and the ability of fishers to relocate.	The Applicants have assessed the type and significance of effects upon commercial fisheries. The Assessment concludes that Impact 1: Loss or restricted access to fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) and Impact 2: Displacement leading to gear conflict and increased pressure on adjacent fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) on dredge result in a **moderate** adverse residual effect which is significant in EIA terms. All other effects are no greater than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** - section 13.6
2.69	2.8.154 to 2.8.158	***Commercial fisheries and fishing*** Applicants should undertake early consultation with a cross-section of the fishing industry, as well as MMO, SNCBs, relevant Inshore Fisheries and Conservation Authorities (IFCAs), Defra and Welsh Government, to identify impacts, and actively encourage input from active fishers to provide evidence of their use of the area to support the impact assessments. Where any part of a proposal involves a grid connection or transmission to shore or in the inshore area, appropriate inshore fisheries groups should also be consulted. Offshore wind farms can have a negative impact on some fish stocks and fishing activity, and/or a positive impact on other fish stocks and/or other types of commercial fishing. Whilst the footprint of an offshore wind farm and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling, other fishing activities, such as potting, may be able to take place within operational wind farms without unduly disrupting or compromising navigational safety. Applicant assessments should include robust baseline data and detailed surveys of the effects on fish stocks of commercial interest, and any potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones (see paragraph 2.8.152 – 2.8.164 of this NPS). The assessments should also provide evidence regarding any likely benefits or constraints on fishing activity within the project's boundaries. Applicants will be expected to undertake dialogue with the fishing industry during the planning and design of individual offshore wind	Consultation has been undertaken with a wide range of local, regional, UK and non-UK fisheries stakeholders that are active in the wider region. The key elements of consultation to date have included issue of the Scoping Report, port visits, fisheries specific questionnaires, and meetings of the Projects' Commercial Fisheries Working Group (CFWG). Potential impacts, both adverse and beneficial, on fish stocks have been assessed by the Applicants. This assessment includes potential impacts on commercial fisheries and navigational safety of commercial fishery vessels. The Commercial Fisheries Assessment concludes that Impact 1: Loss or restricted access to fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) and Impact 2: Displacement leading to gear conflict and increased pressure on adjacent fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) on dredge results in a **moderate** adverse residual effect which is significant in EIA terms. All other effects are no greater than **minor** adverse and so not significant in EIA terms. The Applicants have analysed official datasets (e.g. European Union and UK fisheries statistics), site-specific data (e.g. vessel traffic surveys, scouting surveys and guard vessel observations), in addition to undertaking consultation with fisheries stakeholders and reviewing published reports to establish a robust baseline.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13) -** sections 13.2, 13.5 and 13.6

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		farm and transmission proposals to maximise the potential for co-existence/co-location and reduce potential displacement.		
2.70	2.8.159 and 2.8.160	***Commercial fisheries and fishing*** Applicants should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community. In some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal states may fish in waters within which offshore wind farms are sited. Applicants should seek advice from Defra in such circumstances.	Liaison with the fishing industry, via the Fisheries Liaison Officer, is being adhered to in accordance with good practice guidance with regards to fisheries liaison. Given the prevalence of non-UK registered fishing vessels within the Commercial Fisheries Study Area, the Applicants assessment has considered the Projects' impacts on fishing fleets from the UK and non-UK countries.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** - sections 13.2, 13.6 and 13.9
2.71	2.8.161 to 2.8.164	***Commercial fisheries and fishing*** In some circumstances, applicants may seek declaration of safety zones around wind turbines and other infrastructure, although these might not be applied until after consent to the wind farm has been granted. The declaration of a safety zone excludes or restricts activities within the defined sea areas including commercial fishing. Where there is a possibility that safety zones will be sought, applicant assessments should include potential effects on commercial fishing. Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA) as part of this process.	The Applicants' Navigational Risk Assessment (NRA) has considered the need for safety zones around wind turbines and other infrastructure. The implications from the imposition of safety zones have been considered within Chapter 13's assessment of significance. Consultation to this end has been undertaken with the Maritime and Coastguard Agency (MCA). An application would be made for Safety Zones post consent including up to 500m around ongoing activities during construction, major maintenance, and decommissioning and up to 50m for installed structures pre commissioning. This would be secured via a Safety Zone Application submitted post consent.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** - section 13.6 **Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14** - section 14.6
2.72	2.8.168	***Marine historic environment*** Applicants should consult with the relevant statutory consultees, such as Historic England or Cadw, on the potential impacts on the marine historic environment at an early stage of development during pre-application, taking into account any applicable guidance (e.g., offshore renewables protocol for archaeological discoveries).	Consultation has been undertaken with the relevant statutory consultees (e.g., Historic England) regarding offshore archaeology and cultural heritage. The Applicants have taken account of legislation, policy and guidance applicable to the assessment.	**Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** - sections 17.2 and 17.4.1.2
2.73	2.8.169 to 2.8.171	***Marine historic environment***	The Applicants' assessment of the existing environment provides the results of the desk-based assessment and the archaeological assessment of marine geophysical and geotechnical data	**Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		Assessment of potential impacts upon the historic environment should be considered as part of the Environmental Impact Assessment process undertaken to inform any application for consent. Desk based studies to characterise the features of the historic environment that may be affected by a proposed development and assess any likely significant effects should be undertaken by competent archaeological experts. These studies should consider any geotechnical or geophysical surveys that have been undertaken to aid the wind farm and/or offshore transmission design.	undertaken for Offshore Archaeology and Cultural Heritage by appropriate experts. The Assessment concludes that no residual effect, cumulative or otherwise, is greater than **minor** adverse, and so not significant in EIA terms	**(application ref: 7.17)** - section 17.5
2.74	2.8.173	***Marine historic environment*** Applicants are required to determine how any known heritage assets might best be avoided.	The Applicants have submitted an Outline Written Scheme of Investigation (Offshore) (WSI) whose purpose is to set out the methods to mitigate the effects on all the known and potential archaeological receptors within the offshore Order Limits. The detailed archaeological written scheme of investigation in relation to the offshore Order limits seaward of MHWS is secured by the DML 1 & 2 (Condition 15), DML 3 (Condition 13), DML 4 (Condition 13) and DML 5 (Condition 11) of the draft Development Consent Order.	**Volume 8, Outline Written Scheme of Investigation (offshore) (Application ref: 8.22)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
2.75	2.8.174 to 2.8.176	***Marine historic environment*** The applicant will be expected to conduct all necessary examination and assessment exercises using a variety of survey techniques to plan the development so as to optimise opportunities for avoidance. Once a site has been chosen, it may be necessary to undertake further archaeological assessment, including field evaluation investigations prior to construction, to understand a known site's significance and full extent, and, to identify as yet unknown heritage assets when considering the options for detailed site development, in accordance with an archaeological written scheme of investigation included with the application. Assessment may also include the identification of any beneficial effects on the marine historic environment, for example through improved access or the contribution to new knowledge that arises from investigation.	The Applicants have undertaken site specific surveys which include a range of marine geophysical and geotechnical surveys. Further investigation and data gathering will be progressed post-consent which will include high resolution surveys, alongside additional mitigation requirements. This commitment is captured in the Outline Written Scheme of Investigation with the understanding that the Offshore Development Area, and the parameters of the Projects are considered sufficiently wide to accommodate micro-siting. The detailed archaeological Written Scheme of Investigation in relation to the offshore Order limits seaward of MHWS is secured by the DML 1 & 2 (Condition 15), DML 3 (Condition 13), DML 4 (Condition 13) and DML 5 (Condition 11) of the draft Development Consent Order.	**Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17) -** section 17.4.2 and 17.4.7 **Volume 3, Draft Development Consent Order (application ref: 3.1)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.76	2.8.177	***Marine historic environment*** Where elements of a proposed project (whether offshore or onshore) may interact with historic environment features that are located onshore, applicants should assess the effects in accordance with Section 5.9 in EN-1.	The Applicants have considered the potential impacts of the Projects upon onshore heritage assets. The Applicants have assessed the effects in accordance with section 5.9 of NPS EN-1 above in **Table 1-1**.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)**
2.77	2.8.178	***Navigation and shipping*** Offshore wind farms and offshore transmission will occupy an area of the sea or sea bed. For offshore wind farms in particular it is inevitable that there will be an impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore wind farm and/or offshore transmission.	The Applicants have considered the impacts of the Projects on shipping and navigation through the socio-economic and shipping and navigation assessments. With regard for recreational users, the tourism and recreation assessment consider marine recreation as a potential impact arising from the Projects' construction, operation and maintenance and decommissioning. The Shipping and Navigation, Socio-economics and Tourism and Recreation Assessments conclude no residual adverse effects which are greater than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.6 **Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** - section 28.6 **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** - section 29.6
2.78	2.8.179	***Navigation and shipping*** To ensure safety of shipping, applicants should reduce risks to navigational safety to as low as reasonably practicable (ALARP).	The Applicants have applied ALARP principles to the impact assessment methodology in line with the Formal Safety Assessment (FSA) process prescribed in MGN 654.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.4.3
2.79	2.8.184	***Navigation and shipping*** Applicants should engage with interested parties in the navigation sector early in the pre-application phase of the proposed offshore wind farm or offshore transmission to help identify mitigation measures to reduce navigational risk to ALARP, to facilitate proposed offshore wind development. This includes the MMO or NRW in Wales, MCA, the relevant General Lighthouse Authority, such as Trinity House, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. This should continue throughout the life of the development including during the construction, operation and decommissioning phases.	The Applicants have consulted with, and will continue to consult with, relevant stakeholders and interested parties to help identify mitigation measures to reduce navigational risk to ALARP such as, but not limited to: • Chamber of Shipping; • Trinity House; • Maritime and Coastguard Agency; • Royal Yachting Association; and • Cruising Association.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.2

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.80	2.8.186	***Navigation and shipping*** The presence of the wind turbines can also have impacts on communication and shipborne and shore-based radar systems. See section 5.5 in EN-1 for further guidance.	The Applicants have assessed those impacts relating to navigation, communication, and position fixing equipment through the Navigational Risk Assessment (NRA) and the Projects' policy compliance with section 5.5 of NPS EN-1 through **Table 1-1**, above.	**Volume 7, Appendix 14-2 - Navigational Risk Assessment (application ref: 7.14.14.2)** - section 13
2.81	2.8.187	***Navigation and shipping*** Prior to undertaking assessments, applicants should consider information on internationally recognised sea lanes, which is publicly available.	The Applicants assessment has considered Main Commercial Routes, which are international in nature. There are no International Maritime Organization routeing measures in proximity to the Projects.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.6
2.82	2.8.189 and 2.8.190	***Navigation and shipping*** Applicants must undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. The navigation risk assessment will for example necessitate: a survey of vessel traffic in the vicinity of the proposed wind farm; a full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and cumulative and in-combination risks associated with the development and other developments (including other wind farms in the same area of sea.	The Applicants have undertaken a Navigational Risk Assessment (NRA) in line with MGN 654. The Applicants have ensured that the key shipping and navigation stakeholders, such as the MCA, have been consulted through the NRA process. The Shipping and Navigation Assessment concludes that all potential construction, operation and decommissioning impacts, including cumulative impacts, result in a pre-additional mitigation effect which is no greater than 'tolerable with mitigation' which is not significant in EIA terms.	**Volume 7, Appendix 14-2 - Navigational Risk Assessment (application ref: 7.14.14.2)** **Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.6
2.83	2.8.191 and 2.8.193 to 2.8.195	***Navigation and shipping*** In some circumstances applicants may seek declaration of a safety zone around wind turbines and other infrastructure. Although these might not be applied until after consent to the wind farm has been granted. Where there is a possibility that safety zones will be sought, applicant assessments should include potential effects on navigation and shipping. Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the MCA for advice on maritime safety, and refer to the government guidance on safety zones as a part of this process. Applicants should undertake a detailed Navigational Risk Assessment, which includes Search and Rescue Response Assessment and emergency response assessment prior to	The Applicants' have undertaken a detailed NRA. The Applicants' Navigational Risk Assessment (NRA) has considered the need for safety zones around wind turbines and other infrastructure. The implications from the imposition of safety zones have been considered within Chapter 13's assessment of significance. Consultation to this end has been undertaken with the MCA. An application would be made for Safety Zones post consent including up to 500m around ongoing activities during construction, major maintenance, and decommissioning and up to 50m for installed structures pre-commissioning.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** - section 13.6 **Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.6

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		applying for consent. The specific Search and Rescue requirements will then be discussed and agreed post-consent.		
2.84	2.8.197 and 2.8.198	***Other offshore infrastructure and activities*** Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure, or has the potential to affect activities for which a licence has been issued by government, the applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities. The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy and guidance for offshore wind farm EIAs	The Applicants have undertaken an assessment of the potential effects to other marine users and the potential interferences on such exiting or permitted infrastructure and / or activities. The assessment considers the construction, operation and maintenance and decommissioning of the Projects and the potential for activities to effect other existing or permitted infrastructure or activities and concludes that no residual effect (cumulative or otherwise) will be greater than **minor** adverse and not significant in EIA terms.	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)** - sections 16.6 and 16.12
2.85	2.8.199	***Other offshore infrastructure and activities*** Applicants should use marine plans (paragraph 2.8.17-19 of this NPS and Section 4.5 of EN-1) in considering which activities may be most affected by their proposal and thus where to target their assessment.	The offshore elements of the Projects are within the East Inshore and Offshore Marine Plan areas and so the Applicants have undertaken a policy compliance assessment of the Projects against these plans, as captured within **Table 1-4** and **Table 1-5** of this Document. The Applicants have also considered the Projects' compliance with section 4.5 of NPS EN-1 through **Table 1-1** of this Document.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**
2.86	2.8.200	***Other offshore infrastructure and activities*** Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application.	Both non-statutory consultation and statutory consultation has been considered from an early stage to shape the final DCO application, whilst ensuring as many issues as possible have been resolved prior to examination.	**Volume 5, Consultation Report (application ref: 5.1)**
2.87	2.8.201 to 2.8.203	***Other offshore infrastructure and activities*** Such stakeholder engagement should continue throughout the life of the development including construction, operation and decommissioning phases where necessary. As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary. Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to co-exist successfully.	Consultation with the Planning Inspectorate has been undertaken as part of the scoping and PEIR phases of the Projects. The scoping opinion submitted to the Planning Inspectorate sought a scoping opinion from the SoS. The scoping opinion received from the Planning Inspectorate included feedback from the SoS and Consultation Bodies. Consultation with developers and operators of other assets and infrastructure will continue across the life cycle of the Projects.	**Volume 5, Consultation Report (application ref: 5.1)** **Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)** - section 16.2

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.88	2.8.207 and 2.8.208	***Seascape and visual effects*** Applicants should follow relevant guidance including, but not limited to seascape and landscape character assessments, landscape sensitivity assessments, and marine plan seascape character assessments (e.g., NRW Marine Character Areas (with associated guidance) England's marine plans). Where a proposed offshore wind farm will be visible from the shore and would be within the setting of a nationally designated landscape with potential effects on the area's statutory purpose, a seascape, landscape and visual impact assessment (SLVIA) should be undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report. The SLVIA should be proportionate to the scale of the potential impacts. This will always be the case where a coastal National Park, the Broads or AONB, or a Heritage Coast or their setting is potentially affected.	The Applicants have followed the relevant guidance relating to landscape and visual impact assessment. This includes the Landscape Institute and Institute of Environmental Management and Assessment (2013) Guidelines for Landscape and Visual Impact Assessment and Technical Guidance notes. With regard for the data and information sources used to inform the landscape and visual impact assessment, the Applicants have considered: the Heritage Coast, National Character Areas, Landscape Character Assessments and OS Digital Terrain Mapping. The Projects' offshore infrastructure elements would have a less than 'low' magnitude of effect and so the effects of offshore infrastructure have not been considered further in the landscape and visual impact assessment.	**Volume 7, Chapter 23 Landscape Visual Impact Assessment (application ref: 7.23)** - sections 23.4.1.3, 23.4.2 and 23.3.1
Mitigation				
2.89	2.8.215 and 2.8.216	***Approach to mitigation*** Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors. Only once all feasible avoidance, reduction and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.	The approach to mitigation has been established through the Applicants' EIA methodology approach. The approach to the EIA accords with all relevant legislation and policy, in particular, the Planning Act 2008 and associated EIA Regulations.	**Volume 7, Chapter 6 EIA Methodology (application ref: 7.6)** - section 6.8
2.90	2.8.221 to 2.8.223	***Biodiversity and ecological conservation*** Applicants must develop an ecological monitoring programme to monitor impacts during the pre-construction, construction and operational phases to identify the actual impacts caused by the project and compare them to what was predicted in the EIA/HRA. Should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted. Monitoring should be of sufficient standard to inform future decision-making. Increasing the understanding of the efficacy of	The Applicants have developed and submitted an Outline Ecological Management Plan for the onshore elements of the Projects. The production of a detailed Ecological Management Plan has been secured via Requirement 12 of the dDCO. The Applicants have also developed and submitted an Outline Project Environmental Management Plan for the offshore elements of the Projects. The detailed Project Environmental Management Plan in relation to the offshore Order limits seaward of MHWS is secured by the DML 1 & 2 (Condition 15), DML 3 & 5 (Condition 13), and DML 5 (Condition 10) of the dDCO.	**Volume 8, Outline Ecological Management Plan (application ref: 8.10)** **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)** **Volume 3, Draft Development Consent**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		alternatives and mitigation will deliver greater certainty on applicant requirements.	The Applicants confirm that an In Principle Monitoring Plan (IPMP) has been produced in order to provide the basis for delivering the monitoring measures as required by the conditions contained within the DMLs for the Projects. A monitoring plan or plans will need to be submitted in accordance with the IPMP and is secured via Requirement 20 of the dDCO. The Applicants have developed several other outline monitoring and mitigation plans to ensure that any impacts arising from the Projects is monitored and addressed. Detailed monitoring and mitigation plans will be developed post-consent, at the detailed design stage.	**Order (application ref: 3.1)** **Volume 8, In Principle Monitoring Plan (application ref: 8.23)**
2.91	2.8.224 and 2.8.225	***Physical environment*** Applicants are expected to have considered the best ecological outcomes in terms of potential mitigation. These might include: avoidance of areas sensitive to physical effects; consideration of micro-siting of both the array and cables; alignment and density of the array; design of foundations; ensuring that sediment moved is retained as locally as possible; the burying of cables to a necessary depth; using scour protection techniques around offshore structures to prevent scour effects, or designing turbines to withstand scour, so scour protection is not required or is minimised. Applicants should consult the statutory consultees on appropriate mitigation and monitoring.	With reference to the marine physical environment, embedded mitigation measures have been provisioned and, at a high level, include the following parameters which have been secured by way of commitment: • Minimising the use of scour protection; • Piling foundation types; • Cable burial; • Route selection and micrositing; • Trenchless installation techniques usage at landfall; • Jack up vessels; • Pollution Prevention Measures; • Offshore Export Cable Burial; • Monitoring; and • Sediment backfilling. The above parameters, for which mitigation measures have been provisioned, have been secured by the DML 1 & 2 (Condition 15), DML 3 & 4 (Condition 13), DML 5 (Condition 11), DML 3 & 4 (Condition 3), DML 3 & 4 (Conditions 18 & 20) of the dDCO. The Applicants have consulted the relevant statutory bodies with regard to the appropriate mitigation and monitoring measures.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** - section 8.4.3 **Volume 3, Draft Development Consent Order (application ref: 3.1)**
2.92	2.8.226 to 2.8.228	***Intertidal and coastal habitats and species*** Effects on intertidal/coastal habitat cannot be avoided entirely.	The potential impact of temporary physical disturbance on the intertidal zone (as a result of the construction of exit pits) has been assessed by the Applicants. Although it is the Applicant's	**Volume 7, Chapter 9 Benthic and Intertidal**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on intertidal/coastal habitats, taking into account other constraints. Where applicable, use of horizontal directional drilling techniques (HDD) should be considered as a method to avoid impacts on sensitive habitats and species.	preference that a long trenchless landfall is used (e.g., HDD or similar trenchless technique), thereby reducing impacts to the intertidal zone, a short trenchless landfall is currently within the Design Envelope and has therefore been assessed as the worst-case scenario. The Applicants' assessment does not conclude any residual effects which are greater than **minor** adverse, and so not significant in EIA terms, upon benthic and intertidal ecology.	**Ecology (application ref: 7.9)** - section 9.6
2.93	2.8.231, 2.8.232 and 2.8.34	***Intertidal and coastal habitats and species*** Where cumulative effects on intertidal habitats are predicted as a result of the cumulative impact of multiple cable routes, applicants of various schemes are encouraged to work together to ensure that the number of cables crossing the intertidal/coastal zone are minimised, and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised. It is expected that a more co-ordinated approach to offshore-onshore transmission will be delivered. See paragraphs 2.8.34 of this NPS. As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission is required.	The Applicants have assessed the potential cumulative effects arising from the impact of multiple cable routes. The assessment concludes that no residual effect, arising from the Projects in isolation or cumulatively, will be of greater significance than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9) -** section 9.8 and 9.12
2.94	2.8.233 and 2.8.234	***Subtidal habitats and species*** Applicants should design construction, maintenance and decommissioning methods appropriately to minimise effects on subtidal habitats, taking into account other constraints. Mitigation measures which applicants are expected to have considered include: Surveying and micrositing of the turbines, designing array layout, or re-routing of the export and inter-array cables to avoid adverse effects on sensitive/protected habitats, biogenic reefs or protected species; Reducing as much as possible the amount of infrastructure that will cause habitat loss in sensitive/ protected habitats; Burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and The use of anti-fouling paint could be minimised on subtidal surfaces in certain environments, to encourage species' colonisation on the structures, unless this is	The Applicants have ensured that embedded mitigation measures have been incorporated into the Projects Design. Pre-construction surveys will be undertaken to identify any potential conservation features and the results discussed with the MMO and Natural England. The application includes and has assessed the use of micro-siting cables to avoid areas of seabed that pose a significant challenge to their installation where practicable. The Applicants will make reasonable endeavours to bury offshore cables, minimising the requirement for external cable protection measures and thus minimising habitat loss impacts on benthic ecology receptors. The Projects' design has evolved so that it minimises the amount of infrastructure that will cause habitat loss.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9) -** section 9.3.3

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		within a soft sediment MPA and thus would allow colonisation by species that would not normally be present.	The Applicants will make reasonable endeavours to bury offshore cables, minimising the requirement for external cable protection measures and thus minimising habitat loss impacts on benthic ecology receptors. Anti-fouling paint used on subtidal structures where necessary will be approved for use in the marine environment by the relevant bodies.	
2.95	2.8.235	***Subtidal habitats and species*** Where cumulative impacts on subtidal habitats are predicted as a result of multiple cable routes, applicants for various schemes are encouraged to work together to ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised.	The Applicants would develop DBS East and DBS West transmission infrastructure as co-ordinated Projects in accordance with the high-level intentions of the HND as presented by National Grid Electricity System Operator (ESO). The Offshore Export Cable Corridor will not be joint with other projects.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)**
2.96	2.8.237	***Marine Mammals*** Monitoring of the surrounding area before and during the piling procedure can be undertaken by various methods including marine mammal observers and passive acoustic monitoring. Active displacement of marine mammals outside potential injury zones can be undertaken using equipment, such as acoustic deterrent devices. Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before physical or auditory injury is caused.	The Applicants have included several embedded mitigation measures; such as ensuring each piling event would commence with a soft-start at a lower hammer energy followed by a gradual ramp-up. With regard for mitigation, the Applicants have submitted an outline Marine Mammal Mitigation Protocol for piling activities and an indicative MMMP for UXO. An outline MMMP has been submitted alongside the ES and is secured by the DML 1 & 2 (Condition 15), and DML 3 & 4 (Condition 13).	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11) -** sections 11.3.3 and 11.4.1
2.97	2.8.238 and 2.8.239	***Marine Mammals*** Where noise impacts cannot be avoided, other mitigation should be considered, including alternative installation methods and noise abatement technology, spatial/temporal restrictions on noisy activities, alternative foundation types. Applicants should undertake a review of up-to-date research and all potential mitigation options presented as part of the application, having consulted the relevant JNCC mitigation guidelines.	Mitigation to reduce the impacts from underwater noise is provided for in the outline Marine Mammal Mitigation Protocol for piling and indicative outline Marine Mammal Mitigation Protocol for UXO. The measures detailed within the above outline documents will be further developed in the pre-construction period and will be based upon best available information and methodologies at that time, in consultation with the relevant SNCBs and MMO.	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** - section 11.3.3 and 11.4.1

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
2.98	2.8.240	***Birds*** Aviation and navigation lighting should be minimised and/or on demand (as encouraged in EN-1 Section 5.5) to avoid attracting birds, taking into account impacts on safety. Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk.	In accordance with ANO Article 223, lighting intensity would be reduced at and below the horizontal and further reduced when visibility in all directions from every wind turbine is more than 5km.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - section 15.3.3.2
2.99	2.8.250 and 2.8.251	***Commercial fisheries and fishing*** Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry, IFCAs, the MMO and the relevant Defra policy team in England and NRW and the relevant Welsh Government policy team in Wales. Mitigation should be designed to enhance, where reasonably possible, any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment.	The Applicants have had ongoing and detailed consultation with relevant representatives of the fishing industry (such as, for example, the Holderness Fishing Industry Group (HFIG) and the Independent Fisheries Consultant), the North Eastern IFCA and the MMO. The Applicants have assessed and sought embedded and, where necessary, additional mitigation to minimise adverse effects and further beneficial effects on the fishing industry, commercial fish stocks and the marine environment. The Assessment for Commercial Fisheries concludes that: Impact 1: Loss or restricted access to fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) and Impact 2: Displacement leading to gear conflict and increased pressure on adjacent fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) on dredge result in residual **moderate** adverse effects, which are significant in EIA terms. For all other impacts upon commercial fisheries, the residual effects are no greater than **minor** adverse, not significant in EIA terms.	**Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** **Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**
2.100	2.8.256	***Marine historic environment*** Where requested by the applicant, the Secretary of State should consider granting consents which allow for micrositing/ microrouting (see paragraphs 2.8.76 following above) within a specified tolerance.	The application includes and has assessed the use of micro-siting cables to avoid areas of seabed that pose a significant challenge to their installation where practicable.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)**
2.101	2.8.257	***Marine historic environment*** To ensure a programme of archaeological works has been secured, an outline WSI, covering the entirety of the defined project area and full duration of the project, that complies with the policy in this NPS, should be submitted within the application.	The Applicants have submitted outline WSIs covering both the onshore and offshore elements of the Projects.	**Volume 8, Outline Onshore Written Archaeological Scheme of Investigation (application ref: 8.14)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
				Volume 8, Outline Written Scheme of Investigation (Offshore) (application ref: 8.22)
2.102	2.8.259	***Navigation and shipping*** Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority.	A layout plan and lighting and marking as required Trinity House, MCA, and CAA are included as embedded mitigation measures.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** - section 14.3.3
2.103	2.8.261 and 2.8.262	***Other offshore infrastructure and activities*** Detailed discussions between the applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application. As such, appropriate mitigation should be included in any application, and ideally agreed between relevant parties. In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.	The Applicants confirm that consultation was initiated with NATS and the MOD at the Scoping stage. Further engagement with the MOD and other relevant aviation stakeholders will continue through examination and post-consent in order to agree appropriate mitigations, if required once the final design is known.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** - sections 15.2 and 15.4.3
Compensatory measures				
2.104	2.8.265, 2.8.266, 2.8.267 and 2.8.269	With increasing deployment of offshore wind farms and offshore transmission, environmental impacts upon SACs SPAs, and Ramsar sites and MCZs (individually and as part of a network) may not be addressed by avoidance, reduction, or mitigation alone, therefore compensatory measures (through derogation for SACs SPAs, Ramsar sites, and MCZs may be required at a plan or project level where adverse effects on site integrity and/or on conservation objectives cannot be ruled out. For many receptors, the scale of offshore wind and offshore transmission developments, and potential in-combination effects, means compensation could be required and applicants must refer to the latest Defra compensation guidance when making their assessments. If, during the pre-application stage, SNCBs indicate that the proposed development is likely adversely to impact a protected site, the applicant should include with their application such	Details of the HRA process followed by the Projects is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP. The Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the HRA Process. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** - section 4.4 & 4.6 **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** - section 4.4

