RWE Renewables UK Dogger Bank South (West) Limited

RWE Renewables UK Dogger Bank South (East) Limited

Dogger Bank South Offshore Wind Farms

Scoping Opinion

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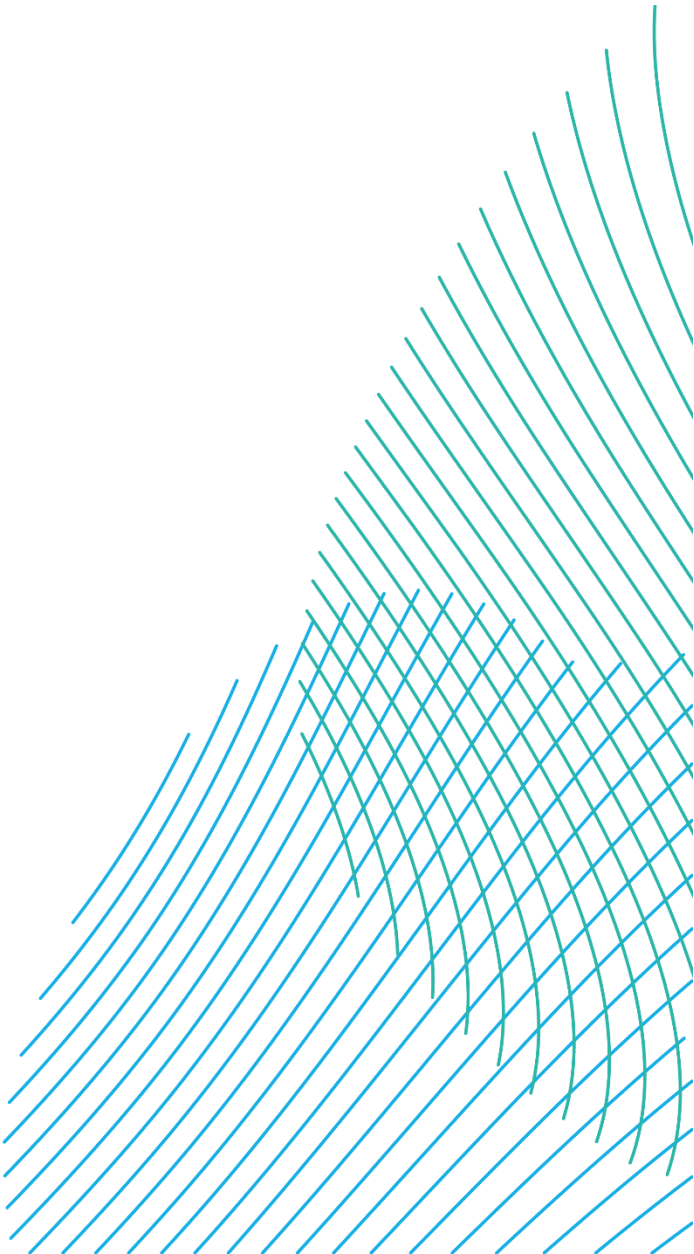

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The Planning Inspectorate
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SCOPING OPINION:

Proposed Dogger Bank South Offshore Wind Farms

Case Reference: EN010125

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

02 September 2022

TABLE OF CONTENTS

1. INTRODUCTION 1

2. OVERARCHING COMMENTS 3
2.1 Consenting Strategy 3
2.2 Description of the Proposed Development 4
2.3 Site Selection and Assessment of Alternatives 8
2.4 EIA Methodology and Scope of Assessment 10

3. ENVIRONMENTAL ASPECT COMMENTS - OFFSHORE 13
3.1 Marine Physical Processes 13
3.2 Marine Sediment and Water Quality 16
3.3 Offshore Air Quality 19
3.4 Offshore Airborne Noise 21
3.5 Benthic and Intertidal Ecology 22
3.6 Fish and Shellfish Ecology 25
3.7 Marine Mammals 28
3.8 Offshore Ornithology 32
3.9 Commercial Fisheries 34
3.10 Shipping and Navigation 36
3.11 Aviation and Radar 38
3.12 Infrastructure and Other Users 40
3.13 Offshore Archaeology and Cultural Heritage 42
3.14 Seascape, Landscape and Visual Impact 44

4. ENVIRONMENTAL ASPECT COMMENTS - ONSHORE 47
4.1 Terrestrial Ecology and Onshore Ornithology 47
4.2 Geology and Land Quality 49
4.3 Flood Risk and Hydrology 51
4.4 Land Use 52
4.5 Onshore Archaeology and Cultural Heritage 55
4.6 Landscape and Visual Impact 57
4.7 Traffic and Transport 60
4.8 Noise and Vibration 63
4.9 Air Quality 64

5. ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE ASPECTS 65
5.1 Socioeconomics, Recreation and Tourism 65
5.2 Human Health 67
5.3 Climate Change 70
5.4 Major Accidents and Disasters 73

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

1. INTRODUCTION

1.0.1 On 26 July 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from RWE Renewables UK Dogger Bank South (West) Ltd and RWE Renewables UK Dogger Bank South (East) Ltd (the Applicant, herein referred to as RWE) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Dogger Bank South Offshore Windfarms (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.

1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

http://infrastructure.planninginspectorate.gov.uk/document/000181

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including Advice Note 7: *Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping* (AN7). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g., on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Consenting Strategy

(Scoping Report Section 1.3)

ID	Ref	Description	Inspectorate's comments
2.1.1	Paragraphs 11-14	Consenting Strategy (Relating to the potential for separation into two Development Consent Order Applications)	It is noted that Section 1.3 of the Scoping Report refers to the consenting process for the Proposed Development (which is assumed in the Report for the purposes of scoping to be via one Development Consent Order (DCO) for the two NSIP projects identified). The Scoping Report does not confirm when a decision would be made on the approach to the consenting strategy, and whether the Dogger Bank South (East) and Dogger Bank South (West) projects, which comprise the Proposed Development, will be constructed concurrently or sequentially. It will be critical for the ES to clearly explain the implications of this decision, for example in relation to the description of the development, the phasing of construction and operation, the assessment of the cumulative effects of the two NSIPs, and the timings and security of any environmental mitigation and monitoring proposed. Careful consideration should be given to the presentation of this information to enable the relationship between the two projects to be clearly understood.

2.2 Description of the Proposed Development

(Scoping Report Section 1.1, 1.3, 1.5)

ID	Ref	Description	Inspectorate's comments
2.2.1	Section 1.1 Paragraph 5	Alternative means of connection to electricity transmission network	The Scoping Report makes reference to the potential use of a multi-purpose interconnector, private offtake, integration with future hydrogen infrastructure or a combination of these in place of a 'conventional' connection (see Table 2.3 below). It goes on to present information based on the assumption of a conventional grid connection to the connection point listed in Paragraph 3. It does not provide any further information on the alternative connection methods. It is unclear to what degree the options being considered will be established prior to the production of the ES. The Inspectorate considers that the connection method should be presented in the ES to avoid an assessment based on an array of differing environmental options and effects, which would make a robust assessment, compliant with the requirements of Regulation 14 of the EIA Regulations difficult to achieve. The Inspectorate expects the ES supporting the application for the Proposed Development to describe the preferred option for connection and the assessment of the likely significant effects to be carried out on that basis.
2.2.2	Section 1.3 Paragraph 13	Construction phasing between Dogger Bank South projects	The ES must clearly explain the anticipated construction phasing between the two Dogger Bank South projects (East and West). In particular, to what extent the projects would be constructed concurrently or sequentially and how this has informed the worst-case scenario assessed in the ES. The Inspectorate acknowledges the statement in Paragraph 67 in this regard, however, advises the applicant to ensure all assumptions around construction phasing on which the ES is based are clearly explained.

ID	Ref	Description	Inspectorate's comments
2.2.3	Section 1.5 Table 1-2	Project description – general	The information in Section 1.5 of the Scoping Report provides a generalised project description, with some indicative parameters provided in Table 1-2. Paragraph 33 of the Scoping Report States that *"The Projects' design envelope allows for up to 300 10-Megawatt (MW) wind turbines (up to 150 for each Project). Turbine numbers will reduce if higher capacity wind turbines are installed".* However, it also states that 10MW is likely to be at the lower end of the design envelope. Table 1-2 provides indicative parameter information related to the size of the turbines, but it is not clear if this is based on a 10MW turbine or an unstated higher capacity turbine. This should be clarified in the ES. Table 1-2 indicates that the onshore cable corridor would consist of one main corridor, to be split in two at pinch points or on approaches to substations. It is not clear how the maximum cable corridor width stated in Table 1-2 accommodates this approach. The Inspectorate considers that the presence of multiple cable corridors has the potential to introduce effects over a wider area than specified, and that the ES must ensure that the corridor width reflects that to which the assessment of significant effects has been based. The ES must clearly define the parameters of the Proposed Development, including in relation to the number, height, blade dimensions, foundation type and dimensions including depth of penetration, and capacity of turbines. The ES should be based on set parameters and include all project-specific information on which the environmental assessments of the worst-case likely significant effects have been based. The ES should also consider the effects of any infrastructure that is to remain in situ following decommissioning.

ID	Ref	Description	Inspectorate's comments
2.2.4	Section 1.5, Paragraph 23 Table 1-2	Flexibility and the Rochdale Envelope approach	The 'Rochdale Envelope' approach is employed when there is a need to seek flexibility to address uncertainty. The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations. The need and justification to support the level of flexibility sought must be explained in the ES, including how it has been taken into account in the assessments through relevant parameters (temporal and spatial) and a defined worst-case for resulting environmental effects. It will be essential to ensure consistency throughout the ES and any other relevant assessments supporting the application from which the ES draws. It should be noted that if the Proposed Development materially changes prior to submission of the DCO application, the Applicant may wish to consider requesting a new scoping opinion.
2.2.5	Section 1.5 Paragraph 42	Export cable technology	Paragraph 42 identifies that the current options for the export cable technologies are for both projects to use High Voltage Direct Current (HVDC), or for one to use HVDC and the other to use High Voltage Alternating Current (HVAC). No reasons are given at present for the selection of either of these options (including the need for additional substations, converter platforms or reactive compensation platforms), or why the use of HVAC for both projects is not considered further. The ES should provide a justification of the technologies used and an assessment of alternatives, including an explanation as to how any additional construction that would result from either proposal is assessed within the ES.

ID	Ref	Description	Inspectorate's comments
2.2.6	Section 1.5 Paragraph 44 Table 1-2	Offshore platforms and other infrastructure	Table 1-2 identifies the need for accommodation platforms. The Table also lists 'reactive compensation platforms' which are also mentioned in Paragraph 43. Any platforms incorporated in the Proposed Development must be described in the ES and effort should be made to refine the design and number of platforms used. The project description in the ES should also include any other applicable offshore elements , for example meteorological masts.
2.2.7	N/A	Electricity balancing infrastructure	There is no mention in the Scoping Report of the intention to include any electricity balancing infrastructure as part of the Proposed Development. If such infrastructure is to form part of the Proposed Development, this must be included in the project description in the ES.
2.2.8	N/A	Good design	The ES should demonstrate how the principles of 'good design', as set out in National Policy Statement (NPS) EN-1 and EN-3, have been applied to the Proposed Development including the onshore substations, and how this information has been taken into account within the assessments of likely significant effects.

2.3 Site Selection and Assessment of Alternatives

(Scoping Report Section 1.6)

ID	Ref	Description	Inspectorate's comments
2.3.1	Section 1.6 general	Site Selection and Alternatives	The Inspectorate acknowledges the Applicant's description of work undertaken to date regarding site selection as set out in Section 1.6 of the Scoping Report. No reference to alternatives in relation to turbine array layout is made, however it is noted that Paragraph 35 in Section 1.5 discusses factors that will influence the final layout. The ES should explain how these factors have been considered within the discussion of alternatives, where alternative layouts have been assessed. The Inspectorate would expect to see a discrete section in the ES that provides details of the alternatives studied and the reasoning for the selection of the chosen option(s), including a comparison of the environmental effects, with reference to the Black-Red-Amber-Green ranking referenced in Paragraph 78.
2.3.2	Paragraphs 92 and 97	Onshore cable corridor search area and location of substations	Paragraph 92 of the Scoping Report indicates that the onshore cable corridor scoping boundary comprises five route variations. These routes are not provided, either within a figure or accompanying text, and as such it is not clear where the routes would be. Paragraph 97 indicates that there are three onshore substation location zones, which are also not represented on a figure. The ES should clearly describe any alternative cable routes and substation locations assessed, including the use of appropriate figures, and provide a justification for the chosen options.

ID	Ref	Description	Inspectorate's comments
2.3.3	N/A	Alternative means of connection to electricity transmission network	The Scoping Report describes the potential use of alternatives in the place of a 'conventional' connection (Section 1.1 Paragraph 5). The Inspectorate expects the ES supporting the application for the Proposed Development to describe the preferred option for connection and an assessment of the alternatives considered.
2.3.4	N/A	Mitigation measures - implications for site selection	The ES should provide specific information on where any restricted working widths or seasonal restrictions are to apply during construction. The choice of construction methodology e.g., through open-cut trench or Horizontal Directional Drilling (HDD) or other trenchless methods, should be justified and explained in the ES. The Inspectorate advises that effort is made to commit to a construction method particularly in sensitive locations, and for the ES assessment to be based on the chosen method rather than introduce unnecessary uncertainty by retaining multiple options. The Inspectorate would expect the ES to explain how the outcomes of consultation with stakeholders has been used to refine the site selection options. This is likely to be particularly important where options for micro-siting infrastructure are limited by the presence of other existing or planned infrastructure proposals.

2.4 EIA Methodology and Scope of Assessment

(Scoping Report Section 1.8)

ID	Ref	Description	Inspectorate's comments
2.4.1	Paragraph 111	Evolution of the baseline	The ES should clearly explain which other developments will be assumed to be under construction or operational as part of the assessment of the future baseline, with and without the Proposed Development.
2.4.2	Paragraph 126	Cumulative Impact Assessment (CIA)	It is noted that Paragraph 126 states 'Only projects which are reasonably well defined and sufficiently advanced to provide information on which to base a meaningful and robust assessment will be included in the CIA.....Where possible RWE Renewables will use as-built project parameter information (if available) as opposed to consented parameters to reduce over-precaution (inaccuracies) in the cumulative assessment'. The Inspectorate advises that where projects are not fully defined, the worst-case scenario available should be used in the assessment. The parameters applied in relation to existing projects should also represent the worst-case, taking into account the circumstances around what is legally secured for those projects. The level of precaution associated with the outcomes of the cumulative assessment should be explained in the ES. The Inspectorate does not agree that a high degree of precaution is equitable to inaccuracies in an assessment. In general, the description of the approach to the cumulative impact assessment within each aspect chapter of the Scoping Report is very limited. The Inspectorate expects the ES to specifically identify how impacts could combine and to provide an assessment of their significance, in accordance with the advice in the Inspectorate's National Infrastructure Advice Note 17.

ID	Ref	Description	Inspectorate's comments
2.4.3	Paragraph 130 Paragraph 132	Transboundary effects	Paragraph 132 states that transboundary effects are not expected to be relevant to onshore aspects. The Scoping Report identifies potential transboundary effects in relation to: Marine Mammals (Section 2.7); Offshore Ornithology (Section 2.8); Commercial Fisheries (Section 2.9); Shipping and Navigation (Section 2.10); and Aviation and Radar (Section 2.11). The Inspectorate has noted where the Applicant has requested to scope out transboundary effects on aspects/matters in the EIA and is in broad agreement with the potential transboundary effects identified. The Inspectorate notes that it has an ongoing duty in relation to consideration of transboundary effects and will undertake a separate transboundary screening exercise on behalf of the SoS under Regulation 32 of the EIA Regulations following adoption of the Scoping Opinion. The Inspectorate recommends that where Regulation 32 applies, the ES should identify whether the Proposed Development has the potential for significant transboundary effects and if so, what these are and which European Economic Area (EEA) States would be affected.
2.4.4	Paragraph 142 Paragraph 143	EIA Regulations	Paragraph 142-143 discuss the relevant legislation for EIA with reference to the 2011 Regulations. For clarity, the ES should be prepared in line with the Infrastructure Planning (EIA) Regulations 2017.
2.4.5	N/A	Definition of study area(s)	In several aspect chapters within the Scoping Report, the relevant onshore and offshore study areas are not defined or represented on the figures provided. The ES should provide a detailed justification of the study areas applied, supported by evidence of the likely geographical extent of the impacts identified from the Proposed Development.

ID	Ref	Description	Inspectorate's comments
2.4.6	N/A	Forecasting methods	The Scoping Report (Paragraph 340) indicates that data collected for the Dogger Bank Creyke Beck and Dogger Bank Teesside Projects will be utilised to inform the ES where appropriate. The ES should utilise the most recently available representative datasets at the time of production. The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the assessment, which clearly distinguishes effects that are 'significant' from 'non-significant' effects. Whilst it is noted that paragraph 119 states that moderate or major effects are considered as significant, any departure from that methodology should be described in individual aspect assessment chapters. Where site specific surveys or investigations are proposed, the ES should set out the methodologies used and to what extent these have been agreed with relevant stakeholders. The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
2.4.7	N/A	Mitigation and Monitoring	Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured, with reference to specific DCO requirements or other legally binding agreements. The ES should identify and describe any proposed monitoring of significant adverse effects and how the results of such monitoring would be utilised to inform any necessary remedial actions.

3. ENVIRONMENTAL ASPECT COMMENTS - OFFSHORE

3.1 Marine Physical Processes

(Scoping Report Section 2.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	Paragraph 161 Table 2-3	Waves and tidal currents during construction and decommissioning	The Inspectorate agrees that the effects on waves and tidal currents from equipment during construction can be scoped out in relation to the offshore environment. However, the ES should consider whether nearshore / cable landfall works may impact on waves and tidal currents, and subsequently other coastal processes including geomorphological changes and processes, and surge water levels.
3.1.2	Paragraph 164	Indentations on the seabed from installation vessels (all phases)	In view of the information in the Scoping Report the Inspectorate appreciates that physical alterations to the seabed topography caused by installation techniques are expected to infill naturally, the Scoping Report stating a timescale of 'a few days to months'. In the absence of site-specific information on the seabed conditions the extent of scour/secondary scour effects cannot be understood. The Inspectorate does not agree to scope this matter out at this stage, and advises that this matter is assessed within the ES, or evidence provided to demonstrate that significant effects will not occur.
3.1.3	Table 2-3	Impacts on water circulation (Flamborough Front) during construction and decommissioning	Table 2-3 states that impacts arise from the presence of large foundations and so will be assessed in the operational phase. The information relating to the impact-effect pathways lacks necessary detail in order to understand why construction processes could not also result in impacts to Flamborough Front. The Inspectorate does not agree to scope this matter out and advises that this matter is addressed within the Evidence Plan Process (EPP) referred to in Paragraph 174.

ID	Ref	Description	Inspectorate's comments
3.1.4	Paragraph 177	Numerical modelling work	The Scoping Report states that *"There is an extensive and robust evidence base on the previous Dogger Bank wind farms work to negate the need for numerical modelling to support the assessment of the Projects."*. No evidence is presented within the Scoping Report to support this statement, and as such at present the Inspectorate cannot comment on the requirement for numerical modelling. The ES should present a detailed methodology for the assessment, and include relevant information to inform the assessment such as numerical modelling, as necessary.
3.1.5	Table 2-4	Marine Physical processes Receptors	The Scoping Report refers (Paragraph 163) to the potential for the nearshore to be affected as a result of the cable landfall. Table 2-4 does not identify whether there are any onshore designated features (such as coastal Sites of Special Scientific Interest (SSSIs)) that may be impacted as a result of the Proposed Development. It is also noted that Flamborough Front is omitted from the Table. While the Inspectorate understands this is an undesignated feature it is nevertheless considered to be of high value and is likely to experience impacts from the Proposed Development. The ES should provide an assessment of the impacts likely to result in significant effects for all relevant receptors.
3.1.6	N/A	Effects from Unexploded Ordnance	Section 2.1 of the Scoping Report does not refer to the potential effects of encountering unexploded ordnance (UXO), and the potential for accidental or planned detonation, in relation to marine physical processes. The Inspectorate considers that the ES should assess the likely significant effects which could occur in this regard.
3.1.7	N/A	Scour Protection Installation	Paragraph 39 (Scoping Report Section 1.5) indicates that scour protection installation may involve seabed preparation (levelling and gravel installation). The Scoping Report chapter for marine physical

ID	Ref	Description	Inspectorate's comments
			processes does not state whether this is to be assessed as a potential impact. The Inspectorate considers that the installation (and subsequent presence) of scour protection should be assessed for all project phases.

3.2 Marine Sediment and Water Quality

(Scoping Report Section 2.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Paragraph 192 – 196 Table 2-9	Localised temporary increases in suspended sediments (all phases)	The Inspectorate notes the brief commentary in the Scoping Report on the nature of the sediments in the study area and how this affects risk of potential impacts. Reference is made in Paragraph 184 to Figure 2-6 for desk study information however this information appears to be shown on Figure 2-4. Assessment of scour impacts during operation is proposed to be scoped out on the basis of the outcomes of previous assessment of Dogger Bank A and B, however this is not supported by any verified information e.g., monitoring data. In the absence of more project specific information on the receiving environment and details of construction and operation activities, the Inspectorate does not consider that the information in the Scoping Report is sufficient to scope these matters out at this stage. The ES should assess this matter or provide the information necessary to demonstrate that assessment is not required.
3.2.2	Paragraph 192 – 196 Table 2-9	Remobilisation of existing contaminated sediments (all phases)	The Inspectorate notes the information in the Scoping Report on the levels of contaminants in the study area based on Dogger Bank A and B studies. Information for the Proposed Development is not presented (see comment 3.2.4 below) and site-specific analysis is not proposed. In the absence of this information, and details of construction and operation activities, the Inspectorate cannot agree to scope this matter out. The ES should assess this matter or provide the information necessary to demonstrate that assessment is not required.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.3	Paragraph 192 – 196 Table 2-9	Accidental release of pollution (all phases)	The Scoping Report does not provide any reasoning for scoping out accidental pollution during operation. Reference is made to the use of a Project Environmental Management Plan under the identified potential impact of pollution form construction vessels, however no other sources of accidental pollution are discussed. Decommissioning impacts are dismissed briefly with the reasoning that they are expected to be lesser than those for construction. The Inspectorate acknowledges that for all project phases the risk of significant effects from accidental pollution can generally be controlled by the use of mitigation plans and measures, and therefore accepts that significant effects are unlikely. Nevertheless, the ES must detail the potential sources and types of accidental pollution for all project phases and set out the proposed mitigation measures, including those to be included within the Project Environmental Management Plan, and indicate how these are to be secured.
3.2.4	Paragraph 197	Cumulative effects	The Scoping Report states that cumulative effects are to be scoped out as all impacts have been scoped out. The Inspectorate considers that a pathway for effects may exist for each of the matters above, and that even if further consideration concludes that effects would be minor, they could combine with others to result in significant effects, as per the description in Paragraph 119 of the Scoping Report. Where a pathway for effects cannot be excluded the ES must assess the any likely significant cumulative effects that may occur.

ID	Ref	Description	Inspectorate's comments
3.2.5	Paragraph 186	Site Specific Data	Figure 2.6 of the Scoping Report shows historical sample points (around Dogger Bank A and B and associated export cable route), but no coverage of the Dogger Bank South study area. It is not justified why this data can be relied upon to represent conditions within the Proposed Development and why site-specific contaminant analysis is not proposed. This analysis should be carried out and reported in the ES, or the ES should provide full reasoning as to why this is not required including the outcomes of consultation with the relevant stakeholders and consultation bodies.
3.2.6	Table 2-5 and 2-6	Centre for Environment, Fisheries and Aquaculture Science (CEFAS) action levels and contaminant data	Table 2-5 and 2-6 provide sediment contaminant analysis for the Dogger Bank A and B export cable corridor, and Tranche A windfarm array area, with reference to CEFAS Action Levels. The Action Levels are not explained in the context of the rationale presented. The ES should include this information. In addition, data is only presented for the two datasets noted above, whereas Figure 2-6 indicates that data is available for the nearshore area. The data is also noted to date from 2013. The ES should ensure that data relied upon for the assessment of effects is both relevant and up to date.