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		information as may reasonably be required to assess potential derogations under the Habitats Regulations or the Marine and Coastal Access Act 2009. This information includes: assessment of alternative solutions, showing the relevant tests on alternatives have been met; a case showing that the relevant tests for IROPI or Measures of Equivalent Environmental Benefit have been met; and appropriate securable environmental compensation, which will ensure no net loss to the MPA network and help ensure that the MPA target (including any interim target) set under the Environment Act 2021 targets can be met.	Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. The Habitats Regulations Derogation: Provision of Evidence explains the long list of alternative solutions/ measures considered by the Applicant. These alternatives include: alternative Offshore windfarm locations; Alternative Scale; Alternative Design and Method; Alternative Timing. However, the RIAA confirms that none of these alternative solutions are feasible and so a HRA derogation case has been made and concludes a commitment to compensatory measures.	
2.105	2.8.272 to 2.8.275	It is vital that applicants consider the need for compensation as early as possible in the design process, as 'retrofitting' compensatory measures will introduce delays and uncertainty to the consenting process. Applicants are encouraged to include all compensatory measures considered, with reasoning for why they have been discounted. Applicants should work closely at an early stage in the pre-application process with SNCBs, and Defra, in conjunction with the relevant regulators, Local Planning Authorities, National Park Authorities, landowners and other relevant stakeholders to develop a compensation plan for all protected sites adversely affected by the development. Before submitting an application, applicants should seek the views of the SNCB and Defra, as to the suitability, securability and effectiveness of the compensation plan to ensure that the overall coherence of the National Site Network for the impacted SAC/SPA/MCZ feature is protected. Consultation should also take place throughout the pre-application phase with key stakeholders (e.g. via the evidence plan process and use of expert topic groups). In cases where such views are provided, the applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority and Secretary of State.	Through early consultation, the Applicants have worked closely with SNCBs, and Defra, in conjunction with the relevant regulators to develop appropriate compensation proposals. The Habitats Regulations Derogation: Provision of Evidence explains the long list of alternative solutions/ measures considered by the Applicant. These alternatives include: alternative Offshore windfarm locations; Alternative Scale; Alternative Design and Method; Alternative Timing. However, the Habitats Regulations Derogation: Provision of Evidence confirms that none of these alternative solutions are feasible and so a HRA derogation case has been made and concludes a commitment to compensatory measures. In addition to these effects and in relation to HRA, cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** - section 4.4

1.11 NPS for Electricity Networks Infrastructure EN-5 (NPS EN-5)

Table 1-3 NPS for Electricity Networks Infrastructure EN-5 (NPS EN-5) Table of Compliance

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
Technology-Specific Information				
3.1	2.2.2, 2.2.5, 2.2.6 and 2.2.7	***Site selection and design*** 2.2.2 Siting is determined by: • the location of new generating stations or other infrastructure requiring connection to the network, and / or • system capacity and resilience requirements determined by the Electricity System Operator. 2.2.5 Additionally, applicants retain control in managing the identification of routing and site selection between the identified initiating and terminating points or within the development zone. 2.2.6 Moreover, the locational constraints identified above do not, of course, exempt applicants from their duty to consider and balance the site-selection considerations set out below, much less the policies on good design and impact mitigation detailed in sections 2.4 to 2.9 of EN-5. 2.2.7 The connection between the initiating and terminating points of a proposed new electricity line will often not be via the most direct route. Siting constraints, such as engineering, environmental or community considerations will be important in determining a feasible route.	The Applicants have undertaken a site selection and consideration of alternatives exercise as part of the ES process. This provides a description of the site selection and alternatives assessment process and the approach taken by the Applicants to refine the design of Dogger Bank South (DBS) East and DBS West Offshore Wind Farms (the Projects). The process includes consideration of both the offshore and onshore infrastructure, and the assessment of reasonable alternatives as the proposals for the Projects have developed through the pre-application process to date. The assessment outlines the staged approach to defining the spatial boundaries and constituent parts of the Projects. It also explains and details the main alternatives considered for the Projects, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007; the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations); and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Offshore Habitat Regulations).	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**
3.2	2.3.2	***Climate change adaptation and resilience*** 2.3.2 As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to: • flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change; • the effects of wind and storms on overhead lines; • higher average temperatures leading to increased transmission losses;	The Applicants have assessed the impacts of climate change on the Projects in the ES chapter on climate change. Specific impacts are considered in the Climate Change Resilience Assessment which concluded that accounting for the Projects' embedded mitigation, the vulnerability rating of the hazards identified would be low. Therefore, there is a low likelihood of climate change impacts to adversely affect the Projects during the construction and, operation and maintenance phase and any effects of climate change on the Projects are considered likely to be not significant.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6.2

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		• earth movement or subsidence caused by flooding or drought (for underground cables); and • coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively		
3.3	2.3.3	2.3.3 Section 4.10 of EN-1 advises that the resilience of the project to the effects of climate change must be assessed in the Environmental Statement (ES) accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Sections 5.8 in EN-1). Consideration should also be given to coastal change (see sections 5.6 in EN1)	Resilience to flooding due to climate change impacts has been considered and mitigation is considered in the design of the onshore components, including drainage for the Onshore Converter Stations. The construction of landfall will be completed using trenchless techniques to mitigate the risk of tidal and coastal flooding. In addition, at the Landfall Zone, the siting of the Transition Joint Bays (TJBs) has taken into account coastal erosion rates and have been set back to account for coastal retreat.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.3 **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** - section 20.5 **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**
3.4	2.4.1 and 2.4.2	***Consideration of good design for energy infrastructure*** 2.4.1 The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent to the desirability of good design. 2.4.2 Applicants should consider the criteria for good design set out in EN1 Section 4.7 at an early stage when developing projects.	Landscape and visual amenity has been considered in the preliminary site section and design of the Projects. Embedded design mitigation has been developed for the Projects and a landscape mitigation plan has been developed. This is developed further in the Outline Landscape Management Plan. The Design and Access Statement sets out how good design would be applied to all elements of the Projects, and what the outcomes of this design process may look like.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Design and Access Statement (application ref: 8.8)**
3.5	2.4.3	2.4.3 However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of	The Applicants have sought, through consultation and an iterative design process, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. The Projects' design and location has been based on	**Volume 7, Chapter 4 Site Selection and Assessment of**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		safety and security may limit an applicant's ability to influence the aesthetic appearance of that infrastructure.	early engagement with key stakeholders, the public and a range of environmental and technical appraisals. The Design and Access Statement submitted as part of the Application contains design principles which focus on good design. The predicted effects of the Projects are clearly set out in the Landscape and Visual Impact Assessment chapter of the ES to inform the decision-making process.	**Alternatives (application ref: 7.4)** **Volume 8, Design and Access Statement (application ref: 8.8)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.6
3.6	2.5.1	***Environmental and Biodiversity Net Gain*** When planning and evaluating the proposed development's contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.5) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to: • reconnect important habitats via green corridors, biodiversity stepping zones, and re-establishment of appropriate hedgerows; and / or • connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements.	An Outline Landscape Management Plan has been developed for the combined Development Scenario, reflecting the form and scale of the proposals, and the assessed landscape and visual effects. This has been developed in consideration of biodiversity units to maximise the net gain associated with the Projects. This includes woodland and hedgerow planting to screen key views, and to help to integrate the new development into the landscape. Species selected are appropriate to the local environment and of local provenance. Species would be planted in an organic layout which seeks to mimic the canopy layers found in the wider countryside. The impacts on Public Rights of way, National Trails, and other rights of access to land which are important recreational facilities has been assessed. The assessment concluded that there will be no permanent closures of any recreational routes. However, there would be one minor permanent diversion where a PRoW crosses the permanent access for the Substation Zone, to allow for a change in level. Any disturbance would be temporary and reinstated as soon as reasonably practical.	**Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** **Volume 8, Appendix C - Outline Public Rights of Way Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**
3.7	2.6.	***Land Rights and Land Interests*** In order to be lawfully able to install, inspect, maintain, repair, adjust, alter, replace or remove an electricity line (above or below ground),its related equipment (such as monopoles, pylons/transmission towers, transformers and cables), and/or its associated mitigation or enhancement schemes, applicants must:	The Applicants are seeking to secure all of the land and rights required for the Projects through voluntary negotiation but will utilise the powers of Compulsory Acquisition available in the DCO should that prove necessary.	**Volume 4, Book of Reference (application ref: 4.2)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		• own the land on, over, or under which the relevant activity is to take place; or • hold sufficient rights over or interests in that land (typically in the form of an easement); or have permission for the activity from the present owner or occupier of that land (typically in the form of a wayleave)		
3.8	2.7.2 and 2.7.4	***Holistic planning*** 2.7.2 Accordingly, the government envisages that, wherever reasonably possible, applications for new generating stations and their related infrastructure should be contained in a single application to the Secretary of State. However, a consolidated approach of this kind may not always be possible, nor represent the most efficient strategy for delivery of new infrastructure. 2.7.4 It may also be the case that the networks infrastructure application and the application for a related generating station will of necessity come from different legal entities, or from entities subject to different commercial and regulatory frameworks.	In order to allow the site selection process for the Projects to progress alongside the OTNR, National Grid ESO provided the Applicants with an indicative location for the new National Grid substation. The proposed Birkhill Wood National Grid Substation is not part of the Projects and therefore not part of the DCO application. Ownership of the proposed Birkhill Wood National Grid Substation is with National Grid. Connection to the National Grid substation itself would be completed by National Grid or their appointed contractors. Connection to the proposed Birkhill Wood National Grid Substation is expected in 2029.	**Volume 7, Figure 4-1 (application ref: 7.4.1)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**
Applicant assessment				
3.9	2.9.6	***Biodiversity and Geological Conservation*** 2.9.6 Particular consideration should be given to feeding and hunting grounds, migration corridors and breeding grounds, where they are functionally linked to sites designated or allocated under the 'national site network' provisions of the Conservation of Habitats and Species Regulations.	Details of the HRA process followed by the Projects are contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP. Notwithstanding the early site selection works undertaken by the Applicants, adverse effects upon the integrity of designated sites could not be ruled out and so a Habitats Derogation Provision of Evidence document has been prepared The Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the HRA Process. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** - section 4.4 **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill]**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	**Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**
3.10	2.9.9	***Landscape and Visual Impact*** 2.9.9 New substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching, and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts.	The Applicants have assessed the landscape and visual effects of the Onshore Converter Stations during construction, operation and decommissioning. Significant effects on Landscape Character (**moderate** and **major**) are predicted during the operational stage of the Onshore Converter Stations due to the loss of landscape features and the change in character from open arable fields to two Onshore Converter Stations. These effects would be localised, and would reduce with distance, falling below the threshold of significance at no more than 1km from the footprints of the onshore converter stations. A landscape mitigation scheme would be implemented around the Onshore Converter Stations. The effects on landscape character identified above are assessed based on planting at year 1 providing little or no mitigation. Once more matured (year 10), the mitigation planting would help provide additional screening of the Projects and the residual effect would be **moderate** adverse (significant). Visual impacts of the Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate result in residual **moderate** adverse effects, which are significant in EIA terms.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**
3.11	2.9.37, 2.9.38 and 2.9.39	***Noise and Vibration*** 2.9.37 Audible noise effects can also arise from substation equipment such as transformers, quadrature boosters and mechanically switched capacitors. 2.9.38 Transformers are installed at many substations and generate low frequency hum. Whether the noise can be heard outside a substation depends on a number of factors, including transformer type and the level of noise attenuation present (either engineered intentionally or provided by other structures).	The Onshore Converter Stations noise is assessed in accordance with the relevant British Standard (BS 4142). The ES assessment of noise at the Onshore Converter Stations has determined that during night-time (23.00 – 07.00) operational noise impacts are predicted to be no greater than negligible for residential receptors, which are medium sensitivity. This represents **minor** adverse (not significant) effects at medium sensitivity receptors. No additional mitigation measures are therefore proposed. No effects are predicted during daytime hours (07.00 – 23.00).	**Volume 7, Chapter 25 Noise (application ref: 7.25)** - section 25.6

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		2.9.39 For the assessment of noise from substations, standard methods of assessment and interpretation using the principles of the relevant British Standards are satisfactory.		
Special assessment principles for offshore-onshore transmission				
3.12	2.12.7	***Critical National priority*** As highlighted in EN-1 government has concluded that there is a CNP for the provision of nationally significant low carbon infrastructure. This includes for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. This includes infrastructure identified in the Holistic Network Design and subsequent strategic network design exercises, see Section 2.13 below.	The Applicants have developed DBS East and DBS West transmission infrastructure as co-ordinated projects in accordance with the National Grid Electricity System Operator (ESO) evolving HND, as updated in February 2024. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. However, the proposed Birkhill Wood National Grid Substation is not part of the Projects and therefore not part of the DCO application. Ownership of the proposed Birkhill Wood National Grid Substation is with National Grid. Connection to the National Grid substation itself would be completed by National Grid or their appointed contractors. Connection to the proposed Birkhill Wood National Grid Substation is expected in 2029. The In Isolation, Concurrent and Sequential Development Scenarios allow for flexibility to build out the Projects using a phased approach. This would allow the Projects to adapt to National Grid Electricity Transmission Operator's development plans for the onshore grid connection points. The design of the Projects will continue to be refined as more information is made is available by National Grid ESO through the Detailed Network Design.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**
Offshore-onshore transmission: Applicant assessment				
3.13	2.13.	***Consideration of strategic network design*** 2.13.5 In addition, it is recognised that the HND and subsequent network design exercises, may on occasion, identify a radial solution, i.e. a direct route from an offshore wind farm to shore, not proposed to coordinate with another project at the time of network design. 2.13.6 In the case of infrastructure identified through the HND, and subsequent network design exercises applicants should identify any variations to or developments from that work and justify these in accordance with the same objectives or criteria above, i.e. economic and efficient, deliverable and operable,	The Applicants have developed DBS East and DBS West transmission infrastructure as co-ordinated projects in accordance with the National Grid Electricity System Operator (ESO) evolving HND, as updated in February 2024. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. Where practicable the two Projects have co-located infrastructure to reduce overall environmental impacts and disruption.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** - section 5

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
		minimise impact on the environment and minimise the impact on the local communities, giving these four criteria equal weight.		
3.14	2.13.	Coordinated approach, including for Early Opportunities' projects with firm connections agreements prior to the Holistic Network Design	The Applicants have developed DBS East and DBS West transmission infrastructure as co-ordinated projects in accordance with the National Grid Electricity System Operator (ESO) evolving HND, as updated in February 2024. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. Where practicable the two Projects have co-located infrastructure to reduce overall environmental impacts and disruption.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**
3.15	2.13.	***Impacts*** 2.13.16 For onshore infrastructure, reduced impacts could, for example, relate to fewer or co-located substations and converter stations and transmission lines as well as demonstrating how environmental and community impacts have been avoided as far as possible.	With regard for the Onshore Development Area, the following design principles and engineering assumptions, for example, have been used to inform the site selection process, to avoid environmental and community impacts as far as possible and as early as possible: • Avoidance of areas with substantial infrastructure or urban land use e.g., areas of housing, coastal defences, other energy infrastructure; • Avoidance of areas with a cliff height over 20m, where possible; • Avoid residential properties (including whole gardens) where possible; • Avoid housing land allocations identified in local plans where possible; • Avoid direct impacts to internationally and nationally designated areas (e.g., SACs, SPAs and Sites of Special Scientific Interest (SSSI) etc.) where possible; • Avoid significant impacts to the special qualities of Areas of Outstanding Natural Beauty where possible; • Avoid mature woodland and historic woodland where possible; • Avoid areas that fall within Flood Zone 3 and where possible preference was given to locating infrastructure in Flood Zone 1; and • Avoid recreation spaces such as golf courses where possible.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - section 23.3 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			The proposed mitigation measures for the Projects have been developed to minimise landscape and visual impacts. These measures consist of embedded mitigation as well as additional site specific mitigation measures. The outline approach to embedded design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape Management Plan. Details of good design and how this will be applied to all elements of the Projects, and what the outcomes of this design process may look like, is set out in the Design and Access Statement.	
3.16	2.13.	***Coastal connections*** 2.13.21 The sensitivities of many coastal locations and of the marine environment as well as the potential environmental, community and other impacts in neighbouring onshore areas must be considered in the identification onshore connection points.	The landfall Areas of Search (AoS) identified a potential area where the Offshore Export Cables could be brought onshore. It was based on the DBS East and DBS West Array Areas and the indicative grid connection point that was provided to the Applicants by National Grid ESO. The landfall AoS stretched from the south of Bridlington to north of the Dimlington Gas Terminal. Environment Agency LiDAR data was used to assess cliff height in this region. It was determined that the area north of Bridlington would not be practicable as the average cliff height is between 20 and 30m. These cliff heights present thermal constraints on the cables resulting in limited ampacity which ultimately constrains the power output of the wind farm. There were also environmental constraints, including the Flamborough Head and Filey Coast SPA and the Flamborough Head SAC which helped to eliminate the area north of Bridlington from the AoS. The area south of the Dimlington Gas Terminal was ruled out due to a high number of pipeline crossings	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - sections 4.8, 4.9 and Table 4-10 **Volume 7, Figure 4-2 Creyke Beck Landfall Area of Search (application ref: 7.4.1)**
Offshore-onshore transmission: mitigation				
3.17	2.14.1	Adverse impacts on Marine Protected Areas (MPAs) have caused consenting delays, and in some cases a need for compensatory measures under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Habitats and Species Regulations 2017, or measures of equivalent environmental benefit under the Marine and Coastal Access Act 2009. Therefore, applicants should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process. Applicants should also facilitate delivery of strategic	From an early stage, the Applicants commenced with the site selection process. This occurred through the identification of the offshore wind farm Array Areas, as part of The Crown Estate's Offshore Wind Leasing Round 4 process. This early site selection process considered both engineering constraints and environmental receptor constraints; in consideration of the possibility for adverse impacts upon Marine Protected Areas. The environmental receptors and anticipated risks which shaped this early site selection process can be concluded as follows:	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** - section 4.4 and 4.6 **Volume 6, Habitats Regulations Derogation: Provision of Evidence**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents

		compensation measures where appropriate (see paragraphs 2.8.276 -2.8.283 of EN-3).	• Receptor - Offshore Ornithology;
			  o Risk - Bird collision and displacement with wind turbines;
			• Receptor - Aviation and Radar;
			  o Risk - Risk of disruption to Staxton Wold MOD radar from taller wind turbines in DBS West only;
			• Receptor - Benthic habitats;
			  o Risk - Consider cable burial risk assessment. If increased cable protection required within the Array Areas, this poses a consenting risk. Limited differential across Array Areas due to homogenous habitat;
			• Receptor – Wrecks;
			  o Risk - For surveyed wrecks apply buffer that allows for foundation footprint and micrositing; and
			• Receptor - Shipping & Navigation
			  o Risk - Very low activity in the Array Areas with no differential in data.
			For the Onshore Development Area, a similar early site selection process took place with some of the key environmental design principles of the process being to:
			• Avoid direct impacts to internationally and nationally designated areas (e.g., SACs, SPAs and Sites of Special Scientific Interest (SSSI) etc.) where possible;
			• Avoid significant impacts to the special qualities of Areas of Outstanding Natural Beauty where possible;
			• Avoid mature woodland and historic woodland where possible; and
			• Avoid areas that fall within Flood Zone 3 and where possible preference was given to locating infrastructure in Flood Zone 1.
			Notwithstanding the early site selection works undertaken by the Applicants, adverse impacts upon Marine Protected Areas could not be ruled out and so a Habitats Derogation Provision of Evidence document has been provided together with compensatory measures.
			Details of the HRA process followed by the Projects is contained within the RIAA document. The RIAA has been consulted upon
				(application ref: 6.2) - section 4.4
				Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)
				Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)
				Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)
				Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP. The Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the HRA Process. The Habitats Regulations Derogation: Provision of Evidence explains the long list of alternative solutions/ measures considered by the Applicant. These alternatives include: alternative Offshore windfarm locations; Alternative Scale; Alternative Design and Method; and Alternative Timing. However, none of the alternative solutions were found to be feasible and compensatory measures as set out above are therefore proposed. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO.	
Offshore-onshore transmission: Secretary of State decision-making				
3.18	2.15.1	Coordinated approaches to delivering offshore and onshore transmission to minimise overall environmental, community, and other impacts, as set out above, must be considered. The Secretary of State must be satisfied that applicants have explained the steps they have taken to do this, the options that have been considered and the approach they have taken to coordination as set out in above at section 2.13. This evidence is expected to draw substantially on the work under the Offshore Transmission Network Review and relevant strategic network design exercises, together with any additional supporting evidence applicants consider relevant. The Secretary of State should also be satisfied that options for coordination have been considered and evaluated appropriately.	The Applicants have developed DBS East and DBS West transmission infrastructure as co-ordinated projects in accordance with the National Grid Electricity System Operator (ESO) evolving HND, as updated in February 2024. An Electrical Switching Platform (ESP) was required as part of the original HND. The HND has confirmed the Projects will have radial connections to the proposed National Grid Substation at Birkhill Wood. However, to allow for further evolution of the HND, the ESP is included for assessment. The platform, if required may be located either within one of the Array Areas (likely alongside a converter station) or mid-way along the Offshore Export Cable Corridor. In November 2017, The Crown Estate announced a new round of offshore wind leasing. In September 2019, the final bidding areas	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 5 Project Description (application ref: 7.5)**

Ref.	Relevant NPS Section	Topic & Relevant Paragraph	Assessment	Relevant Documents
			were announced, and the Offshore Wind Leasing Round 4 was launched. As part of the Round 4 process, developers were able to identify preferred sites within bidding areas defined by The Crown Estate. Subsequently, the Applicants undertook their own analyses of environmental and technical constraints to identify preferred Projects' locations for the offshore Array Areas as defined through the Offshore Wind Leasing Round 4 process. The Applicants have undertaken a site selection and consideration of alternatives exercise as part of the ES process. This provides a description of the site selection and alternatives assessment process and the approach taken by the Applicants to refine the design of Dogger Bank South (DBS) East and DBS West Offshore Wind Farms (the Projects). The process includes consideration of both the offshore and onshore infrastructure, and the assessment of reasonable alternatives as the proposals for the Projects have developed through the pre-application process to date. The assessment outlines the staged approach to defining the spatial boundaries and constituent parts of the Projects. It also explains and details the main alternatives considered for the Projects, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007; the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations); and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Offshore Habitat Regulations).	

1.12 East Inshore and Offshore Marine Plan (April, 2014)

Table 1-4 East Inshore and Offshore Marine Plan Table of Compliance

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
4.1	***EC1*** Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.	To promote more than the most economically beneficial developments and activities. It is also about gaining economic benefit from all developments and activities.	The Projects would support local and UK employment during construction, operation, and decommissioning stages.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**	The policy has been considered, and the application is compliant.
4.2	***EC2*** Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.	This policy is intended to promote more than solely the most economically beneficial developments and activities. It is also about gaining employment benefit from all developments and activities.	The Projects would support local and UK employment during construction, operation, and decommissioning stages.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**	The policy has been considered, and the application is compliant.
4.3	***EC3*** Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.	Optimising the location and methods of deploying offshore wind farms as well as other developments and activities that may affect their delivery.	The application is for two offshore wind farms and therefore supports this policy.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**	The policy has been considered, and the application is compliant.
4.4	***SOC1*** Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.	SOC1 provides more detail and prescription than the Marine Policy Statement for considering the benefits for health and social well-being and coastal and marine access in decisions.	The Projects have taken into account the recreation and leisure activities at or near the coast, including the proposed route of the King Charles III Coastal Path and other Public Rights of Way. Any disruption of access to parts of the coast would be during construction only. Disruption to any recreational routes would be agreed in advance with relevant authorities before the relevant stage of work. With regard for the Projects' Human Health assessment, it has been concluded that no potential impact to receptors across the construction, operation and decommissioning of the Projects will result in a residual effect which is greater than **minor** adverse, not significant in EIA terms.	**Volume 7, Chapter 21 Land Use (application ref: 7.21)** **Volume 7, Chapter 27 Human Health (application ref: 7.27)** **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
			In support of this Policy, the assessment concludes that standalone beneficial effects across both construction and operational stages has been identified. These are: a negligible beneficial impact across employment and investment for the general population and a **minor** beneficial effect with regard for the employment and investment to the general population. An operational human health **minor** beneficial effect has been identified for both general and vulnerable group population receptors in relation to climate change.		
4.5	***SOC2*** Proposals that may affect heritage assets should demonstrate, in order of preference: a) that they will not compromise or harm elements which contribute to the significance of the heritage asset b) how, if there is compromise or harm to a heritage asset, this will be minimised c) how, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against or d) the public benefits for proceeding with the proposal if it is not possible to minimise or mitigate compromise or harm to the heritage asset	The aim of this policy is to ensure that existing marine and coastal heritage assets are protected from proposals that may have a detrimental impact upon them. It ensures that all heritage assets (whether formally designated or not), are considered in the decision-making process.	All direct impacts to known heritage assets as a result of the Projects are proposed to be avoided, and this was included as a design principle for site selection in the design of the offshore cable corridor. The approach to mitigation is to avoid these features via Archaeological Exclusion Zones (AEZs). In order to account for unexpected archaeological finds, a formal protocol for archaeological discoveries would be implemented during construction through a Written Scheme of Investigation.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** **Volume 8, Outline Written Scheme of Investigation (offshore) (application ref: 8.22)**	The policy has been considered, and the application is compliant.
4.6	***SOC3*** Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:	This policy is specific to landscape (seascape) character. It aims to add value to what is described in the Marine Policy Statement by ensuring that the character of specific areas is considered not only in the development of marine plans, but also in all decisions, such as on proposals for	An assessment of the landscape and visual effects associated with the construction and operation of the Projects concluded that there would be no likely significant effects on terrestrial and marine character.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
	a) that they will not adversely impact the terrestrial and marine character of an area b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	development, activities or management measures.			
4.7	***ECO1*** Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.	The policy expects decision makers to identify and manage cumulative impacts when determining applications.	Cumulative impacts, both with other offshore wind farms in the region and with other marine and terrestrial development have been considered and where appropriate, additional mitigation has been included in the application.	**Volume 7, Appendix 6-1 - Onshore Cumulative Effects Assessment Methodology (application ref: 7.6.6.1)** **Volume 7, Appendix 6-2 - Offshore Cumulative Effects Assessment Methodology (application ref: 7.6.6.2)** Considered within all offshore and onshore technical chapters (**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**)	The policy has been considered, and the application is compliant.
4.8	***ECO2*** The risk of release of hazardous substances as a secondary effect due to any increased collision risk should be taken account of in proposals that require an authorisation.	Risks are likely to be identified and addressed through existing mechanisms, such as environmental assessment, navigational risk assessment, safety measures and contingency plans.	The application considers the risk of collision and subsequent release of hazardous pollution during all stages of the Projects' development, and measures to be taken to minimise collision risk with other vessels and infrastructure are included within the navigational risk assessment (NRA).	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.

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4.9	***BIO1*** Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).	This plan policy is intended to ensure that all current publicly available evidence relating to biodiversity interest in the East marine plan areas is taken account of by the relevant public authority in the appropriate manner with advice from the Statutory Nature Conservation Bodies.	The ES considers impacts on marine and terrestrial ecology and identifies mitigation to protect species and habitats, where appropriate. In addition, the Report to Inform Appropriate Assessment (RIAA) provides the assessment of effects on the National Site Network.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** **Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** **Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)** **Volume 6, Report to Inform Appropriate assessment Habitats Regulations Assessment (application ref: 6.1)**	The policy has been considered, and the application is compliant.
4.10	***BIO2*** Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.	This policy adds value by providing a clear direction to public authorities that they should show a preference for proposals that enhance benefits to marine ecology, biodiversity and geological conservation requirements apply.	The effects of additional infrastructure that could become colonised in the marine environment cannot be considered beneficial. Therefore, it is not possible / appropriate to enhance biodiversity. Impacts on biodiversity would be minimised where possible and mitigation has been identified through the ES.	N/A	Policy not applicable to application.
4.11	***MPA1*** Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.	The policy clarifies the need for public authorities to not only consider impacts on individual sites, but also impacts on the overall ecological coherence of the Marine Protected Area network.	The site selection process ensured Marine Protected Areas were avoided where possible, including the Flamborough and Filey Coast Special Protected Area and the Holderness Inshore and Offshore Marine Conservation Zones. In addition, the Projects reduced the cable corridor length and number of infrastructure crossings within the Dogger Bank Special Area of Conservation (SAC) as far as practicable.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
4.12	***CC1*** Proposals should take account of: how they may be impacted upon by, and respond to, climate change over their lifetime and how they may impact upon any climate change adaptation measures elsewhere during their lifetime Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.	The policy aim is that new development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.	The design for the Projects considers vulnerability and resilience to climate change under a realistic worst case design parameter. The CCRA determined that the vulnerability rating of the Projects to identified climate hazards would be low across their lifetimes, and that any effect of climate change on the Projects would be not Significant. Furthermore, no detrimental impacts on climate change adaptation measures were identified.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)** **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)**	The policy has been considered, and the application is compliant.
4.13	***CC2*** Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to missions from other activities or users affected by the proposal.	This policy aims to reduce emissions of greenhouse gases which should be taken in account.	As two offshore wind farms, the Projects would make a significant contribution to the achievement of UK decarbonisation targets by generating low carbon, renewable energy. The GHG assessment calculated that the Projects would avoid estimated emissions of up to 183.4 million tonnes (dependent on the climate change scenario).	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 26 Air Quality (application ref: 7.26)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)**	The policy has been considered, and the application is compliant.
4.14	***GOV1*** Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.	This policy seeks to promote integration between marine and land use plans in the provision of infrastructures. Public authorities must assess the potential positive and negative impacts, on both the marine and terrestrial environments, of development proposals in a collective and cumulative manner.	The application considers and includes all required infrastructure for both land and marine components in order to construct and operate the Projects.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)**	The policy has been considered, and the application is compliant.
4.15	***GOV2*** Opportunities for co-existence should be maximised wherever possible.	The key aim of this policy is to promote compatibility and reduce conflict (between activities, and also with the environment) in order to manage the use of space within	The design of the Projects has considered opportunities for co-existence wherever possible. These include but are not limited to; burial of cables to reduce snagging for fishing activity, as well as developing the	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)**	The policy has been considered, and the

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
		the marine environment in an efficient and effective manner.	Fisheries Liaison and Co-existence Plan and commitments to an Offshore Fisheries Liaison Officer and, adhering to the most recent Fishing Liaison with Offshore Wind and Wet Renewables Group (FLOWW) best practice guidance for fisheries liaison, which would further facilitate opportunities for co-existence during the post-consent stages of the Projects.	**Volume 8, Outline Fisheries Liaison and Co-existence Plan (application ref: 8.28)** **Volume 8, Commitments Register (application ref: 8.6)**	application is compliant.
4.16	***GOV3*** Proposals should demonstrate in order of preference: a) that they will avoid displacement of other existing or authorised (but yet to be implemented) activities b) how, if there are adverse impacts resulting in displacement by the proposal, they will minimise them c) how, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts of displacement.	GOV3 aims to ensure GOV2 is implemented proportionally. The policy aim is to facilitate decisions and effective management measures that avoid, minimise or mitigate negative economic, social and environmental impacts.	The application details the site selection process to minimise interactions of the Projects with existing and authorised activities. Relevant activities that have been considered include (but are not limited to): • Shipping and navigation; • Existing infrastructure, including cables, pipelines, and oil and gas platforms; • Nature conservation designations, • Commercial fisheries; and • Civil and military radar coverage, and helicopter main routes. The ES fully considers the potential economic, social, and environmental impacts caused by displacement on relevant activities, and proposes ways to minimise and/or mitigate potential impacts. Please see the recommended relevant chapters for further details.	**Volume 8, Outline Fisheries Liaison and Co-existence Plan (application ref: 8.28)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** **Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
4.17	***DEF1*** Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.	This policy supports the need for defence activities to take place within the East marine plan areas for the purpose of national security.	The Projects have fully considered any potential effects on MOD Danger and Exercise Areas. The Array Areas and Offshore Export Cable Corridor lie beneath the Southern Managed Danger Area (MDA), one of four MDA complexes in UK airspace that provide	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)** **Volume 7, Appendix 15-1 - Aviation and Radar Consultation Responses**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
			segregated airspace for military training. DBS East Array Area is beneath Danger Areas (DA) EG D323D, the DBS West Array Area is beneath Das EG D323B and C, while the Offshore Export Cable Corridor is beneath DAs EG D323C, D and K. Where relevant, mitigation measures have been recommended, and further potential mitigation measures would be integrated once consulted upon with the MOD during examination and post-consent periods. This would also reflect appropriate measures that are being discussed at an industry level through the Air Defence and Offshore Wind (AD&OW) Strategy and Implementation Plan (S&IP). For further details please refer to the recommended relevant chapters.	**(application ref: 7.15.15.1)** **Volume 7, Appendix 15-2 - Airspace Analysis and Radar Modelling (application ref: 7.15.15.2)**	
4.18	***OG1*** Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated.	Plan policy OG1 clarifies that, where existing oil and gas production and infrastructure are in place, the areas should be protected for the activities authorised under the production licence consent until the licence is surrendered, (including completion of any relevant decommissioning activity), or where agreement over co-located use can be negotiated.	The Applicants continue to engage with oil and gas developers. This consultation is ongoing to discuss any impacts that may arise from the Projects based on the final design, post-consent and would ensure any impacts would be mitigated to acceptable levels.	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)**	The policy has been considered, and the application is compliant.
4.19	***OG2*** Proposals for new oil and gas activity should be supported over proposals for other development.	The policy aim is to afford protection of potential sites to prevent incompatible activities taking place.			
4.20	***WIND1*** Developments requiring authorisation, that are in or could affect sites held under a lease or an agreement for lease that has been granted by The Crown Estate for development of an Offshore Wind Farm, should not be authorised unless	The policy aims to protect sites identified by The Crown Estate from sterilisation by other uses until such time as the site is no longer used, or liable to be reused in the future.	The application is for the development of a Round 4 offshore wind farm.	N/A	Policy is not applicable to application.

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	a) they can clearly demonstrate that they will not compromise the construction, operation, maintenance, or decommissioning of the Offshore Wind Farm b) the lease/agreement for lease has been surrendered back to The Crown Estate and not been re-tendered c) the lease/agreement for lease has been terminated by the Secretary of State d) in other exceptional circumstances.				
4.21	***WIND2*** Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported.	This policy aims to ensure that the large potential for Offshore Wind Farms in the East marine plan areas and the ambitions of government for renewable energy are realised by preferring proposals which are compatible with the policy, including supporting infrastructure.	The application is for the development of a Round 4 offshore wind farm and is therefore outside of Round 3 zones.	N/A	Policy is not applicable to application.
4.22	***TIDE1*** In defined areas of identified tidal stream resource (see figure 16), proposals should demonstrate, in order of preference: a) that they will not compromise potential future development of a tidal stream project b) how, if there are any adverse impacts on potential tidal stream deployment, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	This policy identifies locations in the East Inshore area by protecting them from other new activities or development, both inside and outside identified areas that could impact upon the ability to realise tidal stream energy in the future.	The application is not in an area of identified tidal stream resource.	N/A	Policy is not applicable to application.
4.23	***CCS1*** Within defined areas of potential carbon dioxide storage,(mapped in figure 17)	The policy aims to help ensure that sufficient storage sites are available for Carbon Capture and Storage over the	Potential impacts of the Projects on the Carbon Capture and Storage (CCS) sites, namely Northern Endurance and CCS	**Volume 7, Chapter 16 Infrastructure and**	The policy has been considered, and the

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
	proposals should demonstrate in order of preference: a) that they will not prevent carbon dioxide storage b) how, if there are adverse impacts on carbon dioxide storage, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	long term in view of the large number of such sites, on a national and international scale.	Northen Leasing Round Southern North Sea Areas 1 and 3 have been considered within the ES. Proximity and crossing agreements would be agreed with affected operators post-consent, therefore the impact on the CCS sites would not be significant in EIA terms	**Other Users (application ref: 7.16)**	application is compliant.
4.24	***CCS2*** Carbon Capture and Storage proposals should demonstrate that consideration has been given to the re-use of existing oil and gas infrastructure rather than the installation of new infrastructure (either in depleted fields or in active fields via enhanced hydrocarbon recovery).	This policy seeks to ensure that the use of hydrocarbon fields for the storage of carbon dioxide is promoted where possible, maximising storage nationally.	This application neither captures nor stores carbon.	N/A	Policy is not applicable to application.
4.25	***PS1*** Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes.	This policy seeks to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety and ensure that decision makings comply international maritime law.	Reduction of under-keel clearance has been assessed in the ES, with the severity assessed as minor and the pre-mitigation effect being broadly acceptable. The Applicants would follow the guidance contained in MGN 654 in relation to cable protection, namely that cable protection would not change the charted water depth by more than 5%, unless otherwise agreed with the MCA and Trinity House.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.
4.26	***PS2*** Proposals that require static sea surface infrastructure that encroaches upon important navigation routes (see figure 18) should not be authorised unless there are exceptional circumstances. Proposals should:	This policy minimises negative impacts on shipping activity, protecting the economic interests of ports and shipping and the United Kingdom economy, and protect the areas used by high intensities of traffic.	Vessel displacement has been assessed in the ES, with the severity being moderate and the pre-mitigation effect being tolerable with mitigation. Mitigation identified within the ES and NRA would be implemented to reduce all potential impacts to acceptable or tolerable risk levels.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
	a) be compatible with the need to maintain space for safe navigation, avoiding adverse economic impact b) anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows and c) account for impacts upon navigation in-combination with other existing and proposed activities				
4.27	***PS3*** Proposals should demonstrate, in order of preference: a) that they will not interfere with current activity and future opportunity for expansion of ports and harbours b) how, if the proposal may interfere with current activity and future opportunities for expansion, they will minimise this c) how, if the interference cannot be minimised, it will be mitigated d) the case for proceeding if it is not possible to minimise or mitigate the interference.	This policy gives effect to the need to minimise negative impacts on shipping activity, freedom of navigation and navigational safety, as well as protecting the efficiency and resilience of continuing port operations, and further port development and complements the NPS for ports.	There are no existing or planned ports or harbours within the Projects' Offshore Development Area and therefore no mechanism for the Projects to interfere with activity and future opportunity for expansion of ports and harbours. During the life of the Projects, port and harbour facilities would be required and therefore would support opportunities for port and harbour expansion.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.
4.28	***DD1*** Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference a) that they will not adversely impact dredging and disposal activities b) how, if there are adverse impacts on dredging and disposal, they will minimise these c) how, if the adverse impacts cannot be minimised they will be mitigated	This plan policy aims to protect dredging and disposal activities, in or adjacent to licensed dredging and disposal areas, against other new proposals that would compromise the continued access to ports and harbours for the shipping industry.	The application avoids dredging and disposal activities through the site selection process.	N/A	Policy is not applicable to this application.

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	d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.				
4.29	***AGG1*** Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless there are exceptional circumstances.	This policy protects licenced (and formally applied) aggregate extraction, ensuring the supply of marine aggregates from commercially valuable deposits is not compromised.	There are no licenced aggregate production areas within the Projects' Offshore Development Area. The closest licenced offshore minerals aggregates site to the Projects is the Humber 2 production area, approximately 48km south-east of the Offshore Export Cable Corridor. Therefore, impacts on these areas were scoped out of the ES due to the distance from the Projects.	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)**	Policy is not applicable to this application.
4.30	***AGG2*** Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction or there are exceptional circumstances.	This policy ensures applications for authorisation do not compromise the extraction of aggregate resource within an exploration area for aggregates.			
4.31	***AGG3*** Within defined areas of high potential aggregate resource, proposals should demonstrate in order of preference: a) that they will not, prevent aggregate extraction b) how, if there are adverse impacts on aggregate extraction, they will minimise these c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts.	This policy considers how proposals for marine development and activities within areas of high potential aggregate resource may impact the ability to access commercially viable marine sand and gravel resources in the future.			
4.32	***CAB1*** Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not	This policy aims to ensure sub-sea cables are properly protected from damage and do not cause a safety issue for vessels, particularly in navigation channels.	The Offshore Export Cable would be buried where practicable to ensure that the cables are protected and do not pose a snagging risk. Therefore, surface protection would	**Volume 7, Chapter 5, Project Description (application ref: 7.5)**	The policy has been considered, and the

Ref.	Policy and Policy Text	Policy Aim / Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
	achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.		only be used where necessary at crossings and at locations where cable burial is not possible due to the presence of hard substrate close to the surface. Crossing and proximity agreements with known existing pipeline and cable operators are being sought.	**Volume 8, Cable Statement (application ref: 8.20)** **Volume 8, Commitments Register (application ref: 8.6)**	application is compliant.
4.33	***FISH1*** Within areas of fishing activity, proposals should demonstrate in order of preference: a) that they will not prevent fishing activities on, or access to, fishing grounds b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts.	This plan policy supports fishing activity by avoiding adverse impacts resulting from development and activities in the East marine plan areas. The policy focuses on access to fishing grounds.	Impacts to fishing activity have been considered within the ES including potential for loss or restricted access to fishing grounds. Where possible, impacts have been minimised, and / or mitigation measures committed to. The ES has concluded that with the introduction of additional mitigation measures, the impacts to the commercial fisheries receptor groups will not be above a **minor** adverse effect during the Projects lifecycle. **Minor** adverse is deemed not significant. The Applicants are committed to promoting co-existence between the Projects and the fishing industry which also supports this policy and is discussed further within the Outline Fisheries Liaison and Co-existence Plan. Further detail with regards to the approach to liaison and co-existence strategies would be provided within the final document produced post-consent.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** **Volume 8, Outline Fisheries Liaison and Co-existence Plan (application ref: 8.28)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
4.34	***FISH2*** Proposals should demonstrate, in order of preference: a) that they will not have an adverse impact upon spawning and nursery areas and any associated habitat b) how, if there are adverse impacts upon the spawning and nursery areas and any	The aim of this policy is to support the recovery of fish stocks by offering protection against adverse impacts to spawning areas from development or activity.	Impacts to essential fish habitat including, spawning, nursery and feeding grounds and migratory routes have been considered and assessed within the ES. The level of effect throughout the Projects lifecycle was assessed up to **minor** adverse. **Minor** adverse is not significant. However, the Applicants have committed to a seasonal restriction on piling within the Offshore Export Cable Corridor between	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10).** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.

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	associated habitat, they will minimise them c) how, if the adverse impacts cannot be minimised they will be mitigated d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts.		the months of August and October to mitigate for disturbance to the Banks population of Atlantic herring via impulsive underwater noise.		
4.35	***AQ1*** Within sustainable aquaculture development sites (identified through research), proposals should demonstrate in order of preference: a) that they will avoid adverse impacts on future aquaculture development by altering the sea bed or water column in ways which would cause adverse impacts to aquaculture productivity or potential b) how, if there are adverse impacts on aquaculture development, they can be minimised c) how, if the adverse impacts cannot be minimised they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	Policy AQ1 is an enabling policy for aquaculture, which seeks to protect opportunities for aquaculture, as they are identified through research and evaluation.	The Projects are remote from any areas of aquaculture.	N/A	Policy not applicable to application.
4.36	***TR1*** Proposals for development should demonstrate that during construction and operation, in order of preference: a) they will not adversely impact tourism and recreation activities b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them	This policy recognises the importance of tourism and recreation in the East Inshore and East Offshore Marine Plan Areas and seeks to minimise adverse impacts of development on tourism and recreation.	Tourism and recreation (both onshore and offshore) have been fully considered in the ES. The construction phase is where the greatest potential effects are likely to arise and mitigation includes, for example, adoption of trenchless crossing techniques at landfall to allow continued beach access and implementation of the Outline Public Rights of Way Management Plan to reduce potential impacts.	**Volume 7, Chapter 21 Land Use (application ref: 7.21)** **Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** **Volume 8, Appendix C - Outline Public Rights of**	Policy has been considered and the application is compliant.

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	c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.		The ES identified no significant effects on recreational assets including marine recreation.	**Way Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**	
4.37	***TR2*** Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference: a) that they will not adversely impact on recreational boating routes b) how, if there are adverse impacts on recreational boating routes, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.	This policy adds clarification to the Marine Policy Statement through highlighting the benefits of early engagement and aims to ensure that any development takes account of the recognised boating areas and most used cruising routes for recreational craft in the East marine plan areas.	Recreational vessels have been considered within the ES and NRA. Recreational vessel movements were very low during the marine traffic surveys. Given the low number of vessels, consultation with the Royal Yachting Association and Cruising Association indicating no concerns over the Projects, the continued ability to transit through the buoyed construction area and embedded mitigation of promulgation of information, the displacement of recreational vessels from the Projects is considered **negligible** and not significant in EIA terms.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.
4.38	***TR3*** Proposals that deliver tourism and/or recreation related benefits in communities adjacent to the East marine plan areas should be supported.	This policy aims to promote and support sustainable tourism and recreation opportunities in the East marine plan areas.	The application does not deliver tourism or recreation activities.	N/A	Policy is not applicable to application.

1.13 North East Inshore and Offshore Marine Plan (June, 2021)

Table 1-5 North East Inshore and Offshore Marine Plan Table of Compliance

Ref.	Policy and Policy Text	Policy Aim/Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
5.1	***NE-INF-1*** Proposals for appropriate marine infrastructure which facilitates land-based activities, or land- based infrastructure which facilitates marine activities (including the diversification or regeneration of sustainable marine industries), should be supported.	Many marine activities in the north east and adjacent marine plan areas are reliant on land- based infrastructure. Similarly, activities on land may also be reliant on marine infrastructure. Supporting infrastructure development, diversification and regeneration will provide socio- economic benefits and facilitate marine businesses, including those that are land-based. NE-INF-1 supports the integration of the marine and terrestrial systems. It does so by encouraging proposals (and other measures) that maintain or improve existing, or provide new, sustainable marine or land-based infrastructure that facilitates activity in the other system.	Whilst the Projects contain both marine and terrestrial components, the shore-based infrastructure is located remote from the North East Plan Area and this policy is not considered relevant due to this geographical differentiation.	N/A	Policy not applicable to application.
5.2	***NE-INF-2*** (1) Proposals for alternative development at existing safeguarded landing facilities will not be supported. (2) Proposals adjacent and opposite existing safeguarded landing facilities must demonstrate that they avoid significant adverse impacts on existing safeguarded landing facilities. (3) Proposals for alternative development at existing landing facilities (excluding safeguarded sites) should not be supported unless that facility is no longer viable or capable of being made viable for waterborne transport. (4) Proposals adjacent and opposite existing landing facilities (excluding safeguarded sites) that may have significant adverse impacts on the landing facilities should demonstrate that they will, in order of preference:	Landing facilities in the north east inshore marine plan area are critical for enabling industries including shipping, tourism, recreation and leisure, construction, aggregates and waste. By protecting existing landing facilities, identifying the difference in safeguarding, NE-INF-2 mirrors similar provisions in terrestrial planning and supports the continued operation of vital existing landing facilities.			

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	a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.				
5.3	***NE-CO-1*** Proposals that optimise the use of space and incorporate opportunities for co-existence and co- operation with existing activities will be supported. Proposals that may have significant adverse impacts on, or displace, existing activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.	The north east marine plan areas, and in particular the inshore area, are likely to be busier in the future, and use of the space may become limited. To realise sustainable social, environmental and economic benefits it is therefore important to plan for and make efficient use of the space. NE-CO-1 encourages proposals to be spatially planned, take account of existing activities, and promote co- existence. The policy ensures that new proposals seek to avoid creating conflicts and to minimise their footprint, or to optimise it where it may not be feasible to minimise.	Consultation is a key part of the Development Consent Order (DCO) application process and has been undertaken with all relevant third parties (e.g. shipping and navigation, infrastructure and other users, etc.) who may interact with the offshore or onshore works and mitigation has been identified where appropriate to maximise the opportunity for co-existence.	**Volume 5, Consultation Report (application ref: 5.1)** **Volume 8, Outline Fisheries Liaison and Co-existence Plan (application ref: 8.28)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
5.4	***NE-AGG-1*** Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised, unless it is demonstrated that the proposal is compatible with aggregate extraction.	NE-AGG-1 safeguards marine aggregate licence areas from other activities, unless it is demonstrated that the other activities are compatible with marine aggregate extraction. This enables continuity of supply of construction aggregate and supports local and national objectives and economies.	There are no licenced aggregate production areas within the Projects' Offshore Development Area. The closest licenced offshore minerals aggregates site to the Projects is the Humber 2 production area, located approximately 48km south-east of the Offshore Export Cable Corridor. Therefore, impacts on these areas were scoped out of the ES due to the distance from the Projects.	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)**	Policy is not applicable to this application.
5.5	***NE-AGG-2***	NE-AGG-2 safeguards marine aggregate Exploration and Option Agreement areas to enable the aggregate industry to explore			

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	Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the proposal is compatible with aggregate extraction.	defined areas in order to identify commercially viable aggregate resources. Proposals will only be supported if they are compatible with marine aggregate extraction. This enables future supply of construction aggregate and supports local and national objectives and economies.			
5.6	***NE-AGG-3*** Proposals in areas of high potential aggregate resource that may have significant adverse impacts on future aggregate extraction should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - significant adverse impacts on future aggregate extraction so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	NE-AGG-3 ensures that proposals consider areas of high potential aggregate resource, as defined by the British Geological Survey. It ensures that any impacts on access to commercially viable marine sand and gravel resources in the future are managed, enabling secure access to sufficient supply of aggregate resources.			
5.7	***NE-AQ-1*** Proposals within existing or potential strategic areas of sustainable aquaculture production must demonstrate consideration of and compatibility with sustainable aquaculture production. Where compatibility is not possible, proposals that may have significant adverse impacts on sustainable aquaculture production must demonstrate that they will, in order of preference: Avoid	The policy recognises that aquaculture is an important industry with the potential to grow, contributing to food supply and security. NE-AQ-1 seeks to protect both existing aquaculture operations as well as potential future opportunities for aquaculture, within spatially defined strategic areas of sustainable aquaculture production. These strategic areas have been spatially defined for species of commercial importance by considering environmental factors, technical constraints, planning constraints and other users of the sea.	The Projects are remote from any areas of aquaculture.	N/A	Policy not applicable to application.

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	Minimise Mitigate Adverse impacts on sustainable aquaculture production so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The policy does not prevent non-aquaculture developments or activities; it supports sustainable aquaculture production by spatially defining areas where all proposals are required to demonstrate consideration of and compatibility with sustainable aquaculture. If this cannot be achieved, the policy stipulates proposals that may have significant adverse impacts on sustainable aquaculture should follow the steps in the mitigation hierarchy through avoiding, minimising or mitigating these impacts, before being allowed to proceed if the regulator agrees with the proponent's overriding justification. While protecting opportunities for sustainable aquaculture production, the policy makes allowances for both non-significant adverse impacts on aquaculture, and significant adverse impacts that are outweighed by the benefits of the proposal.			
5.8	***NE-AQ-2*** Proposals enabling the provision of infrastructure for sustainable aquaculture and related industries will be supported.	NE-AQ-2 aims to tackle barriers to aquaculture by encouraging the provision, maintenance and development of marine and land infrastructure to support sustainable aquaculture and related industries. This policy supports sustainable aquaculture projects by encouraging the direct development of infrastructure, as well as supporting connectivity between marine operations and land infrastructure, which will ensure that opportunities for aquaculture are realised. Due to the overlap between some shoreside aquaculture and fisheries infrastructure, NE-AQ-2 supports the integration of aquaculture with the fishing industry through the sharing of infrastructure and the diversification of fishers. This policy will also benefit employment and the development of skills in coastal communities.	The Projects are remote from any areas of aquaculture.	N/A	Policy not applicable to application.

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5.9	***NE-CAB-1*** Preference should be given to proposals for cable installation where the method of protection is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.	Subsea cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission. NE-CAB-1 supports and encourages cable burial where possible, to meet the needs of the sector while enabling co-existence with other users of the north east marine plan areas.	The offshore cables would be buried where practicable to ensure that the cables are protected and do not present a snagging risk. Therefore, surface protection would only be used where necessary at crossings and at locations where cable burial is not possible due to the presence of hard substrate close to the surface. Crossing and proximity agreements with known existing pipeline and cable operators are being sought.	**Volume 7, Chapter 5, Project Description (application ref: 7.5)** **Volume 8, Cable Statement (application ref: 8.20)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
5.10	***NE-CAB-2*** Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts on existing and potential future landfall sites so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Subsea cabling is important to the growth and sustainability of telecommunications, offshore wind farms and electricity transmission. Existing and potential future landfall sites for subsea cables are not currently protected from other proposals and uses, which may prevent these sites from being used as cable landfall locations. NE-CAB-2 seeks to avoid the loss of existing and potential future landfall sites and supports all proposals that consider the requirement for future cable landfall opportunities, ensuring that socially and economically vital cable activities can continue.	The landfall for the Projects is approximately 17km from the North East Plan Area.	N/A	Policy not applicable to application.
5.11	***NE-CAB-3*** Where seeking to locate close to existing subsea cables, proposals should demonstrate compatibility with ongoing function, maintenance and decommissioning activities relating to the cable.	NE-CAB-3 protects the ongoing function, maintenance and decommissioning of subsea cables, up to the point of landfall.	The European Subsea Cables Association Guideline No. 6 – The Proximity of Offshore Renewable Energy Installations and Submarine Cable Infrastructure in UK Waters has been considered in the completion of the infrastructure and other users ES assessment. There are no cables	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)** **Volume 8, Cable Statement (application ref: 8.20)**	The policy has been considered, and the application is compliant.