3.3 Offshore Air Quality

(Scoping Report Section 2.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Section 2.3.2 Table 2-10	Emissions from vessels on human and ecological receptors	The Scoping Report states that the main source of emissions is likely to be from vessels used during construction, operation, and decommissioning emitting nitrogen oxides (NOx), particulate matter (PM) and sulphur dioxide (SO_2). It is stated that vessels operating in the North Sea area are required to comply with Emission Control Area restrictions under Annex VI of the MARPOL Convention[1] in respect of NOx and SO_2 limits. It is stated that in the context of existing vessel traffic in the North Sea, the contribution would be small, although no data is presented in terms of the baseline position or likely number of vessel movements as a result of the Proposed Development. It is also stated that vessel movements would be carried out at some distance from the shore and are therefore unlikely to impact on land based human and ecological receptors, although no information is presented as to the likely routes of vessel movements. The Inspectorate agrees that this matter may be scoped out of the ES on the basis that the main source of emissions would be exhaust emissions from vessels, and due to the nature and location of the offshore components of the Proposed Development associated vessel movements would only generate a small increase in emissions in all phases, which is unlikely to result in significant effects to land based human and ecological receptors.

[1] International Convention for the Prevention of Pollution from Ships

ID	Ref	Description	Inspectorate's comments
3.3.2	Table 2-10	Cumulative effects	As no pathway for effects has been identified the Proposed Development is not expected to contribute to cumulative effects with other offshore emission sources. The Inspectorate agrees that cumulative effects on offshore air quality can be scoped out of the assessment.

3.4 Offshore Airborne Noise

(Scoping Report Section 2.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	Section 2.4.2 Table 2-11	Offshore airborne noise during construction, operation, and decommissioning	On the basis of the information presented in section 2.4.2 of the Scoping report concerning the offshore activities that would generate airborne noise, and the distance of these activities from the nearest onshore receptors (at approx. 100km), the Inspectorate agrees that offshore airborne noise impacts are unlikely to result in significant effects during construction, operation, and decommissioning, and can be scoped out of the ES. Noise impacts that are generated nearer to onshore receptors, i.e., activity associated with the laying/removal of nearshore cable, should be scoped into the ES where there is potential to result in likely significant effects. The Inspectorate notes that this matter is proposed to be scoped into the ES as part of the assessment of onshore noise and vibration (Section 3.8 of the Scoping report). The Inspectorate is content that the main impacts from noise to ecological receptors occur from underwater noise, which is to be assessed in other relevant aspects chapters.

ID	Ref	Description	Inspectorate's comments
3.4.2	Table 2-11	Cumulative effects	As no pathway for effects has been identified the Proposed Development is not expected to contribute to cumulative effects with other offshore noise sources. The Inspectorate agrees that cumulative effects from offshore noise can be scoped out of the assessment.

3.5 Benthic and Intertidal Ecology

(Scoping Report Section 2.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	Paragraph 239 Table 2-15	Underwater noise from other sources aside from piling and UXO clearance (construction, not considered for other project phases)	This matter (for the construction phase) is not stated in Table 2-15, however the supporting text in Paragraph 233 states that all other underwater noise sources (e.g., vessel traffic) are unlikely to cause significant effects on benthic receptors and are therefore scoped out of the ES. The matter is not addressed at all for the operation or decommissioning phases. No justification or evidence is provided for scoping out underwater noise from sources other than piling and UXO clearance during construction or decommissioning, or underwater noise from any sources during operation. The Inspectorate considers that an assessment should be provided in the ES, supported by a description of how the EPP described in Section 1.6 of the Scoping Report has informed the Applicant's reasoning.
3.5.2	Paragraph 240 Paragraph 250 Table 2-15	Introduction of marine Non-Native Species due to vessel traffic	Based on the information provided on the proposed mitigation and control measures, the Inspectorate agrees that significant effects are unlikely. The ES should detail the proposed mitigation measures, such as the Project Environmental Management Plan, for all project phases. The ES should describe how the mitigation and control measures are to be secured.
3.5.3	Paragraph 241 Table 2-15	Long term habitat loss during construction and decommissioning	Paragraph 234 notes that impacts which span the life of the projects, like habitat loss, will be considered for the operational phase assessment. The ES should address temporal scope when it addresses the likely significant effects with reference to temporary, long-term, and permanent habitat loss across relevant phases of the Proposed

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Development. Terms such as 'temporary' and 'long-term' should be defined in the ES where they are used.
3.5.4	Paragraph 242 Table 2-15	Pollution events resulting from the accidental release of pollutants (all project phases)	Based on the information provided on the proposed mitigation and control measures, the Inspectorate agrees that significant effects from accidental release of pollution during construction are unlikely. The Scoping Report does not discuss the risks of this impact during operation; however, the Inspectorate considers that a similar rationale applies. The ES should detail the proposed mitigation measures, such as the Project Environmental Management Plan, for all project phases. The ES should describe how the mitigation and control measures are to be secured.
3.5.5	Paragraph 243 Table 2-15	Remobilisation of contaminated sediments (all phases)	The Scoping Report does not provide a discussion of this matter for the operation or decommissioning phases; however, it is denoted as scoped out in Table 2-15. As noted in Table 3.2 above, the Inspectorate does not consider that sufficient information has been provided to scope out mobilisation of contaminants at this stage and therefore, the resulting effects on benthic ecology cannot be scoped out. The ES should assess this matter or demonstrate that no pathway for significant effects exists, drawing from the marine sediment and water quality assessment as appropriate.
3.5.6	Paragraph 246 Table 2-15	Increased suspended sediment concentrations during operation	As noted in Table 3.2 above, the Inspectorate does not consider that increases in suspended sediment can be scoped out at this stage and therefore, the resulting effects on benthic ecology cannot be scoped out. The ES should assess this matter or provide evidence to demonstrate that no pathway for significant effects exists, drawing from the marine sediment and water quality assessment as appropriate.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.7	Paragraph 247 Table 2-15	Interactions of Electromagnetic Fields (EMF) (including potential cumulative EMF effects) during construction and decommissioning	The Inspectorate agrees that this impact-effect pathway should be assessed for the operational phase only where likely significant effects could occur.
3.5.8	Paragraph 248 Table 2-15	Interactions of heat generated by (operational) cables	The Inspectorate understands from the information in Paragraph 248 that heat emissions from operational cables are likely to be negligible. The Inspectorate agrees that likely significant effects are unlikely and that this matter can be scoped out of the ES.
3.5.9	Paragraph 249	Colonisation of introduced substrate, including non-native species (operation)	The Inspectorate accepts that this impact is restricted to the operational phase and can be scoped out of construction and decommissioning.
3.5.10	Table 2-15	Underwater noise and vibration from piling and UXO clearance during operation	No discussion of the need for unexpected/ emergency UXO clearance during operation is provided, and no information on other operational/ maintenance activities which would be sources of underwater noise is provided. The Inspectorate advises that the ES should provide an assessment of the likely significant effects of underwater noise during operation or provide justification that significant effects are unlikely supported by the evidence highlighted above.

ID	Ref	Description	Inspectorate's comments
3.5.11	Section 2.5.2	Data collection	As well as the types of investigations undertaken, the ES needs to set out the methodologies used and to what extent these have been agreed with relevant stakeholders, for example via the EPP described in Section 1.7 of the Scoping Report.

3.6 Fish and Shellfish Ecology

(Scoping Report Section 3.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	Paragraph 270 Table 2-18	Direct damage (crushing) and disturbance to fish and shellfish species (all phases)	The Inspectorate has considered the information in the Scoping Report and does not agree that the evidence presented is sufficient to support scoping this matter out of the ES. The Inspectorate accepts that maintenance activities are likely to be of lower impact than construction, however, in the absence of any information as to the nature, duration, frequency, and extent of these activities it is not possible to rule out significant effects. The ES should assess the likely significant effects from direct impacts to fish and shellfish populations from the Proposed Development, providing an estimate of the project-specific impacts and the resulting significance of effects on species based on their value and sensitivity.
3.6.2	Paragraph 272 Paragraph 281 Figure 2-15 Table 2-18	Release of sequestered contaminants (all phases)	The Inspectorate notes the information in the Scoping Report including the location of dredge disposal sites shown on Figure 2-15. As highlighted previously, a lack of site-specific information and reasoned justification in the Scoping Report means it is not possible to exclude this matter from the ES at this stage. The ES should assess the likely significant effect or provide adequate information to demonstrate that significant effects will not occur.
3.6.3	Paragraph 273 Table 2-18	Pollution events resulting from the accidental release of pollutants (all project phases)	Based on the information provided on the proposed mitigation and control measures, the Inspectorate agrees that significant effects from accidental release of pollution during all project phases are unlikely. The ES should detail the proposed mitigation measures for all project phases and describe how they are to be secured.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.4	Paragraph 280 Table 2-18	Increase in local suspended sediment concentrations and sediment settlement (operation)	The Inspectorate agrees that the potential for likely significant effects is within the construction phase, however, in the absence of more specific information on the operation and maintenance activities required it is not in a position to scope this matter out. The ES should assess any likely significant effects or provide adequate information to demonstrate that significant effects will not occur.
3.6.5	Paragraph 283 Table 2-18	Impacts on fish and shellfish species as a result of noise and vibration (operation)	Paragraph 269 states that as piling and UXO clearances will be completed during the construction phase, no significant effects are likely. No discussion of the need for unexpected/ emergency UXO clearance during operation is provided, and no information on other operational/ maintenance activities which would be sources of underwater noise is provided. The Inspectorate advises that the ES should provide an assessment of the likely significant effects of underwater noise during operation or provide justification that significant effects are unlikely supported by the evidence highlighted above. The assessment methodology should be discussed with and agreed where possible with stakeholders, and the outcomes of any consultation (e.g., the EPP) reported in the ES.
3.6.6	Paragraph 284 Table 2-18	Habitat loss/disturbance to spawning and nursery areas (operation)	In the absence of information on the likely operational activities the Inspectorate does not agree to scope this matter out. The ES should assess the likely significant effects associated with the disturbance/displacement to spawning/ nursery areas during operation. The Inspectorate notes that long-term change in fish and shellfish habitat due to substrate changes is proposed to be assessed for the operational phase and considers this approach to be appropriate.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.7	Table 2-18	EMF impacts arising from cables (construction and decommissioning)	The Inspectorate agrees that this impact-effect pathway should be assessed for the operational phase only of the Proposed Development where likely significant effects could occur.

ID	Ref	Description	Inspectorate's comments
3.6.8	Paragraph 298	Project specific surveys on fish and shellfish	The Scoping Report states that no project specific surveys are to be carried out. The ES must be based on sufficient information about the receiving environment to allow the scale of any impacts to be defined and understood. The ES should provide justification for the approach taken and explain to what extent this has been agreed with relevant stakeholders, for example via the EPP described in Section 1.7 of the Scoping Report.
3.6.9	N/A	Potential Impacts on Shellfish in the Dogger Bank Special Area of Conservation (SAC)	Table 2-27 in Scoping Report Chapter 2.9 (Commercial Fisheries) indicates that impacts on fish and shellfish species will be assessed within the fish and shellfish ecology chapter. Paragraph 371 of Scoping Report Chapter 2.9 refers to the scallop stock within the Dogger Bank SAC which experienced a large increase in scallop dredging since early 2020 and acknowledges that a large proportion of the array areas overlap with the SAC. A byelaw is in place within the Dogger Bank SAC to ban the use of bottom towed fishing gear, which the Scoping Report indicates could change the baseline environment. No reference is made to this within Chapter 2.6 Fish and Shellfish Ecology. The ES should assess ecological impacts on the Dogger Bank SAC scallop stock where likely significant effects could occur.

3.7 Marine Mammals

(Scoping Report Section 2.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	Paragraph 319 Paragraph 322 Table 2-22	Increased disturbance at seal haul-out sites (all phases)	This matter is proposed to be scoped out due to the distance of known haul-out sites from the Proposed Development. It is not clear if this reasoning includes landfall activities, particularly in relation to construction which the Inspectorate considers could give rise to significant effects. Paragraph 306 discusses the location of haul out sites briefly, stating that the Proposed Development is 60km from Donna Nook (grey seal), but no figures showing them in relation to the Proposed Development or detail on other sites is provided. Paragraph 322 states that this matter has been scoped out for operation but provides no reasoning for this conclusion. In the absence relevant baseline information and explanation of the anticipated extent of impacts from construction and operation activities, the Inspectorate cannot agree to scope this matter out. The Inspectorate expects the ES to provide an assessment of impacts and resulting effects on seal haul-out sites, or robust evidence to support the conclusion that significant effects are unlikely. The Applicant should make effort to agree the evidence required in the ES with relevant consultation bodies.
3.7.2	Paragraph 320 Paragraph 322	Changes in water quality (all phases)	The Inspectorate draws the Applicant's attention to the comments above relating to remobilisation of contaminants and changes to sediment concentrations. The ES should assess the potential impacts on marine mammals or provide adequate evidence to demonstrate that significant effects are unlikely.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.3	Paragraph 323 Table 2-22	Barrier effects from the physical presence of the wind farm (all phases – applicable to operation only)	Taking into account the information in Paragraph 323 the Inspectorate agrees that barrier effects the from physical presence of the Proposed Development are unlikely to give rise to significant effects. This matter can be scoped out of the ES subject to site-specific information on marine mammal movements and discussions with the relevant consultees.
3.7.4	Paragraph 324	Effects from EMFs (all project phases -applicable to operation only, see above)	Paragraph 324 states that the potential for impacts from EMF has been scoped out, citing consistency with scoping opinions related to other wind farm projects. The evidence submitted into scoping for these previous wind farm projects is not presented in the Scoping Report. Nevertheless, the Inspectorate is aware of evidence from recent scoping exercises that the species known in the Proposed Development area are not sensitive to EMF. On this basis, the Inspectorate agrees to scope effects from EMFs on marine mammals. However, the Inspectorate would expect the Applicant to ensure that the need to consider EMF sensitive species is ruled out in consultation with the relevant stakeholders.
3.7.5	Table 2-22	Physical and auditory injury resulting from underwater noise during operation	No discussion of the need for unexpected/ emergency UXO clearance during operation and the potential for effects on marine mammals is provided. The Inspectorate advises that the ES should provide an assessment of the likely significant effects which could arise, including details of any mitigation or control measures proposed to manage the risks to marine mammals from unexpected UXO clearance and how these are to be secured.

ID	Ref	Description	Inspectorate's comments
3.7.6	Paragraph 308 Section 2.7.4	Project-specific surveys and data analysis	The Scoping Report does not explain if the proposed surveys will cover the export cable corridor area, and what rationale has been applied to the survey area chosen. The Inspectorate advises that the ES describes how the approach to data collection has been discussed with stakeholders and to what extent survey effort and methodologies for data analysis have been discussed and agreed. The Inspectorate understands that the completion of the aerial surveys (February 2023) may coincide or immediately precede the statutory consultation on the Preliminary Environmental Information Report (PEIR). This is likely to be an important consideration in ensuring that information is available to all relevant stakeholders so that their views can be captured in preparation of the ES. The ES should explain how stakeholder views have informed the project-specific surveys undertaken. This comment applies to all chapters where aerial surveys are noted as being required.
3.7.7	Paragraph 313	Baseline characterisation, and connectivity with designations	The Applicant should make effort to agree the geographical context and population context of the marine mammal assessment with relevant consultation bodies, including any assumptions made in relation to connectivity to designated sites. The Inspectorate advises that connectivity to designations including the Southern North Sea SAC is relevant to the assessment in the ES as well as the HRA screening process as stated in Paragraph 313.
3.7.8	Paragraph 328	Cumulative effects	The Scoping Report indicates that only displacement effects due to underwater noise, operational displacement from vessels, and impacts on prey species will be considered cumulatively but does not provide any rationale for this approach as it relates to the scope of the cumulative assessment. The Inspectorate expects the Applicant to consider cumulative effects for all the potential impacts which may

ID	Ref	Description	Inspectorate's comments
			combine with those from other development, and which may result in significant effects.

3.8 Offshore Ornithology

(Scoping Report Section 2.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	Table 2-24	Direct temporary habitat loss/disturbance due to construction (arrays and export cable(s))	Table 2-24 indicates that this impact is to be scoped out of the operational phase. The Inspectorate understands that this impact is specific to the construction/decommissioning phases and agrees with this approach. The ES should however assess the likely significant effects of temporary habitat loss/disturbance and define clearly what 'temporary' means in the context of the assessment.
3.8.2	Paragraph 343 Table 2-24	Indirect impacts through effects on prey species and habitats: accidental pollution (all project phases)	Based on the information provided on the proposed mitigation and control measures, the Inspectorate agrees that significant effects from accidental release of pollution during all project phases are unlikely. The ES should provide full details of the proposed mitigation measures for all project phases and describe how they are to be secured.
3.8.3	Paragraph 345 Table 2-24	Barrier effects during construction and decommissioning	The Table indicates that these impacts are to be scoped out of the construction and decommissioning phases. The Inspectorate does not consider that barrier effects are exclusive to the operational phase and cannot agree to scope this matter out. The ES should provide information on the sources of impact and the receptors e.g., migratory birds which could be subject to barrier effects during construction and assess the likely significance of such effects.
3.8.4	Paragraph 349-350	Cumulative effects, including transboundary effects, during construction and decommissioning	The Scoping Report states that the assessment will focus on operational displacement and collision risk, and Table 2-24 shows 'cumulative effects' as scoped out for construction and decommissioning. The Inspectorate considers that the potential exists for cumulative effects during construction given the large number of other developments in the area, and in the absence of construction timescales and locations

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			for the Proposed Development does not agree to scope out cumulative construction effects. A similar rationale applies to the decommissioning phase. The ES should provide an assessment of likely significant cumulative effects for all project phases.

ID	Ref	Description	Inspectorate's comments
3.8.5	Section 2.8.1 Section 2.8.4	Study area, surveys, and Characterisation of baseline	The Inspectorate notes the reference to the EPP in the Scoping Report. In the context of offshore ornithology, the Inspectorate advises that, amongst other matters, effort is made to agree via the EPP the extent of study area, the methodologies for data collection and characterisation of the baseline, and the assumptions made around connectivity of the populations within the study area to designated sites. The ES should fully explain how the baseline has been established and the outcomes of consultation undertaken in relation to these matters.

3.9 Commercial Fisheries

(Scoping Report Section 2.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	Paragraph 381 Table 2-27	Increased steaming times to alternative fishing grounds for vessels that would otherwise fish in the Proposed Development area (operation)	The Scoping Report states that the magnitude of this impact is deemed negligible as the effect will be temporary and localised. The Scoping Report does not explain why operational effects are anticipated to be temporary, however the Inspectorate agrees that due to the nature and the low sensitivity of fishing vessels taking account of their large operational range, a detailed assessment in the ES is not likely to be required. However, the ES should characterise the operational effects on commercial fisheries including increased steaming times and provide the evidence used to determine that significant effects are unlikely.

ID	Ref	Description	Inspectorate's comments
3.9.2	Paragraph 373	Assumptions and limitations	The Scoping Report acknowledges assumptions and limitations with the quantitative data sets used to inform the Scoping Report and expected to inform the ES. Paragraph 373 notes that smaller vessels are excluded from the analysis of Vessel Monitoring System data which only captures vessels over 12m in length, and that datasets from 2020 and 2021 will be affected by COVID-19. It is proposed that in order to support these existing data sets, consultation will be held with fisheries stakeholders to provide further insight into specific fishing grounds and activity of vessels in the area. Data across a time period of at least 4 years prior to 2020 will be collated to avoid the impacts of COVID-19.

ID	Ref	Description	Inspectorate's comments
			The ES should clearly state the limitations associated with any data used. Efforts should be taken to agree the data sources with relevant consultation bodies and outcomes should be evidenced within the ES.
3.9.3	N/A	Invasive non-native species (INNS)	The ES should assess the potential for the introduction hard substrate and vessel movements to facilitate the spread of Invasive Non-Native Species (INNS) (e.g., via ballast water, biofouling, introduction of artificial structures and through accidents and spillages) and the potential for impacts upon commercial fisheries where significant effects are likely to occur. Where significant effects are likely to occur, the ES should also consider the potential for climate change-related effects to facilitate the spread and exacerbate the impacts of INNS.

3.10 Shipping and Navigation

(Scoping Report Section 2.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Paragraph 418 Table 2-30	• Vessel to structure allision risk; • Reduction of under keel clearance; • Increased anchor interaction with subsea cable(s); • Interference with marine navigation, communications and position fixing equipment • Reduction of emergency; response provision including Search and Rescue capability.	Paragraph 418 states that no matters are being scoped out from the shipping and navigation assessment. However, Table 2-23 seeks to scope out the following (during the construction and decommissioning phases only): • Vessel to structure allision risk; • Reduction of under keel clearance; • Increased anchor interaction with subsea cable(s); • Interference with marine navigation, communications and position fixing equipment; and • Reduction of emergency response provision including Search and Rescue capability. The Inspectorate has assumed that these impacts are considered only relevant to the operation phase and subject to this assumption being correct, agrees to scope them out of the ES. The ES should explain the impacts relevant to each project phase, including where impacts are limited to a particular phase of the project.

ID	Ref	Description	Inspectorate's comments
3.10.2	Paragraph 397	Requirement for additional traffic surveys	Paragraph 397 notes a requirement for additional traffic surveys if a reactive compensation platform is required as part of the Proposed Development. The Inspectorate advises that careful consideration is given to the implications of the timing of this design decision for the ES (and the Navigational Risk Assessment which will inform it).

ID	Ref	Description	Inspectorate's comments
3.10.3	Paragraph 416	Mitigation measures	The Scoping Report states that safety zones of up to 500m will be applied during construction, maintenance, and decommissioning phases. The ES should provide more information regarding the safety zones and include details of any diversions to navigational routes which will be required for existing vessels to avoid the Proposed Development. The ES should also include details of any other mitigation measures to be adopted that the assessment has relied upon. The Applicant is advised to consult with the relevant stakeholders on the design and implementation of any safety zones and other mitigation measures adopted, and the ES should reflect the outcomes of this consultation.
3.10.4	Section 2.10.3.2	Potential impacts	The Applicant should ensure that any structures which would be placed outside the array areas are included in the assessment of effects. If cable protection is likely to be required, then the assessment should use a worst-case scenario based on the maximum extent of cable protection expected to be used.
3.10.5	N/A	Implications for other assessments in the ES	This aspect chapter should cross-refer to the relevant assessments of the ES, including assessments which consider the potential for vessel movements which could facilitate the spread of INNS (e.g., through ballast water, accidents, and spillages) or which displace shipping traffic into designated wildlife sites

3.11 Aviation and Radar

(Scoping Report Section 2.11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 2-33	Impacts on civil and military radar systems due to permanent structures during construction and decommissioning phases (excluding Saxton Wold Military Radar).	The Inspectorate agrees that this matter can be scoped out as permanent structures would only be present during the operational phase and impacts arising from construction activity e.g., cranes and vessels will be separately assessed.