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			located within the Projects Array Areas or Inter-Platform Cabling Corridor. However, there is the Eastern Green Link 2 which is due to begin construction in 2024 and would be located approximately 2km from the Projects Offshore Export Cable Corridor. There are also a further four cables planned which may cross the Projects Offshore Export Cable Corridor or Array Areas. Subsea cable crossing and proximity agreements with known existing pipeline and cable operators are being sought.	**Volume 8, Commitments Register (application ref: 8.6)**	
5.12	***NE-DD-1*** In areas of authorised dredging activity, including those subject to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.	Dredge areas, and the area surrounding these that are required for dredge activity to take place, may be adversely impacted by new proposals such as those that negatively impact the ability to access or egress from these sites. NE-DD-1 ensures continued safe access by vessels to ports and harbours over the lifetime of the North East Marine Plan. This policy discourages proposals that would cause significant adverse impacts on dredge activities, such as the need for related vessels to navigate to and from authorised dredge areas.	There are no known licenced dredging areas near to the Projects Offshore Development Area. The closest marine aggregate dredging area lies in the southern North Sea approximately 25nm away. There are licensed disposal sites to accommodate sediment disposal for Dogger Bank A and B offshore wind farms, as well as Bridlington A. However, commitments such as promulgation of information and, compliance with MGN 654 would ensure that there would be no impact on the disposal activities for other projects or sites.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
5.13	***NE-DD-2*** Proposals that cause significant adverse impacts on licensed disposal sites should not be supported. Proposals that may have significant adverse impacts on licensed disposal sites must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate	Disposal sites, and the surrounding areas that are required for the disposal activity to take place, may be adversely impacted by new proposals that negatively impact the ability to access or egress from these sites. NE-DD-2 ensures that disposal sites are not compromised, reducing the need to designate new disposal sites that are not intended for alternative use, and so reducing environmental impacts. This policy discourages proposals that would cause significant adverse impacts on disposal			

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	- adverse impacts so they are no longer significant. If it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.	activities, such as the need for vessels to navigate safely to and from disposal sites. Preserving licensed disposal sites, including where sites are being used for alternative use, will enable and facilitate the growth of ports and harbours within the north east inshore marine plan area. Over the 20-year life span of the Plan this may become more prevalent in the developing economic climate.			
5.14	***NE-DD-3*** Proposals for the disposal of dredged material must demonstrate that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, including for alternative use sites, proposals should be supported if they conform to best practice and guidance.	As a result of dredging activity, disposal of dredge material is often required, whether this is direct disposal as a last resort in the waste hierarchy or deposit of material for alternative uses. This policy ensures that proposals have considered all steps within the waste hierarchy prior to the disposal of dredge material as a last resort. The establishment of new disposal sites which are for alternative use should be supported. The establishment of new dredge disposal sites as a last resort in the waste hierarchy should only be explored after previous levels within the waste hierarchy have been considered, and the potential to utilise open, disused or closed sites has been fully investigated and discounted. In some cases, designated disposals sites cannot be used, for example where sediment size does not match or there are particular constraints. NE-DD-3 then provides a source of best practice and guidance for the designation of new dredge disposal sites. This is required as the demand increases for new disposal sites and encourages early consideration of impacts to avoid conflicts during the proposal process.	A Disposal Site Characterisation Report has been submitted with the DCO application in order to characterise the disposal requirements for the Projects including conforming to best practice and guidance. See the relevant documents for further details.	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)** **Volume 8, Commitments Register (application ref: 8.6)** **Volume 8, Disposal Site Characterisation Report (application ref: 8.18)**	The policy has been considered, and the application is compliant.
5.15	***NE-OG-1*** Proposals in areas where a licence for oil and gas has been granted or formally	The potential to extract oil and gas is important to the UK's energy supply. However, oil and gas exploration and	The Applicants continue to engage with oil and gas developers. This consultation will be ongoing to discuss any impacts that	**Volume 7, Chapter 16 Infrastructure and Other**	The policy has been considered, and the

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	applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity.	production (within existing licence areas) may require access to the same area of seabed as other sector proposals. This policy protects the supply of oil and gas by safeguarding areas where there are existing licences. However, this does not sterilise areas for other activities as proposals that demonstrate compatibility with oil and gas activities may be supported. The policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space as oil and gas extraction activities, by supporting co-existence opportunities for different users of the north east marine plan areas. This supports the UK in meeting its energy and security objectives, as activities that may impact or sterilise areas that may be used for potential oil and gas extraction would hinder the fulfilment of the objectives of the UK Marine Policy Statement and the UK's energy objectives.	may arise from the Projects' final design, post-consent and would enable any impacts to be mitigated to acceptable levels. This would ensure that with necessary planning and engagement, disruption due to construction would be avoided.	**Users (application ref: 7.16)**	application is compliant.
5.16	***NE-OG-2*** Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported.	Maximising the economic recovery of oil and gas resources may require access to discoveries of deposits that have not yet been developed. However, other proposals may require access to the same area of seabed as these resources and, therefore, to future potential oil and gas production. This policy safeguards areas identified as having geological potential for future oil and gas extraction by ensuring that proposals have regard to future oil and gas activity prior to gaining support. The policy gives clarity on dealing with potential future conflicts with other users who may want to use the same space as oil and gas extraction activities by supporting co-existence opportunities for different users			

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		of the north east marine plan areas. This supports the UK in meeting its energy and security objectives, as activities that may impact or sterilise areas that may be used for potential oil and gas extraction would hinder the fulfilment of the objectives of the UK Marine Policy Statement and the UK's energy objectives.			
5.17	***NE-PS-1*** In line with the National Policy Statement for Ports, sustainable port and harbour development should be supported. Only proposals demonstrating compatibility with current port and harbour activities will be supported. Proposals within statutory harbour authority areas or their approaches that detrimentally and materially affect safety of navigation, or the compliance by statutory harbour authorities with the Open Port Duty or the Port Marine Safety Code, will not be authorised unless there are exceptional circumstances. Proposals that may have a significant adverse impact upon future opportunity for sustainable expansion of port and harbour activities, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Ports and harbours are essential to realising economic and social benefits for the north east marine plan areas and the UK. NE-PS-1 makes sure that proposals do not restrict current port and harbour activity or future growth, enabling long-term strategic decisions, and supporting competitive and efficient port and shipping operations. NE-PS-1 provides clarity on how the economic interests and statutory duties of ports and harbours should be protected, and makes sure new development does not restrict current activities or future growth, or compliance with the Port Marine Safety Code. This policy protects the efficiency and resilience of continuing port operations, and further port development (UK Marine Policy Statement, Section 3.4.7). The sustainable development of ports (increase in shipping activity) is supported by the UK Marine Policy Statement (Section 3.4.10). This policy also complements and supports the National Policy Statement for Ports, setting provisions for port growth in the context of the management and development of other activities. Policy NE-PS-1 supports the government policy for ports (National Policy Statement for Ports). It is recognised that although not all ports are able, or wish, to grow physically, there will remain a need to be commercially viable through adaptation, change, and diversification. Also recognised is the need to	There are no existing or planned ports of harbours within the Projects' Offshore Development Area and therefore no mechanism for the Projects to interfere with activity and future opportunity for expansion of ports and harbours. During the life of the Projects, port and harbour facilities would be required and therefore would support opportunities for port and harbour expansion.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.

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		ensure safe navigation both within and in the approaches to ports, at present and in the future. Harbour masters are recognised experts in navigational safety within their jurisdictional areas. Accordingly, the policy recognises that their views regarding how proposals affect safety of navigation, the Open Port Duty and compliance with the Port Marine Safety Code should be sought and given significant weight. NE-PS-1 confirms that proposals that compromise these important duties should not be authorised unless there are exceptional circumstances. Authorisation of proposals that impact upon compliance with these core duties are expected to be exceedingly rare. This policy supports continued port maintenance and repairs, diversification and other sustainable port development that contribute to long-term economic growth and prosperity.			
5.18	***NE-PS-2*** Proposals that require static sea surface infrastructure or that significantly reduce under- keel clearance must not be authorised within or encroaching upon International Maritime Organisation routeing systems unless there are exceptional circumstances.	International Maritime Organization routeing systems are essential for shipping activity, freedom of navigation and navigational safety. Within the north east marine plan areas there are currently no such routeing systems. However, International Maritime Organization routeing systems may or may not be introduced over the lifetime of the Plan. NE- PS-2 confirms that proposals that compromise these important navigation routes should not be authorised. NE-PS-2 enables and supports safe, profitable and efficient marine businesses. NE-PS-2 specifies that developments should not be authorised where the use of International Maritime Organization routeing systems may be compromised. Authorisation of proposals that impact upon the use of	Vessel displacement has been assessed in the ES, with the severity being moderate and the pre-mitigation effect being tolerable with mitigation. Mitigation identified within the ES and NRA would be implemented to reduce all potential impacts to acceptable or tolerable risk levels.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.

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		International Maritime Organization routeing systems are very rare.			
5.19	***NE-PS-3*** Proposals that require static sea surface infrastructure or that significantly reduce under- keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	The north east marine plan areas are very busy with respect to high-density navigation routes, strategically important navigation routes and passenger services. NE-PS-3 confirms that proposals that pose a risk to safe navigation or the viability of these routes and services should not be authorised. NE-PS-3 aims to protect these routes and services by enabling and promoting safe, profitable and efficient marine businesses. NE-PS-3 focuses on minimising negative impacts on shipping activity, protecting the economic interests of ports, harbours, shipping and the UK economy overall, and affording protection to the areas used by high intensities of traffic (UK Marine Policy Statement 3.4.2). It also gives effect to provisions in the National Planning Policy Framework (Section 37), which aims to encourage sustainable transport.	Reduction of under-keel clearance has been assessed in the ES, with the severity being minor and the pre-mitigation effect being broadly acceptable. The Applicants would follow the guidance contained in MGN 654 in relation to cable protection, namely that cable protection would not change the charted water depth by more than 5%, unless otherwise agreed with the MCA and Trinity House.	**Volume 7, Chapter 14 Shipping and Navigation (application ref: 7.14)** **Volume 7, Appendix 14-2 Navigational Risk Assessment (application ref: 7.14.14.2)**	The policy has been considered, and the application is compliant.
5.20	***NE-PS-4*** Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate.	Short sea shipping provides a sustainable alternative for the transport of goods. NE-PS-4 aims to support sustainable coastal or short sea shipping where appropriate as an alternative to road, rail or air methods lowering carbon dioxide emissions and reducing road congestion. Bulk volumes are moved quickly with a reduction in administrative burden and increased efficiency through economies of scale. Short sea routes also allow the transhipment of cargo from large vessels landing into major European ports to the UK (and through direct movements of smaller bulk materials), reducing costs, improving reliability and allowing smaller ports to expand through the establishment of	N/A	N/A	Policy not applicable to application.

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		increased numbers of short sea shipping routes where suitable. Policy NE-PS-4 supports the government policy for ports (National Policy Statement for Ports, Section 3.1.4, Section 3.3.5 and Section 3.4.14). The short sea shipping market is expected to grow over the lifetime of the marine plan, providing a flexible and specialised service. There are, however, several factors to consider in what is a price-sensitive market. In particular, the relatively lower costs of road transport, time constraints on delivery of goods and the availability of government subsidies.			
5.21	***NE-REN-1*** Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	Supply chains play an important role in developing technology, reducing the associated costs of infrastructure and realising the economic and social benefits of renewable energy to the UK economy. NE-REN-1 recognises the importance of the supply chain within the lifecycle of renewable energy projects. NE-REN-1 enables public authorities to support proposals that will reduce costs, ensuring that businesses are operating competitively and with a long-term strategy. Developing a strong supply chain will not only support the domestic installation of offshore wind but could contribute to establishing a successful export market, particularly in relation to the emerging floating offshore wind industry. The Offshore Wind Sector Deal outlines a commitment to increase UK supply chain content to 60% by 2030. This policy supports proposals that indicate how they will draw on and develop the UK supply chain as part of their development.	The application is for two offshore wind farms and therefore supports this policy.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**	The policy has been considered, and the application is compliant.
5.22	***NE-REN-2***	Renewable energy technologies contribute to the diversification and decarbonisation of			The policy has been considered,

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	Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project.	the electricity grid. NE-REN-2 protects areas identified for energy developments from other activities that could affect the sites ability to generate energy. It enables the development of safe, profitable and efficient marine businesses.	The application is for two offshore wind farms and therefore supports this policy.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**	and the application is compliant.
5.23	***NE-REN-3*** Proposals for the installation of infrastructure to generate offshore renewable energy, inside areas of identified potential and subject to relevant assessments, will be supported.	Offshore wind is the current favoured offshore renewable energy generating technology in the UK. The "offshore wind high potential future development areas" layer highlights areas of least constraint for fixed foundation offshore wind energy generation and indicates potential future areas for leasing. This dataset reflects the latest understanding of areas with high potential, incorporating the original technical constraints analysis (see the "Resource and Constraints Assessment Methodology Report" available on the Marine Data Exchange). NE-REN-3 supports the identification of future leasing rounds and provides a level of certainty for other activities as to where future development may occur. Figure 14 identifies the portion of the plan area that has a high potential for the future development of offshore wind. NE-REN-3 is in place to facilitate the identification of sites for future offshore renewable energy development. Spatial areas for all technology types will be updated, as required, based on improved understanding of constraints and technical advancements in new technology. Proponents and decision-makers should refer to Explore Marine Plans for the most up-to-date data.			

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5.24	***NE-HER-1*** Proposals that demonstrate they will conserve and enhance the significance of heritage assets will be supported. Where proposals may cause harm to the significance of heritage assets, proponents must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - any harm to the significance of heritage assets. If it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.	This policy aims to conserve and enhance marine and coastal heritage assets by considering the potential for harm to their significance. This consideration will not be limited to designated assets and extends to those non-designated assets that are, or have the potential to become, significant. The policy will ensure that assets are considered in the decision-making process and will make provisions for those assets that are discovered during developments.	All direct impacts to known heritage assets as a result of the Projects are proposed to be avoided, and was included as a design principle for site selection in the design of the offshore cable corridor. The approach to mitigation is to avoid these features via AEZs. In order to account for unexpected archaeological finds, a formal protocol for archaeological discoveries would be implemented during construction through a Written Scheme of Investigation.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 17 Offshore Archaeology and Cultural Heritage (application ref: 7.17)** **Volume 8, Outline Written Scheme of Investigation (offshore) (application ref: 8.22)**	The policy has been considered, and the application is compliant.
5.25	***NE-SCP-1*** Proposals should ensure they are compatible with their surroundings and should not have a significant adverse impact on the character and visual resource of the seascape and landscape of the area. The location, scale and design of proposals should take account of the character, quality and distinctiveness of the seascape and landscape. Proposals that may have a significant adverse impact on the seascape and landscape of the area should demonstrate that they will, in order of preference: a) avoid b) minimise	The aim of the policy is to manage significant adverse impacts on the seascape and landscape of the north east inshore and offshore marine plan areas. It will make sure that an area's value, quality and its capacity to accommodate change is considered and that the scale and design of a proposal is compatible with its surroundings. The policy's primary aim is to make provisions for those areas of seascape without statutory designation. The policy also supports those areas with existing statutory designation such as National Parks, Areas of Outstanding Natural Beauty and World Heritage Sites. Defined Heritage Coasts are also supported although they do not hold statutory designation.	Whilst the Projects contain both marine and terrestrial components, the shore-based infrastructure is located remote from the North East Plan Area and this policy is not considered relevant due to this geographical differentiation.	N/A	Policy not applicable to application.

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	c) mitigate - adverse impacts so they are no longer significant. If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascape and landscape of the area. Proposals within or relatively close to nationally designated areas should have regard to the specific statutory purposes of the designated area. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks and Areas of Outstanding Natural Beauty.				
5.26	***NE-FISH-1*** Proposals that support a sustainable fishing industry, including the industry's diversification, should be supported.	Commercial fisheries can be affected by changes to fish abundance, growth, distribution or behaviour. NE-FISH-1 supports long-term strategic proposals that enable the fishing industry to diversify or build in resilience to manage climate change risks and maximise opportunities for sustainable use of marine resources.	The Projects are not designed to support the fishing industry.	N/A	Policy not applicable to application.
5.27	***NE-FISH-2*** Proposals that enhance access for fishing activities should be supported. Proposals that may have significant adverse impacts on access for fishing activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	A sustainable fishing industry provides benefits to coastal communities and contributes to UK food security. Fisheries activities are restricted in where and when they can operate, making the access to these activities vulnerable. NE-FISH-2 supports enhanced access for sustainable fishing activities and seeks to limit significant adverse impacts from other marine activities on access for fishing activities, enabling continued sustainable marine resource use and generating prosperous, resilient and cohesive coastal communities. This policy covers not only fishing activity, but also the	Impacts to fishing activity have been considered within the ES including potential for loss or restricted access to fishing grounds. Where possible impacts have been minimised, and/or mitigation measures recommended. The ES has concluded that with the introduction of additional mitigation measures, the impacts to commercial fisheries receptor groups would not be above a **minor** adverse effect during the Projects lifecycle. **Minor** adverse is deemed not significant.	**Volume 7, Chapter 13 Commercial Fisheries (application ref: 7.13)** **Volume 8, Outline Fisheries Liaison and Co-existence Plan (application ref: 8.28)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.

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	If it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	transit routes to and from sites and any berthing/beaching or landing/loading points.	Appropriate mitigation measures have been committed to, such as encouraging co-existence between receptor groups and construction vessels and / or disruption payments in accordance with FLOWW guidance. Mitigation measures are included in the Outline Fisheries Liaison and Coexistence Plan, which is included as an embedded mitigation measure.		
5.28	***NE-FISH-3*** Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, should be supported. Proposals that may have significant adverse impacts on essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Sustainable fish populations rely upon specific habitats throughout their life. NE-FISH-3 recognises that the protection of habitats and the services they provide can enhance fish populations, supporting the long-term existence of the fisheries and contributing to Good Environmental Status, as described in the Marine Strategy Part One: UK updated assessment and Good Environmental Status. NE-FISH-3 encourages and supports proposals that deliver biodiversity gain for essential fish habitats. NE-FISH-3 enables sustainable use of marine resources within environmental limits, alongside productive fisheries, by requiring proposals to avoid impacts on essential fish habitats or, if avoidance of impacts is not possible, to manage impacts on essential fish habitats.	Impacts to essential fish habitat including, spawning, nursery and feeding grounds and migratory routes have been considered and assessed within the ES. The level of effect throughout the Projects lifecycle was assessed up to **minor** adverse. **Minor** adverse is not significant in EIA terms. However, the Applicants have committed to a seasonal restriction on piling within the Offshore Export Cable Corridor between the months of August and October to mitigate for disturbance to the Banks population of Atlantic herring via impulsive underwater noise.	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
5.29	***NE-EMP-1*** Proposals that result in a net increase in marine- related employment will be supported, particularly where they meet one or more of the following: 1) are aligned with local skills strategies and support the skills available	The creation and maintenance of quality jobs is a key component to delivering sustainable economic growth, and for ensuring that everyone is able to access its associated opportunities (Employment and Skills Strategies in England, United Kingdom). NE-EMP-1 supports existing national policies and strategies (e.g. the UK Marine Policy	The Projects would support local and UK employment during construction, operation and decommissioning stages. The socio-economic assessment identifies up to a **minor** beneficial effect on local employment during construction.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)**	Policy has been considered and the application is compliant.

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	2) create a diversity of opportunities 3) create employment in locations identified as the most deprived 4) implement new technologies - in, and adjacent to, the north east marine plan areas.	Statement and the UK's Industrial Strategy: building a Britain fit for the future) by encouraging decision-makers and proponents to deliver additional employment benefits from proposals, particularly those benefits associated with the listed policy criteria. NE-EMP-1 seeks to maximise sustainable economic activity, prosperity and opportunities for all, both now and into the future.			
5.30	***NE-CC-1*** Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.	Proposals that conserve, restore or enhance habitats that provide flood defence or carbon sequestration will be supported. Habitats that provide flood defence and carbon sequestration contribute to natural resilience for coastal communities that are vulnerable to coastal erosion and change. NE-CC-1 requires proposals to manage impacts, enabling these important habitats to continue to provide this valuable service. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for significant adverse impacts, will not be supported.	The landfall for the Projects is approximately 17km from the North East Plan Area and no impacts on flood defence or carbon sequestration would occur in this plan area.	N/A	Policy not applicable to application.
5.31	***NE-CC-2*** Proposals in the north east marine plan areas should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.	The effects of climate change are wide-ranging and can include sea level rise, coastal flooding and rising sea temperatures. NE-CC-2 adds provision to enable enhanced resilience of developments, activities and ecosystems within the north east marine plan areas to the effects of climate change and coastal change.	The site selection of the Projects incorporated the predicted impacts of climate change. Environmental baseline future trends showcase potential climate changes scenarios, such as sea level rise and cliff erosion rates. As two offshore wind farms, the Projects would make a significant contribution to the achievement of UK decarbonisation	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)**	The policy has been considered, and the application is compliant.

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			targets by generating low carbon, renewable energy.	**Volume 7, Chapters 8** to **12 (application ref: 7.8** to **7.12)**	
5.32	***NE-CC-3*** Proposals in the north east marine plan areas, and adjacent marine plan areas, that are likely to have significant adverse impacts on coastal change, or on climate change adaptation measures inside and outside of the proposed project areas, should only be supported if they can demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Large areas of the north east inshore marine plan area coastline are subject to or vulnerable to change. NE-CC-3 ensures proposals do not exacerbate coastal change, enabling communities to be more resilient and better able to adapt to coastal erosion and flood risk where identified. NE-CC-3 also supports proposals that do not compromise existing adaptation measures, which will enable an improvement in the resilience of coastal communities to coastal erosion and flood risk. Proposals that cannot avoid, minimise and mitigate significant adverse impacts will not be supported.	The Projects have the potential to affect marine and coastal processes. However, within the ES effects on waves affecting coastal morphology and changes to nearshore sediment pathways are assessed as not significant.	**Volume 7, Chapter 8 Marine Physical Environment (application ref: 7.8)**	The policy has been considered, and the application is compliant.
5.33	***NE-CCUS-1*** Decommissioning programmes for oil and gas facilities should demonstrate that they have considered the potential for re-use of infrastructure.	The re-use of existing oil and gas infrastructure may bring cost savings for carbon capture, usage and storage projects. Re-using oil and gas infrastructure for carbon capture, usage and storage may also potentially benefit existing owners and operators of these oil and gas assets through maximising the economic life of their asset, as well as offering wider benefits supporting decarbonisation of the UK economy. This policy encourages the consideration of infrastructure re-use by oil and gas operators prior to decommissioning. The policy notes that re- use of infrastructure may not be a viable or realistic option, the aim is for the potential to be considered.	N/A	N/A	Policy not applicable to application.

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5.34	***NE-CCUS-2*** Carbon capture, usage and storage proposals incorporating the re-use of existing oil and gas infrastructure will be supported.	The re-use of oil and gas infrastructure can be economically beneficial for both oil and gas, and carbon capture, usage and storage operators, as well as offering wider economic and environmental benefits. This policy encourages re-use by supporting new carbon capture, usage and storage proposals that utilise still viable oil and gas infrastructure. This policy does not mean proposals that do not incorporate the re-use of existing oil and gas infrastructure will be disadvantaged or rejected in the proposal process. Although the re-use of infrastructure can be beneficial, there are many complicated considerations to have regard to, and the suitability of each piece of infrastructure for re- use must be considered on a case-by-case basis.	This application neither captures nor stores carbon.	N/A	Policy is not applicable to application.
5.35	***NE-CCUS-3*** Proposals associated with the deployment of low carbon infrastructure for industrial clusters should be supported.	The government identified potential regional clusters which can be utilised for low carbon development in the Delivering clean growth: CCUS Cost Challenge Taskforce report and the subsequent plan, The UK carbon capture, usage and storage (CCUS) deployment pathway: an action plan. NE-CCUS-3 supports the development of low carbon industrial clusters where low carbon infrastructure, including carbon capture, usage and storage technologies could be deployed. Encouraging developments associated with industrial clusters aims to reduce the capital costs of deploying carbon capture, usage and storage, maximising the economies of scale. The Energy Technologies Institute Strategic UK CCS Appraisal provides a comprehensive review of likely carbon dioxide storage sites in the UK. Figure 1 - Map of UK offshore infrastructure and potential carbon dioxide storage sites from the Department of	Potential impacts of the Projects on the CCS sites, namely Northern Endurance and CCS Northen Leasing Round Southern North Sea Areas 1 and 3 have been considered within the ES. Proximity and crossing agreements would be agreed with affected operators post-consent so the impact on the CCS sites would not be significant.	**Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)**	The policy has been considered, and the application is compliant.

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		Business Energy and Industrial Strategy consultation on Carbon capture, usage and storage (CCUS) projects: re-use of oil and gas assets shows the Teesside and Humberside (Easington / Dimlington) areas of existing industrial infrastructure, and potential storage sites which would support Industrial Clusters in the north east marine plan areas. Supporting development associated with industrial clusters also aims to enhance connectivity between marine operations and land infrastructure, which will ensure that opportunities for carbon capture, usage and storage are realised. This policy will also benefit employment in coastal communities near industrial clusters, supporting the NE-INF1 and NE-EMP-1 policies. As carbon capture, usage and storage are at the early stages of deployment in the UK, the government guidance may change over the lifetime of the North East Marine Plan. This policy should be considered alongside the most recent government guidance, reflecting the current approach to the deployment of carbon capture, usage and storage.			
5.36	***NE-AIR-1*** Proposals must assess their direct and indirect impacts upon local air quality and emissions of greenhouse gases. Proposals that are likely to result in increased air pollution or increased emissions of greenhouse gases must demonstrate that they will, in order of preference: a) avoid b) minimise	Clean air is essential for life, health, the environment and the economy. Air pollution and greenhouse gas emissions must be reduced to protect health, habitats and species and reduce the impacts of climate change. NE-AIR-1 ensures that proposals consider and address where they may cause direct or indirect air pollution or greenhouse gas emissions and manage these accordingly. Proposals that cannot avoid, minimise or mitigate air pollution and/or greenhouse gas emissions in line with current national or local	Local air quality within this plan area would not be affected as the landfall and terrestrial elements of the Projects are approximately 17km outside of this plan area.	N/A	Policy not applicable to application.