ID	Ref	Description	Inspectorate's comments
3.11.2	Paragraphs 435-443	Characterisation of existing aviation environment and potentially affected receptors	The Scoping Report describes the existing radar facilities in the region and makes reference to distance ranges which have been considered in identifying receptors. The distances to airports and radar facilities are given but the ranges applied are not described and this information should be included in the ES. Airspace classification and control information is also described but is difficult to understand from the text. Consideration should be given to the inclusion of suitable figures in the ES to aid understanding of the existing aviation environment in relation to the Proposed Development and how this has informed the assessment.
3.11.3	Section 2.11.3	Potential impacts	The assessment of the effects on military low flying arising from operation of the Proposed Development in the ES should be undertaken using accurate charting of the Wind Turbine Generators (WTGs). Where the final layout/ height mix of WTGs has not been decided, the worst-case scenario(s) should be assessed. It is noted at figure 2-25 that there is a Helicopter Main Routeing Indicator (HMRI 8) which passes

ID	Ref	Description	Inspectorate's comments
			within 2 nautical miles of the south-eastern corner of the Dogger Bank South East array area, so the results of any consultation required should form part of the ES.
3.11.4	Paragraph 457	Approach to assessment	The Scoping Report states that the assessment will be supported by further desk-based studies, including radar line of sight modelling to identify sensitive receptors. There does not appear to be any criteria presented to identify how significant effect will be determined. The ES should provide clarity on how the assessment has been undertaken, taking account relevant guidance and aspect specific methodology and detail the methodology used.
3.11.5	Table 2-32	Mitigation – aviation safety lighting	The Inspectorate considers that there may be a requirement for aviation safety lighting to mitigate potential significant effects to military low flying and civilian helicopter movements from the presence of WTGs and other offshore infrastructure. The Applicant should seek to agree the specification of any aviation safety lighting with relevant consultation bodies. Any significant effects associated with the lighting on ecological receptors should also be assessed in the ES.
3.11.6	N/A	Inter-relationships	The Scoping Report states at section 2.11.3 there is potential impacts to military and civil aviation, including via physical structures of the Proposed Development. The inter-relationships with other aspects e.g., infrastructure and other users, and tourism should be assessed in the ES if significant effect is likely

3.12 Infrastructure and Other Users

(Scoping Report Section 2.12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	Paragraph 469 Table 2-38	Impacts on aggregate dredging activities (all phases) Impacts on disposal sites	Paragraph 469 states that there are no licenced aggregate production areas or mining sites within the study area. No further discussion is presented to support the conclusion to 'scope out' this matter in Table 2-38. Disposal sites are also stated as absent from the study area (Paragraph 470) however, Paragraph 477 identifies potential operational impacts on disposal sites. Disposal sites do not feature in Table 2-38. The rationale presented for these two matters is not clear in the Scoping Report. The Inspectorate expects the ES to be based on robust evidence to demonstrate that features are absent or would otherwise be unaffected by the Proposed Development in reaching any subsequent conclusion to exclude significant effects.
3.12.2	Paragraph 480 Table 2-38	Potential cumulative impacts from construction, operation, and decommissioning	The Inspectorate does not agree that this matter can be scoped out at this stage. In the absence of any detail of proposed mitigation measures referred to (i.e., development of crossing agreement or similar) the Inspectorate considers that pathways for effects remain and therefore there is potential for cumulative effects to arise. The ES should assess all impacts with the potential to result in significant cumulative effects with other development, or provide adequate information on the mitigation measures to demonstrate that these impacts can be discounted from that assessment.

ID	Ref	Description	Inspectorate's comments
3.12.3	Section 2.12.1.4	Carbon Capture Storage	In addition to the Northern Endurance Carbon Capture and Storage (CCS) project noted in Section 2.12.1.4 of the Scoping Report the Inspectorate is also aware (as presented on the National Infrastructure Website) of a number of other CCS Pipelines, and areas of Saline Aquifer Injection within the North Sea and associated land infrastructure. The ES should ensure to include reference to all existing or proposed CCS activities with which the Proposed Development may interact (onshore cable corridor and substations, offshore cable corridor and offshore array areas).
3.12.4	Paragraph 473	Unexploded Ordnance (UXO)	The Inspectorate notes that there is potential for wartime UXO to be located in the southern North Sea, but at Paragraph 473 it states that it is not proposed to ascertain the locations and develop any mitigation until after any DCO is granted. The Inspectorate considers that there is potential for UXO to give rise to significant effects if they are present within the scoping boundary, e.g., in relation to clearance activities there could be impact to marine mammal ecology (section 3.7) and offshore archaeology (see section 3.13). The ES should be supported by survey information to identify the potential location of UXO within the DCO boundary and an outline mitigation plan, in order to support an assessment of the worst-case scenario associated with UXO clearance.
3.12.5	Paragraph 484	Approach to Impact Assessment	The Scoping Report states at paragraph 484 that the *"EIA will be based on existing data and information gathered through consultation"*. There is no information presented about the methodology that will be used to assess impacts, nor is any criteria presented to identify how significance of effect will be determined. The ES should be clear on how the assessment has been undertaken, taking into account relevant guidance, and using an aspect specific methodology where possible.

3.13 Offshore Archaeology and Cultural Heritage

(Scoping Report Section 2.13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	N/A	None	See Table 2.4 above in relation to transboundary effects.

ID	Ref	Description	Inspectorate's comments
3.13.2	Section 2.13.3	Potential impacts	The Scoping Report describes the potential impacts to archaeological material resulting from changes in the hydrodynamic regime and sedimentary processes. The inter-relationship between the Marine Physical Processes assessment and the Offshore Archaeology and Cultural Heritage assessment should be explained in the ES, in particular how the assessments have informed each other where applicable
3.13.3	Section 2.13.4 Table 2-40	Approach to data collection	The Scoping Report identifies the intention to carry out geophysical survey of the array areas and offshored export cable corridor(s) in 2022. The export cable corridor has not yet been fully defined and it will be essential for the ES to clearly set out the areas subject to this survey. Archaeological expertise should be used to inform the approach to geophysical assessment and the ES should also explain how stakeholder consultation has informed the data collection for the assessment The Inspectorate recommends that the Applicant makes effort to agree the survey methodology and the investigations needed to inform the assessment and any mitigation measures with the relevant consultation bodies including Historic England.
3.13.4	Paragraph 530	Mitigation	The strategy for mitigation identified should be fully described in the ES, including the need for the application of Archaeological Exclusion

ID	Ref	Description	Inspectorate's comments
			Zones; and if required, details of the exclusion zones including the mechanism for securing them. The Inspectorate also advises that an archaeological Written Scheme of Investigation (WSI) should be produced, and effort made to agree it with consultation bodies, to enable the scope of archaeological investigation and mitigation to be determined and secured throughout the consenting process and post-consent.
3.13.5	N/A	Potential impacts – unknown assets	The Inspectorate notes the intention in this section for archaeological involvement in geophysical and geotechnical survey work. The ES should describe how impacts to unknown assets, including paleogeographic deposits, that may be discovered would be mitigated and how the mitigation is to be secured.

3.14 Seascape, Landscape and Visual Impact

(Scoping Report Section 2.14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Paragraph 533	Offshore export cables	The Scoping Report states that as the offshore export cables will be submerged, they will not be considered further in the assessment. The Inspectorate agrees this matter can be scoped out. Any infrastructure which may be visible from the onshore study area, for example Transition Joint Bays, should be considered within the onshore landscape and visual impact chapter.
3.14.2	Paragraph 538 Paragraph 543 Table 2-42	Visual receptors during operation.	The Scoping Report seeks to scope this matter out on the basis that visual receptors in the offshore study area will have low susceptibility to change in their views in the surrounding areas. The Inspectorate agrees that effects from the arrays may be scoped out, however, considers that the ES should assess impacts from the presence in the seascape of the proposed offshore substations or other platforms.
3.14.3	Paragraph 540 Table 2-42	Impacts on seascape and coastal character, and visual receptors during construction and decommissioning	The Scoping Report seeks to scope this out on the basis that impacts during the temporary construction phase of the offshore infrastructure will never be greater than the operational effects of the completed wind farm. The Inspectorate considers that no information has been provided in the Scoping Report to validate this statement. It is also noted that Paragraph 513 (within Chapter 2.13) proposes to scope in Historic Seascape character during construction. As such, the Inspectorate does not agree to scope this matter out and considers the ES should include information regarding the types of construction activities which could create impacts, such as vessel

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			movements, lighting on construction vessels, and impacts relating to the construction of offshore platforms.
3.14.4	Paragraph 541 Table 2-42	Impacts on seascape and coastal character during operation.	The Scoping Report seeks to scope this matter out on the basis that the operation of the offshore wind farm is unlikely to impact on the key characteristics of the Dogger Bank Marine Character Area or other Marine Character Areas within the Seascape, Landscape and Visual Impact Assessment (SLVIA) study area due to the presence of existing and consented wind farms. The Inspectorate agrees that significant effects are unlikely and agrees to scope out this matter out.
3.14.5	Paragraph 542 Table 2-42	Impacts on landscape character during operation.	The Scoping Report states that the operation of the offshore wind farm is unlikely to significantly impact on landscape character or landscape designations due to the distance. The Inspectorate agrees that significant effects are unlikely and agrees to scope out this matter out.
3.14.6	Paragraph 544 Table 2-42	Impacts during decommissioning	The Scoping Report states that impacts during the decommissioning phase will never be greater that during construction or operation and therefore seeks to scope this matter out. The Inspectorate considers that no information has been provided in the Scoping Report to validate this statement. As such, the Inspectorate does not agree to scope this matter out and considers the ES should include information regarding the types of decommissioning activities which could create impacts, such as vessel movements, lighting on construction vessels and the removal of the offshore substation platforms.
3.14.7	Paragraph 545	Cumulative impacts	The Scoping Report seeks to scope out cumulative seascape effects with Dogger Bank A, B and C and Sofia offshore wind farms on the basis that the susceptibility of potential seascape and visual receptors

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			is low. The Inspectorate agrees that significant effects are unlikely and agrees to scope this matter out.
3.14.8	Table 2-42	Designated landscapes during operation.	The Scoping Report seeks to scope this matter out due to the intervening distance between the land area and the Proposed Development, and therefore the Proposed Development is unlikely to significantly effect landscape character or the special qualities of landscape designations. The Inspectorate agrees this matter may be scoped out.

ID	Ref	Description	Inspectorate's comments
3.14.9	N/A	N/A	N/A

4. ENVIRONMENTAL ASPECT COMMENTS - ONSHORE

4.1 Terrestrial Ecology and Onshore Ornithology

(Scoping Report Section 3.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	N/A	None	No matters are proposed to be scoped out of the assessment. Table 3-4 presents matters to be scoped in or out.
4.1.2	Paragraph 559	Direct impacts to designated sites	Paragraph 559 indicates that the Scoping Report considers that statutory and non-statutory designated sites for nature conservation have been avoided, and as such direct impacts are not predicted. This is not reflected in Figure 3-1, which shows a number of designated sites within the study area with no defined cable routes shown to avoid these. In addition, Table 3-4 proposes to scope in impacts, without specifying if these are direct or indirect. For clarity, the Inspectorate considers that direct impacts to designated sites must be assessed in the ES.

ID	Ref	Description	Inspectorate's comments
4.1.3	Section 3.1.3	Potential impacts – emissions during construction	The Scoping report notes the potential for noise and dust emissions to affect designated sites. The Inspectorate considers that the potential effects on designated and valuable habitats due to increased emissions from construction plant and vehicles should also be assessed in the ES. It is noted that Section 3.9 of the Scoping Report refers to this potential impact, however the Inspectorate advises that this is subject to specialist ecological assessment and is included in the terrestrial ecology chapter of the ES.

ID	Ref	Description	Inspectorate's comments
4.1.4	N/A	Confidential Annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

4.2 Geology and Land Quality

(Scoping Report Section 3.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	N/A	None	No matters are proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
4.2.2	Paragraph 583	Aquifer Vulnerability	Reference is made within this paragraph to the vulnerability of aquifers (ranging from low to high), however this information is not presented within Table 3-5 (Aquifer Designation). The ES should ensure that all available information is utilised to assess the sensitivity of the identified receptors. The receptors and other relevant baseline information should also be indicated on an appropriate figure.
4.2.3	Paragraph 594 Paragraph 607	Land Quality	The Scoping Report refers to the potential for diffuse and point source pollution to be present across land that is currently in agricultural use within the onshore study area. Whilst land quality is addressed in Section 3.4, the Scoping Report does not address how the effects from mobilisation of existing contamination or introduction of pollution during construction, operation, or decommissioning, for example fuel spills, could impact on agricultural land quality. The Inspectorate advises that the ES assess these impacts where significant effects are likely and describe any mitigation requirements.
4.2.4	Section 3.2.3	Summary of Potential Impacts	The Scoping Report does not refer to the potential for damage to new and existing infrastructure from potentially contaminated land, water, or ground gas. The ES should describe any design measures required to manage this issue.

ID	Ref	Description	Inspectorate's comments
4.2.5	Paragraph 609 and 610	Mineral Safeguarding Areas for Extractable Resources	The Scoping Report states that the ES will assess the potential for temporary and permanent mineral sterilisation within the onshore study area. The ES should provide information on the geographic location of Mineral Safeguarding Areas (MSA) and the types of minerals or other resources that are protected, with reference to supporting figures as necessary.
4.2.6	N/A	Unexploded Ordnance	The Scoping Report does not refer to the potential for the presence of Unexploded Ordnance (UXO) within the onshore study area. The ES should provide desk study information including a risk assessment to inform the ES.

4.3 Flood Risk and Hydrology

(Scoping Report Section 3.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	Paragraph 652 Table 3-12	Direct disturbance of surface water bodies during operation	The Inspectorate considers that direct surface water disturbance during operation may be scoped out on the basis that operational activities will not directly disturb surface water bodies therefore significant effects are unlikely.

ID	Ref	Description	Inspectorate's comments
4.3.2	Section 3.3.4.2	Coastal flood risk	The Scoping Report identifies flood risk as a matter to be assessed in the ES for all phases of the proposals, however in terms of coastal flood risk this is mentioned in Section 3.3.4.2 the context of risks to the Proposed Development. Changes to coastal flood risk arising from impacts of the Proposed Development e.g., from interactions with existing defence infrastructure or works at landfall, should be assessed within the ES and supporting Flood Risk Assessment (FRA).
4.3.3	N/A	Dewatering activities and alteration of surface water bodies	No direct reference is made to the potential requirement for dewatering of groundwater, or the temporary or permanent alteration of surface water bodies, within the Scoping Report. The ES should provide a full description of any such activities and present an assessment of any resulting likely significant effects.

4.4 Land Use

(Scoping Report Section 3.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	Paragraph 685 Table 3-14	Soil heating from operational cables impacts on agricultural productivity (all phases, only applicable to operation)	While the intention to design the buried cable systems to minimise heat loss is acknowledged, in the absence of any detailed information about the measures adopted and predicted emissions it is not possible to agree to scope out soil heating from the ES. The ES should include the necessary information to demonstrate impacts can be avoided or reduced to exclude significant effects, or provide an assessment.
4.4.2	Paragraph 686 Table 3-14	Operational loss of best and most versatile (BMV) land (related to buried infrastructure where land is reinstated)	The Inspectorate agrees that operational loss of BMV is unlikely to result in significant effects where the BMV is fully reinstated. However, it is not known if full reinstatement will be possible along the entire buried infrastructure route. The ES should address this matter and assess any likely significant effects. The ES should be supported by details of the reinstatement plans and methodology to be employed during construction and demonstrate how these will be secured in the DCO. It is noted that operational effects from restrictions to agricultural practices around buried infrastructure is to be included in the ES assessment.

4.4.3	Paragraph 687 Table 3-14	Soil erosion during operation	The Scoping Report does not expand on its statement that erosion impacts are not anticipated during operation, e.g. with reference to landfall design or operational activities. While the Inspectorate accepts that significant effects are more likely during construction, it advises that the ES includes sufficient information to demonstrate that impacts can be discounted during operation, or make an assessment of the likely significant effects.
4.4.4	Paragraph 688 Table 3-14	Impacts to Environmental Stewardship from landfall and cable corridor during operation	The comments above (ID 4.4.1) regarding reinstatement should also be considered in relation to effects on existing and future Environmental Stewardship Schemes and reported in the ES.
4.4.5	Paragraph 689 Table 3-18	Operational effects on existing utilities	While it is acknowledged that the potential for effects is most likely to arise during the construction phase, there is no discussion of operational effects in the text, e.g. in relation to maintenance of rights of access to utilities or the implications of reinstatement planting. The ES should assess operational effects on existing utilities where significant effects could occur.
4.4.6	Paragraph 690	Impacts to Public Rights of Way (PRoW) and Countryside Rights of Way (CRoW) and public health and safety related to buried infrastructure during operation	On the basis that no permanent diversions are intended relating to buried infrastructure, the Inspectorate agrees that these matters can be scoped out of the ES. However, the ES should detail how PRoW and CRoW areas will be reinstated following construction and how these works are to be secured.

ID	Ref	Description	Inspectorate's comments
4.4.7	Paragraph 665	Potential Impacts to Land Uses	Paragraph 665 refers to the presence of landfill sites within the onshore study area. These are not referred to further within this chapter and as such it is not clear whether the ES will include an assessment of likely significant effects to land use arising from impacts to landfills.

ID	Ref	Description	Inspectorate's comments
			For clarity, the ES should identify and assess impacts to these specified land uses where significant effects are likely.
4.4.8	Paragraph 675	The need for survey work	Paragraph 678 of the Scoping Report states that no surveys are proposed to inform the land use impact assessment. The Inspectorate advises that this is kept under review and that advice from stakeholders is sought and addressed in relation to the need for surveys. The ES should include a description of any survey work, e.g., to establish agricultural land quality or the presence of utilities, relied upon for the purposes of mitigation or restoration.

4.5 Onshore Archaeology and Cultural Heritage

(Scoping Report Section 4.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	Paragraph 721 Table 3-17	Direct physical impacts during operation	The Scoping Report states that the Proposed Development will not result in direct physical impacts to onshore heritage assets during operation, however no evidence is provided in relation to hydrological changes that may extend into the operational phase or in relation to heating effects from electrical infrastructure. It is noted that Section 3.4 rules out soil heating but identifies impacts to soil drainage during operation, and this evidence should be applied to the archaeology assessment in the ES. It is also noted that Section 3.3 scopes in assessment of surface water changes and flood risk during operation, and it is not clear how this has informed the proposed scope of the archaeological assessment. In the absence of this evidence, the Inspectorate does not agree that these matters can be scoped out of the ES. The ES should provide an assessment of the likely significant effects arising from changes in preservation conditions during the operational phase.

ID	Ref	Description	Inspectorate's comments
4.5.2	Paragraph 708 Table 3-16	Baseline archaeology surveys	The Report states that further investigations such as geophysical survey will be undertaken following the results of the desk-based assessment and trial trenching will be considered if required. The ES must provide a clear understanding of the impacts on the known deposits, assess the impact of the route on previously unknown deposits (geophysics and where necessary trial trenching along the cabling route and substations) and agree a mitigation strategy that can

ID	Ref	Description	Inspectorate's comments
			be submitted with the DCO application. The Inspectorate considers that an appropriate evaluation technique will need to be defined in consultation with the County archaeologists and Historic England. Supporting technical heritage information (full survey reports) should be included as appendices to the ES.
4.5.3	Paragraph 734	Technical Guidance	In addition to the documents listed, the Inspectorate advises that the following guidance documents should be taken into consideration: • Historic England Advice Note 15 Commercial Renewable Energy Development and the Historic Environment (2021): https://historicengland.org.uk/images-books/publications/commercial-renewable-energydevelopment-historic-environment-advice-note-15/ • Historic England (2016) Preserving Archaeological Remains https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/ • Historic England (2019) Piling and Archaeology https://historicengland.org.uk/images-books/publications/piling-and-archaeology/ • Crown Estate (2021) Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects https://www.thecrownestate.co.uk/media/3917/guide-to-archaeological-requirements-for-offshore-wind.pdf

4.6 Landscape and Visual Impact

(Scoping Report Section 3.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	Paragraph 751 Table 3-19	Impacts resulting from the construction and decommissioning of the landfall(s) and onshore export cable(s).	The Inspectorate considers that construction of these elements is likely to involve multiple compounds and substantial working areas and haul routes, and does not agree with the characterisation of 'localised'. In addition, the Inspectorate does not agree with the characterisation of 'short-term', in particular if the two projects making up the Proposed Development are constructed sequentially. In the absence of information about the 'good practice measures' mentioned in Paragraph 751 or other mitigation, and the anticipated timescales of construction for the Proposed Development, the Inspectorate does not agree to scope this matter out.
4.6.2	Paragraph 753 Table 3-19	Operational impacts resulting from the landfall(s) and onshore export cable(s).	The Scoping Report seeks to scope this matter out on the grounds that following installation and restoration of ground, underground cables which are part of the onshore infrastructure would not significantly impact landscape or visual receptors. At this stage, the nature of any restoration and planting works have not been finalised. The inspectorate understands that the 'worst-case' in terms of overlap of the two projects will be assessed. The ES should include sufficient information, including on restoration measures and timescales, to allow understanding of any change in appearance of land resulting from the Proposed Development. The ES should therefore assess any likely significant effects of these changes, or demonstrate that no significant effects would occur. The ES should also demonstrate how consultation with the relevant consultation bodies and stakeholders has been taken into account.

ID	Ref	Description	Inspectorate's comments
4.6.3	Paragraph 746	Area of Outstanding Natural Beauty (AONB)	The Scoping Report refers to the Yorkshire Wolds, on the edge of the Creyke Beck onshore study area as under consideration by Natural England for designation as an AONB, with consultation in 2022. The Scoping Report then states that the candidate boundary lies outside 10km from the Proposed Development scoping boundary (the Onshore Study area) and will not be considered further. No justification is provided for the use of this 10km distance. The Inspectorate expects the ES to identify landscape receptors on the basis of a Zone of Theoretical Visibility (ZTV) as stated in Paragraph 762 of the Scoping Report. If identified as a receptor, the Inspectorate advises that the ES should assess the Yorkshire Wolds as being of equivalent sensitivity and value to an AONB as part of ensuring that the worst-case scenario is assessed.
4.6.4	Paragraph 761	Study Area	It is noted that the proposed study area for the onshore Landscape and Visual Impact Assessment is 5km radius from the substations and 1km from the onshore cable route(s). The Inspectorate appreciates that there is a current level of uncertainty regarding the location of onshore works, however the study area relied upon for the assessment should be based on a ZTV which demonstrates that the assessment of effects covers an appropriate area to capture potential impacts on receptors who will have views to the onshore development area.
4.6.5	Paragraph 762	Viewpoints	The Scoping Report states that viewpoints will be agreed with Natural England and East Riding of Yorkshire Council (ERYC). The Inspectorate considers this consultation should be expanded to include other relevant consultees such as Historic England and local planning authorities in addition to ERYC. A range of viewpoints should be used to represent the various receptors who could be affected by the Proposed Development, including night-time receptors if construction lighting or lighting at the substations are

ID	Ref	Description	Inspectorate's comments
			to be used. This could include designated and non-designated heritage assets and their settings. A figure showing locations of viewpoints used for the assessment should be provided in the ES.
4.6.6	Paragraph 763	Mitigation	No specific mitigation measures are proposed in the Scoping Report; however, landscape restoration is referred to in Paragraph 763. Mitigation measures should be described in the ES and details of any monitoring requirements including how these will be secured should also be included in the ES.

4.7 Traffic and Transport

(Scoping Report Section 3.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	Paragraph 806 Paragraph 816 Table 3-23	Traffic and transport activities associated with offshore construction, decommissioning and operational activities.	The Scoping Report states that *"to ensure that potential impacts associated with the Projects' offshore construction and operational phases (including cumulative impacts) are assessed and mitigated, RWE will consider a Requirement to produce a Port Traffic Management Plan once the final location of the preferred base port (or ports) is known".* On this basis, the Applicant is seeking to scope out the onshore impacts of the traffic and transport associated with offshore construction activities. The location of the base port is not currently known and is not expected to be known until after consent (Paragraph 805), and therefore the potential impacts are not fully understood. The Scoping Report also only refers to 'consideration' of the production of a Port Traffic Management Plan. The Inspectorate does not agree to scope this matter from the assessment. Accordingly, the ES should include an assessment of these matters, or the information referred to above to support a justification of why there will be no significant effects.
4.7.2	Paragraph 811	Hazardous Loads (Construction, Operation and Decommissioning)	The Scoping Report seeks to scope out a separate assessment of hazardous loads and instead seeks to use a road safety assessment to investigate the types of vehicles involved in collisions and location of collisions. Paragraph 810 of the Scoping Report states, *"it is not envisaged that there would be a significant number of movements of hazardous loads".* The Inspectorate agrees that a separate Hazardous Load Assessment does not to be prepared, however the ES should provide clarification

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			regarding the potential number of hazardous loads and where there is potential for hazardous loads that could give rise to significant effects, an assessment should be undertaken and presented in the ES. Additionally, the Road Safety Assessment should provide information on how the routes of hazardous loads may be amended in light of findings regarding collision sites.
4.7.3	Paragraph 814 Table 3-23	Traffic impacts during operation (onshore activities) • Driver delay; • Road safety; • Severance; • Amenity; • Abnormal loads; • Hazardous loads; and • Cumulative impacts	The Scoping Report seeks to scope out traffic impacts relating to maintenance of the onshore substations during operation on the basis that maintenance checks will be infrequent and subject to low vehicle demand. With the exception of hazardous loads (please see point above),the Inspectorate agrees that significant effects are unlikely and is content to scope these matters out of the ES. The description of the Proposed Development in the ES should explain the likely number and nature of vehicle movements to provide confidence for excluding these matters from more detailed assessment.

ID	Ref	Description	Inspectorate's comments
4.7.4	Paragraph 787	Baseline traffic surveys	The Scoping Report does not state whether new baseline traffic flow surveys will be undertaken. The ES should provide information regarding the times, dates, and location of any new traffic flow surveys (as the Scoping Report currently presents data from 2019) and how the locations of surveys are appropriate to represent effects resulting from traffic movements required for the Proposed Development.
4.7.5	Paragraph 800	Assessment methodology	The Scoping Report states that the assessment will be undertaken with reference to the Guidance for Environmental Assessment of Road Traffic (GEART). No reference is made within the Scoping Report about

ID	Ref	Description	Inspectorate's comments
	Paragraph 826-827		potential effects to pedestrians from fear and intimidation; which are identified in GEART. The ES should include an assessment of these matters where significant effects are likely or otherwise provide evidence and reasoning as to why significant effects are not expected. The Inspectorate advises the Applicant to consult with relevant stakeholders on the criteria and methodology applied to the assessment, including the determination of the affected road network and the requirement for junction capacity assessments.
4.7.6	N/A	Impacts to rail infrastructure	The ES should assess potential impacts to rail infrastructure from the Proposed Development, including in relation to operational rail safety and use throughout construction and operation.

4.8 Noise and Vibration

(Scoping Report Section 3.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	Paragraph 853 Table 3-29	Operational onshore and nearshore airborne noise (with the exception of substations)	The Scoping Report states that there are no operational noise impacts from buried infrastructure at landfall or from the onshore export cable. The Inspectorate considers that given the nature of the infrastructure significant noise effects are unlikely, however, the ES should provide evidence of the anticipated noise emissions from above ground infrastructure to demonstrate that a detailed assessment is not necessary.
4.8.2	Paragraph 857	Operational vibration impacts (traffic, onshore infrastructure)	The Inspectorate has considered the information in the Scoping Report regarding operational traffic, substation equipment, and other onshore infrastructure as sources of ground-borne vibration. The Inspectorate agrees that significant effects are unlikely and is content that operational vibration can be scoped out of the ES.

ID	Ref	Description	Inspectorate's comments
4.8.3	Table 3-27	Sensitivity of receptors	Table 3-27 lists criteria for determining the sensitivity of receptors. The ES should list the source of this data or indicate the use of professional judgement to inform the criteria, as no source is currently listed.

4.9 Air Quality

(Scoping Report Section 3.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	Paragraph 878 Table 3-30	Operational effects on human health and ecological receptors from emissions of dust, emissions from plant and machinery, and emissions from road traffic (including cumulative effects)	The Inspectorate has considered the information in the Scoping Report and agrees that significant effects are unlikely. However, the information on the likely emissions to air during operation and the receptors which could be affected is very limited. The Inspectorate considers that back-up generators, and other equipment in particular battery storage infrastructure if proposed, has the potential to result in air quality effects during the operational phase. The Inspectorate would expect the ES to provide a reasoned justification supported by evidence to demonstrate why a detailed assessment is not required. Cross-reference should be made to the assessments of effects on ecology and on human health.

ID	Ref	Description	Inspectorate's comments
4.9.2	Paragraph 887	Affected Road Network	The ES should explain how the affected road network (ARN) has been identified and provide a clear definition of the ARN including appropriate figures where possible.

5. ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE ASPECTS

5.1 Socioeconomics, Recreation and Tourism

(Scoping Report Section 4.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.1	Paragraph 913 Table 4-1 Table 4-2	Operational effects from: • Disruption/pressure on local infrastructure and to offshore activities; • Disturbance (noise, air, visual and traffic) to social infrastructure; and • Disruption to tourism and recreation	The Scoping Report states in Paragraph 913 that the operational impacts associated with these matters will be negligible. On the basis of the information provided on the nature and characteristics of the proposals, the Inspectorate agrees that significant effects in operation are unlikely in relation to buried infrastructure. However, consideration should be given in the ES to potential effects of the presence of the substation(s),and an assessment made of any likely significant effects where these could occur. It is also noted that 'disturbance to social infrastructure' is not scoped out in Table 4-1 which contradicts Paragraph 913, and it is not clear if the impacts identified in Table 4-2 are related to construction, as if not there is also a discrepancy with Table 4-1 and Paragraph 913. The potential impacts for each project phase should be clearly set out in the ES. The Inspectorate does not agree that these matters can be scoped out in relation to the substations.

ID	Ref	Description	Inspectorate's comments
5.1.2	Paragraph 892	Offshore assessment	The Scoping Report states that the socio-economics chapter covers both offshore and onshore matters, but refers to commercial fishing being addressed in Section 2.9, commercial shipping in Section 2.10, and dredging operations in Section 2.12. However, these Sections do

ID	Ref	Description	Inspectorate's comments
			not provide information on potential socio-economic effects or the intended approach to assessment in the ES, aside from 2.9 which identifies potential impacts to fishing supply chains. Offshore socio-economic matters should be assessed in the ES where significant effects are likely. The ES must clearly explain which matters are included in each assessment and the inter-relationships between them, to avoid duplication or omission.
5.1.3	N/A	Severance Issues	The ES should assess the impacts during construction and operation of potential severance issues resulting from the onshore cable corridor and other infrastructure, for farmers and other landowners. Measures should be included within the DCO to ensure farmers and other landowners' ability to access and move their livestock and ability to access their land is not hindered. The ES should assess severance issues as a result of the onshore elements of the Proposed Development on the function of local settlements and their ability to act as cohesive communities.

5.2 Human Health

(Scoping Report Section 4.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.2.1	Paragraph 960	Air quality, airborne noise, and seascape, landscape, and visual impact offshore	The Inspectorate refers to the advice given elsewhere in this Scoping Opinion on these matters but agrees that effects on human health arising from them can be scoped out of the ES.
5.2.2	Paragraph 967 Table 4-3	Soil contamination	Paragraph 967 states that soil contamination is only considered to pose a potentially significant health risk to the public where it is associated with water contamination, (and as such) soil contamination in itself is scoped out. No evidence is provided within the Scoping Report for this statement, The chapters should provide this information, or an assessment of likely significant effects on human health from soil contamination.
5.2.3	Paragraph 986 Paragraph 988 Table 4-3	During operation: • Changes in access to open space and recreation affecting health related behaviours and lifestyles. • Transport, public rights of way and cycle route affecting population health	Interference with access to open space is discussed in the Scoping Report in relation to construction impacts but not discussed for operation. Impacts during operation to open space and transport routes including PRoW and cycle routes are denoted as scoped out for in Table 4-3. The Inspectorate is content that significant effects on human health, other than those of safety discussed elsewhere, are unlikely to arise from impacts to transport. The Inspectorate accepts that any short-term disruption to open space, PRoW, cycle paths and bridleways etc will have occurred during construction and no additional impacts would be anticipated during operation. The ES should detail how PRoW and open space areas will

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			be reinstated following construction and how these works are to be secured.
5.2.4	Paragraph 993 Table 4-3	Degradation of local air quality during operation - onshore	The Scoping Report does not provide any information about operational air quality impacts in the text or reasoning behind scoping it out in this section. As advised above, the Inspectorate considers that back-up generators, and other equipment in particular battery storage infrastructure if proposed, has the potential to result in air quality effects during the operational phase. In the absence of a detailed project description which allows this impact pathway to be removed, the Inspectorate cannot agree to scope this matter out. The ES should provide an assessment the likely significant effects on air quality during the operational phase.
5.2.5	Section 4.2.3.4 Table 4-3	All other matters proposed to be scoped out: • Housing availability; • Disruption to built environment and community infrastructure; • Community safety risks; • Changes in community identity; • Climate change effects on health during construction and decommissioning;	The Inspectorate agrees that these matters are either beyond the scope of EIA, or given the nature of the proposals and the reasoning provided in the Scoping Report unlikely to give rise to significant environmental effects and can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		• EMF risks (public concern and understanding is scoped in for onshore operation); • Health and social care demand; and • Wider societal benefits during construction and decommissioning	

ID	Ref	Description	Inspectorate's comments
5.2.6	N/A	N/A	N/A

5.3 Climate Change

(Scoping Report Section 4.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.3.1	Paragraph 1026 Paragraph 1030 Table 4-4	Cumulative impacts - emissions	Paragraph 1026 outlines the global approach to assessment of Greenhouse Gas (GHG) emissions, seeking to scope out an assessment with other projects. in line with IEMA guidance. The Inspectorate is in agreement with this approach provided that overall emissions are considered. It is noted from Paragraph 1030 that cumulative effects related to climate resilience of the Proposed Development is to be assessed in each relevant ES chapter (e.g., flood risk and hydrology).
5.3.2	Paragraph 1028	Vulnerability of infrastructure to climate change (construction and decommissioning)	The Scoping Report seeks to scope this matter out on the basis that the construction phase is anticipated to take place within the next 10 years and so effects are considered unlikely. The Inspectorate does not understand this rationale given that evidence exists that infrastructure in the UK is already being affected by the effects of climate change. There is an absence of detailed information in the Scoping Report about the sensitivity and risks associated of the receiving environment, and the phasing and timescales of construction. In the absence of this information the Inspectorate cannot agree to scope this matter out of the ES. The ES should provide an assessment of the vulnerability of infrastructure to climate change during construction and decommissioning, where likely significant effects could occur.

ID	Ref	Description	Inspectorate's comments
5.3.3	Paragraph 1014 Paragraph 1018 - 1019	Characterisation of existing emissions and baseline	Paragraph 1014 indicates that the emissions within the East Riding of Yorkshire are likely to be dominated by industrial and commercial sources, however, does not reference any other sources such as transport emissions. The Inspectorate considers that any baseline information should consider all sources of emissions where data is available. The general and brief characterisation of the climate of the east coast of England in Paragraphs 1018-1019 is noted. The ES should contain a detailed characterisation of the receiving environment in so far as it is relevant to the assessment of significant environmental effects, with cross references to related aspect chapters (e.g., the proposed assessment of flood risk) where appropriate.
5.3.4	Paragraph 1029	Project Vulnerability to Climate Change	Paragraph 1029 identifies the potential for the increase in coastal erosion to affect project infrastructure. The ES should detail how the design of the scheme has considered this in relation to location of infrastructure and protective measures, in particular in relation to the identified area of rapid erosion at the Holderness Coast (and the potential impacts on the cable landfall point and onshore substations / cable route. Where this assessment identifies design changes to be required, these should be also be assessed in the relevant aspect chapter.
5.3.5	Section 4.3.4	Approach to assessment	The Inspectorate notes the references in the Scoping report to professional guidance (i.e., 'Assessing Greenhouse Gas Emissions and Evaluating their Significance' (Institute of Environmental Management and Assessment, IEMA 2022)) and the assessment being 'informed' by 'Environmental Impact Assessment Guide to: Climate Change Resilience & Adaptation (IEMA 2020). The ES should set out the methodologies used to explain any departure from the proposed approach where professional judgement has been applied, as this is

ID	Ref	Description	Inspectorate's comments
			presented in limited detail within the Scoping Report. Outputs from other assessments should be clearly explained where these have been applied.

5.4 Major Accidents and Disasters

(Scoping Report Section 4.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.4.1	Section 4-4	Separate Major Accidents and Disasters Chapter	Paragraph 1037 of the Scoping Report identifies the sources of major accidents and disasters which could arise from or interact with the Proposed Development. These sources are: coastal erosion and flood risk, accidental spills of hazardous material, vessel collision, and exposed cables leading to vessel snagging. Impacts from battery infrastructure e.g., accidental fires are not mentioned. The Inspectorate advises that should this form part of the proposals that these impacts should be assessed in the ES. The Inspectorate notes the caveat 'where this can be adequately covered by the scope of these chapters. The Inspectorate advises that the ES ensures clarity on what has been considered within the technical assessments and any limitations to this approach. The Inspectorate would expect an overarching section in the ES which explains how potential impacts have been identified and where in the ES the assessment of their effects is presented.

ID	Ref	Description	Inspectorate's comments
5.4.2	Paragraph 1037	Potential major accidents and disasters identified	The Scoping Report states that accidental spills of hazardous material will be considered within the Marine Sediment and Water Quality' and 'Human Health' chapters of the ES. The Inspectorate considers that the 'Geology and Land Quality' and Flood Risk and Hydrology' chapters will also be relevant to this potential impact.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES[2]

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
Natural England	Natural England
Natural England (Offshore Wind Farms)	Natural England (Offshore Wind Farms)
The Historic Buildings and Monuments Commission for England	Historic England
The Historic Buildings and Monuments Commission for England (Offshore)	Historic England
The relevant fire and rescue authority	Humberside Fire and Rescue Service
The relevant police and crime commissioner	Humberside Police and Crime Commissioner
The relevant parish council	Rowley Parish Council
	Walkington Parish Council
	Bishop Burton Parish Council
	Cherry Burton Parish Council
	Wawne Parish Council
	Bewholme Parish Council
	Leven Parish Council
	Skipsea Parish Council

[2] Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Ulrome Parish Council
	Skidby Parish Council
	Cottingham Parish Council
	Molescroft Parish Council
	Woodmansey Parish Council
	Leconfield Parish Council
	Riston Parish Council
	Seaton Parish Council
	Atwick Parish Council
	Beeford Parish Council
	Tickton and Routh Parish Councils
	Catwick Parish Council
	Sigglesthorne Parish Council
The Environment Agency	The Environment Agency
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - Hull Marine Office
The Marine Management Organisation	Marine Management Organisation (MMO)
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	East Riding of Yorkshire Council
The relevant strategic highways company	National Highways
The Coal Authority	The Coal Authority
The relevant internal drainage board	Beverley and North Holderness Internal Drainage Board

SCHEDULE 1 DESCRIPTION	ORGANISATION
Trinity House	Trinity House
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Yorkshire and Northeast
The Secretary of State for Defence	Ministry of Defence

TABLE A2: RELEVANT STATUTORY UNDERTAKERS[3]

STATUTORY UNDERTAKER	ORGANISATION
The relevant Clinical Commissioning Group	NHS Humber and North Yorkshire Integrated Care Board
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	Yorkshire and the Humber Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
Railways	Highways England Historical Railways Estate
Dock and Harbour authority	Bridlington Harbour Commissioners
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency

[3] 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Last Mile Gas Ltd
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Grid Gas Plc
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited

STATUTORY UNDERTAKER	ORGANISATION
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
	Northern Powergrid (Yorkshire) plc
	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited
	National Grid Viking Link Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))[4]

LOCAL AUTHORITY[5]
Scarborough Borough Council
Selby District Council
Ryedale District Council
North Lincolnshire Council
Hull City Council
East Riding of Yorkshire Council
Doncaster Council
City of York Council
North Yorkshire County Council

TABLE A4: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Royal National Lifeboat Institution (RNLI)

[4] Sections 43 and 42(B) of the PA2008

[5] As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Cadent Gas Limited
Civil Aviation Authority
Coal Authority
East Riding of Yorkshire Council
Environment Agency
Forestry Commission
Health and Safety Executive
Historic England
Hull City Council
Marine Management Organisation (MMO)
Maritime and Coastguard Agency
Ministry of Defence
National Grid Electricity Transmission Plc
National Grid Gas Plc
NATS En-Route Safeguarding
Natural England
Network Rail
Northern Gas Networks Limited
Selby District Council
Skidby Parish Council
Tickton and Routh Parish Councils
Trinity House
United Kingdom Health Security Agency

From: [redacted]
To: Dogger Bank South
Subject: SC42 Consultation response- Cadent- Dogger Bank South Offshore Wind Farm
Date: 11 August 2022 09:37:53
Attachments: image905857.png
image022144.png
image622515.png
image701554.png
image058280.png
image346997.png
image864706.png
image269428.png
image233359.jpg
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image111818.png
image743691.png
image207895.png
image458839.png
image027307.png
image513938.png
image229941.png
image990055.jpg
S.42 Consultation - Cadent-Dogger Bank South Offshire Wind Farms.pdf

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Dear Sirs,

Please find attached our consultation response on behalf of Cadent Gas

If all future correspondence can be directed to us, we can deal with accordingly

I trust the enclosed is in order and look forward to hearing from you

Kind Regards

[redacted]

Date: 11 August 2022

Cadent Gas Limited
Pilot Way
Ansty
Coventry CV7 9JU
cadentgas.com

Submitted via email to: DoggerBankSouth@planninginspectorate.gov.uk.

Cadent
Your Gas Network

Dogger Bank South Offshire Wind Farms

Statutory consultation under section 42 of the Planning Act 2008 and the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations)

I refer to your email dated 26th July 2022 regarding the above proposed DCO. Cadent has reviewed the consultation documents and has the following comments:

In respect of existing Cadent infrastructure, Cadent will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus,

Cadent Infrastructure within or in close proximity to the development

Cadent has identified the following apparatus within the redline boundary or within the vicinity of the proposed works:

- Medium Pressure mains and associated equipment
- Low Pressure mains and associated equipment

Note: No liability of any kind whatsoever is accepted by Cadent Gas Limited or their agents, servants or contractors for any error or omission.

Please note that Cadent has existing easements for these pipelines which prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

Diversions:

Where diversions of apparatus are required to facilitate the scheme, Cadent will require adequate notice and discussions should be started at the earliest opportunity. Please be aware that diversions for high pressure apparatus can take in excess of two years to plan and procure materials.

Where diversions of apparatus are required to facilitate the scheme, Cadent will require the party requesting the diversion works to obtain any necessary planning permissions and other consents to enable the diversion works to be carried out. Details of these consents should be agreed in writing with Cadent before any applications are made. Cadent would ordinarily require a minimum of C4/Conceptual Design study to have been carried out to establish an appropriate diversion route ahead of any application being made.

Adequate land rights must be granted to Cadent (e.g. following the exercise of compulsory powers to acquire such rights included within the DCO) to enable works to proceed, to Cadent's satisfaction. Cadent's approval to the land rights powers included in the DCO prior to submission is strongly recommended to avoid later substantive objection to the DCO. Land rights will be required to be obtained prior to construction and commissioning of any diverted apparatus, in order to avoid any delays to the project's timescales. A diversion agreement may be required addressing responsibility for works, timescales, expenses and indemnity.

Protection/Protective Provisions:

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of Cadent's apparatus, Cadent will require appropriate protection for retained apparatus and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. Operations within Cadent's existing easement strips are not permitted without approval and will necessitate a Deed of Consent being put in place. Any proposals for work in the vicinity for Cadent's existing apparatus will require approval by Plant Protection under the Protective Provisions and early discussions are advised.

Key Considerations:

- Cadent has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

- Please be aware that written permission is required before any works commence within the Cadent easement strip and a Crossing Agreement may be required if any apparatus needs to cross the Cadent easement strip

- The below guidance is not exhaustive and all works in the vicinity of Cadent's asset shall be subject to review and approval from Cadent's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and Cadent's specification for Safe Working in the Vicinity of Cadent High Pressure gas pipelines and associated installations - requirements for third parties GD/SP/SSW22. Digsafe leaflet Excavating Safely - Avoiding injury when working near gas pipes. There will be additional requirements dictated by Cadent's plant protection team.

- Cadent will also need to ensure that our pipelines remain accessible thorughout and after completion of the works .

- The actual depth and position must be confirmed on site by trial hole investigation under the supervision of a Cadent representative. Ground cover above our pipelines should not be reduced or increased.

- If any excavations are planned within 3 metres of Cadent High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a Cadent representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with Cadent's Plant Protection team is essential:

    - Demolition
    - Blasting
    - Piling and boring
    - Deep mining
    - Surface mineral extraction
    - Landfliing
    - Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
    - Wind turbine installation
    - Solar farm installation
    - Tree planting schemes

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with Cadent prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the Cadent pipeline without the prior permission of Cadent.
- Cadent will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to Cadent.
- A Cadent representative shall monitor any works within close proximity to the pipeline.

New Service Crossing:

- New services may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.
- A new service should not be laid parallel within an easement strip
- A Cadent representative shall approve and supervise any new service crossing of a pipeline.
- An exposed pipeline should be suitable supported and removed prior to backfilling
- An exposed pipeline should be protected by matting and suitable timber cladding
- For pipe construction involving deep excavation (<1.5m) in the vicinity of grey iron mains, the model consultative procedure will apply therefore an integrity assessment must be conducted to confirm if diversion is required

Yours Faithfully

[redacted]

[redacted]**MRICS FAAV**

For and on behalf of Fisher German LLP

[redacted]

Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

http://www.hse.gov.uk/pubns/books/hsg47.htm

Dial Before You Dig Pipelines Guidance:

https://documents.cadentgas.com/view/719428500/

Essential Guidance document:

https://cadentgas.com/getattachment/digging-safely/Promo-work-safely-library/Essential_Guidance.pdf

Excavating Safely in the vicinity of gas pipes guidance (Credit card):

https://cadentgas.com/nggdwsdev/media/Downloads/Digging%20Safely/Excavating_Safely_Leaflet_Gas-1.pdf

Copies of all the Guidance Documents can also be downloaded from the Cadent website:

https://cadentgas.com/help-advice/digging-safely

Specification for Safe Working in the Vicinity of Cadent Assets:

https://cadentgas.com/nggdwsdev/media/Downloads/Digging%20Safely/CADSPSSW22-Specification-for-safe-working-in-the-vicinity-of-Cadent-assets-August-2021.pdf

Tree Planting Guidance:

https://cadentgas.com/nggdwsdev/media/Downloads/Digging%20Safely/Tree-planting-guidance-Cadent-for-web.pdf

From: [redacted]
To: Dogger Bank South
Subject: RE: [External] Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date: 15 August 2022 08:36:28
Attachments: image001.png
image003.png
image004.png
image005.png
image006.png
image002.png

Dear Mr [redacted]

Thank you for sight of the Environmental Impact Assessment Scoping Report for the Dogger Bank South Offshore Wind Farm. We have nothing further to add to the report on the scope to consider the potential impacts of construction, operation and maintenance, and decommissioning of the proposed development on aviation and we have no other comments to make in general.

Kind regards

[redacted]

Manager Rulemaking and Safety Publications
Safety and Business Delivery
Civil Aviation Authority

[redacted]

[redacted]

From: [redacted]
To: Dogger Bank South
Subject: RE: [External] Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date: 02 August 2022 16:37:27
Attachments: ~WRD000.jpg
image003.png
image009.png
image010.png
image011.png
image001.png
image002.png
Dogger Bank South Wind Farms.docx

Dear Mr [redacted]

Further to your notification below, please find attached our comments on the above Project.

Kind regards

[redacted]

[redacted] *M.Sc. MRTPI*
Planning & Development Manager – Planning & Development Team
[redacted]
E : planningconsultation@coal.gov.uk
W: gov.uk/government/organisations/the-coal-authority

[redacted]

The Coal Authority
Resolving the impacts of mining

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119
E: planningconsultation@coal.gov.uk
www.gov.uk/coalauthority

For the attention of: Mr [redacted]–EIA and Land Rights Advisor (HEO)
The Planning Inspectorate

[By email: DoggerBankSouth@planninginspectorate.gov.uk]

Your ref: EN010125-000181

02 August 2022

Dear Mr [redacted]

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your notification of 26 July 2022 on what relevant matters should be 'Scoped In' to any forthcoming Environmental Statement for the above site.