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	c) mitigate - air pollution and/or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.	air quality objectives and legal requirements must not be supported.			
5.37	***NE-ML-1*** Public authorities must make adequate provision for the prevention, re-use, recycling and disposal of waste to reduce and prevent marine litter. Public authorities should aspire to undertake measures to remove marine litter within their jurisdiction.	Litter at sea often originates on land. Increase in development, access, recreation and tourism in the north east marine plan areas may result in increased litter, and an adverse impact on the environment on which these activities rely. Preventing marine litter through effective waste management is vital. Addressing marine litter along the coastline is also an important step towards dealing with this problem.	This policy is aimed at Public Authorities. Policy NE-ML-2 is more relevant to the Projects.	N/A	Policy not applicable to application.
5.38	***NE-ML-2*** Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported. Proposals that could potentially increase the amount of marine litter in the marine plan areas must include measures to, in order of preference: a) avoid b) minimise c) mitigate - waste entering the marine environment.	The natural landscapes, wildlife and recreational opportunities on offer in the marine plan areas attract visitors to the area. An increase in visitors and in coastal and marine development could lead to an increase in litter. NE-ML-2 makes sure proposals avoid, minimise or mitigate waste entering the marine environment and encourages support for improvements in waste management and removal of marine litter, during construction and over the lifetime of the development. Proposals that cannot avoid, minimise or mitigate waste entering the marine environment will not be supported.	A Waste Management Plan would be developed as part of the Projects' Environmental Management Plan (PEMP), which would be produced to avoid, minimise or mitigate any waste from entering the marine environment during the Projects lifecycle.	**Volume 8, Commitments Register (application ref: 8.6)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)** **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)** **Volume 7, Chapters 9** to **12 (application ref: 7.9** to **7.12)**	The policy has been considered, and the application is compliant.
5.39	***NE-WQ-1*** Proposals that protect, enhance and restore water quality will be supported.	Much of the economic and cultural prosperity of the north east marine plan areas is reliant on water quality. Activities can place stress on water bodies such that, in parts of the north east marine plan areas, water quality requires improvement. NE-WQ-	The environmental impact assessment concludes that there are no significant effects predicted during the operational phase of the Projects in relation to a reduction in water quality.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)**	Policy has been considered and the application is compliant.

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	Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - deterioration of water quality in the marine environment.	1 supports activities with a primary objective to protect, enhance and restore water quality. NE-WQ-1 also manages activities that may cause deterioration of water quality by ensuring that adverse impacts from proposals must be avoided, minimised and mitigated. With the exception of the derogations identified in Section 17 and 19 of The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 there should be no residual adverse impacts on inshore water bodies. From one nautical mile out to the outer limit of the UK Exclusive Economic Zone there should be no adverse impacts on water quality in line with The Marine Strategy Regulations 2010.	The Water Environment Regulations Compliance Assessment considered the potential effects of the Projects to ensure that the proposed activities would not cause or contribute to the deterioration of status or jeopardise any waterbodies from achieving Good status.	**Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Appendix 20-3 - Water Environment Regulations Compliance Assessment (application ref: 7.20.20.3)**	
5.40	***NE-ACC-1*** Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, including the provision of services for tourism and recreation activities, will be supported. Proposals that may have significant adverse impacts on public access should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	The provision of appropriate public access is essential for realising the economic, environmental, and social benefits associated with the growth of sustainable tourism and recreation within the north east marine plan areas. NE-ACC-1 supports proposals for appropriate enhanced and inclusive public access to, and within, the marine area, including those providing services for tourism and recreation activities. NE-ACC-1 also provides clarity on how public access should be protected and ensures that proposals do not have a significant adverse impact on existing public access. Where proposals cannot avoid, minimise or mitigate significant adverse impacts to public access, they should not be supported. While NE-ACC-1 supports and protects public access to the marine area, in some circumstances, access restrictions may be required. Where they are incompatible with	The landfall for the Projects is approximately 17km from the North East Plan Area.	N/A	Policy not applicable to application.

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		existing or proposed access restrictions, proposals for the provision of new public access should not be supported.			
5.41	***NE-TR-1*** Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Proposals that may have significant adverse impacts on tourism and recreation activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Tourism and recreation are widely recognised as important sectors within the north east marine plan areas, providing numerous economic and social benefits to coastal communities and visitors to the region. NE-TR-1 supports these growth industries through promotion of sustainable tourism and recreation at appropriate locations. It also encourages diversification of activities, for example through the extension of operating seasons or development of alternative uses for facilities to create additional employment opportunities, while reducing adverse impacts on natural resources and heritage assets. To minimise stakeholder conflict, this policy also addresses the potential impact of proposals on existing tourism and recreation use, or future potential activities; those proposals that cannot avoid, minimise and mitigate significant adverse impacts on tourism and recreation activities are unlikely to be supported.	The landfall and onshore parts of the Projects are remote from the North East Plan Area. It was considered that the impacts associated with the loss of, disruption to or pressure on local services and offshore activities, disturbance to social infrastructure and disruption to tourism and recreation activities during operation and maintenance were negligible, as presented in the agreed scoping opinion, and therefore the policy is not applicable.	**Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** **Volume 8, Scoping Opinion (application ref: 8.7)**	Policy not applicable to application.
5.42	***NE-SOC-1*** Those bringing forward proposals should consider and demonstrate how their development shall enhance public knowledge, understanding, appreciation and enjoyment of the marine environment as part of (the design of) the proposal.	NE-SOC-1 seeks to increase the general knowledge, understanding, appreciation and enjoyment by people of the many values provided by the marine environment through encouraging proposals that incorporate these factors.	The landfall and onshore parts of the Projects are remote from the North East Plan Area. However, a non-statutory Introductory Consultation took place from 9th September to 14th October 2022, which included a series of public exhibitions held across the East Riding area to introduce the Projects to the public and provide updates to the Projects Design.	**Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.
5.43	***NE-DEF-1*** Proposals in or affecting Ministry of Defence areas should only be authorised	There are a high number of defence activities and estates in the north east marine plan areas. Marine infrastructure can	The Projects have fully considered any potential effects on MOD Danger and Exercise Areas.	**Volume 7, Chapter 15 Aviation and Radar (application ref: 7.15)**	The policy has been considered, and the

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	with agreement from the Ministry of Defence.	affect their continuity or future use. NE-DEF-1 aims to avoid conflict between defence activities and new proposals within the north east marine plan areas. This policy will ensure defence interests are not hindered.	The Array Areas and Offshore Export Cable Corridor lie beneath the Southern Managed Danger Area (MDA), one of four MDA complexes in UK airspace that provide segregated airspace for military training. DBS East Array Area is beneath Danger Areas (DA) EG D323D, the DBS West Array Area is beneath Das EG D323B and C, while the Offshore Export Cable Corridor is beneath DAs EG D323C, D and K. Where relevant, mitigation measures have been committed to and further potential mitigation measures would be integrated once consulted upon with the MOD during examination and post-consent periods and would also reflect appropriate measures that are being discussed at an industry level through the Air Defence and Offshore Wind (AD&OW) Strategy and Implementation Plan (S&IP). For further details please refer to the recommended relevant chapters.	**Volume 7, Appendix 15-2 - Airspace Analysis and Radar Modelling (application ref: 7.15.15.2)**	application is compliant.
5.44	***NE-MPA-1*** Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate	Marine protected areas in the north east marine plan areas make a significant contribution towards the UK's network of ecologically coherent marine protected areas. NE-MPA-1 encourages and supports proposals for activities that further the conservation objectives of marine protected areas. NE-MPA-1 also ensures proposals take account of adverse impacts on individual sites and the overall network, protecting important habitats, species and geological features, and enabling the successful and continued management of these sites. Proposals that cannot avoid, minimise or mitigate adverse impacts should not be supported.	The Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the Habitats Regulations Assessment (HRA) Process. The Habitats Regulations Derogation: Provision of Evidence explains the long list of alternative solutions / measures considered by the Applicant. These alternatives include: alternative Offshore windfarm locations; Alternative Scale; Alternative Design and Method; Alternative Timing. However, the RIAA confirms that none of these alternative solutions are feasible and so a HRA derogation case has been made and concludes a commitment to compensatory measures.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, In Principle Site Integrity Plan for the Southern North Sea Special Area of Conservation (application ref: 8.26)** **Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)**	The policy has been considered, and the application is compliant.

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	- adverse impacts, with due regard given to statutory advice on an ecologically coherent network.		The cumulative residual impacts have been assessed within the RIAA (Report to Inform Appropriate Assessment). Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the DCO. In addition to the above measures, a Southern North Sea SAC Site Integrity Plan (SIP) is required under the dDCO. An In Principle SIP has therefore been submitted together with this DCO Application. The production of a detailed SIP has been secured by Condition 16 of deemed Marine Licences 1 and 2, and condition 14 of deemed Marine Licences 3 and 4 of the draft Development Consent Order.	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** **Volume 8, Stage 1 Marine Conservation Zone Assessment (application ref: 8.17)** **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)**	
5.45	***NE-MPA-2*** Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network, will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change, and so reduce the resilience of the marine protected	The effects of climate change on habitats and species poses a challenge to designated marine protected area sites in the north east marine plan areas. NE-MPA-2 ensures proposals account for adverse impacts on each impacted individual marine protected area's ability to adapt to climate change, improving resilience and working towards a well-managed marine protected area network.	It is not possible or appropriate to enhance an MPA's ability to adapt to climate change within this application. Impacts on MPAs would be minimised where possible and mitigation has been identified through the ES.	N/A	Policy not applicable to application.

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	area network, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts.	Proposals that cannot avoid, minimise or mitigate adverse impacts should not be supported.			
5.46	***NE-MPA-3*** Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.	Anthropogenic activities such as the burning of fossil fuels, deforestation, farming and methane release from animal farming have serious adverse impacts on the climate. These impacts include, but are not limited to, increased ocean acidity, temperature shifts, and increased storm activity. Climate change may result in marine protected area feature migration and/or feature displacement due to shifts in ranges of habitats and species. NE-MPA- 3 ensures flexibility by supporting boundary changes to improve the resilience of the marine protected area network. NE-MPA-3 enables adaptive management to help mitigate the loss of features within sites, and support adaptation to climate change.	Impacts upon the MPA network have been considered from the site selection stages through the EIA, Habitat Regulations Assessment and the RIAA.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapters 9** to **12 (application ref: 7.9** to **7.12)** **Volume 6, Report to Inform Appropriate assessment Habitats Regulations Assessment (application ref: 6.1)**	The policy has been considered, and the application is compliant.
5.47	***NE-MPA-4*** Proposals that may have significant adverse impacts on designated geodiversity must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Geodiversity in the north east marine plan areas has formed over billions of years. With natural change happening slowly over a long timescale, geodiversity is particularly vulnerable to human impacts. NE-MPA-4 makes sure proposals account for significant adverse impacts on designated geodiversity, protecting important geological and geomorphological features that underlie and determine the character of our landscape and seascape.	No designated sites for geodiversity (e.g. geological Sites of Special Interest) in the north east marine area are affected by the Projects.	N/A	Policy not applicable to application.

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		Proposals that cannot avoid, minimise or mitigate significant adverse impacts should not be supported.			
5.48	***NE-BIO-1*** Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.	Maintaining the distribution of priority habitats and priority species in the north east marine plan areas is important as it reduces habitat fragmentation, species isolation and supports strong, biodiverse communities which in turn provide ecosystem services. NE-BIO-1 encourages and supports proposals that enhance the distribution of priority habitats and priority species. NE-BIO-1 seeks to maintain the distribution of priority habitats and priority species through the management of significant adverse impacts. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for significant adverse impacts, will not be supported.	The ES considers impacts on marine and terrestrial ecology and identifies mitigation to protect species and habitats, where appropriate. In addition, the RIAA provides the assessment of effects on the National Site Network.	**Volume 7, Chapters 9** to **12 (application ref: 7.9** to **7.12)** **Volume 6, Report to Inform Appropriate assessment Habitats Regulations Assessment (application ref: 6.1)**	The policy has been considered, and the application is compliant.
5.49	***NE-BIO-2*** Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration, will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate	Competition for space, increased levels of development, and predicted effects of climate change can affect the connectivity, adaptive ability and migration of habitats and species in the north east marine plan areas. NE-BIO-2 supports and encourages proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration. NE-BIO-2 requires proposals to manage negative effects which may significantly adversely impact the functioning of healthy, resilient and adaptable marine ecosystems. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for significant adverse impacts, will not be supported.	The increased risk or spread of Invasive Non-Native Species (INNS) due to the colonisation of subsea infrastructure and vessel movements and the effects on benthic and intertidal ecology has been included in the Projects' ES. The PEMP would ensure the risk of potential introduction and spread of INNS will be minimised.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** **Volume 8, Commitments Register (application ref: 8.6)** **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)**	The policy has been considered, and the application is compliant.

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	- adverse impacts so they are no longer significant d) compensate for significant adverse impacts that cannot be mitigated.				
5.50	***NE-BIO-3*** Proposals that conserve, restore or enhance coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, will be supported. Proposals must take account of the space required for coastal habitats, where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate d) compensate for - net habitat loss.	In the north east inshore marine plan area, there are numerous important coastal habitats. Increased competition for space in and around these coastal habitats in the north east inshore marine plan area has resulted in coastal squeeze, a process where habitats have decreasing space between rigid coastal structures and rising sea level or coastal erosion. NE-BIO-3 encourages and supports proposals that deliver biodiversity gain by conserving, enhancing or restoring coastal habitats. NE-BIO-3 also requires proposals to manage net habitat loss as a result of coastal squeeze, to support the functioning of healthy and resilient coastal and intertidal ecosystems. Proposals that cannot avoid, minimise and mitigate or, as a last resort, compensate for net habitat loss, will not be supported.	The effects of additional infrastructure that could become colonised in the marine environment cannot be considered beneficial. Therefore, it is not possible / appropriate to enhance biodiversity. Impacts on biodiversity would be minimised where possible and mitigation has been identified through the ES.	N/A	Policy not applicable to application.
5.51	***NE-INNS-1*** Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported. Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when: 1) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another	The north east marine plan areas have a high risk of introducing or spreading invasive non-native species which may damage the marine area and harm populations of native flora and fauna. NE- INNS-1 aims to avoid or minimise damage to the marine area from the introduction or transport of invasive non-native species. Proposals that do not put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species will not be supported. NE-INNS-1 also aims to support those projects that attempt to reduce the risk	The increased risk or spread of INNS due to the colonisation of subsea infrastructure and vessel movements and the effects on benthic and intertidal ecology has been included in the Projects' ES. The PEMP would ensure the risk of potential introduction and spread of INNS will be minimised.	**Volume 7, Chapter 9 Benthic and Intertidal Ecology (application ref: 7.9)** **Volume 8, Commitments Register (application ref: 8.6)** **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim/Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
	2) introducing structures suitable for settlement of invasive non-native species, or the spread of invasive non-native species known to exist in the area.	and/or introduction of invasive non-native species, such as eradication projects.			
5.52	***NE-INNS-2*** Public authorities with functions to manage activities that could potentially introduce, transport or spread invasive non-native species should implement adequate biosecurity measures to avoid or minimise the risk of introducing, transporting or spreading invasive non-native species.	NE-INNS-2 aims to avoid or minimise the introduction and spread of marine invasive non- native species by encouraging public authorities with relevant functions throughout the north east to implement adequate biosecurity measures, increase awareness of invasive non-native species and provide suitable guidance to help reduce their adverse impacts on the marine environment, which could include the eradication of existing invasive species.	The Projects do not pose a risk of introducing, transporting or spreading INNS that can be managed by a Local Authority in this plan area, Policy NE-INNS-1 is more relevant.	N/A	Policy not applicable to application.
5.53	***NE-DIST-1*** Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts so they are no longer significant.	Disturbance and displacement from activities, including those that do not require authorisation such as tourism and recreation, can cause declines in some highly mobile species. NE-DIST-1 reduces the effects of disturbance and displacement by requiring proposals to manage impacts, highlighting good practice and encouraging strategic management of unauthorised activities. NE-DIST-1 enables people to appreciate marine biodiversity and act responsibly to protect and recover populations of rare, vulnerable and valued species. Proposals that cannot avoid, minimise and mitigate significant adverse impacts will not be supported.	Disturbance from construction activities such as movement of construction vessels and piling, and displacement during the operational stages of the Projects resulting in changes to prey resources and foraging areas have been considered in the ES. These impacts are predicted to be of local spatial extent, short term duration, intermittent and high reversibility for mobile species known to exist within the Projects Offshore Development Area. Overall, the significance of the impact on these species was deemed not significant, taking into account embedded and additional mitigation, and no significant impacts were identified to potential prey species (fish or benthic) or on the habitats that support them in the assessments on fish and benthic ecology.	**Volume 7, Chapter 11 Marine Mammals (application ref: 7.11).** **Volume 7, Chapter 12 Offshore Ornithology (application ref: 7.12)**	The policy has been considered, and the application is compliant.
5.54	***N-UWN-1*** Proposals that result in the generation of impulsive sound must contribute data to	Impulsive sounds can have an adverse effect on marine life and human enjoyment of marine areas. NE-UWN-1 supports the established noise registry to determine	The Applicants would contribute data to the UK Marine Noise Registry during post-consent operations.	**Volume 3, Draft Development Consent**	The policy has been considered, and the

Ref.	Policy and Policy Text	Policy Aim/Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
	the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the Marine Strategy Part One Descriptor 11.	baselines, levels of impulsive sound and management options through the recording and assessment of the distribution and timing of impulsive sound sources in the marine environment. This will enable effective marine management and protection of biodiversity or viable populations of species.		**Order (application ref: 3.1).**	application is compliant.
5.55	***NE-UWN-2*** Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse impacts on highly mobile species so they are no longer significant. If it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.	Underwater noise levels have increased with marine space use. Noise can affect highly mobile species, including causing chronic stress and death at higher intensities. NE-UWN-2 supports management of underwater noise, requiring proposals to take appropriate noise reduction actions. NE-UWN-2 enables clear and proportionate regulation to make sure marine activity respects environmental limits and protects biodiversity.	The noise generating scenarios which have been identified in relation to the potential for impacts to arise from construction noise and vibration can be categorised as follows: • Impact piling; • Unexploded ordinance (UXO) clearance; and • Other activities (e.g. vessel traffic, rock placement). For piling and UXO operation the risks of potential injury to fish or marine mammals are close to, or below the appropriate injury criteria at the source of noise. Mitigation measures including soft-start and ramp-up, seasonal restrictions within the Offshore Export Cable Corridor and no concurrent monopiling within the Array Areas and Offshore Export Cable Corridor are included within the ES and commitments register. Mitigation implemented during these construction operations to prevent injury to mobile species within the immediate area may include Acoustic Deterrent Devices (ADDs) and Marine Mammal Observers (MMObs), and would be discussed in the final Marine Mammal Mitigation Protocol (MMMP) to be agreed post-consent. Underwater noise during decommissioning techniques has the potential for an effect,	**Volume 7, Chapter 10 Fish and Shellfish Ecology (application ref: 7.10)** **Volume 7, Chapter 11 Marine Mammals (application ref: 7.11)** **Volume 7, Appendix 11-3 - Underwater Noise Modelling Report (application ref: 7.11.11.3)** **Volume 8, Outline Marine Mammal Mitigation Protocol (application ref: 8.25)** **Volume 8, Commitments Register (application ref: 8.6)**	The policy has been considered, and the application is compliant.

Ref.	Policy and Policy Text	Policy Aim/Rationale	Assessment of Plan Policy (include why screened out)	Relevant Documents	Assessment Result
			however a separate and new impact assessment would be required once the techniques to be used are understood.		
5.56	***NE-CE-1*** Proposals which may have adverse cumulative effects with other existing, authorised, or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate - adverse cumulative and/or in-combination effects so they are no longer significant.	While cumulative effects are considered in relevant assessments and decision-making, the increasing use of the marine area reinforces the need to consider and address cumulative effects of both terrestrial and maritime projects, in line with the aims set out in the UK Marine Policy Statement. In conjunction with and in support of other relevant north east marine plan policies, this policy is intended to ensure relevant effects, including those that may seem less significant in their own right, are taken account of and addressed. In doing so, the policy will help to ensure that cumulative effects on the wider environment of the north east marine plan areas and other relevant receptors are effectively managed.	Cumulative impacts, both with other offshore wind farms in the region and with other marine and terrestrial development have been considered and where appropriate, additional mitigation has been included in the application.	**Volume 7, Appendix 6-1 - Onshore Cumulative Effects Assessment Methodology (application ref: 7.6.6.1)** **Volume 7, Appendix 6-2 - Offshore Cumulative Effects Assessment Methodology (application ref: 7.6.6.2)** Considered within all offshore and onshore chapters (**Volume 7, Chapter 8 – 30 (application ref: 7.8** to **7.30)**)	The policy has been considered, and the application is compliant.
5.57	***NE-CBC-1*** Proposals must consider cross-border impacts throughout the lifetime of the proposed activity. Proposals that impact upon one or more marine plan areas or terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.	NE-CBC-1 requires a considered approach to enhance cross-border co-operation between the terrestrial and marine planning systems in the north east marine plan areas, the bordering English east marine plan areas and the jurisdiction of Scotland, Norway, Denmark, Germany and the Netherlands.	The application is for an English offshore wind farm which has thoroughly considered impacts across both terrestrial and marine environments, as well as across both the North East Marine Plan areas and the East Marine Plan areas, due to the cross-border nature of the wind farm and its cabling. All appropriate consultation with the relevant planning authorities, has been completed and will continue throughout the DCO process and would be undertaken as required throughout the Projects lifecycle.	**Volume 5, Consultation Report (application ref: 5.1)** **Volume 7, Chapter 7 Consultation (application ref: 7.7**)	The policy has been considered, and the application is compliant.

1.14 National Planning Policy Framework

Table 1-6 National Planning Policy Framework (NPPF, 2023) Table of Compliance

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
6.1	Decision making Para. 2	Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.	The Applicants have considered all international, national, marine, and local planning policy and legislative context that is relevant to the impact assessment of the Projects.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**
6.2	Role of the NPPF in NSIP-scale applications Para. 5	The Framework does not contain specific policies for nationally significant infrastructure projects. These are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy, and may be a material consideration in preparing plans and making decisions on planning applications.	Notwithstanding the wording of NPPF Paragraph 5, the Applicants have undertaken a review of the NPPF and the Projects' compliance with those policies contained within the NPPF, through this table (**Table 1-6**), as the Applicants consider the NPPF to be both important and relevant to the SoS' decision.	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** **Volume 8, Design and Access Statement (application ref: 8.8)** **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
6.3	Other Material Statements Para. 6	Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.	The Applicants are cognizant of this and have duly considered those other material statements through the Policy and Legislative Context Assessment. This includes the 2020 Energy white paper: Powering our net zero future, for example.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)**
6.4	Sustainable development Paras. 7, 8, 9 and 10	The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. From an economic perspective, the Projects, if built Concurrently, will lead to construction expenditure within the Humber Region whose residual effect is **moderate** beneficial and so significant in EIA terms. If built In Isolation or Sequentially, the residual effect on construction expenditure	**Volume 8, Planning Statement (application ref: 8.1)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		address social progress, economic well-being and environmental protection. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure; b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.	within the Humber Region is **minor** beneficial, not significant in EIA terms. In addition, if the Projects are built In Isolation, the Projects would support up to 1,190 jobs supported across the UK, including 760 jobs supported across the Humber Region during the development and construction. If the Projects are built Concurrently, the Projects would support up to 2,380 jobs supported across the UK, including 1,520 jobs supported across the Humber Region during the development and construction. If the Projects are built Sequentially, the Projects would support up to 1,550 jobs supported across the UK, including 930 jobs supported across the Humber Region during the development and construction. From a social perspective, the disturbance (noise, air quality, visual and traffic) to social infrastructure and population and social infrastructure impacts arising from all Development Scenarios results in residual effects that are both adverse and beneficial but are no greater than **negligible** and so not significant in EIA terms. From an environmental perspective, the Applicants have sought to protect and enhance the natural, built and historic environment as far as practical. The Applicants assessment and application of the mitigation hierarchy for the Projects have widely mitigated residual adverse effects to a level which is no greater than **minor** adverse, not significant in EIA terms. The Applicants assessment concludes the following significant effects however: For Terrestrial Ecology and Ornithology, following the assessment, residual impacts have been identified: • **Moderate** adverse effects on Breeding birds during construction; and • **Moderate** adverse effects identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for: o Impact 2: Construction disturbance - Non-statutory designated sites; and	

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).	○ Impact 3: Temporary habitat loss / fragmentation (impact 2) relating to nitrogen deposition at Bentley Moor Wood and ancient woodland. For Socio-economics, Construction Concurrent Expenditure within the Humber Region results in a residual **moderate** beneficial effect, which is significant in EIA terms. For Tourism and Recreation, Construction Impact 2: Tourism Assets on Butt Farm Caravan and Camping results in a residual **moderate** adverse effect which is significant in EIA terms. For Land Use, Operational Impact 2 Permanent Loss of Land for Agriculture on agricultural land results in residual **major** adverse effect, which is significant in EIA terms. For Landscape and Visual Impact, Operational Impact 1: Landscape Effects of Onshore Converter Stations on Onshore Substation Zone, Operational Impact 2: Landscape Effects of the Onshore Converter Stations on the Yorkshire Wolds Important Landscape Area (ILA) on Yorkshire Wolds ILA and Operational Impact 3: Visual Effects of Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate result in residual **moderate** adverse effects, which are significant in EIA terms. For Human Health, Operational Wider Societal Infrastructure on General Population results in a residual **moderate** beneficial effect, which is significant in EIA terms. For Tourism and Recreation, Operational Impact 6: Tourism Assets on Butt Farm Caravan and Camping results in residual **moderate** adverse effect, which is significant in EIA terms. For Offshore Ornithology, Impact 9 Cumulative Assessment of Operational Displacement on Gannet, Guillemot, Razorbill, Puffin and Impact 10 Cumulative Assessment of Operational Collision Risk on Gannet, Kittiwake, Lesser black-backed gull, Herring gull and Great black-backed gull result in residual **negligible-moderate** adverse effects, which are significant in EIA terms. For Commercial Fisheries, Cumulative Impact 1: Loss or restricted access to fishing grounds – Offshore Export Cable	

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
			Corridor (Construction and Decommissioning) on dredge and Cumulative Impact 2: Displacement leading to gear conflict and increased pressure on adjacent fishing grounds – Offshore Export Cable Corridor (Construction and Decommissioning) on dredge result in residual **moderate** adverse effects, which are significant in EIA terms. For Climate Change, whole life cycle operation and maintenance GHG emissions and avoided GHG emissions from the provision of renewable energy (all Development Scenarios) and whole life cycle emissions and net effect on climate change (all Development Scenarios) on the global atmosphere results in a residual **moderate** beneficial effect, which are significant in EIA terms.	
6.5	Presumption in Favour of Sustainable Development Paras. 11 and 12	Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: c. approving development proposals that accord with an up-to-date development plan without delay; or d. where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date	The Applicants recognise that a presumption in favour of sustainable development should be applied where Projects accord with an up-to-date development plan. This means that decision makers should seek to approve consent, without delay, for Projects which reflect sustainable development, such as the Projects. An assessment of the Projects' compliance with the local development plan has been undertaken and is captured within **Table 1-7** of this Document. Upon review of the adopted and draft emerging East Riding of Yorkshire Local Plan (Strategy Document) in **Table 1-6** of these Assessment Tables, the Applicants consider that the adopted and draft emerging Local Plan support the Projects.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		development plan, but only if material considerations in a particular case indicate that the plan should not be followed.		
6.6	Decision-making, Pre-application and front-loading Para. 38	Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. They cannot require that a developer engages with them before submitting a planning application, but they should encourage take-up of any pre-application services they offer. They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications. The more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.	As set out in the ES Chapter on Site Selection and Assessment of Alternatives, stakeholder consultation and engagement has played a fundamental role in shaping the Projects. A comprehensive account of all consultation undertaken to assist in the development of the Projects is included within ES Chapter on Consultation as well as the Consultation Report. Stakeholder engagement with Statutory Consultees took place under the EPP. The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provides a useful stakeholder engagement approach on key elements and outcomes of the ES process which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes. On 26th July 2022, the Applicants submitted a Scoping Report to the Planning Inspectorate (Planning Inspectorate, 2022). The SoS then issued the scoping opinion for the proposed Projects on 2nd September 2022. On 06th June 2023 the Applicants published a Preliminary Environmental Information Report (PEIR) for statutory consultation, under Sections 42 and 47 of the Planning Act 2008, with the window for providing comments running until 17th July 2023. Following the closing of this consultation period, it was identified that a small number of properties within the consultation zone had been omitted from the statutory consultation, and a number of 3rd party stakeholders were not consulted. As a result, the Applicants carried out a supplementary statutory consultation which ran from 4th August 2023 until 15th September 2023. A further targeted statutory consultation period between the 13th November to the 10th December 2023 was undertaken involving all parties with an interest in the areas of land within the Onshore Development Area where adjustments had been made since the Projects' PEIR consultation. The consultation process described above informed several design/project changes. Where technical consultation	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 5 Project Description (application ref: 7.5** **Volume 7, Chapter 7 Consultation (application ref: 7.7)** **Volume 5 Consultation Report (application ref: 5.1)** **Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible. The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible. Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question. Local planning authorities should consult the appropriate bodies when considering applications for the siting of, or changes to, major hazard sites, installations or pipelines, or for development around them. Applicants and local planning authorities should consider the potential for voluntary planning performance agreements, where this might achieve a faster and more effective application process. Planning performance agreements are likely to be needed for applications that are particularly large or complex to determine.	feedback has informed the site selection or Projects' design; this is outlined in the ES Chapters on Site Selection and Assessment of Alternatives as well as on Project Description. Consultation feedback received has been carefully considered as the project design was being finalised and the documentation has been updated to form the final ES that accompanies the DCO (including DML) application. Regarding HRA the details of the process followed by the Projects is contained within the RIAA document. The RIAA has been consulted upon during the pre-application period and all HRA matters discussed with relevant stakeholders through the EPP. The Habitats Derogation Provision of Evidence document outlines the evidence to support Stage 3 (Derogation) of the HRA Process. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. With regard to planning performance agreements (PPA), the Applicants and ERYC have agreed a PPA.	
6.7	Planning Conditions and Obligations Paras. 55 to 58	Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used	The Applicants do not consider that there are any matters which are required to be secured through planning obligations.	**Volume 3, Draft Development Consent Order (application ref: 3.1)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		where it is not possible to address unacceptable impacts through a planning condition. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification. Planning obligations must only be sought where they meet all of the following tests: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.	The submitted dDCO includes draft requirements and DML conditions to ensure that the construction, operation and decommissioning of the Projects is acceptable.	
6.8	Building a strong, competitive economy Paras. 85 and 87	Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider	The Projects, if built Concurrently, will lead to construction expenditure within the Humber Region whose residual effect is **moderate** beneficial and so significant in EIA terms. If built In Isolation or Sequentially, the residual effect on	**Volume 8, Planning Statement (application ref: 8.1)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.	construction expenditure within the Humber Region is **minor** beneficial, not significant in EIA terms. If the Projects are built In Isolation, the Projects would support up to 1,190 jobs supported across the UK, including 760 jobs supported across the Humber Region during the development and construction. If the Projects are built Concurrently, the Projects would support up to 2,380 jobs supported across the UK, including 1,520 jobs supported across the Humber Region during the development and construction. If the Projects are built Sequentially, the Projects would support up to 1,550 jobs supported across the UK, including 930 jobs supported across the Humber Region during the development and construction. In any case, the Projects would generate significant economic benefits which would support local policy EC1's objectives. Policy EC1 seeks to support the growth and diversification of the East Riding economy through employment clusters around renewable energy, for example.	**Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)** **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
6.9	Supporting a prosperous rural economy Para. 88	Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings; b) the development and diversification of agricultural and other land-based rural businesses; c) sustainable rural tourism and leisure developments which respect the character of the countryside; and d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.	The Applicants recognise the importance of existing and established rural businesses. The Applicants' assessment concludes: • For Tourism and Recreation, Construction Impact 2: Tourism Assets on Butt Farm Caravan and Camping results in a residual **moderate** adverse effect which is significant in EIA terms; • For Tourism and Recreation, Operational Impact 6: Tourism Assets on Butt Farm Caravan and Camping results in residual **moderate** adverse effect, which is significant in EIA terms; • For Landscape and Visual Impact, Operational Impact 1: Landscape Effects of Onshore Converter Stations on Onshore Substation Zone, Operational Impact 2: Landscape Effects of the Onshore Converter Stations on the Yorkshire Wolds ILA on Yorkshire Wolds ILA and Operational Impact 3: Visual Effects of Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley	**Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)** **Volume 7, Chapter 23 Landscape and Visual Impact (application ref: 7.23)** **Volume 8, Policy Compliance Assessment Tables (application ref: 8.2)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
			20 near Broadgate result in residual **moderate** adverse effects, which are significant in EIA terms; and • The significant adverse residual effects captured above are framed against the Projects' wider and substantial contribution to both the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. In addition, the economic benefits arising from the construction of the Projects would be significant also, as outlined in the Applicants response to Ref. 6.3 above.	
6.10	Promoting healthy and safe communities Paras. 96 and 97	Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages; b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.	The Socio-economics and Human Health assessments conclude that no residual effect is greater than **minor** adverse or beneficial for any impact, therefore not significant in EIA terms, besides for: • For Socio-economics, the Projects concurrent construction expenditure within the Humber Region would result in a residual **moderate** beneficial effect, which is significant in EIA terms; and • For Human Health, the Projects' operational impact on wider societal infrastructure to the general population results in a **moderate** beneficial effect, which is significant in EIA terms. As outlined throughout the ES, the Projects will deliver significant social and economic benefits as outlined within the ES Chapter on Socio-economics. This includes contributing to a skilled, diverse workforce and strengthen the existing manufacturing base which will be secured via the Outline Skills and Employment Strategy. The production of a detailed Skills and Employment Strategy is secured via Requirement 26 of the dDCO.	**Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 8, Outline Skills and Employment Strategy (application ref: 8.5)** **Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** - section 28.6 **Volume 7, Chapter 27 Human Health (application ref: 7.27)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments; b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.		
6.11	Protecting and enhancing Public Rights of Way Paras. 103 and 104	Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. Planning policies and decisions should protect and enhance public rights of way and access, including taking	The likely significant effects of the Projects on Land Use has been considered and assessed. The Land Use Assessment provides an overview of the existing environment for the Onshore Development Area landward of MHWS, followed by an assessment of likely significant effects for the construction, operation, and decommissioning stages of the Projects. The Land Use Chapter of the ES describes the impacts of any temporary or permanent land take within the Onshore Development Area that may occur to the following relevant receptors: • Environmental Stewardship schemes, designated areas (e.g. SSSIs), sites allocations, PRoW, cycle routes, coastal paths and utilities.	**Volume 7, Chapter 21 Land Use (application ref: 7.21)** **Volume 8, Appendix C - Outline Public Rights of Way Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)** **Volume 7, Chapter 29 Tourism and Recreation (application ref: 7.29)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.	The Tourism and Recreation assessment confirms that, through a considered site selection process, all open space and common land has been avoided except at Skipsea Beach where there would be temporary works (should the short HDD route to Landfall be selected). There will be no permanent closures of any recreational routes. However, there would be one minor permanent diversion where a PRoW crosses the permanent access for the Onshore Substation Zone, to allow for a change in level. Any disturbance would be temporary and reinstated as soon as reasonably practical.	
6.12	Promoting sustainable transport Paras. 108, 109, 114, 115 and 117	Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and	The Applicants have provided a Traffic and Transport Assessment as contained within the respective Chapter. The Assessment concludes that no construction, operation or decommissioning impact will result in a residual effect which is greater than **minor** adverse, not significant in EIA terms. To achieve this, the Applicants have submitted an Outline Construction Traffic Management Plan (OCTMP) which is provided in support of the DCO application. The OCTMP includes outline travel plan measures, which would be developed further in consultation with the relevant highway authorities prior to the commencement of the Projects. The production of a final Construction Traffic Management Plan is secured by Requirement 14 under Schedule 2 Part 1 Requirements of the dDCO. The Applicants have submitted a Traffic Assessment, as an appendix to the Traffic and Transport Chapter, which has been produced in accordance with current transport guidance.	**Volume 7, Chapter 24 Traffic and Transport (application ref: 7.24)** - section 24.6 and 24.7 **Volume 8, Outline Construction Traffic Management Plan (application ref: 8.13)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 7, Appendix 24-2 - Transport Assessment (application ref: 7.24.24.2)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.		

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
6.13	Making effective use of land Para. 123	Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.	The land required for the Onshore Converter Station will result in medium to long-term residual impacts to changes in land use and agri-environmental schemes during operation of the Projects. Whilst the loss to agriculture will be medium to long term, the land surrounding the Onshore Converter Station will be reinstated to agriculture, bounded by proposed native woodland and an area of SuDs. Details of this are provided in the Outline Landscape Management Plan submitted as part of this application. The above notwithstanding, the effective use of natural resources has been a key consideration of the Applicants to ensure impacts are minimised. The Design and Access statement outlines the Onshore Design Principles which have been used to ensure the Projects onshore elements respond to a variety of technical and environmental development criteria.	**Volume 7, Chapter 21 Land Use (application ref: 7.21)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 8, Design and Access Statement (application ref: 8.8)** - section 4
6.14	Meeting the challenge of climate change, flooding and coastal change Para. 157	The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. New development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. The Applicants assessment includes a greenhouse gas assessment and a CCRA. The assessment considers: several climate change variables (such as sea level rise, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected such as the coast. The CCRA concludes that all receptors have a low vulnerability to climate variables and their resulting hazards.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6 and Table 30-30

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
6.15	Planning and Flood Risk Paras. 165 to 168 and 173	Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: A) applying the sequential test and then, if necessary, the exception test as set out below; B) safeguarding land from development that is required, or likely to be required, for current or future flood management; C) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and D) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated	A FRA has been undertaken in accordance with the NPPF and the methodology and criteria provided for the application of the Sequential Test and Exception Test within the Planning Practice Guidance. The Projects Onshore elements are to be located principally in Flood Zone 1 and at low risk from surface water flooding, including the majority of the Onshore Export Cable Corridor and the Onshore Substation Zone. Furthermore, there is a low risk of flooding from all other sources of flood risk. Permanent above-ground structures, comprising the Onshore Converter Stations, are to be located within Flood Zone 1 and are therefore in accordance with the Sequential Test guidance related to placing development in the lowest flood risk areas. With regards to surface water flood risk, it is noted that the Landfall Zone and Onshore Converter Stations are principally at low risk of surface water flooding. Therefore, it is considered that flood risk concerns can be appropriately mitigated within the detailed design. On this basis, the Projects are in accordance with the Sequential Test in that areas principally at low risk have been identified over those areas at increased risk. In addition, the Flood Risk Assessment has considered the Projects susceptibility to climate change related risks and concludes that the Projects will be resilient to such risks. The above notwithstanding, it is acknowledged that there are locations where infrastructure is required to pass through or to be located in Flood Zone 3 or at increased risk of surface water flooding. This relates to the Onshore Export Cable Corridor and areas adjacent to the Landfall Zone. It is also noted that the principal interaction with Flood Zone 3 is at key locations along the Onshore Export Cable Corridor (associated with the need to cross existing watercourses). Taking into account the two parts of the Exception Test, it is concluded that the first part comprising the provision of wider sustainability benefits to the community has been passed on the basis that the Projects, as NSIPs provide energy certainty utilising a sustainable and renewable source of energy at a national scale.	**Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment59. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: A) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; B) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; C) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; D) any residual risk can be safely managed; and E) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.	With regard to the second part of the Exception Test, it is necessary to consider the Project in the context of its scale and that the majority of the Onshore Export Cable Corridor, as well as the Onshore Converter Stations, are not located within an area considered to be at risk of fluvial or tidal flooding. Elements that are likely to pass through areas at increased risk of flooding, i.e., Flood Zone 3 or high surface water flood risk, comprise the subterranean development which, following construction, will not be vulnerable to flood risk during its operational lifetime and will not increase flood risk elsewhere. For the subterranean development, it is only during the construction works that there is the potential for a temporary increase in flood risk and this will be mitigated through the use of appropriate management measures. Therefore, it is considered that the second part of the Exception Test has been passed, as it has been demonstrated that the infrastructure can be designed such that it would be safe for its lifetime, without increasing flood risk elsewhere. The Flood Risk and Hydrology Assessment concludes that the potential impacts upon the Projects during construction, operation and decommissioning (across all Development Scenarios) results in a significance of effect which is no greater than **minor** adverse, not significant in EIA terms.	
6.16	Sustainable Urban Drainage Systems (SuDs) Para. 175	Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: A) take account of advice from the lead local flood authority; B) have appropriate proposed minimum operational standards;	As part of the Flood Risk Assessment, the discharge of surface water from the Onshore Converter Stations has been considered within the context of the surface water flood risk and the need to ensure that any drainage solutions do not result in an increase in flood risk either to or from the Onshore Converter Stations.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 8, Outline Drainage Strategy (application ref: 8.12)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		C) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and D) where possible, provide multifunctional benefits.	Surface water drainage requirements will be designed to meet the requirements of the NPPF, NPS EN-1 and the CIRIA SuDS Manual C753, as well as East Riding of Yorkshire Council's Combined Planning Note and Standing Advice on Sustainable Drainage Systems (SuDS) & Surface Water Drainage Requirements for New Development (2016). Runoff from the Onshore Converter Stations will be limited and discharged in accordance with best practice. Details of the proposed surface water drainage design, including the approach to the adoption of the SuDs Hierarchy, during construction and operation has been set out within the Outline Drainage Strategy. The production of detailed construction and operational drainage strategies has been secured via Requirement 16 of the dDCO.	
6.17	Costal Change Paras. 176 and 178	In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes. Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that: a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change; b) the character of the coast including designations is not compromised; c) the development provides wider sustainability benefits; and d) the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast.	The Applicants are cognisant of the importance of the UK Marine Policy Statement (MPS) and the relevant Marine Plans, being the East Inshore and Offshore Marine Plan (April, 2014) and the North East Inshore and Offshore Marine Plan (June, 2021), in decision making. The Applicants have undertaken a detailed review of the Projects' compliance with the above referenced Marine Plans through Tables 1-4 and 1-5 of this Document. The Marine Plans and the MPS present the national, regional and local planning policy that is relevant to the impact assessment of the Projects. Specific aspects of policy from the MPS and relevant Marine Plans relevant to each EIA topic are included in the appropriate chapters of the ES. Part of the Projects Landfall Zone lies within a Coastal Change Management Area, as designated by East Riding of Yorkshire Council. As such, the Applicants can confirm that: The Applicants assessment includes a greenhouse gas assessment and a CCRA. The assessment considers: several climate change variables (such as sea level rise, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected such as the coast. The CCRA concludes that all receptors, including the Landfall Zone, have a low vulnerability to climate variables and their resulting hazards.	**Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 7, Chapter 24 Traffic and Transport (application ref: 7.24)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
			The Landscape and Visual Impact Assessment considers the landscape character of the coast, including designations, and concludes that the Landfall Zone's construction and operation will not result in an effect which is greater than **minor** adverse and so not significant in EIA terms. The Projects would make a significant contribution to the achievement of both the national renewable energy targets and to the UK's contribution to global efforts to reduce the effects of climate change. The Traffic and Transport Assessment concludes that no potential impacts of the Projects construction, operation, or decommissioning (across any Development Scenario) will result in an effect which is greater than **minor** adverse, and so not significant in EIA terms.	
6.18	Conserving and enhancing the natural environment Para. 180	Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to	Opportunities for mitigation and the enhancement of landscapes have been identified where appropriate in the Applicants assessment. An outline approach to embedded design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape Management Plan. The final written Landscape Management Plan (which would be required to accord with the Outline Landscape Management Plan) will be secured by Requirement 10 of the dDCO. The Terrestrial Ecology and Ornithology Assessment assesses the potential impacts of the Projects upon receptors which include but are not limited to: National statutory designated sites, Non-statutory designated sites, Reptiles and Over-wintering birds. Following the imposition of mitigation measures, (such as the Outline Code of Construction Practice and it's appendices, the Outline Project Environmental Management Plan and Outline Landscape Management Plan), the residual effects arising from the Projects are no greater than **minor** adverse, not significant in EIA terms across all Impacts besides: • **Moderate** adverse effect on Breeding birds during construction; and	**Volume 8, Outline Landscape Management Plan (application ref: 8.11)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** **Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** **Volume 7, Chapter 21 Land Use (application ref: 7.21)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.	• **Moderate** adverse effect identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for: o Impact 2: Construction disturbance - Non-statutory designated sites; and o Impact 3: Temporary habitat loss / fragmentation (impact 2) relating to nitrogen deposition at Bentley Moor Wood and ancient woodland. In order to secure BNG for the Projects a BNG Strategy will be provided prior to the commencement of construction. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30-year period. The Geology and Land Quality Assessment concludes that no construction, operation or decommissioning effect (across all Development Scenarios) will result in an effect which is greater than **minor** adverse, and so not significant in EIA terms. The Land Use Assessment considers the economic and other benefits of BMV Land. The Assessment concludes that no construction, operation or decommissioning effect (across all Development Scenarios) will result in an effect which is greater than **minor** adverse, and so not significant in EIA terms besides operational Impact 2 Permanent Loss of Land for Agriculture on agricultural land whose residual effect is **major** adverse and is significant in EIA terms.	

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
			The Applicants assessment concludes that all bar one impact on soil, air, water, or noise pollution or land instability result in residual effects which are no greater than **minor** adverse, and so not significant in EIA terms.	

6.19	Habitats and biodiversity
	Para. 186
	Presumption affecting habitats sites
	Para. 188
		When determining planning applications, local planning authorities should apply the following principles:
		a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
		b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
		c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons67 and a suitable compensation strategy exists; and
		d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate
		The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an
			The Terrestrial Ecology and Ornithology Assessment assesses the potential impacts of the Projects upon receptors which include, but are not limited to: National statutory designated sites, Non-statutory designated sites, Reptiles and Over-wintering birds. Following the imposition of mitigation measures, (such as the Outline Code of Construction Practice and it's appendices, the Outline Project Environmental Management Plan and Outline Landscape Management Plan), the residual effects arising from the Projects are no greater than **minor** adverse, not significant in EIA terms across all Impacts besides:
			• **Moderate** adverse effect on Breeding birds during construction;
			• **Moderate** adverse effect identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for:
			  ○ Impact 2: Construction disturbance - Non-statutory designated sites; and
			  ○ Impact 3: Temporary habitat loss / fragmentation (impact 2) relating to nitrogen deposition at Bentley Moor Wood and ancient woodland.
			In order to secure BNG for the Projects a BNG Strategy will be provided prior to the commencement of construction.
			The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will:
			• Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain;
			• Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and
				Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)
				Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)
				Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)
				Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)
				Volume 6, Appendix 1 - Project Level Kittiwake Compensation Plan (application ref: 6.2.1)
				Volume 6, Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)
				Volume 6, Appendix 3 Project Level Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.	• Detail how compensation will be legally secured, managed and monitored for a minimum 30-year period. The Applicants have submitted a Habitats Regulations Derogation Provision of Evidence document to provide evidence to support Stage 3 (Derogation) of the HRA Process. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. For all other sites and features assessed in the RIAA, a conclusion of no adverse effect on site integrity is reached.	
6.20	Ground conditions Paras. 189 and 190	Planning policies and decisions should ensure that: a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.	The existing ground conditions and potential sources of contamination has been identified. The baseline environment and assessment have been informed by the Geo-Environmental Desk Study and Preliminary Risk Assessment Report, which reviewed potential sources of contamination associated with the current and historical land uses within the study area. An assessment of the potential impacts associated with the construction and operation of the Projects have been undertaken. Potential mitigation measures, for example targeted ground investigations in areas of concern, are also discussed within the Geology and Land Quality Chapter of the ES. The Assessment concludes that all residual effects of the Projects' construction, operation and decommissioning will result in effects which are no greater than **minor** adverse, not significant in EIA terms.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - sections 19.5 and 19.6 **Volume 7, Appendix 19-2 - Geo-Environmental Desk Study and Preliminary Risk Assessment Report (application ref: 7.19.19.2)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.		
6.21	Pollution Para. 191	Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: A) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; B) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and C) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.	In addressing each point in turn, the Applicants Noise Assessment concludes that no construction, operation or decommission impact of the Projects (across all Development Scenarios) will result in an effect which is greater than **minor** adverse, and so not significant in EIA terms. In relation to human health, the human health assessment concludes that no noise impact arising from the Projects construction, operation and decommissioning (across all Development Scenarios) on the general population and vulnerable group population will result in an effect which is greater than **minor** adverse, and so not significant in EIA terms. Operational lighting at the Onshore Converter Stations would be designed in accordance with latest guidance and legislation. The details of the location, height, design and luminance of lighting to be used would be provided as part of detailed design for the Onshore Converter Stations. No permanent night-time lighting would be required. Security lighting will be installed as agreed in the written scheme for the management and mitigation of artificial light emissions during the operation, which would be developed at the detailed design as set out in Requirement 22 of the dDCO.	**Volume 7, Chapter 25 Noise (application ref: 7.25)** - section 25.6. **Volume 7, Chapter 27 Human Health (application ref: 7.27) -** section 27.6. **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** - sections 25.5 and 25.6
6.22	Pollution – Air Quality Para. 192	Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality	The Air Quality Assessment considers the likely significant effects of the Projects on local air quality. The Chapter provides an overview of the existing environment for the Onshore Development Area. The Assessment considers any relevant Local Air Quality Management Areas. The Assessment concludes that East Riding of Yorkshire Council has not declared any statutory AQMAs within its area of jurisdiction. Meanwhile, Hull City Council has declared a statutory AQMA for exceedances of the NO2 annual mean around the A63 trunk road which runs through the centre of the City. The air quality study area falls within the Hull AQMA No.1. The Assessment concludes that no construction, operation or decommissioning impact (across all Development Scenarios) leads to a residual effect	**Volume 7, Chapter 26 Air Quality (application ref: 7.26)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
		Management Areas and Clean Air Zones is consistent with the local air quality action plan.	which is greater than not significant in EIA terms, where mitigation measures are implemented. The Projects Outline Code of Construction Practice forms part of the embedded mitigation for Air Quality impacts.	
6.23	Proposals affecting heritage assets Paras. 200, 205	In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.	An assessment of aerial photographic and LiDAR data and historic map regression, a heritage walkover survey and geoarchaeological desk-based assessment has been undertaken. In addition, the Applicants have utilised other data sources such as, but not limited to: National Heritage List for England (NHLE), Humber Historic Environment Record, CITiZAN Dataset, Relevant Regional, Local and Period Archaeological Studies and Journals, The Archaeology Data Service, Cartographic sources (the East Riding Archives, National Mapping Programme and Envirocheck Report) and Aerial Photographic Data (Historic England Archive and the Humber HER, and ortho-rectified mosaics of vertical aerial photographs at Google Earth). The above data sources have served to inform an understanding of the known and potential onshore archaeological and cultural heritage resource (and the significance of the asset(s)) within the defined study areas. The potential monitoring requirements of the Onshore Archaeology and Cultural Heritage have been informed by an Archaeological Desk Based Assessment (ADBA), Aerial Photograph assessment, Heritage Walkover Survey, Settings Assessment, Geoarchaeological Desk Based Assessment (GDBA) and Geophysical Survey. The dDCO secures the completion of detailed onshore and offshore WSIs. The detailed Written Archaeological Scheme of Investigation (Onshore) is secured through Requirement 18. The Onshore Archaeology and Cultural Heritage Assessment concludes that no impact arising from the Projects will result in a residual effect, post-imposition of mitigation measures, which is greater than **minor** adverse, not significant in EIA terms.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - section 22.6 **Volume 7, Appendix 22-1 - Onshore Archaeology and Cultural Heritage Consultation Response (application ref: 7.22.22.1)** **Volume 7, Appendix 22-2 - Archaeological Desk Based Assessment (application ref: 7.22.22.2)** **Volume 7, Appendix 22-3 - Assessment of Airborne and Satellite Remote Sensing Data and Map Regression Analysis for Archaeology (application ref: 7.22.22.3)** **Volume 7, Appendix 22-4 - Heritage Walkover Survey Report (application ref: 7.22.22.4)** **Volume 7, Appendix 22-5 -Onshore Infrastructure Settings Assessment (application ref: 7.22.22.5)** **Volume 7, Appendix 22-6 - Geoarchaeological Desk Based Assessment (application ref: 7.22.22.6)** **Volume 7, Appendix 22-7 - Geophysical Assessment Report (application ref: 7.22.22.7)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
6.24	Proposals affecting heritage assets Para. 208	Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.	The Projects will lead to 'less than substantial harm' to the significance of designated heritage assets. This harm, which is not significant in EIA terms, is weighted against the substantial contribution the Projects will make in meeting the demand for greater energy to be produced from renewable sources, improve energy security and assist in meeting UK decarbonisation targets and global commitments to mitigating climate change.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - section 22.6
6.25	Considering potential impacts Para. 211	Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.	Archaeological mitigation is envisaged to comprise a combination of the following recognised standard approaches: • Further advance and enacting of preservation in situ options and requirements (e.g. avoidance/micro-siting/HDD etc., where possible); • Archaeological excavation: including subsequent post-excavation assessment, and analysis, publication and archiving; • Archaeological monitoring/watching brief: including subsequent post-excavation assessment, and analysis, publication and archiving (where appropriate); and • Earthwork condition surveys: including subsequent reporting and archiving (followed by backfilling and reinstatement, where required on a case-by-case basis). The dDCO secures the completion of detailed onshore WSIs. The detailed Written Archaeological Scheme of Investigation (Onshore) is secured through Requirement 18.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - section 22.6 **Volume 3, Draft Development Consent Order (application ref: 3.1)**
6.26	The sustainable use of minerals Paras. 215 and 218	It is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation. Local planning authorities should not normally permit other development proposals in Mineral Safeguarding Areas if it might constrain potential future use for mineral working.	Land within the Onshore Development Area is designated as being located within a MSA. The minerals associated with the designations are sands and gravels (throughout the Onshore Development Area) and chalk (Onshore Substation Zone). The safeguarded areas are not present as continuous features, but as localised areas throughout landfall, Onshore Export Cable Corridor and Onshore Substation. The total area of MSAs within the Onshore Development Area is approximately 32ha (30ha within the Onshore Export Cable Corridor and 2ha within the Substation zone, which represents approximately 0.03% and 0.002% respectively of	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** **Volume 7, Figure 19-7 Mineral Safeguarding Areas (a - c) (application ref: 7.19.1)**

Ref.	Topic and NPPF Paragraph	Relevant Paragraph Text	Assessment	Relevant Documents
			the total MSA within the East Riding of Yorkshire Council boundary). The Geology and Land Quality Assessment concludes that: For the Projects construction (across all Development Scenarios), Impact 4: Sterilisation of future mineral resources on MSAs results in a **minor** adverse residual effect, where a Mineral Resources Assessment is undertaken. For the Projects operation (across all Development Scenarios), Impact 10: Sterilisation of future mineral resources on MSAs results in a **minor** adverse residual effect so long as the extraction of feasible mineral resources is undertaken and a Minerals Resources Assessment is developed prior to commencement of construction works.	