I have reviewed the Onshore and Offshore Study Areas (Figure 1.1: of the Environmental Impact Assessment Scoping Report, 26/07/2022) against our coal mining information. I can confirm that the Onshore Study Area lies just outside the coalfield area and whilst the Offshore Study Area lies within the coalfield, it is located outside the Development High

Risk Area as defined by the Coal Authority; meaning there are no recorded coal mining features likely to affect the surface stability at the site.

Accordingly, if you consider that the application is EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, the determining authority will not need to consult us on any subsequent application for this site.

I hope that this is helpful however please do not hesitate to contact me if you require any further assistance with this matter.

Yours sincerely

[redacted]

[redacted] *M.Sc. MRTPI*
Planning & Development Manager

From:	[redacted]
To:	Dogger Bank South
Cc:	[redacted]
Subject:	FW: Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	27 July 2022 19:59:05
Attachments:	Letter to statutory consultees - Scoping & Regulation 11 Notification.pdf

Good Evening

Thank you for your letter regarding the above development and confirmation that the Planning Inspectorate on behalf of the Secretary of State has received a request from the Applicant for its opinion (Scoping Opinion) as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development.

At this stage, whilst the cable run from the offshore windfarm could be landed within the East Riding of Yorkshire Councils administrative boundary and connected to Creyke Beck Substation, I can confirm East Riding of Yorkshire Council has no comments to make.

However, East Riding of Yorkshire Council would like to be kept informed and reserves the right to comment further in the DCO process as the proposed development progresses and the cable routes firmed up.

Kind Regards

[redacted]
Principal Planning Officer - Minerals and Waste
[redacted]
CertHE, MPhysGeog (Hons), MSc Urban and Regional Planning,
MRTPI

From:	[redacted]
To:	Dogger Bank South
Subject:	EN010125-000181 - Environment Agency Response
Date:	23 August 2022 14:41:18
Attachments:	EN010125-000181 - EA Response.pdf EA - EN010125-000010.pdf

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To whom it may concern,

Please find attached the Environment Agency's response to the scoping opinion consultation for the Dogger Bank South offshore windfarm.

In addition, we enclose a copy of our response to the previous scoping consultation for reference.

Kind regards

[redacted]

[redacted]
Sustainable Places – Planning Specialist
Environment Agency | Lateral, 8 City Walk, Leeds, LS11 9AT

[redacted]

Ms [redacted] - Senior EIA Advisor
The [redacted] Inspectorate
Environmental Services, Central Operations
Temple Quay House Temple Quay
Bristol
Avon
BS1 6PN

Our ref: [redacted]
Your ref:

Date: 23 August 2022

Dear Ms [redacted]

DOGGER BANK SOUTH OFFSHORE WIND FARMS – REG 10 CONSULTATION AND REG 11 NOTIFICATION. SCOPING OPINION REQUEST. YORKSHIRE LANDFALL - BETWEEN BRIDLINGTON AND SPURN POINT INCLUDING 744KM2 STUDY AREA TO WEST OF THE COAST LINE.

Thank you for consulting the Environment Agency on the above project, on 26 July 2022.

We have reviewed the submitted Scoping Report (RWE, Document reference 004376179, Revision 02, dated 26 July 2022) and note that stakeholder responses provided during the last Scoping Opinion consultation have fed into this new report. For expediency, we enclose a copy of the comments made during the last consultation, but also have the following additional advice in relation to this new report:

2.5 Benthic & Intertidal Ecology

We agree with the potential impacts to marine sediment and water quality and benthic/intertidal ecology which have been identified in the Scoping report and we are happy with proposed approach to assessment for these habitats.

We will need to see the results of the intertidal surveys at the landfall location, due to take place in 2022, as referred to in paragraph 224.

3.1 Terrestrial Ecology & Onshore Ornithology

We agree that the cable route selection must where possible avoid designated sites, including local wildlife sites. If going through a protected site or river is unavoidable, horizontal directional drilling must be employed to avoid any potential damage.

Protected species surveys must be carried out over the route of the cables from the onshore site to the sub-station and we note the intention do so. Mitigation should be built in so that there is no adverse impact upon them.

In Table 3-2 Designated Sites Within the Onshore Study Area and 2km buffer the penultimate site should be corrected to Pulfin Bog.

We refer to Table 3-3 Site-Specific Survey Data and would suggest that the applicant uses the UK Habitat Classification approach, rather than the Phase 1 system. If using the latter, please ensure that there are target notes.

Additional Advice – Biodiversity Net Gain

Although not currently mandatory for Nationally Significant Infrastructure Projects, the applicant should consider the need for providing Biodiversity Net Gain (BNG).

We recognise that achieving 10% BNG along the route of the cable corridor will be difficult, and it may be hard to tie landowners down to managing habitat created or enhanced on their land for 30 years.

Off-site BNG may be easier to achieve. The Environment Agency is actively involved in a number of partnership projects in East Yorkshire, and the partners would welcome RWE‘s contribution and cooperation. These projects include wet woodland planting around Lowthorpe, where there is considerable scope for additional work; this is managed by the East Yorkshire Rivers Trust.

Yorkshire Wildlife Trust have an agreement with a landowner by Frodingham Beck in East Yorkshire, to create a large area of wet woodland, but financial help is needed to purchase and plant the tree saplings.

Yorkshire Wildlife Trust and the East Yorkshire Rivers Trust are also working together on the River Hull Headwaters SSSI Restoration Project. As well as the work funded by the Environment Agency this year, there are several ‘on the shelf’ projects that could be implemented with some financial assistance. These could give RWE the BNG they require. In addition, there are several other potential projects that could be worked up further, and once implemented would give additional BNG. We welcome further conversations with the applicant in regard to this.

3.3 Flood Risk & Hydrology

We are pleased to see that some of our previous comments on this have been picked up in this latest scoping opinion. We note there is a commitment to produce a flood risk assessment (FRA) to accompany this proposal and request that our previous response is taken account of when producing the FRA. We have also referred to sections of our previous response when answering the specific questions below:

Do you agree with the characterisation of the existing environment?

Paragraph 626 – it does not appear to list all main rivers that are to be crossed, but perhaps this is due to the use of localised names. The Environment Agency would be happy to check a route plan shapefile against a map of our main rivers. This would aid discussion around river crossings, available modelling data, our assets, as well as any proposed or ongoing projects in these areas.

Have all the relevant data sources been identified within the scoping report?

We note that the majority of data sources we previously mentioned have been picked up.

In addition we would like to flag to the applicant that the National Coastal Erosion Risk Mapping (https://data.gov.uk/dataset/7564fcf7-2dd2-4878-bfb9-11c5cf971cf9/national-coastal-erosion-risk-mapping-ncerm-national-2018-2021) may be of relevance to their assessment. LiDAR information may also be useful.

As well as speaking to the lead local flood authority about surface water flooding, we also suggest speaking to them about groundwater flooding, as they may hold more detailed local information.

The applicant should contact the Environment Agency to obtain any relevant flood risk modelling evidence that we hold. Please note that there may be gaps relating to the type and content of detailed modelling that may be available. You may need to commission additional modelling where relevant to your development, for example where you require a credible maximum climate change scenario.

Have all the potential impacts on flood risk and hydrology resulting from the Projects been identified in the Scoping Report?

During construction, it is also worth noting that depending on how watercourses are going to be crossed, the temporary works could cause a localised increase in flood risk. The applicant should consider scoping this in.

During operation and maintenance – any above ground structures could be subject to flooding at certain locations, therefore the flood risk to the project as well as from the project should be considered, and scoped in.

During decommission – same comment as above for construction. Depending on how watercourses are going to be crossed, the temporary works could cause a localised increase in flood risk, so the applicant should consider scoping this in.

There doesn't seem to be any consideration on flood/coastal risk at the landfall location. This needs to be scoped in.

Do you agree with the impacts that have been scoped in (or scoped out) of further assessment?

In addition to our comments above, due to the nature of flood risk in the catchment, consideration must also be given to residual flood risks, for example pump failure or breach. The applicant should also consider the role of existing flood defences. We

would recommend a conversation with us once the cable corridor route been finalised to better understand how existing or future flood defences may affect the chosen option. This may include, for example, the removal of certain flood defences, or a change to the way flood risk is managed in parts of the interest area.

We would also like to see as part of any assessment more information on the potential interaction and impact on flood risk infrastructure. This should include:

- How any option would interact around any existing flood risk infrastructure, for example cable crossings below flood defences or watercourses.
- Interaction with any surface operations (e.g. ground investigations or construction activities) where this could affect access to inspect, maintain or operate flood risk infrastructure. This should also include more details on the construction technique, e.g. reception pits, compound locations and access requirements. We understand these details would become clearer once a refined corridor is identified.
- Further details within a Construction Environmental Management Plan (or similar) looking at the interests of flood and coastal risk management, ensuring that existing flood infrastructure is not affected by any movement, damage, etc…. caused by the construction works or permanent structures associated with the development.

Do you agree with the proposed approach to assessment?

We are pleased to see that all sources of flood risk both to and from the project will be considered. For clarity, we would also expect tidal flood risk to be considered.

Flood risk within the East Yorkshire catchment is complex, and therefore further discussion as this project progresses would be beneficial, to allow us to give more refined advice as more details become available.

We would advocate that consideration is given to an iterative and proportionate approach to EIA. We would anticipate being able to discuss this approach as the project progresses and refined details are available for comment.

Will there be any storage of material in the floodplain during the project, if so the impacts of this on flood risk must be considered. What is the lifetime of this development?

Water Quality

The scoping report indicates that impacts on surface water quality, groundwater quality and designated bathing waters are to be included in the Environmental Statement. Storage of contaminants is included. These are the main areas of concern, especially during the construction phase.

However, we note there is no mention of requirements of environmental permits for construction activities (for discharges of trade/sewage effluents or surface run-off from their activities). These will need to be considered when specific locations are decided on.

We trust this advice is useful.

Yours sincerely

Miss [redacted]
Sustainable Places - Planning Specialist

[redacted]

DoggerBankSouth@planninginspectorate.gov.uk

Our ref: [redacted]
Your ref:

Date: 08 December 2021

Dear Sir/Madam

DOGGER BANK SOUTH OFFSHORE WIND FARMS – REG 10 CONSULTATION AND REG 11 NOTIFICATION TWO OFFSHORE WIND FARMS (DOGGER BANK SOUTH WEST AND DOGGER BANK SOUTH EAST), AND ASSOCIATED OFFSHORE AND ONSHORE INFRASTRUCTURE INCLUDING OFFSHORE AND ONSHORE HIGH VOLTAGE ELECTRICITY CABLES, ONSHORE AND OFFSHORE ELECTRICITY SUBSTATION(S), CONNECTION(S) TO THE NATIONAL GRID AND ANCILLARY AND TEMPORARY WORKS. YORKSHIRE LANDFALL - BETWEEN BRIDLINGTON AND SPURN POINT INCLUDING 744KM2 STUDY AREA TO WEST OF THE COAST LINE.

Thank you for consulting the Environment Agency on the above project, on 10 November 2021.

We have reviewed the submitted Scoping Report (RWE, Document no. 004097517-04, Rev 04) and have the following comments to make on matters which fall within our remit. We have attempted to respond following the order of the Scoping Report for ease. However, we have also provided additional advice at the end of this letter, that should be applied to the project more widely.

Comments on the Scoping Report

1.4 Project Description

1.4.2 Landfall & 1.4.3 Onshore

The applicant should identify a methodology that minimises the impact of the development on the environment. The east coast landfall section includes beaches and cliffs, and also some hard engineered structures. When considering a suitable method of works, the applicant should consider the impact on:

- Nearshore coastal processes (including any trenching or temporary activities that could disrupt sediment transport)
- Natural features that influence wave action and local flood risk – for example

cliffs and beaches
• Any temporary access requirements (e.g. ramps) to the coast, and whether this could introduce a mechanism for increased wave impacts (e.g. ramping or spray).
• Other existing development, ensuring no increase in flood risk.

There is discussion within these sections of the use of horizontal directional drilling (HDD) as a trenchless solution for cable laying. Dewatering might be needed at the transition joint bay and should be considered at an early stage; this is a licensable activity and timescales for the licensing process should be programmed in.

2.1 Marine Physical Processes

Do you agree with the characterisation of the existing environment?
Broadly yes. The characterisation here is at a very high level, which is understandable for these early stages of planning, although there are some areas that we would comment on:

- **Cliff recession**: We note that linear extrapolation of averaged recession rates is used to provide indicative recession distances over the next 60 years, albeit with an accompanying caveat that future rates may be higher. We would encourage a most robust approach to forecasting future trends within the Environmental Statement in order to consider the reasonable worst case scenario at the potential landfall locations. The Environment Agency is currently funding a research project examining projections of future cliff recession rates and the application of regionally specific multipliers to account for accelerated erosion due to climate change, which could be useful for this work (unless similar bespoke work is planned).
- **Sandy beaches**: The assertion is made that between Sunderland and Hartlepool 'areas characterised by sandy beaches are likely to be stable with no progressive trend of erosion or accretion' (para 143, p. 51). This is a broad generalisation and should be supported by further evidence and analysis. Forecasts of future erosion trends invariably depend on a range of parameters, such as which sea level rise projections are used, as well as expected future management practices (e.g. changes in updrift SMP policy).
- **Managed beaches between Grimsby and Skegness**: No mention is made here of the extensive defences present in this area. For example, lengths of seawall buried within the dunes along much of the frontage, or the impacts these have (or will have in future) on coastal processes and geomorphology.

Do you agree with the approach to data collection?
Yes.

Have all the potential impacts on the marine physical processes resulting from the Projects been identified in the Scoping Report?
Largely, yes. Could construction activities / any structures remaining during the operational period result in changes to physical processes, or scour/erosion, in inshore and intertidal areas in the vicinity of the landfall area? It may be necessary to scope in the risk of localised or temporary changes at this stage because the different assessments (Environmental Impact Assessment (EIA) / Habitat Regulations Assessment / Water Environment Regulations assessment) will require impacts to be assessed at different scales.

Do you agree with the impacts which have been scoped in (or scoped out) of further assessment?

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Largely yes, but we question the decision to scope out the potential for impacts on bedload sediment transport and seabed morphological change during construction. Until a final design is agreed on, we would consider there to be a risk that the construction of landfall infrastructure could impact on coastal processes and geomorphology (e.g. if coffer dams are required). We therefore suggest that this should be scoped in.

Do you agree with the proposed approach to assessment?
Yes, although having not had the opportunity to review the modelling and assessment work undertaken for all the offshore wind farms mentioned, we are unable at this time to comment on how appropriate it is to re-use this work for this project. In particular, we are keen to ensure that modelling and assessment relating to coastal processes and geomorphology impacts at the landfall locations is appropriate for the specific frontage(s) selected, which may differ from previous offshore wind projects.

The assessment should show that the development will not have a negative impact on coastal processes and should consider the impact now and in the future. It will also need to consider the implications of coastal change and flood risk on the development, as well as from the development.

The Shoreline Management Plan (SMP) should form the basis for the assessment. If further coastal interventions or mitigation is required, this should be in line with the SMP. It should be noted that some SMP Policy Units contain different options over the epochs included. In such cases, the approach will need to be justified. Where interventions are required / possible, the assessment should set out the requirements and dependencies.

Where existing flood or coastal risk management assets exist, we would wish to see that the interests of the relevant management authority are protected. For example, access for operational or maintenance purposes. We may seek legal agreements to protect the interests of the Environment Agency, where appropriate.

2.2.3.4 Cumulative Impacts Assessment: We welcome the acknowledgement of a cumulative impacts assessment to be undertaken as part of the final EIA with an offshore focus. A number of similar projects have been completed in recent years, as well as other similar schemes currently being advanced. However, we are not clear if the offshore focus overlooks activities/impacts in the Humber.

Additional Advice for the Applicant – Specific to Creyke Beck

The SMP (2010) Flamborough Head to Gibraltar Point identifies policy units based on the intended management approach to the shoreline. In brief, large areas of the coastline are undefended, and natural erosion will occur. This section of the coast has some of the fastest rates of erosion in Europe.

If a landfall option is chosen within the undefended sections of the SMP, the applicant should consider the implications of this on their infrastructure over its lifetime. Please note that coastal erosion is often unpredictable and non-linear (as per para. 144). The assessment should consider the uncertainties and be precautionary. Coastal erosion advice is contained within the Planning Practice Guidance and also the relevant National Policy Statements. We recommend that as part of your assessment you consider a range associated with coastal erosion. The National Coastal Erosion Risk Mapping (https://data.gov.uk/dataset/7564fcf7-2dd2-4878-bfb9-11c5cf971cf9/national-coastal-erosion-risk-mapping-ncerm-national-2018-2021) may be of relevance to your assessment.

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2.2 Marine Sediment and Water Quality

Have all potential impacts been identified?
Could any construction activities, for example drilling, require the addition of any chemicals? If yes, the potential impacts of this should also be scoped in.

Do you agree with the approach to impact assessment?
The assessment may need to use other sediment quality guidance in addition to Cefas Action Levels.

2.2.1.1 Sediment Quality: The Scoping Report refers to Cefas Action Levels, but no Action Levels are set for certain compounds (e.g. PAHs). The applicant should include more comprehensive information to ensure all relevant compounds and ecological effects are considered (OSPAR exceedances?). Various contaminants have been recorded as exceeding Effects Range Low (ERL – concentrations which may chronically impact marine fauna) and Environmental Assessment Criteria concentration limits in the inshore area, e.g. Runswick Bay 2018 MCZ survey. The report states that 2022 contaminant analysis is likely to be focused on offshore export cable corridor(s) – there is evidence to indicate that inshore contaminant analysis should also be undertaken (evaluate risk of release of sequestered contaminants).

Table 2-5: WFD Water Bodies to be Considered
This table does not include the following existing Water Framework Directive (WFD) classifications for ecological quality elements:

- Imposex (GES in Tyne & Wear WB GB650301500002)
- IQI (GES in Lincolnshire WB GB640402492000)
- Saltmarsh (MES in Lincolnshire WB GB640402492000)
- Phytoplankton (GES in Yorkshire South GB640402491000, MES in Lincolnshire GB640402492000).

Depending on which landfall option is chosen, the Humber Lower transitional water body may also need to be considered: Humber Lower WFD water body (GB530402609201) in the report (lower section of Humber Lower falls within the offshore study area and is adjacent to the onshore study area). The Applicant may need to consider this due to potential implications to Humber Lower WFD compliance: saltmarsh (MES), benthic invertebrates (MES), fish (GES), phytoplankton (HES), DO (HES) and DIN (MES).

2.2.3.4 Potential cumulative impacts. At landfall areas, it may also be appropriate to check for/consider any relevant shoreline management projects such as sediment recharge activities.

2.5 Benthic and Intertidal Ecology

Do you agree with the approach to data collection?
Benthic (presumably invertebrate) data is to be acquired from 2022 grab, trawl and video surveys. Intertidal walkover surveys are also planned, but there is little detail provided and no specific mention of saltmarsh – this needs considering in the EIA.

Intertidal walkover surveys may not provide sufficient data. More detailed surveys may be required to inform assessments, depending on the sensitivity of the chosen landfall location, whether or not existing data is available to characterise that location, and the

scale of potential risks from proposed methods. We would therefore advise the applicant to discuss this with stakeholders when more details are known.

Have all potential impacts been identified?
We agree with the potential impacts to benthic/intertidal ecology that have been identified in the Scoping report and are happy with proposed approach to assessment. We would need to see the results of the intertidal surveys at the potential landfall locations, due to take place in 2022.

Could there be permanent intertidal habitat loss at the landfall location? If this is intended to be covered in the terrestrial section that will need clear signposting here.

2.6 Fish and Shellfish Ecology

Have all potential impacts been identified?
Depending on the chosen landfall location, could the proposed activities directly affect fish within the Humber Estuary, delay or prevent fish from entering the estuary or affect fish migrating through the estuary? If yes, potential impacts to fish in the Humber will need to be scoped into the Water Environment Regulations compliance assessment and should also be considered as part of the EIA. There is the potential for disturbance during construction phase from noise and vibration. The Sunderland to Hartlepool section is within close proximity to the recent mass shellfish mortalities. We therefore request that any available outcomes on the investigation are considered in the EIA.

2.9 Commercial Fisheries

The Sunderland to Hartlepool section is within close proximity to the recent mass shellfish mortalities. Again, we request that any available outcomes on the investigation are considered in the EIA.

3.1 Terrestrial Ecology

Do you agree with the characterisation of the existing environment?
Yes, but see the additional information about the designated sites below.

Do you agree with the approach to data collection?
The surveys suggested are suitable and will allow all potential ecological impacts to be identified and either eliminated or mitigated against. We advise the applicant discusses the available data and further survey design with stakeholders in more detail once the preferred landfall area is known. If intertidal areas, such as saltmarsh, would be impacted, a Phase 1 Habitat survey may not be sufficient to adequately characterise the site and inform assessments.

Have all the potential impacts on terrestrial ecology and onshore ornithology resulting from the Projects been identified in the Scoping Report?
Yes

Do you agree with the impacts that have been scoped in for further assessment?
Yes

Do you agree with the proposed approach to assessment?
Yes

It’s not clear whether it is intended to include intertidal habitats such as rocky shores,

coastal saltmarsh and designated sites, such as the Wash and Humber Estuary, in this section or within the marine ecology chapter. This has the potential to cause some confusion and will need very clear signposting in both chapters to help consultees find the appropriate evidence and assessment.

3.1.1 Existing Environment

Table 3-3 Designated Sites within the Creyke Beck Onshore Study Areas: Hornsea Mere SPA and SSSI is designated as a SPA and SSSI for internationally important numbers of wintering Gadwall *Anas strepera*, and also supports nationally important numbers of a further four species: Goldeneye *Bucephala clangula*, Pochard *Aythya ferina*, Shoveler *Anas clypeata* and Tufted Duck *Aythya fuligula*. Also present are locally important numbers of Goldeneye, Great crested grebe, Mallard, Pochard, Teal, and Wigeon

3.1.1.2.2 Terrestrial Habitats: Hull Headwaters SSSI has been included as a relevant protected site in Table 3-3, but in para. 543 Chalk streams are not mentioned as a UK Habitat of Principle Importance. We assume this is an oversight.

Table 3-5 Ecological Scoping Surveys Required in Relation to each Onshore Study Area: The surveys suggested are considered suitable and will allow all potential ecological impacts to be identified and either eliminated or mitigated against. Extended Phase 1 Habitat Survey - this should include target notes for habitats or species of particular interest.

Badger surveys are mentioned in paragraph 547 and in potential impacts, but are not in list of surveys in table 3-5.

Will there be waterbird surveys where there are potential river crossings?

We recommend surveys for Invasive Non-native Species, especially plants. These are mentioned in later sections, but it must be determined what species are present, and where, before a management plan can be devised.

Additional Advice for the Applicant – Biodiversity Net Gain

We note that the applicant is keen to explore opportunities for Biodiversity Net Gain (BNG). If any on site opportunities for BNG are identified as a result of the above surveys, please inform us. Any offsite opportunities for BNG can be made through linking with and contributing to the various partnerships projects that the EA is managing, for example, in East Yorkshire there is the River Hull Headwaters SSSI Restoration Project, or the River Derwent SSSI Restoration Project, and possibly some opportunities at Easington Lagoons. Many of these projects will also have some degree of overlap with flood and coastal risk interests, including Natural Flood Management. We would be keen to explore opportunities to consider BNG opportunities where this may also offer flood risk benefits.

There might also be opportunities for BNG via the Catchment Partnerships in these areas. In addition, there is a feasibility project – the Humber Coastal Conservation Project, which is trying to join up opportunities to work with others operating in the same area to achieve greater efficiencies and multiple environmental benefits that might be of interest in the ‘south of Humber’ area.

If the project is committing to the delivery of BNG, it should demonstrate this using the

latest version of the Biodiversity Metric. The Biodiversity Metric includes a module for rivers and streams – as the project site boundary is likely to include river and stream habitat, the assessment should demonstrate a net gain in this habitat type. When undertaking a BNG assessment, baseline river condition is measured by undertaking a River Condition Assessment field survey (MoRPh survey) – this is another primary data source that may need to be collected.

The Scoping Report makes reference to net gain within the *Terrestrial Ecology and Onshore Ornithology* section, and states that Phase 1 Habitat Survey information that is collected will be used to inform net gain opportunities. As well as assessing area-based (terrestrial) habitats, the DEFRA Biodiversity Metric includes two distinct supplementary modules for linear habitats (A: Hedgerows and lines of tress & B: Rivers and streams). This is in recognition that such habitat features need to be assessed, measured and accounted for, using a different approaches.

River Condition Assessment surveys will be required to calculate the baseline condition score of any river or stream habitat. Note, this methodology provides different data to the Phase 1 Habitat Survey.

Due to the proximity of the proposed development to various river and stream habitats, and the potential for such habitats and their functional riparian zones to fall within the red line boundary of the proposed development, we would expect the BNG assessment to include a consideration of the impact and net gains / losses on the river and stream habitat present.

It is an important rule of the metric that the biodiversity units calculated through the core habitat area-based metric and each of the linear units are unique and cannot be summed or converted. When reporting biodiversity gains or losses with the metric, the different biodiversity unit types must be reported separately and not summed to give an overall biodiversity unit value.

3.2 Geology and Land Quality

This section clearly sets out how the potential impacts and risks during onshore construction, operation and maintenance of the wind farm will be assessed.

Do you agree with the proposed approach to assessment?
We are satisfied with the proposed content and methodology of the assessment(s) to be produced. However, both direct and indirect impacts should be considered.

We agree with the approach that includes undertaking a Preliminary Risk Assessment and using guidance 'Land contamination: risk management' as the first stage in assessing any risk posed by land contamination. A piling risk assessment may be required if risk is posed to groundwater and underlying aquifers by creating new pathways for migration of potential contaminants in land affected by contamination.

Have all the potential impacts on geology and land quality resulting from the Projects been identified in the Scoping Report?
Particular mention of the potential for HDD should be included in this section, including reference to expected depths and the geology which will be encountered/potentially impacted. It is recommended that consideration is given to assessing the impact of any activity that may disturb the Lincolnshire Chalk Principal Aquifer, or others, by way of a hydrogeological risk assessment. This could include appraisal of saline intrusion risk and consideration of both licenced and deregulated users of groundwater (and surface

water) at landfall and along the proposed route of the cable. Groundwater in the Lincolnshire area can be artesian, and consideration should be given to the potential for saline ingress or groundwater loss.

3.2.1 Existing Environment

Table 3-7 Summary of Geology and Aquifer Designations: Within the Hawthorn Pit study area the interaction and connectivity between the Magnesian Limestone aquifer formations and the overlying Durham Coastal streams should be considered. The connectivity between the two should not be altered by any construction activities, unless it results in environmental improvement and is agreed by the EA. The Raisby Formation – dolostone and Yellow Sand Formation – sand are listed as Secondary A Aquifers in the Aquifer Designation column. These formations are often in full connectivity, typically with the same water table as the overlying upper Magnesian Limestone formations such as the Ford, Roker and Seaham. As such, for regulatory purposes we classify all the formations as being part of the Magnesian Limestone principal aquifer unless evidence proves otherwise.

As part of any subsequent EIA and impact assessment the operator should provide assurance that the construction works will not detrimentally impact water levels within the Magnesian Limestone formations (lower water table) or coal measures (raise water table) and will not increase the connectivity between the two aquifers.

In some parts of the aquifer, where underlying coal measures groundwater levels have fully recovered, water levels in the Yellow Sands can be seen to reflect that of the coal measures rather than the limestone (dolostone). However, we have only seen this in the south and west of the aquifer, away from the onshore study area.

The Coal Authority currently control water levels (mine water) in the coal measures underlying the Magnesian Limestone by operating a number pumping stations. The water levels are maintained at a particular level to prevent ingress and potential pollution of the limestone which is utilised for public and private water supplies. As part of any subsequent EIA and impact assessment the operator should provide assurance that the construction works will not detrimentally impact water levels within the Magnesian Limestone formations or coal measures and will not increase the connectivity between the two aquifers.

3.2.1.1. Geology and Hydrogeology: Private, unlicensed potable abstractions should be considered in paragraph 581. We note these are included in table 3-9.

Within paragraph 583, additional features, which should be identified to assist understanding of the environment, include the presence of springs and blow wells, which are a unique feature in the Lincolnshire area.

3.2.4 Approach to Impact Assessment

This sets out the approach to the impact assessment and sets out that hydrology, geology and mineral resources, hydrogeology and potential land contamination should all be considered.

We recommend that reference is made to our guidance document 'The Environment Agency's approach to groundwater protection' in paragraph 614.

Additional Advice for the Applicant – Waste Hierarchy

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We recommend that developers should:

1. Follow the risk management framework provided in 'Land contamination: risk management' when dealing with land affected by contamination
2. Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site – the local authority can advise on risk to other receptors, such as human health
3. Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
4. Refer to the contaminated land pages on Gov.uk for more information

Additional Advice for the Applicant – Mining and Groundwater Constraints Map

In collaboration with the Coal Authority, the Environment Agency has developed a Mining and Groundwater Constraints Map for the North East, which categorises constraints across the coalfield area. It is hosted on the Coal Authority Interactive Map Viewer, at http://mapapps2.bgs.ac.uk/coalauthority/home.html. The NE Mining and Constraints layer can be turned on within the map, categorising drainage and infiltration risks and limitations. The layer title provides the key additional information regarding the tool and there are further links to factsheets on most mining blocks to provide additional background on mine water (groundwater) levels and controls. If not already done so, we would advise contacting the Coal Authority as they are the experts on coal measures and coal workings and have additional information, including groundwater monitoring and contours covering many of the North East's mining blocks and may have additional data/information on the coal measures underlying the Hawthorn Pit study area, which could feed into a subsequent EIA.

3.3 Flood Risk and Hydrology

Do you agree with the characterisation of the existing environment?
Overall, yes.

In terms of flood risk, this is complex within this area. We have recommended a number of additional data sources that will help you prepare an assessment within the area(s) of interest.

The report accurately characterises the existing surface waters within the Creyeke Beck onshore study area, including the important recognition of highly sensitive chalk stream habitats and other statutory designations (e.g. SSSIs).

Please note however that the list of highly sensitive chalk rivers detailed on page 261 is not exhaustive, as other sensitive chalk rivers exist within the River Hull catchment.

Do you agree with the approach to data collection?
Overall, the approach to data collection should enable a suitable level of assessment to be undertaken, and for impacts to be identified and avoided or mitigated. However, please see further comments below.

Para. 649 contains a list of data sources to be used. The following may provide additional context for the initial assessment:

- East Riding of Yorkshire Council (for most up to date shoreline and coastal erosion data)

- East Riding of Yorkshire Council Strategic Flood Risk Assessments – Level 1 & Level 2 (Hedon)
- East Riding of Yorkshire Council Local Plan, including the Coastal Change Management Area
- Relevant strategic flood risk documents, including FRMPs. Local flood risk management strategies also exist, or are in the process of being updated / reviewed

In terms of the flood risk assessment, we recommend applicants request information that the Environment Agency holds (request products 4, 5 and 8) on this topic. Our mapping products are usually produced at a 1 in 10000 scale and we may need a more specific location within the study area to provide this information. SMPs are currently under review, and the most up to date information should be used in the assessment.

Have all the potential impacts on flood risk and hydrology resulting from the Projects been identified in the Scoping Report?
Again, particular mention of the potential for HDD should be included in this section (beyond potential habitat and surface water impacts), including reference to expected depths and the geology which will be encountered/potentially impacted. It is recommended that consideration is given to assessing the impact of any activity that may disturb the Lincolnshire Chalk Principal Aquifer, or others, by way of a hydrogeological risk assessment. Any drilling should be designed so that underlying aquifers will not be breached if at all avoidable, and a suitable buffer accounted for. This is to minimise the potential of causing groundwater contamination. This could include appraisal of saline intrusion risk and consideration of both licenced and deregulated users of groundwater (and surface water) at landfall and along the proposed route of the cable. Groundwater in the Lincolnshire area can be artesian and consideration should be given to the potential for saline ingress or groundwater loss.

HDD techniques would need to be used under main rivers/main river defences. If the landfall is along the Lincolnshire coast, this would also be required under the sea defences. Impacts would need to be mitigated, so that there is no increased risk to third party land and property. There will also be a need for agreements to be put in place with the Environment Agency to ensure that any coastal defences or main rivers that are crossed are not damaged and will be appropriately monitored. Consideration should be given as to whether any onshore critical infrastructure needs to be above the flood level in order to remain operational in times of flood.

As per para. 637, large parts of the interest area is within low lying land. We recommend that alongside your assessment relating to flood zones that you consider the interaction and influence of tidal, groundwater and surface water. The recently published Level 1 Strategic Flood Risk Assessment for East Riding of Yorkshire Council will provide a useful basis for collecting flood risk from all sources. Additionally, in the vicinity of Hedon, a Level 2 Strategic Flood Risk Assessment has been completed.

The nature of flood risk within this catchment makes it difficult to delineate Flood Zone 3 and 2 in a meaningful way, as there are many permutations of flood risk, and heavy reliance on artificial (assisted pumping) and other infrastructure. We would advise care is taken to draw conclusions based on the likelihood of flooding when using the flood zones in isolation. Due to the nature of flood risk in the catchment, consideration must also be given to residual flood risks, for example pump failure or breach. As per other parts of our response, you should also consider the role of existing flood defences. We would recommend a conversation with the Environment Agency once the corridor options have been narrowed to better understand how existing or future flood defences

may affect your chosen option(s). This may include, for example, the removal of certain flood defences, or a change to the way flood risk is managed in parts of the interest area.

If the landfall is on the Lincolnshire coast, consideration would also need to be given to the timetable of the Lincolnshire beach nourishment programme during construction phases.

Do you agree with the impacts that have been scoped in (or scoped out) of further assessment?
Generally yes. However, we note that the "*direct disturbance of surface water bodies during operation has been scoped out as post-construction there will be no mechanisms by which elements of the Projects could directly disturb water bodies*". If the cable route crosses chalk river / floodplain habitat, even via trenchless techniques, there may be potential for the underground service to impact upon the processes controlling groundwater/surface-water interaction. In chalk streams, such interactions are very important. Based on this, perhaps the potential impact of direct disturbance of surface water bodies during the operational phase should be scoped in.

We would like to see as part of any assessment more information on the potential interaction and impact on flood risk infrastructure. This should include:

- How any option would interact around any existing flood risk infrastructrure, for example cable crossings below flood defences or watercourses.
- Interaction with any surface operations (e.g. ground investigations or construction activities) where this could affect access to inspect, maintain or operate flood risk infrastructure. This should also include more details on the construction technique, e.g. reception pits, compound locations and access requirements. We understand these details would become clearer once a refined corridor is identified.
- Further details within a CEMP (or similar) looking at the interests of flood and coastal risk management, ensuring that existing flood infrastructure is not affected by any movement, damage, etc…. caused by the construction works or permanent structures associated with the development.

Do you agree with the proposed approach to assessment?
Yes, we agree with the proposed approach to the assessment. We strongly endorse the commitment to support the EIA with an additional WFD assessment. The WFD assessment should draw from the desk-based secondary data referred to earlier in the report, as well as the field based primary data collected (e.g. geomorphology baseline survey information) where necessary.

In terms of flood risk, it is difficult to address specific aspects given the broad approach to the areas of interest. We highlight that the flood risk within the East Yorkshire catchments is complex, and therefore further discussion would be beneficial with which to be able to guide refined advice.

We would advocate that consideration is given to an iterative and proportionate approach to EIA. We would anticipate being able to discuss this approach as the project progresses and refined details are available for comment.

3.3.1 Existing Environment

3.3.1.2 Creyke Beck: There are a number of 'main rivers' that outfall directly to the North Sea or have catchments that are near the existing coastline, as per para. 628 and

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Figure 3-16. We would expect to see the landfall options to avoid any main river channels or flood infrastructure (e.g., outfalls and flood defences) by at least 20 metres. As per para. 632, some of these 'main rivers' also have statutory designations.

As per para. 630, the catchment is part of a complex drainage network, and several smaller watercourses and drains exist within the terrestrial environment. Depending on the choice of route, this is likely to cross watercourses within the remit or interests of the Internal Drainage Boards and the Lead Local Flood Authority.

Several coastal structures are also present along the coastline under the remit of the Coastal Protection Authority, which is East Riding of Yorkshire Council.

When narrowing site selection, we would ask the applicant to consider whether any locations could interact with any planned coastal flood or erosion schemes. This should include the Humber Strategy for any location(s) in the locality of Spurn Point. An example would be Tunstall Drain. It should also be ensured that, as part of data collection, the most recent scheme information is obtained, for example the Withernsea South coastal defence extension. We recommend both East Riding of Yorkshire Council and the Environment Agency are contacted again as the landfall options are refined.

3.3.2 Approach to Data Collection

Table 3-14 Secondary Data to be Used in the EIA: This should include reference to data collection for private, unlicensed potable abstractions from local authorities, as mentioned in Table 3-9. This table also includes Water Framework Directive water body status objectives and classification data, which are available on Catchment Data Explorer. Note, more detailed information on Heavily Modified Water Body mitigation measures and actions, could be requested from the Environment Agency, where necessary. This table does not include the Humber River Basin Management Plan – this may be another source of desk-based information that would inform the assessment.

We strongly support the collection of primary data, as discussed in para. 650, including a geomorphology baseline survey that will provide additional site-specific data for river crossing sites.

The following are relevant legislations and advice:

- Environmental Permitting Regulations 2016 (Flood Risk Activity Permits) & Yorkshire Land Drainage Byelaws 1980 (NB: some sections were moved into EPR in 2016). 1991 Water Resources Act.
- Please speak to Lead Local Flood Authority and Internal Drainage Boards about consents relating to ordinary watercourses. Consents issues under 1991 Land Drainage Act. Local Land Drainage Byelaws may also apply.
- The Lead Coastal Risk Management Authority is East Riding of Yorkshire Council – consents may be required for new infrastructure on the coast, or activities affecting existing coastal infrastructure. Consents would be issued under 1949 Coastal Protection Act.

The following policy documents are also relevant:

- Local Plans, including the emerging East Riding Local Plan, particularly the section on the Coastal Change Management Area.
- SMPs
- Humber 2100 (Humber Strategy)
- National Flood and Coastal Erosion Risk Management Strategy

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3.3.4 Approach to Impact Assessment

3.3.4.3 Supporting Assessments: In line with the Overarching National Policy Statement for Energy (EN-1), a flood risk assessment (FRA) should be submitted in support of the Development Consent Order application.

You should seek to locate sensitive equipment within areas at lowest overall risk of flooding. Given the nature of flood risk within these areas, we highlight the need to consider various flood risk sources including tidal, fluvial, surface water, groundwater; and artificial sources including sewer and reservoirs, as indicated in para. 666.

As part of your FRA you should identify if further modelling would be required. The Environment Agency holds several detailed models in this area, but there may be gaps depending on the locations of interest. Additional modelling may also be required to ensure the full range of climate change scenarios are incorporated, as per the current guidance at https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances, and accounting for residual sources of flood risk (e.g. breach, pump failure, etc…). Where relevant, your assessment of future flood risk should incorporate a credible maximum scenario.

The areas identified below may be relevant to the interests of the Environment Agency. We will expect any method to consider the implications on existing and future flood defence requirements.

(i) Crossing locations around watercourses / flood defences
   a. Current infrastructure
   b. Future infrastructure
(ii) Working corridor within flood risk areas
(iii) Need for Environmental Permitting Regulations Flood Risk Activity Permits & Byelaws (plus any other consents, e.g. from Internal Drainage Boards)
(iv) EA Land Ownership
(v) Haul roads

The Environment Agency would request that any discharge of drainage or surface water is restricted to the greenfield runoff rate. This includes any alteration to drainage because of positive drainage, or construction activities. For permanent infrastructure, drainage design should restrict the rate and volume of runoff to the greenfield runoff rate.

We would also like to see further details of any decommissioning phase. This should also account for the potential removal of infrastructure, including cables below watercourses or flood defences.

4.2 Climate Change

The Environment Agency will be interested to see further details relating to how the project can minimise its emissions. There may be opportunity to work together on shared ambitions. Please contact us to discuss this in more detail. The National Flood and Coastal Erosion Risk Management Strategy (https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england--2) sets out the Environment agency's vision and objectives.

Additional Advice to the Applicant

Environmental Permitting Regulations (EPR) – Flood Risk

Works in, over, under or close to main rivers or flood risk infrastructure are likely to require Flood Risk Activity Permits under the 2016 Environmental Permitting Regulations. There is an option to disapply this permitting regime and a need to discuss this with us early if you are considering it. We are likely to request protective provisions if you ask us to consider disapplying these regulations in relation to Flood Risk Activity Permits. Flood Risk Activity Permits are likely to apply to your project given the likelihood of crossing watercourses classified as 'main rivers.'

Depending on the landfall option(s) being considered, we would also welcome a conversation about any option to exclude the need for a Flood Risk Activity Permit for activities that may be covered by a Marine License, as briefly mentioned at https://www.gov.uk/government/publications/excluded-flood-risk-activities-environmental-permits/excluded-flood-risk-activities#if-youve-applied-for-a-marine-management-organisation-licence. Please contact us to discuss this option.

Environmental Permitting Regulations (EPR) - Groundwater

The Environmental Permitting (England & Wales) Regulations 2016 make it an offence to cause or knowingly permit a groundwater activity, unless authorised by an Environmental Permit, which we will issue. A groundwater activity includes any discharge that will result in the input of pollutants to groundwater.
'The Environment Agency's approach to groundwater protection', sets out our position for a wide range of activities and developments, including:

Sub water table storage, underground storage & associated pipework

Underground storage of polluting substances poses particular risks to groundwater because of the problems of leak detection. It is advisable that a scheme to install any underground tanks, tank surround, associated pipework and monitoring system is designed in detail. Generally, a Construction Environmental Management Plan should be prepared to identify and mitigate potential risks to the environment and best available techniques should be employed.

Tanks and associated pipe work containing substances included in List 1 of the EC Groundwater Directive (80/68/EC) should be of double skinned construction and be provided with intermediate leak detection equipment. The developers should adopt all appropriate pollution control measures, both underground and on the surface, to ensure that the integrity of the aquatic environment, both groundwater and surface water, is assured.

Sub water table storage is more problematic than above ground or underground storage, as a leak is more likely to contravene EPR. Where risk assessment demonstrates a high risk of groundwater pollution, the Environment Agency will normally object to storage below the water table.

A full detailed risk assessment should be conducted for any proposals that may include sub-water table storage, pipelines or fluid filled cables that transport pollutants.

Cont/d..

Piling, other foundation designs and deep ground workings

Penetrative methods can result in risks to groundwater from, for example, pollution/turbidity, mobilising contamination, drilling through different aquifers or creating preferential pathways.

Deep, and other foundation designs could physically disturb aquifers, lower groundwater levels, impede or intercept groundwater flow.

Any proposed activities that present a hazard to groundwater resources, quality or abstractions must identify appropriate mitigation where a hydrogeological risk assessment identifies unacceptable risks.

De-watering and Abstraction Licences

Dewatering is the removal/abstraction of water (predominantly, but not confined to, groundwater) in order to locally lower water levels near the excavation. This can allow operations to take place, such as mining, quarrying, building, engineering works or other operations, whether underground or on the surface.

Dewatering activities on-site could have an impact upon local wells, water supplies and/or nearby watercourses and environmental interests.

This activity was previously exempt from requiring an abstraction licence. Since 1 January 2018, most cases of new planned dewatering operations above 20 cubic metres a day will require a water abstraction licence from us prior to the commencement of dewatering activities at the site.
More information is available on gov.uk: https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence#apply-for-a-licence-for-a-previously-exempt-abstraction.

If you intend to abstract more than 20 cubic metres of water per day from a surface water source e.g., a stream or from underground strata (via borehole or well) for any particular purpose then you will need an abstraction licence from the Environment Agency. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights.

Waste

The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found here:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf

Site Waste Management Plans (SWMP) are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

Consideration should be given to the potential storage, treatment and disposal of any waste produced, including waste produced as a result of drilling, boring, tunnelling and excavations.

Cont/d..

On Site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.
We recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on Gov.uk

Waste Taken Off Site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment, and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on Gov.uk for more information.

Storage of Materials / Chemicals / Oil

Materials and chemicals likely to cause pollution should be stored in appropriate containers and adhere to guidance for the storage of drums and intermediate bulk containers.

Any facilities, above ground, for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage

Cont/d..

system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Appropriate procedures, training and equipment should be provided for the site to adequately control and respond to any emergencies including the clean up of spillages, to prevent environmental pollution from the site operations.

We advise that polluting materials and chemicals are stored in an area with sealed drainage and recommend that all pesticide sale and supply/distribution stores meet the recommendations of the Code of Practice for suppliers of pesticides to agriculture, horticulture and forestry and where appropriate membership of the BASIS government recognised inspection scheme.

Please contact our National Customer Call Centre (Tel: 03708 506 506) for further information and guidance.

Additional information and guidance is available at:
Oil storage regulations for businesses
Ciria: Containment systems for the prevention of pollution
Code of Practice for suppliers of pesticides to agriculture, horticulture and forestry
BASIS government-recognised inspection scheme

Discharge of Trade Effluent

Effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home is described as trade effluent. If you are not able to discharge effluent it will be classed as waste and you must then comply with your duty of care responsibilities.

If proposing to discharge to non-mains:
If you wish to discharge effluent after appropriately treating it to groundwater or surface water please contact the Environment Agency (Tel: 03708 506 506) as a permit under the Environmental Permit Regulations will be required.

If proposing to discharge to mains:
A trade effluent consent or a trade effluent agreement with your water and sewerage company must be obtained before you discharge trade effluent to a public foul sewer or a private sewer that connects to a public foul sewer.
Further guidance is available at:
Pollution prevention for businesses

As there are three potential landfall areas identified at this stage, there is a vast amount of data and information to be considered in the time allowed for this consultation. We therefore encourage the applicant to continue to engage with us as the site selection process progresses, to ensure we can provide specific and relevant advice.

Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Yours faithfully

Miss [redacted]
Sustainable Places - Planning Specialist

[redacted]

From:	[redacted]
To:	Dogger Bank South
Subject:	Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development)
Date:	23 August 2022 18:03:01
Attachments:	image001.png image002.jpg Dogger Bank Aug.pdf

Dear Sir/Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on woodland.

Could you please acknowledge receipt of this email ?

Many Thanks

[redacted]

Local Partnership Adviser for the Yorkshire & North East Area Team
Forestry Commission, Foss House, Kings Pool,
1-2 Peasholme Green, York
YO1 7PX

[redacted]

Forestry Commission

Yorkshire & North East
Foss House
Kings Pool
1-2 Peasholme Green
York
YO1 7PX

Tel 0300 067 4900

yorkshirenortheast@forestrycommission.gov.uk

Area Director
[redacted]

By email only

Date: 23rd August 2022

Reference: Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development)

Dear Sir / Madam,

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on woodland. The Forestry Commission is a statutory consultee for:

- nationally significant infrastructure projects that could affect forests and woodlands

General recommendations and comments :

In 2021, the National Planning Policy Framework (NPPF) was updated, including a strengthening of protections for irreplaceable habitats such as ancient woodland. Paragraph 180c of the NPPF requires that 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 reasons, and a suitable compensation strategy exists. This policy applies to both ancient semi-natural woodland (ASNW) and plantations on ancient woodland sites (PAWS).