1.15 The East Riding of Yorkshire Local Plan 2012- 2029 Strategy Document

Table 1-7 The East Riding of Yorkshire Local Plan 2012- 2029 Strategy Document (Adopted April 2016) Table of Compliance

Ref.	Policy and Policy Text	Assessment	Relevant Documents
7.1	***S1*** Policy S1 establishes a general presumption in favour of sustainable development. The Policy States: *"A. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the East Riding of Yorkshire.* *B. The Local Plan should be read as a whole. Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise - taking into account whether:* *1. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or* *2. Specific policies in that Framework indicate that development should be restricted."*	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. The Applicants have assessed the likely impacts arising from the Projects on the environment.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)**
7.2	***S2*** The Policy states that the Local Plan and development decisions will support a reduction in greenhouse gas emissions and adaptation to the expected impacts of climate change. Table 1 of the Strategy Document outlines several elements and approaches which will be taken into account to ensure Policy S2 is achieved.	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. The Applicants assessment includes a greenhouse gas assessment and a climate change resilience assessment. The Applicants climate change assessment considers the Projects Receptors, Climate Variables and Climate Hazards. The assessment then considers the vulnerability of the identified receptors to each of the climate hazards.	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6 and Table 30-30
7.3	***S4*** The Policy recognises the need to support development in the Countryside. Part C of Policy S4 notes that the development of new and enhanced infrastructure (8) and energy development and associated infrastructure (9) proposals will be supported in the Countryside where they *"respect the intrinsic character of their surroundings"*.	The site selection process has sought to avoid settlements, sensitive habitats and taken into account other technical and environmental constraints. As a result, the Landfall Zone, Onshore Export Cable Corridor and the Onshore Substation Zone are located in predominantly agricultural areas within the Countryside, as designated by the Local Plan.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.4

Ref.	Policy and Policy Text	Assessment	Relevant Documents
7.4	***EC1*** Policy EC1 supports the growth and diversification of the East Riding economy. The Policy reads, as applicable, as follows: *"A. To strengthen and encourage growth of the East Riding economy, employment development will be supported where the proposal is of a scale suitable to the location. Proposals will be encouraged where they:* *1. Contribute to the modernisation, development and diversification of the local economy;* *2. Develop and strengthen the East Riding's key employment sectors and clusters including: renewable energy…;* *3. Contribute towards reducing social exclusion and provide employment opportunities in deprived areas;…* *D. Outside of development limits employment development will be supported where it is of an appropriate scale to its location and respects the character of the surrounding landscape. Proposals should:* *1. Have a functional need to be in the particular location which cannot be met on either a nearby allocation…* *E. Substantial proposals for employment development that cannot be accommodated on allocated sites will be supported where the:* *1. Development is for a specified end user and proven substantial employment benefits would arise;…"*	The Applicants' socio-economic assessment considers the potential impacts and their effects on receptors arising from the Projects during construction, operation and decommissioning. These effects are namely, but not limited to, economic expenditure, increased employment and a change in demographics due to immigration. With regard for employment, the Projects will create many hundreds of jobs during construction, operation and maintenance and decommissioning (regardless of whether either one of DBS East or DBS West are built In Isolation, Concurrently or Sequentially). The Applicants have included the submission of an Outline Skills and Employment Strategy.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** - section 28.6 **Volume 8, Outline Skills and Employment Strategy (application ref: 8.5)**
7.5	***EC4*** Policy EC4 seeks to enhance East Riding's sustainable transport offerings. The Policy states *"A. In order to increase overall accessibility, minimise congestion and improve safety, new development will be supported where it is accessible, or can be made accessible, by sustainable modes of transport and addresses its likely transport impact. Development proposals should:* *1. Produce and agree a transport assessment and travel plan, where a significant transport impact is likely; 2. Support and encourage sustainable travel options which may include public transport, electric and ultra low emission vehicles, car sharing, cycling and walking; particularly in the Major Haltemprice Settlements, Principal Towns, and Towns; and 3. Bring forward other necessary transport infrastructure to accommodate expected movement to and from the development.*	The Applicants have undertaken and submitted a Transport Assessment and an Outline Construction Traffic Management Plan. The Outline Construction Traffic Management Plan (OCTMP) contains the control measures and monitoring procedures for managing the potential traffic and transport effects of constructing the Projects.	**Volume 7, Appendix 24-2 - Transport Assessment (application ref: 7.24.24.2)** **Volume 8, Outline Construction Traffic Management Plan (application ref: 8.13)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	B. Developments generating significant freight movement located along the East-West Multi-Modal Transport Corridor should capitalise on the opportunities for transferring and transporting freight by means other than road."		
7.6	***EC5*** Policy EC5 seeks to support the development of the energy sector. The Policy reads, as applicable, as follows *"A. Proposals for the development of the energy sector, excluding wind energy but including the other types of development listed in Table 7, will be supported where any significant adverse impacts are addressed satisfactorily and the residual harm is outweighed by the wider benefits of the proposal.* *B. Where appropriate, proposals should include provision for decommissioning at the end of their operational life. Where decommissioning is necessary, the site should be restored, with minimal adverse impact on amenity, landscape and biodiversity, and opportunities taken for enhancement of these features."*	The extent of the Projects onshore is limited to the Landfall Zone, Export Cable Corridor, Substation Zone and Cable Corridor to the proposed Birkhill Wood National Grid Substation. The Applicants have sought, through the ES, to minimise adverse impacts either through the implementation of embedded mitigation measures or additional mitigation, where practical. A Decommissioning Plan for the onshore works would be produced and submitted following permanent cessation of commercial operation of the onshore works in accordance with the requirements set out in the dDCO.	**Volume 7, Chapter 5 Project Description (application ref: 7.5)** - sections 5.6 and 5.7 **Volume 3, Draft Development Consent Order (application ref: 3.1)**
7.7	***EC6*** Policy EC6 establishes a requirement of development proposals and decisions in protecting mineral resources. The Policy states: *"B. Within or adjacent to Mineral Safeguarding Areas, non-mineral development, which would adversely affect the viability of exploiting the underlying or adjacent deposit in the future, will only be supported where it can be demonstrated that the: 1. Underlying or adjacent mineral is of limited economic value; 2. Need for the development outweighs the need to safeguard the mineral deposit; 3. Non-mineral development can take place without preventing the mineral resource from being extracted in the future; 4. Non-mineral development is temporary in nature; or 5. Underlying or adjacent mineral deposit can be extracted prior to the non-mineral development proceeding, or prior extraction of the deposit is not possible."*	The Geology and Land Quality assessment considers the potential impacts of mineral sterilisation and concludes that across all scenarios, the construction of the Projects would result in effects which are no greater than **minor** adverse and so not significant in EIA terms.	**Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - section 19.6
7.8	***ENV1*** Policy ENV1 seeks to incorporate high quality design into development proposals. The Policy states: *"A. All development proposals will: 1. Contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use; and 2. Seek to reduce carbon*	The Applicants assessment has sought to respect the diverse character and appearance of the area through good design. The effective use of natural resources has been a key consideration of the Applicants as consideration of such resources ensures impacts are minimised. The Design and Access statement outlines the Onshore Design Principles which have been used to ensure the Projects onshore	**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)** **Volume 8, Design and Access Statement (application ref: 8.8)** - section 4

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	emissions and make prudent and efficient use of natural resources, particularly land, energy and water. *B. Development will be supported where it achieves a high quality of design that optimises the potential of the site and contributes to a sense of place. This will be accomplished by: 1. Having regard to the specific characteristics of the site's wider context and the character of the surrounding area; 3. Having an appropriate scale, density, massing, height and material; 4. Having regard to the amenity of existing or proposed properties; 9. Promoting equality of safe access, movement and use; 10. Having regard to features that minimise crime and the perception of crime; 12. Ensuring infrastructure, including green infrastructure and flood mitigation, are well integrated into the development;"*	elements respond to a variety of technical and environmental development criteria. The Applicants have had regard to Policy ENV1 and are in compliance with its requirements.	
7.9	***ENV2*** The Policy seeks to ensure that development proposals consider the existing landscape, are sensitively integrated into the existing landscape and demonstrate an understanding of the intrinsic qualities of the landscape setting.	The Applicants' Landscape and Visual Impact Assessment has utilised a wealth of data and information sources in establishing an understanding of the existing environment (such as landscape designations, character and key visual receptors). This baseline understanding has then fed into the assessment of significance which considers the worst-case scenario.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23) -** sections 25.5 and 25.6
7.10	***ENV3*** This Policy generally supports development proposals which conserve and or reinforce the significance of heritage assets.	The Applicants' Onshore Archaeology and Cultural Heritage assessment has utilised a wealth of data and information sources in establishing an understanding of the existing environment. This includes site specific surveys and digital datasets. The Applicants are cognisant of the standards and guidance available and have used this in assessing the Historic Environment and implementing a best practice approach. The assessment concludes that no impact arising from the Projects will result in an effect greater than **minor** adverse, which is not significant.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - sections 22.4.1, 22.4.2 and 22.6
7.11	***ENV4*** "*A. Proposals that are likely to have a significant effect on an International Site will be considered in the context of the statutory protection which is afforded to the site.* *B. Proposals that are likely to have an adverse effect on a National Site (alone or in combination) will not normally be permitted, except where the benefits of development in that location clearly outweigh both the*	The likely significant effects of the Projects on terrestrial ecology have been assessed. The assessment provides an overview of the existing environment for the Onshore Development Areas, followed by an assessment of likely significant effects for the construction, decommissioning and operation of the Projects. Following the imposition of mitigation measures, the residual effects arising from the Projects are no greater than **minor** adverse, not significant in EIA terms across all impacts to Local Sites besides for:	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	impact on the site and any broader impacts on the wider network of National Sites. *C. Development resulting in loss or significant harm to a Local Site, or habitats or species supported by Local Sites, whether directly or indirectly, will only be supported if it can be demonstrated there is a need for the development in that location and the benefit of the development outweighs the loss or harm.* *D. Where loss or harm to a National or Local designated site, as set out in Table 9, cannot be prevented or adequately mitigated, as a last resort, compensation for the loss/harm must be agreed. Development will be refused if loss or significant harm cannot be prevented, adequately mitigated against or compensated for.* *E. Proposals should further the aims of the East Riding of Yorkshire Biodiversity Action Plan (ERYBAP), designated Nature Improvement Areas (NIAs) and other landscape scale biodiversity initiatives."*	• A **moderate** adverse residual construction disturbance effect identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for; and • A **moderate** adverse residual construction effect resulting from temporary habitat loss/ fragmentation relating to nitrogen deposition at Bentley Moor Wood and ancient woodland. There are no further mitigation options, as the effects are related to increased traffic movements associated with the construction of the Projects, effects would however be short term and associated with peak construction vehicle movements as detailed further in the Terrestrial Ecology and Ornithology ES chapter. There will be no significant operation effects on LWS's. The BNG Strategy sets out the strategy of assessing and securing BNG for the onshore elements of the Projects, and includes the following: • A summary of the relevant legal and policy background; • The proposed outline approach to delivering BNG for the Projects; • The proposed approach to calculating Biodiversity Units required to secure BNG for the Projects; and • The deliverables associated with the Projects' BNG assessment. The Applicants have submitted a Habitats Regulations Derogation Provision of Evidence document to provide evidence to support Stage 3 (Derogation) of the HRA Process. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the 'Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. For all other sites and features assessed in the RIAA, a conclusion of no adverse effect on site integrity is reached.	**Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Project Level Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)** **Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
7.12	***ENV6*** This Policy requires development proposals to manage environmental hazards. *"A. Environmental hazards, such as flood risk, coastal change, groundwater pollution and other forms of pollution, will be managed to ensure that development does not result in unacceptable consequences to its users, the wider community, and the environment."*	The Applicants, through the ES, have considered flood risk, coastal change, groundwater pollution and other forms of pollution. The Applicants have submitted outline management plans (such as the Outline Ecological Management Plan (onshore) and Outline Operational Drainage Strategy) to secure best practice measures are adhered to during the Projects construction, operation and maintenance and decommissioning.	**Volume 7, Chapter 19 Geology and Land Quality and Chapter 20 Flood Risk and Hydrology (application ref: 7.19 and 7.20)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)** **Volume 8, Outline Drainage Strategy (application ref: 8.12)**

1.16 The East Riding Local Plan Update 2020 - 2039 Strategy Document (Proposed Submission Strategy Document Update – October 2022)

Table 1-8 The East Riding Local Plan Update 2020 - 2039 Strategy Document (Proposed Submission Strategy Document Update – October 2022)

Ref.	Policy and Policy Text	Assessment	Relevant Documents
8.1	***S1*** Policy S1 establishes a general presumption in favour of sustainable development. The Policy States: *"A. When considering development proposals the Council will take a positive approach that reflects the three overarching objectives of sustainable development as set out in paragraph 8 of the National Planning Policy Framework, economic, social and environmental, whilst taking in to account local circumstances. It will work proactively with applicants to find solutions that mean proposals can be approved wherever possible, and to secure development supporting the Council's Vision and Objectives for the Local Plan and the other documents which make up the development plan.* *B. The Local Plan should be read as a whole and in conjunction with the other documents which make up the development plan. Planning applications that accord with the policies in the development plan will be approved without delay, unless material considerations indicate otherwise.* *C. Proposals should ensure that, where appropriate, development will support the future sustainable growth of settlements. Future access and connectivity to neighbouring land should be taken into consideration."*	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. In noting the temporary nature of the Projects' Onshore construction phase, it is proposed that mitigation measures would focus upon management measures rather than physical highway improvements and PRoW improvements. As such, the construction and operation of the Projects Onshore Area will not result in any access and connectivity enhancements. In terms of the construction impacts to access and connectivity, there will be no permanent closures of any recreational routes. However, there would be one minor permanent diversion where a PRoW crosses the permanent access for the Onshore Substation Zone, to allow for a change in level. Any disturbance would be temporary and reinstated as soon as reasonably practical. The Applicants have assessed the likely impacts arising from the Projects on the economic, social and environmental conditions.	**Volume 7, Chapter 2 Need for the Project (application ref: 7.2)** **Volume 7, Chapter 3 Policy and Legislative Context (application ref: 7.3)** **Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)** **Volume 8, Appendix C - Outline Public Rights of Way Management Plan** of the **Outline Code of Construction Practice (application ref: 8.9)**
8.2	***S2*** *"Development proposals will be supported where they reduce the generation of additional greenhouse gas emissions and incorporate adaptation to the expected impacts of climate change. This will be accomplished by:* *H. Incorporating renewable, low carbon and decentralised energy generation and heat networks in appropriate locations and schemes where possible.* *N. Managing development in coastal areas and facilitating the re-location/roll back of development from areas between Barmston and Spurn Point.* *P. Support the development of infrastructure, such as hydrogen transportation, that facilitates decarbonisation."*	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. The Applicants assessment includes a GHG assessment and a climate change resilience assessment. The Applicants' GHG assessment concludes that the: • 1. operation and maintenance GHG emissions and avoided GHG emissions from the provision of renewable energy (all Development Scenarios); and • 2. whole life cycle emissions and net effect on climate change (all Development Scenarios) from the Projects upon the global atmosphere will result in **moderate** beneficial residual effects, which are significant in EIA terms. The Applicants' climate change assessment considers the Projects Receptors, Climate Variables and Climate Hazards. The assessment	**Volume 7, Chapter 30 Climate Change (application ref: 7.30)** - section 30.6 and Table 30-30 **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - section 4.9