Development, including both construction and operational activities, can affect ancient woodland habitat, not just through direct loss of the habitat but also indirectly, for

example through fragmentation of habitats, damage arising from increased recreational pressure, and increased pollution. For more information on the impacts of development on ancient woodland and how to assess these, please see the joint Forestry Commission /Natural England standing advice - *'Ancient woodland, ancient trees and veteran trees' : advice for making planning decisions'* and the 'assessment guide' included within it.

It is worth noting long established woodland over 80 years old is regarded as a high priority for protection and sound silvicultural management by the Forestry Commission, and its loss cannot be easily replaced with an equivalent area of newly planted trees in an alternative location. The Keepers of Time is the recent government policy that sets out the importance of ancient woodland, ancient and veteran trees, long established woodland, (woodland present since at least 1893), and semi natural woodland, for more details please see : Keepers of time: ancient and native woodland and trees policy in England - GOV.UK (www.gov.uk) . The DEFRA England Trees Action Plan also sets out importance of ancient and long established woodlands, and 3.12 commits to introducing 'Long Established Woodland' designation.
https://www.gov.uk/government/publications/england-trees-action-plan-2021-to-2024

Specific Comments on the Environmental Impact Assessment Scoping Report

1.6.4.2. / 1.6.5.2.– Identification of long list options identified in the Scoping Document takes in account the above comments from the Forestry Commission.

We hope these comments are helpful to you. any further queries, If the developer would like bespoke comment on current or proposed sites in the development area for either woodland creation and management that have existing conditions on them or have further queries please do not hesitate to contact the Forestry Commission on the email address provided above.

Yours Faithfully

[redacted]

[redacted]
Local Partnership Advisor
Yorkshire and North East Team

From:	[redacted]
To:	Dogger Bank South
Cc:	[redacted]
Subject:	NSIP - Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification - New consultation - HSE Response
Date:	10 August 2022 13:04:52
Attachments:	image001.png image003.png image004.png image005.png image006.png Letter to statutory consultees - Scoping & Regulation 11 Notification.pdf NSIP - EIA - Dogger Bank South Project - HSE response.pdf

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Dear Mr [redacted]

Thank you for your letter of the 26 July 2022 regarding the proposed Dogger Bank South Offshore Wind Farms consultation. Please find HSE's response attached.

Kind Regards

[redacted]
NSIP Consultation Team

Health and Safety Executive

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Gary Chapman (EIA and Land Rights Advisor)
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

By email only – DoggerBankSouth@planninginspectorate.gov.uk

Dear Mr [redacted]

Date: 10 August 2022

PROPOSED DOGGER BANK SOUTH OFFSHORE WIND FARMS (the project)
PROPOSAL BY RWE RENEWABLES UK DOGGER BANK SOUTH (WEST) LIMITED AND RW RENEWABLES UK DOGGER BANK SOUTH (EAST) LIMITED (the applicant)
INFRASTRUCTURE PLANNING (ENVIROMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11

Thank you for your letter of 26 July 2022 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed onshore project components in the Environmental Impact Assessment Scoping Report (Figure 3-1 – Dogger Bank South Offshore Wind Farms, Onshore and Offshore Study Areas (PB2340-RHD-ZZ-ZZ-DR-Z-0213 Rev A01, 15/07/2022)) cross the Consultation Zones of several major accident hazard pipelines, associated with the following operators:

- Ineos Manufacturing (Hull) Limited
- Northern Gas Networks
- National Grid PLC

The Applicant should make the necessary approaches to the relevant pipeline operators, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident. For pipelines there are additional considerations:

i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline;

ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds;

iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. According to the Environmental Impact Assessment Scoping Report Section 3.7.3.2, Paragraph 812, it is expected that the onshore substations will not be permanently manned although staff will periodically visit to carry out routine checks and maintenance. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Hazardous Substances Consent

It is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present within the onshore aspects of the development e.g. onshore project substation. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances. If hazardous substances planning consent is required, please consult HSE on the application.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3.

Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

[redacted]

CEMHD4 NSIP Consultation Team

From:	[redacted]
To:	Dogger Bank South
Cc:	[redacted]
Subject:	Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification - Historic England response
Date:	23 August 2022 11:58:47
Attachments:	image4f19ea.JPG 2022-08-23_HBMCE response_Dogger Bank South_EN010125_EIA Scoping Report.pdf

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Dear [redacted]

Thank you for consulting Historic England on the *Dogger Bank South Offshore Windfarms Scoping Report* (dated 26/07/2022, Document Reference: 004376179).

Attached is our response letter.

Best regards,

[redacted]

[redacted]
Marine Planning Archaeological Officer

Regions Group
Historic England
Floor 4 The Atrium, Cannon Bridge House, 25 Dowgate Hill, London, EC4R 2YA
[redacted]

Historic England

[redacted]
Senior EIA Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol, BS1 6P

Your Ref: [redacted]

23rd August 2022

Dear Ms [redacted]

Dogger Bank South Offshore Wind Project Environmental Impact Assessment Scoping Report

Thank you for your email and letter of 26th July 2022 requesting our comments on the following referenced document:

> *Dogger Bank South Offshore Wind Farms Environmental Impact Assessment Scoping Report, Pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Document Reference: 004376179), Dated 26 July 2022*

The Historic Buildings and Monuments Commission for England (HBMCE), known as Historic England, is the Government's adviser on all aspects of the historic environment in England including historic buildings and areas, archaeology and historic landscape, with a duty to promote public understanding and enjoyment. HBMCE is an executive Non-Departmental Public body sponsored by the Department for Digital, Culture, Media and Sport (DCMS) and our remit in conservation matters intersects with the policy responsibilities of a number of other government departments. The National Heritage Act (2002) gave HBMCE responsibility for maritime archaeology in the English area of the UK Territorial Sea and we provide licensing and planning advice in regard to the historic environment found within the English

Inshore and Offshore Marine Planning Areas, as defined by the Marine and Coastal Access Act 2009.

The proposed Dogger Bank South Offshore Wind Farms

We understand that at this stage the project's description is indicative, as based upon the design envelope approach. With details on the maximum and minimum parameters (where appropriate and known), to ensure the worst-case scenario can be quantified and assessed within any future EIA.

However, we note that the proposed project is for two offshore wind farms:

- Dogger Bank South East turbine array area – approximately 100km offshore;
- Dogger Bank South West turbine array area – approximately 118km offshore.

We are aware that from the offshore wind turbine array areas submarine electricity export cables will be laid to a landfall location which could be at one of two possible landfall locations (CB8 and CB9) in the vicinity of Skipsea, Yorkshire.

We are also aware that the onshore grid connection points have been identified through the National Grid Electricity System Operator (ESO)'s Holistic Network Design (HND) process, but up to two onshore substations may be required.

Furthermore, we note that connection could include an offshore multi-purpose interconnector, private offtake, integration with future hydrogen infrastructure or a combination of these. We therefore must rely on the proponent for this project (RWE Renewables) to keep us informed regarding ongoing discussion with National Grid ESO, plus other relevant matters as related to the Department for Business, Energy and Industrial Strategy (BEIS) ongoing Offshore Transmission Network Review.

Offshore Project Description/ Marine Physical Processes/Sedimentation

Section 1.5.1.3 (Foundations) – As listed by the Developers, we are aware that the following foundation types could be used for these works:

- Monopiles (up to 15m in diameter);
- Jackets on pin piles (diameter approximately 4m); and
- Jackets on suction buckets (diameter 20m);

It is an important observation about the information presented in this EIA Scoping Report, that while an estimated diameter is offered for one potential foundation design, it doesn't seem that estimates are provided about depth of penetration of these designs into and beneath the contemporary seabed or wider area of seabed clearance required to support placement.

Section 1.5.1.4 (Offshore Electrical Infrastructure) – Historic England notes that if the High Voltage Alternating Current (HVAC) is chosen there could be up to four HVAC cables per project (cable diameter approximately 250mm) or with High Voltage Direct Current (HVDC) there could be up to two HVDC cables per project (cable diameter approximately 150mm).

Due to the need to bury cables (apart from at crossing points), the full width of seabed impacts (inclusive of seabed preparations), along with required target depths should be explained in further detail. Furthermore, the Developer should be made aware that as the optional landfall locations are situated in close proximity to other existing offshore renewable projects, this may present a narrowing area of seabed in which to appropriately avoid heritage assets and potential archaeological features. Therefore, this location may carry high risk of potential issues, and we suggest that schemes of evaluating such areas should be considered a priority.

Section 2.1.3.1.2 (Effects on bedload sediment transport and seabed morphological change) – In reference to the statement about possible localised effects of construction associated with foundation and cable installation, it is directly relevant to consider the scale and magnitude of possible infrastructure to be placed on, and within, the contemporary seabed (e.g. as described in section 1.5.1.3). We therefore must consider the risk that this project may encounter Geoarchaeological sedimentary evidence of considerable importance and crucial to our understanding about palaeoclimatic change. Furthermore, until demonstrated otherwise through Geophysical and Geotechnical survey work, it is reasonable to consider that such sedimentary sequences and evidence of prehistoric landscape features exist within the proposed development area (as described within Section 2.13). Therefore, a programme of appropriate archaeological investigation, evaluation of impacts and assessment work of any such deposits will be required.

Section 2.1 (Marine Physical Processes) – It is Historic England's advice that changes, as proposed by this project arising from 'construction' should be considered as likely to give rise to significant impacts on seabed features and morphology. In reference to the explanation provided about mitigation (section 1.8.2.4) it is a relevant matter that the applicant demonstrates a "commitment" to conduct Geophysical, Geotechnical survey and other seabed intrusive investigations, incorporating retained and experienced archaeological expertise, as part of the preparation of any Environmental Statement (ES) produced for this proposed project.

Offshore Archaeology and Cultural Heritage (section 2.13)

Historic England notes that the project have set out a series of questions in Point 485 for external consultees to answer regarding Offshore Archaeology and Cultural Heritage, we have therefore structured this following section of the response in order to answer those questions:

1). *Do you agree with the characterisation of the existing environment?*

The content of the Scoping Report provides a general description of the area in which these developments are proposed, but we feel such detail cannot be considered to offer a "characterisation". As a result, Historic England does not agree that a characterisation of the existing Historic environment has been described, as it is our understanding this would be formulated within the PEIR, incorporating some seabed mapping and seabed/sub-seabed investigations – synthesising such data to present an assessment within any subsequent ES.

Section 2.13.1. We have noted that an emphasis on the submerged prehistoric environment has been included by the Developers, as there is archaeological and paleoenvironmental evidence related to human occupation of the UK which may be preserved, and used to develop an understanding of the wider natural environment within which early humans lived in the area of works related to this Scoping Report, this is a welcomed inclusion.

We also note that the Developers have stated that, within the Offshore Study Area there are no nationally important wrecks protected under the Protection of Wrecks Act 1973. Historic England concurs with this point.

The Developers have further stated that there is high potential for other wrecks, wreck remains and aircraft that could be present within the Offshore Study Area as there are many UKHO records within the Offshore Study Area indicating this potential. It is the case that most of these records are likely shipwreck related, but others are possibly related to aviation losses. Historic England welcomes the inclusion of this data in this scoping report.

2). *Have all the relevant data sources been identified in the Scoping Report?*

We have reviewed the Data Sources utilised by the Developers and listed in Table 2-39 in Point 2.13.2.1. Historic England takes the view that relevant data sources have been identified and utilised by the Developers as part of the Scoping document.

3). *Have all the potential impacts on offshore archaeology and cultural heritage resulting from the Projects been identified in the Scoping Report?*

We have reviewed all the potential impacts to offshore archaeology and cultural heritage as listed by the Developers in Table 2-41 in Point 2.13.3.6. Historic England considers that the Scoping Report would benefit from clarifying that at the point of application, not all heritage assets are known. And therefore unknown/potential heritage assets can be impacted differently during each development phase. Additionally, impacts of permanent physical loss/ disturbance to known and potential palaeogeographic receptors (associated deposits) from development activities where activities penetrate or indirectly change the seabed should also be considered.

Furthermore, we have noted in Point 77 that the Developers have stated that they intend to 'avoid known historic wrecks as far as possible'. Historic England would request that the wording 'as far as possible' be removed from this report, so as to stress the importance to the Developers of the avoidance of known wrecks through the implementation of appropriate archaeological exclusion zones.

4). *Do you agree with the impacts that have been scoped in (or scoped out) of further assessment?*

We feel that a summary of potential impacts during anticipated phases of construction, operation and maintenance, and decommissioning operations are scoped in (as explained within sections 2.13.3.1 to 2.13.3.4) but will require much further detailed consideration during the pre-application assessment phase.

Historic England has noted that the only specific impact that has been scoped out of 'Further Assessment' in Table 2-41 in Point 2.13.3.6 was Transboundary Impacts (Indirect). Historic England accepts the exclusion of this feature due to the projects being located 40km from the Economic Exclusion Zone (EEZ) boundary and has no further comments to make on the matter.

5). *Do you agree with the proposed approach to assessment?*

Overall, we are content with the proposed approach to the Marine Archaeological assessment, however, there is some comments that we wish to make regarding its content.

We note there is no reference to a project archaeological Written Scheme of Investigation (WSI) included. As such, the specific attention to guidance document *Archaeological Written Schemes of Investigation for Offshore Wind Farm Projects*, published by The Crown Estate (2021) should be made. This is because through the consenting process the WSI will be produced and agreed as a means to ensure enforcement of necessary evaluation and mitigation measures through any Development Consent Order and associated Deemed Marine Licence. We would also recommend that the Applicant be made aware that this document functions in clearer and broader terms also.

By way of an explanation, an agreed WSI will set out when, how and why (additional) archaeological evaluation and mitigation measures recommended in the PEI are to be implemented through detailed and direct scheme specific method statements. The delivery of such measures, through method statements, should therefore be addressed in regard to archaeological objectives, and framed around relevant research questions, with attention on the time and scale of completing and reporting on relevant individual schemes of investigation. In doing so this will enable survey opportunities to be maximised and appropriate information made available to inform the design process – especially in areas

where there is uncertainty and potential for seabed constraints. In summary it's an important principle that all survey planning, commissioning, interpretation and reporting are programmed so that the eventual engineering design selected for delivery of this project, should consent be obtained, is fully informed and guided by professional archaeological advice.

Furthermore, the supporting WSI should include a strategy for monitoring the effects over all phases of the development. And as outlined within paragraph 2.6.142 of *National Policy Statement for Renewable Energy Infrastructure (EN-3)* (July 2011), through the assessment work, include the "identification of any beneficial effects on the historic marine environment, for example through improved access or the contribution to new knowledge that arises from investigation", principally through the use of national, regional and local research frameworks.

Additional Offshore Archaeology Comments

The developers have stated that should any Geotechnical investigations be completed; allowance will be made for archaeological involvement in the planning of such surveys and that samples will be made available for Geoarchaeological assessment. Historic England wishes to remind the Developer that Geoarchaeology should be an integral component of any geotechnical survey, this should be formulated and implemented accordingly (with reference to industry guidance). Furthermore, a Geoarchaeologist should review the Geomorphological evidence for the area prior to any fieldwork to inform the process, this will improve the Assessment approach.

In point 529, the Developers have stated that a Marine Archaeological Desk Based Assessment (DBA) will be undertaken to establish a baseline for heritage assets within the defined areas. Historic England welcomes this, however, the Developers should be aware that the Geomorphological history of the area is complex and its Geoarchaeological and Paleoenvironmental potential, should be summarised in the DBA. This information should be used to inform the Geophysical, Geoarchaeological and Geotechnical surveys, and to contextualise the results.

Regarding Point 531, we note that the Developers have listed the relevant guidance they have used to formulate their approach to the marine assessment. Historic England's Deposit modelling guidance has been omitted from this list. We consider that this should be included in the list (https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/), especially in relation to coastal and onshore works.

Seascape, Landscape and Visual Impact (section 2.14)

Point 534 and Figure 2-28, explain and show the distribution of offshore wind farm developments (at various stages of planning and delivery). It is therefore an important matter that the attention given to the historic environment (as alluded to in Point 535) cross

references with the assessment of Historic Seascape Characterisation (as mentioned briefly in 2.13.3.1, Point 513). However, we consider the matter that requires assessment in the ES is the constructed presence of offshore wind farms rather than the "potential for temporary impacts to the setting" associated with the presence of vessels during the construction phase(s).

It is important to take account of the methodological approach for determining historic character, which is based on perception, and is not necessarily dependent on consideration of visibility. The key fact is how disparate data allows for consideration of perceptions of character based on different activities and environmental change over time, and how such definable characteristics (in different dimensions) can accommodate change. It therefore seems that the position adopted, for example, Section 2.14.3.2 (Potential impacts during operation), Point 543 and 2.14.3.4 (Potential cumulative impacts), Point 545 and summarised in Table 2-42, will limit a full assessment of how seascape is perceived and how proposed changes can be accommodated, as a component part of any ES subsequently produced.

Onshore Archaeology and Cultural Heritage (section 3.5)

In consideration of the information presented to us, we found the Scoping Report generally fit for purpose.

However, as an initial general point, we felt that the suggested archaeological approach lacks a coherent research emphasis. The main reason for this is that the Onshore route traverses one of the most interesting and complex areas of archaeology in England. With the Yorkshire Wolds and its immediate hinterland a priority area for Historic England, with a research Framework for the Wolds (which is not referenced in the EIA Scoping Report), and recent work by the University of Reading that has established that large areas of Holderness are covered by warp deposits which have buried entire prehistoric landscapes. We therefore would have expected the applicant to meet with the Local Authority archaeologist to agree a suite of high-level research questions for the project, and this would help guide where physical interventions would be most profitable and of greatest public benefit. Additionally, we find that EIA documents tend to follow a particular format and this format can get in the way of the applicant thinking in research terms, thinking creatively and about what the archaeology might or could achieve.

Specifically, Table 1.5 and Methodology: We understand that the applicant is using an industry standard for assessing impact, but Historic England has some concerns about this 'standard'. The issue is that the 'standard' assesses 'significance of impact', whereas Historic England is concerned with the 'impact on significance'. This may seem a minor quibble over language, but there are real world implications in this distinction. The Developer therefore needs to acknowledge that there is a difference in approach and possibly outcomes and

ensure that their assessment and analysis fully characterises significance, and impact on significance.

Point 709: regarding targeted trial trenching. The text suggests that 'targeted trial trenching will be based on the results of baseline surveys and geophysical surveys where they have identified a high potential for buried archaeological remains to be present …' we understand the suggested rationale but there needs to be a more imaginative response to sampling and trial trenching – as outlined in our General Point above.

Cumulative Impact: The Dogger Bank proposal is one of several projects to include an above ground substation in the Cottingham area. The assessment and analysis needs to make careful and thorough assessment of cumulative impact on the significance of heritage assets.

Related to the above paragraph, is a proper analysis and assessment of setting and the contribution which setting makes to significance. Setting is not entirely visual, and relates instead to the manner in which places are experienced. Views, viewpoints and view lines should not be solely assessed from PRoW and public access locations: as the whole landscape is to be considered. The Developer is to undertake assessment which encompasses 'dynamic' or 'kinetic' movement through the landscape, exploring the manner in which places change, emerge and recede.

In Point 698, the Developers have stated how they intend to characterise the existing historic environment. Historic England points out that any archaeology and cultural heritage chapter of the EIA should start with a summary of the Geomorphology of the onshore study area.

In Point 707, the Developers have stated the data sources they utilised to help characterise the existing historical environment. Historic England would point out that the Rapid Coastal Zone Assessment for Yorkshire and Lincolnshire could be used to further inform the Baseline data, this can be accessed here: (https://archaeologydataservice.ac.uk/archives/view/yorksrcza_eh_2009/).

Landscape and Visual Impact (section 3.6)

It is important that any assessment conducted is inclusive of the setting of heritage assets, which is also applicable to the statement made in Point 758 regarding the scope of cumulative impact and selection of an appropriate study area (Point 758), to be agreed with stakeholders through the EPP. We appreciate that the attention within this section is focused towards (designated) landscape matters, but it is important that discussion and selection of assessment viewpoints should also include consultation with Historic England, for example, as relevant to any designated heritage assets as alluded to in Section 3.6, points 762 and 755.

Yours sincerely,

[redacted]
Marine Planning Archaeological Officer, Historic England

cc. Keith Emerick (Historic England, North East & Yorkshire Region)
Andy Hammon (Historic England, Yorkshire & North East Region)
Chris Pater (Head of Marine Planning, Historic England)
Jack Coe (Marine Planning Archaeological Officer, Historic England)

From:	[redacted]
To:	Dogger Bank South
Subject:	EN010125-000181 Dogger Bank South Offshore Wind Farms Scoping consultation response
Date:	23 August 2022 18:59:08
Attachments:	image001.jpg image002.jpg Dogger S scope Response - Letter.docx

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Good evening,

Please find attached Hull City Council's response.

Best regards,

[redacted]
Principal Development Management Officer – City Plan Projects
[redacted]

[redacted]
Senior EIA Advisor
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref: [redacted]
Our Ref:
Contact Officer: [redacted]
Telephone: [redacted]
Email:
Textphone:
Date: 23 August 2022

Dear Ms [redacted]

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for consulting Hull City Council and inviting comments on the request for a Scoping Opinion relating to Dogger Bank South Offshore Wind Farms.

The Council is very supportive of the development of the Dogger Bank South Offshore Wind Farms in general terms. The Hull and East Yorkshire Local Economic Partnership Economic Growth and Workforce Well-being Strategy identifies as a priority, achieving a net zero, clean growth economy through optimising growth in clean energy whilst supporting the decarbonisation of key economic sectors and the wider community. The Council declared a Climate Emergency in March 2019, setting targets for the city and reflecting our key ambitions for sourcing energy in the future, whilst continued investment in SGRE's wind turbine blade factory at Alexander Dock strengthens the Hull and Humber as a key hub for the shipping out of components for final assembly offshore.

The Council have the following comments to make on the Environmental Impact Assessment Scoping Report Document No: 004376179 Rev: 02:

2.8 Offshore Ornithology

In terms of impacts on the natural environment, the proposed methods to identify, quantify, and assess impacts on habitats and species are considered to be appropriate.

Consideration should be given to direct and cumulative impacts on qualifying bird species of the Humber Estuary Ramsar and SPA during operation, given significant declines in a number of species in recent years.

3.1 Terrestrial Ecology and Onshore Ornithology

In terms of impacts on the natural environment, the proposed methods to identify, quantify, and assess impacts on habitats and species are considered to be appropriate.

3.3 Flood Risk and Hydrology

The approaches and data sources set-out within the scoping report are considered to be appropriate.

3.6 Landscape and Visual Impact

The Creyke Beck onshore study area is in relative proximity to the edge of the city of Kingston–upon–Hull, and there is potential for visual receptors within the city to be affected by both construction phase and operational phase impacts identified, subject to confirmation of location and design of substation in particular. Consequently, Hull City Council would wish to be consulted upon the selection of assessment viewpoints referenced under paragraph 762 of the report.

3.7 Traffic and Transport

Fig. 3-16

The Traffic and Transport Study Area is truncated to exclude A1033 access to the eastern docks at the Port of Hull.

770. The rationale for excluding the A1033 running eastwards through the city of Hull from the study area in terms of potential for construction staff and materials routing is not clear.

771. The A63 forms the main route towards the city from the west, the A1033 that from the east. Stretches of both constitute part of the Strategic Road Network. The Port of Hull is singular, although there are a number of docks to both east and west of the city centre.

785. The A1033 also connects to the easternmost extent of the A63 and heads eastwards on an east–west alignment towards the Alexandra, King George, and Queen Elizabeth Docks.

786. Not all of the A165 north-east of the city of Hull is a dual carriageway.

807. If the onshore impacts of offshore construction traffic is to be scoped out, commitment to a CPTMP would seem appropriate in order for potential eventualities to be suitably accounted for. Hull City Council would wish to be consulted on any such management plan which relates to the location of a base port in the Hull City Council administrative area, or traffic predicted to be generated on the strategic and/or local highway networks within the city derived from a base port (or ports) elsewhere.

825. As well as using GEART, junction sensitivity should also be considered. Junctions which are at or close to capacity can be significantly impacted by relatively small increases in traffic volumes, with resultant air quality implications also.