Ref.	Policy and Policy Text	Assessment	Relevant Documents
		then considers the vulnerability of the identified receptors to each of the climate hazards. The Landfall lies between Barmston and Spurn Point. The Applicants have undertaken a thorough Site Selection and Assessment of Alternatives process which took into consideration the development challenges posed by costal erosion, for example.	
8.3	***S4*** The Policy recognises the need to support development which will help maintain the vibrancy of villages and the Countryside. Part D of the Policy notes that the development of: (8) New and enhanced infrastructure; and (9) Energy development and associated infrastructure will be supported in the Countryside where *"proposals respect the intrinsic character of their surroundings"*.	The site selection process for the Onshore works has sought to: • avoid areas with substantial infrastructure, identified in local plans for housing, existing built up areas, including residential areas, coastal defences, recreation spaces, other energy infrastructure; • minimise ecological impacts and avoid disturbance to mature and historic woodlands, significant hedgerows and internationally and nationally designated areas, where possible; • For the Landfall Zone, minimise ecological impacts and avoid disturbances to mature and historic woodlands, significant hedgerows and internationally and nationally designated areas, where possible; • Underground Onshore Cables; • Minimise the length and number of bends of the cable route; • Coordinate the development of the Projects through utilising one Cable Corridor and sharing a Haul Road during construction; • Implement trenchless crossings to avoid disturbance to sensitive locations and transport networks; • Reduce working widths along the Onshore Export Cable Corridor following the selection of HVDC electrical transmission technology; • Commit to reinstating the majority of land between Jointing Bays within two years; • Co-locate two Onshore Converter Stations within the same Zone to keep infrastructure together and reduce the overall visual impacts; • Restore landscape and vegetation within the Onshore Development Area, where possible; and • Provide on-site and off-site measures to deliver no net loss and net gain, where possible.	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** - sections 4.9, 4.10, 4.12 and 4.13 **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23) -** sections 23.3 and 23.6 **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
		Opportunities for mitigation and enhancement have been identified where appropriate in the assessment. An outline approach to embedded design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape Management Plan. The final written Landscape Management Plan (which would be required to accord with the Outline Landscape Management Plan) will be secured by Requirement 10 of the dDCO. Resultingly, the Applicants consider that the Onshore elements respect the intrinsic character of the surroundings, as far as possible.	
8.4	***EC1*** *"A. To strengthen and encourage growth of the East Riding economy, employment development will be supported where the proposal is of a scale suitable to the location. Proposals will be encouraged where they:* *1. Contribute to the modernisation, decarbonisation, development and diversification of the local economy,...;* *2. Develop and strengthen the East Riding's key employment sectors and clusters including: renewable and low carbon energy;...;* *3. Contribute towards reducing social exclusion and provide employment opportunities in deprived areas;...* *D. Outside of development limits employment development will be supported where it is of an appropriate scale to its location, is accessible and respects the character of the surrounding landscape. Proposals should:* *5. Have a functional need to be in the particular location which cannot be met on either a nearby allocation...;* *E. Substantial proposals for employment development that cannot be accommodated on allocated sites will be supported where the:* *2. The development is for a specified end user where proven substantial employment benefits would arise and the identified site provides the most appropriate location for the proposal,..."*	The Applicants socio-economic assessment considers the potential impacts and their effects on receptors arising from the Projects during construction, operation and decommissioning. These effects are namely, but not limited to, economic expenditure, increased employment and a change in demographics due to immigration. If the Projects are built in isolation, the Projects would support up to 1,190 jobs supported across the UK, including 760 jobs supported across the Humber Region during the development and construction. If the Projects are built Concurrently, the Projects would support up to 2,380 jobs supported across the UK, including 1,520 jobs supported across the Humber Region during the development and construction. If the Projects are built Sequentially, the Projects would support up to 1,550 jobs supported across the UK, including 930 jobs supported across the Humber Region during the development and construction. The Applicants have included the submission of an outline Skills and Employment Strategy. A final Skills and Employment Strategy will be developed and submitted to the relevant planning authority for the discharge of Requirement 26 of the dDCO.	**Volume 7, Chapter 28 Socio-economics (application ref: 7.28)** - section 28.6 **Volume 8, Outline Skills and Employment Strategy (application ref: 8.5)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
8.5	***EC4*** *"A. To increase overall accessibility, minimise congestion, improve safety, reduce greenhouse gas emissions, encourage healthy lifestyles and reduce social exclusion, new development will be supported where it is accessible, or can be made accessible, by sustainable*	The Applicants' Traffic and Transport Assessment concludes that, following the instatement of mitigation measures (such as the OCTMP), no residual effect during the construction, operation and maintenance and decommissioning of the Projects results in an effect	**Volume 7, Appendix 24-2 - Transport Assessment (application ref: 7.24.24.2)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	modes of transport and addresses its likely transport impact. Development proposals should: 1. *Produce and agree a transport assessment and travel plan, where a significant transport impact is likely;* 2. *Encourage the use of sustainable travel options which may include public transport, electric and ultra-low emission vehicles, car sharing, cycling and walking; particularly in the Major Haltemprice Settlements, Principal Towns, and Towns; and* 3. *Bring forward other necessary transport infrastructure to accommodate expected movement to and from the development.* *B. Developments generating significant freight movement located along the East-West Multi-Modal Transport Corridor should capitalise on the opportunities for transferring and transporting freight by means other than road."*	that is greater than **minor** adverse and is therefore not significant in EIA terms. The Applicants have undertaken and submitted a Transport Assessment and an outline Construction Traffic Management Plan. The Outline Construction Traffic Management Plan (OCTMP) contains the control measures and monitoring procedures for managing the potential traffic and transport effects of constructing the Projects. The production of a final Construction Traffic Management Plan is secured by Requirement 14 under Schedule 2 Part 1 Requirements of the dDCO. Whilst no decision has been made regarding a preferred base port for the offshore construction and operation of the Projects, to ensure that any potential effects associated with the Projects' offshore construction and operational stages (including cumulative effects) are assessed and mitigated, the dDCO includes Requirement 30 which requires the production of a construction and operational phase Port Traffic Management Plan(s) (PTMPs) once the final location of the preferred base port (or ports) is known.	**Volume 8, Outline Construction Traffic Management Plan (application ref: 8.13)** **Volume 3, Draft Development Consent Order (application ref: 3.1)**
8.6	***EC5*** ***"****A. Proposals for the development of the energy sector, excluding mineral extraction, but including all other types of development listed in Table 10, will be supported where any significant adverse impacts are addressed satisfactorily, and the residual harm is outweighed by the wider benefits of the proposal.* 1. *The cumulative impact of the proposal with other existing and proposed energy sector developments;* 2. *The character and sensitivity of landscapes to accommodate energy development, with particular consideration to the identified Important Landscape Areas, as shown on Figure 12.* 3. *The effects of development on: i. local amenity, including noise, air and water quality, traffic, vibration, dust, light (including reflection, glint, glare and shadow flicker), and visual impact; ii. biodiversity, geodiversity and nature, particularly in relation to designations, displacement, disturbance and collision and the impact of emissions/contamination; iii. the historic environment, including individual and groups of heritage assets above and below ground; iv. telecommunications and other networks; including the need for additional cabling to connect to the National Grid, electromagnetic production and interference, and aeronautical impacts such as on radar systems; v. transport, including the opportunity to use*	In addressing each point in turn: • The Infrastructure and Other Users Assessment considers the following energy sector infrastructure and other user receptors (which are located within a 50km study area for the Assessment): o Offshore wind farms; o Oil and gas infrastructure; o Subsea cables; o Pipelines; and o Carbon capture storage. The Assessment concludes that the Projects' impacts arising from construction, operation and decommissioning (across all Development Scenarios) would result in residual cumulative effects which are no greater than **minor** adverse and so not significant in EIA terms. • The Landscape and Visual Impact Assessment has considered the character and sensitivity of landscapes to accommodate the Projects. The Applicants Assessment concludes the following significant residual adverse effects:	**Volume 7, Chapter 5 Project Description (application ref: 7.5) -** sections 5.6 and 5.7 **Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 7, Chapter 16 Infrastructure and Other Users (application ref: 7.16)** **Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 8, Design and Access Statement (application ref: 8.8)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	waterways and rail for transportation of materials and fuel, and the capacity of the road network to accommodate development; vi. increasing the risk of flooding; and vii. the land, including land stability, contamination and soil resources. *C. Where appropriate, proposals should include provision for decommissioning at the end of their operational life. Where decommissioning is necessary, the site should be restored, with minimal adverse impact on amenity, landscape and biodiversity, and opportunities taken for enhancement of these features."*	○ Operational Impact 1: Landscape Effects of Onshore Converter Stations on the Onshore Substation Zone; ○ Operational Impact 2: Landscape Effects of the Onshore Converter Stations on the Yorkshire Wolds Important Landscape Area (ILA) on Yorkshire Wolds ILA; and ○ Operational Impact 3: Visual Effects of Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate. The above significant residual adverse effects reflect a minority of Landscape and Visual effects where the majority of Landscape and Visual residual effects are, through the use of mitigation measures, no greater than **minor** adverse, and so not significant in EIA terms. These adverse effects must be weighted against NPS EN-1 which confirms that there is an *"urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits"*. CNP infrastructure *"will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy."* The Applicants, through the use of mitigation measures (both embedded and additional), have been able to reduce the significance of the majority of pre-mitigation significant effects to **minor** adverse and resultingly not significant in EIA terms. A Decommissioning Plan for the onshore works would be produced and submitted following permanent cessation of commercial operation of the onshore works in accordance with the requirements set out in the dDCO.	
8.7	***EC6*** Policy EC6 establishes a requirement of development proposals and decisions in protecting mineral resources. The Policy states: *"B. Within or adjacent to Mineral Safeguarding Areas, non-mineral development, which would adversely affect the viability of exploiting the underlying or adjacent deposit in the future, will only be supported where it can be demonstrated that the:* *1. Underlying or adjacent mineral is of limited economic value;* *2. Need for the development outweighs the need to safeguard the mineral deposit;*	Post-PEIR and following an initial desk-based assessment and consultation with East Riding of Yorkshire Council, it was found that the Onshore Export Cable Corridor routed through an Area of Search and Preferred Area for Sand and Gravel near Riston Grange. Through this consultation the East Riding of Yorkshire Council expressed their preference for the Onshore Export Cable Corridor to be re-routed, as the area is considered an important site in context of regional sand and gravel resource given its designation as a 'Preferred Area', and there being known aspirations from the existing landowner to extend the existing adjacent quarry. As a result, the Onshore Export Cable	**Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19)** - section 19.6 **Volume 8, Outline Code of Construction Practice (application ref: 8.9)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	3. *Non-mineral development can take place without preventing the mineral resource from being extracted in the future;* 4. *Non-mineral development is temporary in nature; or* 5. *Underlying or adjacent mineral deposit can be extracted prior to the non-mineral development proceeding, or prior extraction of the deposit is not possible."*	Corridor has been re-routed to the south of Riston Grange to avoid the Mineral Safeguarding Area. With the above amendments in mind, the Geology and Land Quality Assessment has concluded that: • For the Projects construction (across all Development Scenarios), Impact 4: Sterilisation of future mineral resources on MSAs results in a **minor** adverse residual effect. A Mineral Resources Assessment would be undertaken (if required) post consent, and prior to the commencement of construction works, to provide an indication of the likely quality and extent of the mineral resource, the commercial viability of extraction and environmental impact in accordance with the OCoCP and dDCO Requirement 19. • For the Projects operation (across all Development Scenarios), Impact 10: Sterilisation of future mineral resources on MSAs results in a **minor** adverse residual effect so long as the extraction of feasible mineral resources is undertaken and a Minerals Resources Assessment (MSA) is developed prior to commencement of construction works. The MSA would be undertaken in consultation with East Riding of Yorkshire Council to determine whether it is reasonably practical for the resource to extracted prior to the commencement of construction works and therefore, reduce the area that may be potentially sterilised. In addition to the MRA, a Mineral Infrastructure Impact Assessment (MIIA) may be required to identify and discuss the potential impacts associated with the construction of the Projects on mineral infrastructure already present. This would also be undertaken in consultation with East Riding of Yorkshire Council post consent and prior to construction commencing, in accordance with the OCoCP and DCO Requirement 19.	**Volume 3, Draft Development Consent Order (application ref: 3.1)** - DCO Requirement 19
8.8	***ENV1*** This Policy seeks to incorporate high quality design into development proposals. The Policy states: *"A. All development proposals will:* *1. Contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction and use; and*	In response to part A of Policy ENV1, the Applicants' assessment has sought to respect the diverse character and appearance of the area through good design. The effective use of natural resources has been a key consideration of the Applicants as consideration of such resources ensures the Projects impacts are minimised. The Projects would make a substantial contribution to the achievement of national renewable energy targets towards net zero and to the UK's contribution to global efforts to reduce the effects of climate change by reducing emissions and increasing the proportion	**Volume 7, Chapters 8** to **30 (application ref: 7.8** to **7.30)** **Volume 8, Design and Access Statement (application ref: 8.8)** - section 4 **Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	3. Seek to maximise the use of decentralised and renewable or low carbon technologies. *B. Development will be supported where it achieves a high quality of design, which optimises the potential of the site and contributes to a sense of place and beauty. This will be accomplished by:* *1. Having regard to the specific characteristics of the site's wider context and the character of the surrounding area;* *3. Having an appropriate scale, density, massing, height and material;* *4. Having regard to the amenity of existing or proposed properties;* *10. Incorporating hard and/or soft landscaping, alongside boundary treatment of an appropriate scale and size, to enhance the setting of buildings, public space and views;* *14. Ensuring infrastructure, including green infrastructure, drainage, SuDS and flood mitigation, are well integrated into the development;* *16. Incorporating, nature conservation and biodiversity net gain into the proposal;* *17. Incorporating, where appropriate, a reduction in the vulnerability and increase in resilience to climate change;"*	of renewables within the energy mix and generating more electricity from low-carbon sources. In order to achieve a high quality of design, as required by subsection B of Policy ENV1 and its requirements, the Applicants have made use of a number of design decisions relating to the Onshore works. These are summarised as follows: • Avoid areas with substantial infrastructure, identified in local plans for housing, existing built up areas, including residential areas, coastal defences, recreation spaces, other energy infrastructure; • Minimise ecological impacts and avoid disturbance to mature and historic woodlands, significant hedgerows and internationally and nationally designated areas, where possible; • For the Landfall Zone, minimise ecological impacts and avoid disturbances to mature and historic woodlands, significant hedgerows and internationally and nationally designated areas, where possible; • Underground Onshore Cables; • Minimise the length and number of bends of the cable route; • Coordinate the development of the Projects through utilising one Cable Corridor and sharing a Haul Road during construction; • Implement trenchless crossings to avoid disturbance to sensitive locations and transport networks; • Reduce working widths along the Onshore Export Cable Corridor following the selection of HVDC electrical transmission technology; • Commit to reinstating the majority of land between Jointing Bays within two years; • Co-locate two Onshore Converter Stations within the same Zone to keep infrastructure together and reduce the overall visual impacts; • Restore landscape and vegetation within the Onshore Development Area, where possible; and • Provide on-site and off-site measures to deliver no net loss and net gain, where possible. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and	**(application ref: 7.18.18.10)** - section 18.10.8 **Volume 8, Design and Access Statement (application ref: 8.8)** **Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 8, Outline Drainage Strategy (application ref: 8.12)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
		Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30 year period. Surface water drainage requirements will be designed to meet the requirements of the NPPF, NPS EN-1 and the CIRIA SuDS Manual C753, as well as East Riding of Yorkshire Council's Combined Planning Note and Standing Advice on Sustainable Drainage Systems (SuDS) & Surface Water Drainage Requirements for New Development (2016). Runoff from the Onshore Converter Stations will be limited and discharged in accordance with best practice. Details of the proposed surface water drainage design, including the approach to the adoption of the Sustainable Drainage System (SuDS) Hierarchy, during construction and operation has been set out within the Outline Drainage Strategy. The production of detailed construction and operational drainage strategies has been secured via Requirement 16 of the dDCO. A CCRA has been undertaken. The assessment considers: several climate change variables (such as sea level rise, precipitation, and extreme weather events); the potential climate hazards which could arise (such as drought, storm events, storm surges and tidal flooding) and the possible receptors affected such as the coast. The CCRA concludes that all receptors have a low vulnerability to climate variables and their resulting hazards.	
8.9	***ENV2*** "A. Development proposals should be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and, where possible, seek to make the most of the opportunities to protect and enhance landscape characteristics and features. To achieve this, development should: 1. Protect the character and individual identity of settlements by maintaining their physical separation, including through the maintenance of the Key Open Areas identified in Policies A1-A6, where there is a risk of settlement coalescence.	In response to Part A of Policy ENV2, an Outline Landscape Management Plan has been submitted as part of the Application. The outline plan sets out the basis for landscape and ecological mitigation to be applied to the Projects. The outline plan seeks to sensitively integrate the development into the existing landscape through committed mitigation measures. The production of a detailed Landscape Management Plan is secured by Requirement 10 of the dDCO. In response to subsection 1, the Projects' site selection process has sought to avoid areas with substantial infrastructure, identified in local plans for housing, existing built up areas, including residential areas, coastal defences, recreation spaces, other energy infrastructure.	**Volume 7, Chapter 23 Landscape and Visual Impact Assessment (application ref: 7.23)** **Volume 7, Chapter 4 Site Selection and Assessment of Alternatives (application ref: 7.4)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	2. Protect and enhance important open spaces within settlements, which contribute to their character. 3. Ensure all important hedgerows and trees are retained unless their removal can be justified in the wider public interest. Where important hedgerows and any trees are lost replacements will usually be required on-site. 4. Maintain or enhance the character and management of woodland where appropriate. 5. Retain, not detract from, and enhance wetland and water feature characteristics. 6. Protect and enhance views across valued landscape features, including flood meadows, chalk grassland, lowland heath, mudflats and salt marsh, sand dunes and chalk cliffs. 7. Protect and enhance the undeveloped coast. B. Proposals should protect, enhance and be compatible with the existing landscape character as described in the East Riding Landscape Character Assessment, in particular within the following Important Landscape Areas as shown on the Policies Map Update: 1. The Yorkshire Wolds, with special attention to ensuring developments are of an appropriately high quality and will not adversely affect the historic and special character, appearance or conservation value. 2. The Heritage Coast designations at Flamborough and Spurn Head. 3. The River Derwent Corridor and Lower Derwent Valley, which includes the Pocklington Canal. 4. The Thorne, Crowley and Goole Moors. C. Proposals should have regard to the existing historic character as described in the Historic Landscape Characterisation of the East Riding of Yorkshire and Kingston Upon Hull.	In response to subsection 3, hedgerows that intersect with Temporary Construction Compounds will be removed where it is not possible to protect the hedgerow during the construction works. All affected hedgerows within the Onshore Development Area will be replanted and restored post construction. All mitigation measures in relation to hedgerows covering the different Construction Scenarios are provided for in the outline Ecological Management Strategy, which is secured by Requirement 12 of the dDCO. Where possible, trees within the Onshore Development Area will be retained. Trees identified to be retained will be fenced off and root protection zones established according to best practice and professional advice. Where this is not possible, any trees that require removal would be replanted in a suitable location within the Onshore Development Area, but not directly over the Onshore Export Cables. All mitigation measures in relation to trees are provided for in the Outline Ecological Management Strategy, which is secured by Requirement 12 of the dDCO. In response to Part B of ENV2, opportunities for mitigation and the enhancement of landscapes have been identified where appropriate in the Applicants' assessment. An outline approach to embedded design mitigation at the Onshore Converter Stations, which would be used to inform the detailed design of the landscape mitigation, is set out in the Outline Landscape Management Plan. The final written Landscape Management Plan (which would be required to accord with the Outline Landscape Management Plan) will be secured by Requirement 10 of the dDCO. For Landscape and Visual Impact, Operational Impact 1: Landscape Effects of Onshore Converter Stations on Onshore Substation Zone, Operational Impact 2: Landscape Effects of the Onshore Converter Stations on the Yorkshire Wolds ILA on Yorkshire Wolds ILA and Operational Impact 3: Visual Effects of Onshore Converter Stations on Viewpoint 1: Butt Farm, Viewpoint 2: Coppleflat Lane, Bentley and Viewpoint 3: Beverley 20 near Broadgate result in residual **moderate** adverse effects, which are significant in EIA terms. The significant adverse residual effects captured above are framed against the Projects' wider and substantial contribution to both the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. In addition, the economic benefits arising from the construction of the Projects would be significant also, as	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** - Schedule 2, Part 1 Requirements **Volume 7, Figure 23-6 Indicative Landscape Plan (application ref: 7.23.1)** **Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** **Volume 8, Outline Ecological Management Plan (application ref: 8.10)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
		outlined in the Applicants' response to Ref. 6.3 in the above **Table 1-6**. In response to Part C of ENV2, the Historic Landscape Character (HLC) data held by the Humber HER has been obtained to assist with the Onshore Archaeology and Cultural Heritage Assessment's interpretation of the current landscape's history and evolution and forms an aid to identifying areas of the landscape which may be sensitive to change.	
8.10	***ENV3*** *"A. Proposals that positively and proactively conserve and enhance the East Riding's Historic Environment and heritage assets will be supported. This Historic Environment reinforces local distinctiveness, helps create a sense of place and can assist in the delivery of the economic wellbeing of the area. Key features that contribute to the East Riding's distinctive historic character, include, but are not limited to:* 1. *Those elements that contribute to the special interest of Conservation Areas, including the landscape setting, open spaces, key views and vistas, and important unlisted buildings identified as contributing to the significance of each Conservation Area in its appraisal;* 2. *Listed Buildings and their settings;* 3. *Scheduled Monuments;* 4. *Historic Parks and Gardens and key views in and out of these landscapes;* 5. *The dominance of the church towers and spires as one of the defining features of the landscape, such as those of Holderness and the Wolds;* 6. *Heritage assets associated with the historic development and defence of the East Yorkshire Coast and the foreshore of the Humber Estuary;* 7. *The historic, archaeological and landscape interest of the Registered Battlefield at Stamford Bridge;* 8. *The historic cores of medieval settlements, and, surviving former medieval open field systems with ridge and furrow cultivation patterns or garth plots;* 9. *The nationally significant archaeology of the Yorkshire Wolds; and*	The Applicants have considered the likely significant effects of the Projects on Onshore Archaeology and Cultural Heritage through the Onshore Archaeology and Cultural Heritage Assessment. The Assessment concludes that there would be some **minor** adverse residual effects on heritage assets which are not significant in EIA terms during construction, operation and decommissioning stages of the Projects. The Summary of Potential Effects on Onshore Archaeology and Cultural Heritage concludes: <u>During Construction</u> Impact 2: Direct physical impact on non-designated heritage assets on known and potential buried archaeological and geoarchaeological / palaeoenvironmental remains and above ground heritage assets has a residual **minor** adverse residual effect following the application of appropriate and proportionate evaluation and mitigation approaches. Impact 4: Indirect physical impact on non-designated heritage assets on both known palaeoenvironmental and geoarchaeological deposits and vibration affecting non-designated heritage assets result in a residual **minor** adverse residual effect following the application of appropriate and proportionate evaluation and mitigation approaches. Impact 5: Temporary change to the setting of designated heritage assets on known designated heritage assets has a **negligible /minor** adverse residual effect following the application of appropriate and proportionate evaluation and mitigation approaches. <u>During Operation</u> Impact 7: Permanent change to the setting of designated heritage assets on known designated heritage assets has a residual **minor** adverse residual effect following the application of appropriate and proportionate evaluation and mitigation approaches.	**Volume 7, Chapter 22 Onshore Archaeology and Cultural Heritage (application ref: 7.22)** - sections 22.3.3, 22.6 and 22.11 **Volume 8, Outline Onshore Written Archaeological Scheme of Investigation (application ref: 8.14)** **Volume 3, Draft Development Consent Order (application ref: 3.1)** - Schedule 2, Part 1 Requirements

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	10. Those parts of the nationally important wetlands where waterlogged archaeological deposits survive. *B. In determining applications, proposals that sustain or enhance the significance of a heritage asset and its setting should be supported. Development that will cause harm to the significance of a heritage asset will only be granted where clear and convincing justification for the proposed harm can be demonstrated in line with national planning policy requirements. Where harm cannot be avoided the applicant will need to prepare a scheme that mitigates the introduction of harm.* *E. Proposals that impact on a heritage asset (including its setting) should be accompanied by a heritage statement; proportionate to the asset's significance and in line with national planning policy.* *F. Considerable weight will be given to the preservation and protection of non-designated archaeological remains. Development proposals on sites that have archaeological potential must include a desk-based assessment and, where necessary, a field evaluation report with their planning application. To minimise conflict and ensure mitigation of damage, preservation of the remains in situ is the preferred solution. However, where the significance of archaeological remains is such that their preservation in situ is not essential and is not feasible, a written scheme of investigation and programme of archaeological works aimed at achieving preservation by record will be required to be submitted to and agreed with the local planning authority."*	The Projects would make a substantial contribution, both to the achievement of UK decarbonisation targets and to global commitments to mitigating climate change. By generating low carbon, renewable and low-cost electricity in the UK, the Projects would also help to reduce the UK's reliance on imported energy and to improve energy security. It is through this lens that those **minor** residual effects on heritage assets must be assessed against a substantial contribution to achieving Net Zero. To mitigate harm, the Applicants have submitted an Outline Onshore WSI alongside the ES to accompany the DCO application. This document outlines the strategy to undertake additional programmes of survey and evaluation post-consent and will include a range of likely mitigation options and responses to be utilised under various scenarios. The Outline Onshore Written Archaeological Scheme of Investigation has been secured by Requirement 18 of the dDCO. The Onshore Archaeology and Cultural Heritage Assessment forms the heritage statement for the Projects.	
8.11	***ENV4*** *"A. Proposals that are likely to have a significant adverse effect on statutory designated sites listed in Table 13 (alone or in combination) will be considered in the context of the statutory protection afforded to the site.* *B. Development should follow the mitigation hierarchy to first avoid, then mitigate, and where necessary compensate for loss or harm to biodiversity. Where loss or harm to a national or local designated site, as set out in Table 13, cannot be avoided, or adequately mitigated, as a last resort compensation for the loss/harm must be agreed. Development will be refused if loss or significant harm cannot be avoided, adequately mitigated or compensated for.* *C. Applicants will be required to submit appropriate levels of evidence to enable the Council to undertake a Habitats Regulations Assessment (HRA) of the proposal. Evidence will be required to assess the proposal's potential impact (alone or in combination) in view of the international (habitats) site's conservation objectives.*	In response to Part A and B of ENV4, the Applicants have submitted a Habitats Regulations Derogation Provision of Evidence document to provide evidence to support Stage 3 (Derogation) of the HRA Process. The Habitats Regulations Derogation: Provision of Evidence Step 3 explains the long list of alternative solutions/ measures considered by the Applicants. These alternatives include: alternative Offshore windfarm locations; Alternative Scale; Alternative Design and Method; Alternative Timing. However, the Habitats Regulations Derogation: Provision of Evidence confirms that none of these alternative solutions are feasible and so a HRA derogation case has been made. The cumulative residual impacts have been assessed within the RIAA. Following the employment of the mitigation hierarchy, the 'Habitats Regulations Derogation: Provision of Evidence' document, contains several appendices and annexes which include a suite of compensatory plans. These include the Kittiwake Compensation Plan, Guillemot and Razorbill Compensation Plan and Project Level Dogger Bank Compensation Plan. The Compensation Plan in relation to Razorbill is provided on a 'without prejudice' basis only. Where the	**Volume 6, Report to Inform Appropriate Assessment Habitats Regulations Assessment (application ref: 6.1)** **Volume 6, Habitats Regulations Derogation: Provision of Evidence (application ref: 6.2)** **Volume 6, Appendix 1 - Project Level Kittiwake Compensation Plan (application ref: 6.2.1)** **Volume 6, Appendix 2 - Guillemot [and Razorbill] Compensation Plan (application ref: 6.2.2)** **Volume 6, Appendix 3 - Project Level Dogger Bank Compensation Plan (application ref: 6.2.3)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	C. 2. Development proposals located within 10km of the Humber Estuary or Lower Derwent Valley international (habitats) sites will have to consider whether development results in the loss of 'functionally linked land' for mobile species associated with the international (habitats) site where the application site; *i. is greater than 5 hectares; or* *ii. forms part of a wider plot, field or open area that is greater than 5 hectares.* *4. Where land is identified as functionally linked land, mitigation land that can perform the same function in a suitable location may be required to mitigate adverse effects.* *5. Proposals emitting air pollutants must rule out adverse effects on the integrity of international (habitats) sites.* *F. Proposals that are likely to have an adverse effect on a national site (alone or in combination) will not normally be permitted, except where the benefits of development in that location clearly outweigh both the impact on the site and any broader impacts on the wider network of national sites. This should consider adverse impacts such as recreational pressure, functionally linked land, air quality, and water quality.* *G. Development resulting in loss or significant harm to a local site, or habitats or species supported by local sites, whether directly or indirectly, will only be supported if it can be demonstrated that there is a need for the development in that location and the benefit of the development outweighs the loss or harm."*	Secretary of State concludes that the Projects would result in Adverse Effects on Integrity the Applicants are proposing that the compensatory measures will be secured in the dDCO. In response to Part C of ENV4, the RIAA details the assessment undertaken regarding potential adverse effects on site integrity of the Humber Estuary SAC/ SPA. Natural England have agreed that there is no impact on potential Functionally Linked Land associated with the SPA within the Onshore Development Area. However, the SAC has been screened in and assessed because of potential changes to air quality linked to construction traffic. Where possible habitats and species of principal importance will be avoided, where an impact is expected mitigation measures will be implemented. In response to Parts F and G of ENV4, the Projects would make a substantial contribution to the achievement of national renewable energy targets towards net zero and to the UK's contribution to global efforts to reduce the effects of climate change by reducing emissions and increasing the proportion of renewables within the energy mix and generating more electricity from low-carbon sources.	
8.12	***ENV5*** "A. Proposals will be supported where they: 1. Conserve, restore, enhance or recreate biodiversity and geological interests including the Priority Habitats and Species, Irreplicable Habitats and Local Sites (identified in Table 13); and 2. Safeguard, enhance, create and connect habitat networks in order to: i. protect, strengthen and reduce fragmentation of habitats; ii. create a coherent ecological network that is resilient to current and future pressures; iii. conserve and increase populations of species; ….	The Terrestrial Ecology and Ornithology Assessment assesses the potential impacts of the Projects upon receptors which include, but are not limited to: National statutory designated sites, Non-statutory designated sites, Reptiles and Over-wintering birds. Following the imposition of mitigation measures, (such as the Outline Code of Construction Practice and its appendices, the Outline Project Environmental Management Plan and Outline Landscape Management Plan), the residual effects arising from the Projects are no greater than **minor** adverse, not significant in EIA terms across all Impacts besides: • **Moderate** adverse effect on Breeding birds during construction; • **Moderate** adverse effect identified for impacts of Nitrogen deposition on Bentley Moor Wood LWS and the ancient woodland it is designated for:	**Volume 7, Chapter 18 Terrestrial Ecology and Ornithology (application ref: 7.18)** **Volume 8, Outline Code of Construction Practice (application ref: 8.9)** and associated appendices **Volume 8, Outline Project Environmental Management Plan (application ref: 8.21)** **Volume 8, Outline Landscape Management Plan (application ref: 8.11)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	C. Proposals must achieve a measurable biodiversity net gain at least in line with the most up to date national requirements, in addition to the measures required in ENV4. *D.* Proposals that include altering river channels, lakes, estuaries, coastal waters, or their banks, propose structures that break continuity or alter flow, or EIA developments that are determined to have a likely significant effect on the water environment, must undertake a Water Framework Directive Assessment to show that the proposal will: *1.* Not cause deterioration of the Water Framework Directive status of any water body; and *2.* Will not prevent any water body from reaching targets set in the River Basin Management Plan.	○ Impact 2: Construction disturbance - Non-statutory designated sites; and ○ Impact 3: Temporary habitat loss / fragmentation (impact 2) relating to nitrogen deposition at Bentley Moor Wood and ancient woodland. In order to secure BNG for the Projects a Biodiversity Net Gain Strategy will be provided prior to the commencement of construction. The final BNG Strategy will be informed by the detailed design of the Projects, including landscape proposals, construction methods and Projects timescale. Based upon these parameters, the final BNG Strategy will: • Provide a finalised metric calculation to assess the on-site net change in biodiversity and the requirements to deliver a net gain; • Detail the on-site and off-site measures to deliver a no net loss, or where possible a net gain; and • Detail how compensation will be legally secured, managed and monitored for a minimum 30 year period. The Applicants have submitted a Water Environment Regulations Compliance Assessment whilst the Flood Risk and Hydrology Assessment concludes that no impact will result in an effect that is greater than **minor** adverse, not significant in EIA terms across any Scenarios.	**Volume 7, Appendix 18-10 - Biodiversity Net Gain Strategy (application ref: 7.18.18.10)** **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Appendix 20-3 – Water Environment Regulations Compliance Assessment (application ref: 7.20.20.3)**
8.13	***ENV6*** *"A. Environmental hazards, such as flood risk, coastal change, nutrient deposition, aerial pollution, groundwater pollution and other forms of pollution, will be managed to ensure that development does not result in unacceptable consequences to its users, the wider community, and the environment.* *B. The risk of flooding to development, from all sources both now and in the future, will be managed by applying a sequential test to ensure that development is steered towards areas of lowest risk, as far as possible. The sequential test will, in the first instance, be undertaken on the basis of the East Riding Strategic Flood Risk Assessments (SFRA) and the Environment Agency's Flood Maps, within appropriate search areas. The order of preference for the sequential test is set out in the relevant SFRA, with preference given to reasonably available sites that are in the lower risk/hazard zones. Where necessary, development must also satisfy the exception test.* *D. Flood risk from all sources will be proactively managed by:*	The Applicants have assessed the potential environmental hazards and impacts arising from the Projects from a flood risk, costal change, air pollution, ground water pollution and other forms of pollution perspective. The Flood Risk and Hydrology Assessment (which includes an assessment of groundwater pollution), Air Quality Assessment and Climate Change Assessment conclude that no impacts arising from the Projects will result in an effect which is greater than **minor** adverse, not significant in EIA terms. The implementation of outlined control measures secured in the Outline Construction Code of Practice (OCoCP) during construction means there would be no activities that have the potential to cause non-temporary effects (i.e., effects that are not permanent, but could last for the duration or beyond the current River Basin Planning Cycle) to the status of any of the river and groundwater bodies assessed. Construction and operation of the Projects would not prevent water body status objectives being achieved in the future.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 7, Chapter 20 Flood Risk and Hydrology (application ref: 7.20)** **Volume 7, Chapter 30 Climate Change (application ref: 7.30)** **Volume 7, Chapter 26 Air Quality (application ref: 7.26)** **Volume 8, Outline Code of Construction Practice (application Ref: 8.9)** and associated appendices **Volume 8, Outline Drainage Strategy (application ref: 8.12)**

Ref.	Policy and Policy Text	Assessment	Relevant Documents
	1. Ensuring that new developments: *i. limit surface water run-off to existing run-off rates on greenfield sites, on previously developed land reduce existing run-off rates by a minimum of 30 per cent , or to greenfield run-off rate, and in the Living With Water Area (see Figure 14), support proposals that make a reduction in runoff beyond greenfield rates;* *ii. do not increase flood risk within or beyond the site;* *iii. incorporate Sustainable Drainage Systems (SuDS) into major development proposals and proposals at risk of flooding, unless demonstrated to be inappropriate;* *iv. ensuring SuDS provide multi-functional benefits, where appropriate;* *v. do not culvert or otherwise build over watercourses, unless supported by the Risk Management Authority and an appropriate the Water Framework Directive Assessment, as required by Policy ENV5. Where practical existing culverts should be removed;* *vi. have a safe access/egress route from/to areas at low risk of flooding now and in the future or establish that it will be safe to seek refuge at a place of safety within a development;* *vii. incorporate flood resistant and resilient mitigation that meets the design risk and residual risk now and in the future;* *viii. are adequately set-back from all watercourses, including culverted stretches, in line with the advice of the relevant Risk Management Authority; and* *ix. adhere to other relevant SFRA recommendations.* *F. Within the CCMA proposals will be supported where it:* *3. Is ensured that:* *i. the development is safe from the risks associated with coastal change for its intended lifespan;* *H. The risk of groundwater pollution will be managed by:* *1. Avoiding development that has potential to increase the risk of groundwater pollution in source protection zones and where an alternative site outside an SPZ is not available, ensuring that appropriate mitigation measures are employed;"*	Impacts on protected areas within 2km are not anticipated. The Projects are therefore considered to be compliant with WER requirements. Several Management Plans have been produced in outline to secure best working practices and mitigation. Such plans include but are not limited to: the Outline Code of Construction Practice and associated appendices and the Outline Drainage Strategy. The FRA provides sufficient justification to regulators and other stakeholders that the Projects are appropriate and in line with planning and national policy requirements regarding flood risk. The assessment is proportionate to the scale and nature of the Projects, as required by the Local policy. The aims of the FRA are: • To establish whether the Projects are likely to be affected by current or future flooding from any source of flood risk; • To assess and identify the potential for the Projects to increase flood risk elsewhere to off-site receptors; • To provide recommendations on potential measures required to reduce flood risk, if applicable; and • To provide information required to support the EIA with regards to flooding, supported by the application of the Sequential Test and, where necessary, the Exception Test. Resilience to flooding due to climate change impacts has been considered and mitigation is considered in the design of the onshore components, including drainage for the Onshore Converter Stations. The construction of landfall will be completed using trenchless techniques to mitigate the risk of tidal and coastal flooding. In addition, at the Landfall Zone, the siting of the Transition Joint Bays (TJBs) has taken into account coastal erosion rates and have been set back to account for coastal retreat.	**Volume 7, Appendix 20-4 - Flood Risk Assessment (application ref: 7.20.20.4)** **Volume 7, Appendix 20-3 - Water Environment Regulations Compliance Assessment) (application ref: 7.20.20.3)**

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