3.8 Noise and Vibration

Whilst the identified onshore study area is within the administrative area of East Riding of Yorkshire, construction traffic may be routed along the Strategic Road Network and local highway network within the Hull City Council administrative area. In such circumstances, assessment of potential noise and vibration impact on sensitive receptors and identification of appropriate mitigation measures should be undertaken. Hull City Council would wish to be consulted on such matters. It is noted that whilst the scoping report proposes to include the highway network within the City of Hull for assessment of air quality impacts, the noise and vibration chapter scoping information is in contrast with this comprehensive approach.

3.9 Air Quality

The inclusion of the local highway network within the Hull City Council administrative area, which includes a designated Air Quality Management Area is supported. Appendix E of SPD 3 to the Hull Local Plan 2016-2032, and Hull City Council's Local Air Quality Strategy are of relevance. Both can be accessed via:
https://www.hull.gov.uk/environment/pollution/airquality

4.1 Socio-economics, Tourism and Recreation

The onshore study area is in close proximity to the city of Kingston–upon–Hull, with a population of c.260, 000. The proposed inclusion of regional perspective to the collection of data and identification of potential impacts is appropriate and welcomed.

.

4.2 Human Health

The extent of the defined onshore study area remains in relative proximity to the city of Kingston–upon–Hull, with a population of c.260, 000. There is potential for both positive and negative impacts to affect sensitive receptors within the adjacent Hull City Council administrative area, during the construction phase, particularly as a consequence of noise, vibration, and air quality associated with vehicular traffic movements, climate change mitigation and energy provision outputs during operation, and employment and training opportunities during both.

Yours sincerely

[redacted]

[redacted] MRTPI
Head of Planning
Hull City Council
2nd Floor, Guildhall
Alfred Gelder Street
Hull
HU1 2AA

From:	[redacted]
To:	Dogger Bank South
Cc:	[redacted]
Subject:	RE: Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	23 August 2022 09:43:09
Attachments:	image008.png image009.png image010.png image011.png image012.png image013.png Dogger Bank South_OWF_EIA_Scoping_MMO_Response_Final.pdf

---

Good morning,

Please find attached the Marine Management Organisation's response to the below. Please don't hesitate to contact me should you require any further information.

Kind Regards,

[redacted] **| Marine Licensing Case Manager | Marine Licensing | Marine Management Organisation**
[redacted] | Lancaster House, Hampshire Court, Newcastle upon Tyne. NE4 7YH

Our MMO Values: Together we are **Accountable, Innovative**, **Engaging** and **Inclusive**
Website [redacted]

Marine Management Organisation

Marine Licensing
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Dogger Bank South Offshore Wind Farm Case Team
Planning Inspectorate
DoggerBankSouth@planninginspectorate.gov.uk
(Email only)

MMO Reference: [redacted]

23 August 2022

Dea [redacted]

Formal scoping request under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 for the proposed Dogger Bank South Offshore Wind Farms by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited.

Thank you for your scoping opinion request of 26 July 2022 and for providing the Marine Management Organisation (MMO) with the opportunity to comment on the Dogger Bank South Offshore Wind Farm Environmental Impact Assessment (EIA) scoping request.

The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence[1]. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the 2008 Act enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences[2].

As a prescribed consultee under the 2008 Act, the MMO advises developers during preapplication on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence ("dML") enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO's

[1] Under Part 4 of the 2009 Act
[2] Section 149A of the 2008 Act

website[3]. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note[4].

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the local MMO Coastal Office.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely,

[redacted]

[redacted]
Marine Licensing Case Manager
[redacted]

[3] https://www.gov.uk/planning-development/marine-licences
[4] http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf

Scoping Opinion

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("the Regulations")

Title: Dogger Bank South Offshore Wind Farms

Applicant: RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited

MMO Reference: DCO/2022/00007

Contents

1. Proposal....4
   1.1 Project Background....4
2. Location....5
3. Scoping Opinion....5
   3.1 General Comments....6
   3.2 Marine Planning....6
   3.3 Nature Conservation....6
   3.4 Benthic Ecology....6
   3.5 Coastal Processes....7
   3.6 Fish Ecology and Fisheries....9
   3.7 Shellfish....13
   3.8 Marine Mammals....14
   3.9 Underwater noise....14
   3.10 Seascape / Landscape....15
   3.11 Archaeology / Cultural Heritage....15
   3.12 Navigation / Other Users of the Sea....15
   3.13 Water Quality....15
   3.14 Dredging and Disposal....15
   3.15 Population and Human Health....15
   3.16 Cumulative Impacts & In-Combination Impacts....15
4. Conclusion....15
5. References....**Error! Bookmark not defined.**

1. Proposal

Thank you for your letter dated 26 July 2022 consulting the Marine Management Organisation (MMO) on the EIA Scoping report submitted by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited in respect to an application for development consent under the Planning Act 2008 (the "2008 Act") for Dogger Bank South Offshore Wind Farm.

1.1 Project Background

1.1.1 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 then submitted by developers under a competitive bidding process, culminating in an auction held in February 2021. RWE was successful in this auction process, securing preferred bidder status on two adjacent projects, Dogger Bank South (DBS) East and DBS West, collectively known as the DBS Offshore Wind Farms (hereafter 'the Projects'). The Projects have been subject to a plan-level Habitats Regulations Assessment (HRA), undertaken by The Crown Estate. The Crown Estate gave notice to the UK and Welsh Governments of its intent to proceed with the Round 4 Plan on the basis of a derogation in April 2022. The Secretary of State for Business Energy and Industrial Strategy has agreed that The Crown Estate can proceed with plan. The Projects will now proceed to the Agreements for Lease stage.

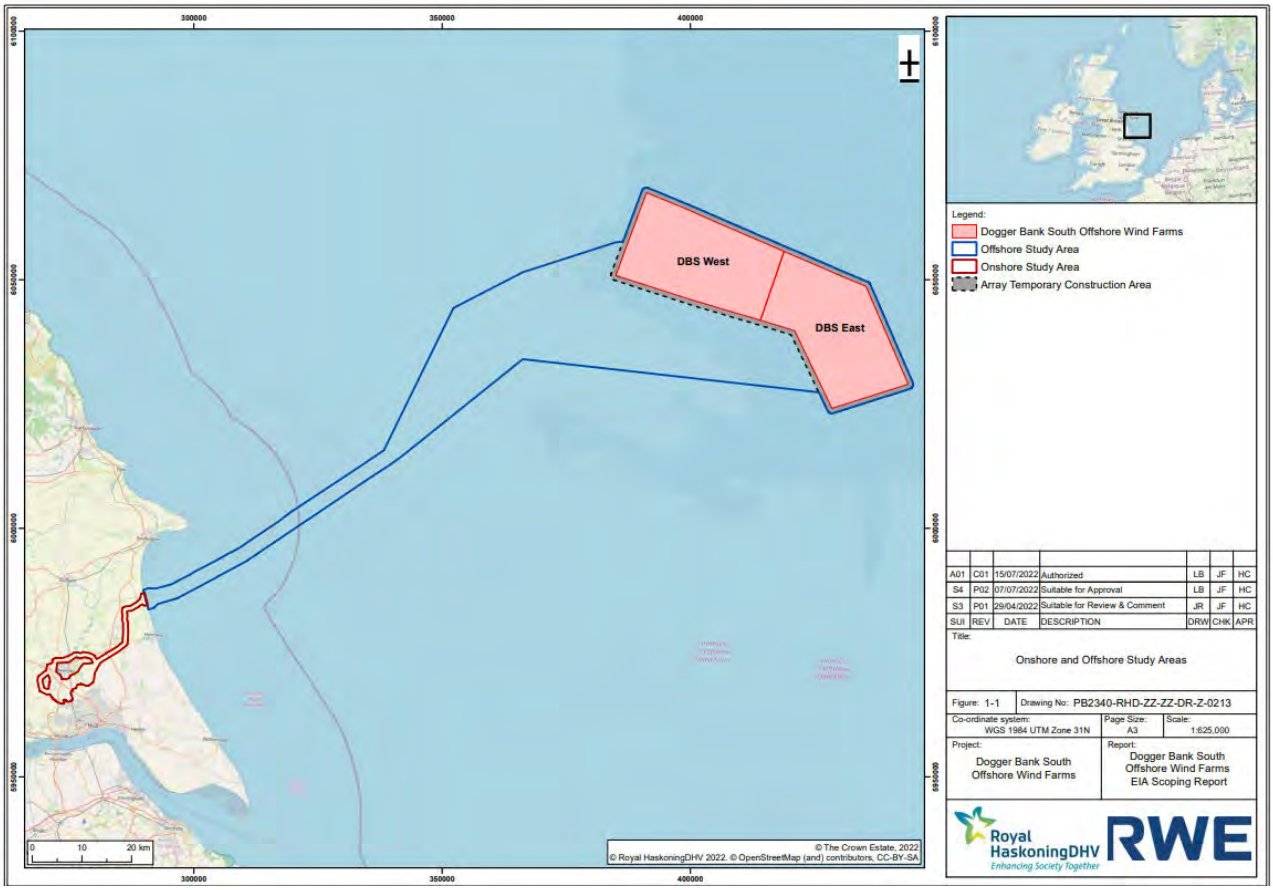
1.1.2 The array areas are located more than 100km offshore on the Dogger Bank in the southern North Sea and each covers approximately 500km2.

1.1.3 The onshore grid connection points have been identified through the National Grid Electricity System Operator (ESO)'s Holistic Network Design (HND) process. The HND was published by National Grid ESO on 7th July 2022 and allows for interconnectivity between multiple offshore projects on the east coast of Scotland and England. As the delivery mechanisms for the wider HND are yet to be determined, this Scoping Report only includes the infrastructure required for the Projects' grid connections at a new National Grid substation to be located near to the existing Creyke Beck substation in the East Riding region of Yorkshire.

2. Location

The Dogger Bank South Offshore Wind Farms are located over 100km offshore on the Dogger Bank, in the southern North Sea. The Scoping area is displayed in Figure 1 below.

Figure 1: Dogger Bank South Scoping Boundary.



3. Scoping Opinion

Pursuant of regulations 10 and 11 of the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations), RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited have requested a Scoping Opinion from the MMO.

In so doing a Scoping Report entitled 'Dogger Bank South Offshore Wind Farms – Environmental Impact Assessment Scoping Report' has been submitted to the MMO for review.

The MMO agrees with the topics outlined in the Scoping Report and in addition, we outline that the following aspects be considered further during the EIA and must be included in any resulting Environmental Statement (ES).

3.1 General Comments

3.1.1 The scoping report is a high-level, well written and comprehensive document which has identified the relevant general impacts associated with the proposed project.

3.2 Marine Planning

3.2.1 The MMO notes that the document does not state that the relevant Marine Plan policies have been considered. The MMO requires that for the final ES a table is produced to highlight all policies within these plans and whether these have been screened in or out, including justification. The MMO welcomes any further discussions with the applicant in relation to this.

3.3 Nature Conservation

3.3.1 The MMO defers to Natural England as the Statutory Nature Conservation Body (SNCB) on the suitability of the scope of the assessment with regards to MPAs.

3.4 Benthic Ecology

3.4.1 The MMO considers the approach to benthic impact assessment to be appropriate and is like that for developments of a similar nature. Section 2.5.4 of the report (referenced in paragraph 5) encouragingly states “The assessment of the potential impacts upon the benthos will be cross referenced where relevant to the assessments for marine physical processes and marine water and sediment quality”. The MMO welcomes this commitment to better predict the physical impact of the installation more accurately and agree that the relevant assessments (and resulting datasets e.g., from acoustic survey of the seabed) should be included during benthic characterisation and monitoring stages of the developments.

3.4.2 The MMO agrees with the current proposals around mitigation. The use of suction bucket and gravity-based foundations has been removed from the design envelop for wind turbine generators to mitigate potential impacts on the Dogger Bank Special Area of Conservation. In addition to this, Horizontal Directional Drilling will be used at export cable landfall to reduce the impact on intertidal assemblages. Additional mitigations, e.g., micro siting to avoid Annex I habitats and monitoring, will be developed further as the application progresses.

3.4.3 A separate Cumulative Impacts Assessment (CIA) will be considered temporally and spatially overlapping impacts and will be informed using the results of the marine physical processes assessment. The report (referenced in paragraph 5) states that any benthic impacts are anticipated to be localised and temporary. However, until the CIA is reviewed, the MMO cannot comment specifically on potential cumulative impacts to the benthic assemblage as a consequence of the Dogger Bank South OWFs.

3.4.4 While the potential impact of temporary increases in suspended sediment concentrations has been scoped in for all stages of the development (construction, operation and maintenance, and decommissioning), the only reference to Annex I Sabellaria spinulosa reef within the report is in reference to the effect of electromagnetic fields on this receptor. Annex I reef within the Dogger Bank South

Offshore Wind Farms will be identified through subsequent characterisation surveys (planned for 2022) and no further assessment is required at this stage.

3.4.5 Regarding the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWMC) and the potential impact of harmful aquatic organisms being introduced from increased vessel traffic; the UK acceded to the BWMC on 26 May 2022. The UK domestic regulations (The Merchant Shipping (Control and Management of Ships' Ballast Water and Sediments) Regulations 2022) which implement the BMWC requirements, entered into force on 29 July 2022 and the applicant should include reference to these regulations subsequently.

3.5 Coastal Processes

3.5.1 The intended approach is to define the design envelope to provide maximum and minimum parameters, where appropriate, to ensure the worst case scenario can be quantified and assessed in the EIA. It is not yet possible to judge this as the project description, including the design envelope, will be further defined in the PEIR and ES. However, the MMO feel the approach is likely to be sufficient, since the applicant also states that "*maximum parameters for larger capacity wind turbines than are currently in existence will be estimated and the EIA will be undertaken on a range of rated capacities and assumed rotor diameters*".

3.5.2 The MMO notes that the project scoping is relatively high-level - construction impacts are classified into four types (Sections 2.1.3.1.1 to 4), being impacts to wave and tide (which are scoped out, since they reach a maximum in the operation phase), seabed sediment transport and coastal morphology, suspended sediment concentration (SSC) and direct seabed impacts from the construction vessels (also scoped out – the view being that vessel scars will infill within months). The same categories are considered for the operations phase, with the addition of the impact on general water circulation (and formation of the 'Flamborough Front'). The same scoping is applied to decommissioning, where it is stated up front that impacts from this phase are expected to be smaller.

3.5.3 These are relatively standard approaches. The elements of the physical environment listed in paragraph 175 suggest that the scope of impacts assessed will be sufficient to characterise the development, but it is not possible to comment in more detail at this stage.

3.5.4 The MMO notes that the report has scoped out transboundary impacts, on the basis of distance. While the MMO has no specific reason to dispute this, it is considered that this should be supported with reference to evidence that wider hydrodynamic effects will not arise from the expansion of OWF sites

3.5.5 The MMO notes that the description of the coastal process environment in paragraphs 152-157 of the scoping report is brief and limited to singular numerical (peak or average) parameters. The applicant does not propose to conduct project-specific numerical modelling and so should be careful to ensure that their assessments are sufficiently detailed and well-developed, with a suitably precautionary approach to uncertainty, to adequately capture the project impacts,

particularly in respect of the cumulative effects. This will require a significant and detailed description of the coastal process systems, rather than simple numerical comparisons.

3.5.6 The MMO note that mitigation is discussed in broad terms (no specific measures are proposed since this remains at the scoping stage) e.g. scour protection types are listed, and it is noted that installation may involve some seabed preparation (such as levelling of the seabed and installation of a gravel bed layer). It is also stated that rock protection as secondary cable protection within the Dogger Bank SAC will be minimised. These are typical measures undertaken for OWF projects. The MMO expect the PEIR and ES to go into significantly more detail as to quantities and volumes and their expected (or, if not possible, then worst-case) locations in respect of the significant coastal systems and processes.

3.5.7 The MMO notes that the scoping presents a typical description of the approach to cumulative and inter-related impact assessments. The MMO consider these generally to be the most frequently inadequate sections of project impact assessments, as these assessments lack strong definition and guidance to enforce a more complete approach. The scoping outlines that only projects with 'sufficient data' will be included in the cumulative assessment – in practice, this usually means projects with fully enumerated impact envelopes. However, since this project itself proposes to forego project-specific numerical modelling and apply learning from other projects, a similar approach can be proposed for the cumulative assessment of projects within the Zone of Influence i.e., characteristic, as opposed to definitive, impact envelopes. (Otherwise, projects are not assessed in advance, because the data do not yet exist, and are not assessed in retrospect, since they are now absorbed into the background - a weakness in the process that means cumulative impact is never fully assessed).

3.5.8 The report also states that the assessment will be delimited by the zone of influence (ZoI) defined by the stand-alone project impact assessments (paragraph 172 of the scoping). However, it should be noted that systemic impacts may spread beyond the areal scope of the initial changes, and so cumulative assessments should also be conducted with detailed reference to the coastal process system, rather than the ZoI. This can be related to the decision to scope out transboundary impacts, which is justified on the basis of the 40km distance from the international boundary. This decision appears to pre-empt the assessment of flow changes (i.e., the formation of the Flamborough Front) since the complex tidal regime (paragraph 152) and high wave energy (paragraph 153) in this area do not automatically preclude wider hydrodynamic responses.

3.5.9 The MMO notes that the applicant is moving away from project-specific modelling of process impacts just as the density of marine development is accelerating. The MMO consider it imperative that region-specific baselines and detailed criteria for cumulative impact assessments are developed and applied.

3.6 Fish Ecology and Fisheries

3.6.1 The MMO considers that a high-level description to characterise the environment for fisheries and fish ecology has been provided which identifies relevant fish species for further consideration in the EIA. The spawning and nursery grounds of fishes in the vicinity of the Projects' study area have been identified, as have the relevant elasmobranch species and species of conservation and ecological importance that are found in the study area.

3.6.2 The MMO notes that section 263 states that 'Atlantic herring populations within the Fish and Shellfish study area increase during the summer and autumn, with spawning peaking between April and June (JNCC 1995a; 1995b)'. Please note that Atlantic herring spawning in the central North Sea (CNS) are from the Banks population which spawn between August and October (inclusive). See Ellis et al. (2012) for spawning seasons of commercially important fishes. The JNCC 1995a and 1995b citations were not included in the reference list for review and comment.

3.6.3 The MMO notes that Herring spawning grounds have not been depicted in Figure 2-11, only their nursery grounds have been mapped. Nonetheless, Section 263 acknowledges that Atlantic herring have spawning grounds within the Projects' study area and that the species is highly sensitive to changes in their substrate composition. The MMO note that potential herring spawning habitat has been mapped further on in Figure 2-14, following the method described by MarineSpace (2013a) which the MMO support.

3.6.4 The MMO notes that the commercial and ecological importance of the Dogger Bank as a sandeel habitat has been recognised in the scoping report. The report recognises that sandeel have spawning grounds within the Projects' study area and that the species is highly sensitive to changes in their substrate composition. Sandeel habitat suitability has been mapped in Figure 2-13 following the method described by MarineSpace (2013b) which the MMO support.

3.6.5 The MMO considers that for the purpose of the PEIR and ES, details of the individual data layers that make up the herring spawning habitat and sandeel habitat 'heat' maps should be provided. For example, the temporal ranges of International Herring Larvae Survey (IHLS) data and Vessel Monitoring System (VMS) data used in the maps should be specified. The MMO recommend a minimum of 10 years of IHLS data is used to inform the herring spawning 'heat map'. IHLS data up to 2021 are available to download from ICES at Eggs and larvae (ices.dk).

3.6.6 Similarly, the MMO considers that information on the origins and vintage of any sediment data (e.g., Particle Size Analysis (PSA)) should be discussed and mapped to provide a visual representation of data coverage. For avoidance of duplication, appropriate sign-posting can be made to the relevant section/s of the Benthic Ecology chapter where sediment data and/or maps are presented.

3.6.7 The MMO notes that VMS data used to inform the sandeel heat map should be selected on the basis that the fishing gear is appropriate to target the species, i.e., VMS data for bottom trawled gear rather than pelagic gear. Please note that in 2022, the MMO introduced a new byelaw to protect important habitats and species within the Dogger Bank SAC. The byelaw prohibits bottom towed fishing across the whole SAC (MMO, 2022). With this in mind, it should be noted that the coverage of VMS data used to inform the PEIR and ES is likely to change compared to what has typically

been observed over the years, as commercial fishing fleets using bottom towed gear targeting sandeel (and other demersal species) on the Dogger Bank will be excluded from the area. As the new byelaw has only just come into force, VMS data for fishing activity on the Dogger Bank in recent years will still be relevant to the assessment.

3.6.8 In reference to Section 265, the MMO notes that the correct scientific name for cuckoo ray is Leucoraja naevus (rather than 'Raja naevus'). Similarly, common skate (referred to in the scoping report as 'Leucoraja batis') is now recognised to be two different species; the flapper skate, Dipturus intermedius, and the blue skate, Dipturus batis, see Iglésias et al. (2010).

3.6.9 Tables 2-16 outline the list of existing data sources and literature that will be used to inform the fish ecology baseline. The sources are generally appropriate to characterise the study area, however the MMO have cited additional publications and peer-reviewed papers within this advice which will help enhance the characterisation and inform the EIA.

3.6.10 The MMO considers that the PEIR and ES should recognise the limitations of the data collected for fish characterisation surveys for other wind farm projects (e.g., Dogger Bank Zone and Former Hornsea Zone) as some of the data are now in excess of 10 years old. Furthermore, some of the surveys were carried out prior to the placement and operation of OWF infrastructure. Factors such as loss of habitat, introduction of hard substrates, and temporal and natural variations in fish assemblages may have changed over this period.

3.6.11 The MMO notes that when using any fisheries data collected from past surveys, it is important that the data are interpreted and presented appropriately and that all survey limitations are acknowledged. The MMO recommend that any catch data should be presented in the PEIR and ES in standardised units e.g., Catch Per Unit Effort (CPUE). The survey methods, timings and limitations of survey and gear types as well as gear selectivity should be discussed or acknowledged within the PEIR and ES, especially with regard to the influence on species and life stages captured by individual gear types/sampling methods. For example, a 2m epibenthic beam trawl will not adequately target large/adult fish, or pelagic fish; otter trawls and epibenthic beam trawls will not adequately target sandeels; and the season in which a survey is undertaken may influence species abundance in that particular area.

3.6.12 The MMO note that despite the age of some data sources, we are generally content that there is no requirement for new fish characterisation surveys to be undertaken, as the various sources of data proposed to inform the desk-based assessment will be adequate to provide a general description of the fish species typically found in the Project study area. The MMO note that a site-specific benthic survey of the Project study area will be undertaken in 2022 which will include grab sampling of seabed sediments which will be used for particle size analysis (PSA). PSA data can then be used to determine sandeel habitat suitability and herring spawning habitat suitability.

3.6.13 The following potential impacts arising from the project have been identified and scoped in:

<u>Construction</u>

- Increase in local suspended sediment concentrations and sediment settlement.
- Impacts on fish and shellfish species as a result of noise and vibration.
- Habitat loss / disturbance to spawning and nursery areas.

- Reduced fishing pressure within the array areas and increased fishing pressure outside of the array area.
- Cumulative impacts

Operation

- Long-term loss of habitat and / or change in habitat type as a result of changes in substrate composition.
- EMF impacts arising from cables.
- Reduced fishing pressure within the array areas and increased fishing pressure outside of the array area.
- Cumulative impacts
-

Decommissioning

- Increase in local suspended sediment concentrations and sediment settlement.
- Impacts on fish and shellfish species as a result of noise and vibration.
- Habitat loss / disturbance to spawning and nursery areas.
- Reduced fishing pressure within the array areas and increased fishing pressure outside of the array area.
- Cumulative impacts

3.6.14 The MMO notes that transboundary impacts to fisheries and fish ecology have been scoped out of the EIA on the basis that the Projects are located 40km from the EEZ boundary, and therefore it is considered that there is no pathway for transboundary impacts. The range of effect for noise and vibration generated by piling can extend over large distances, i.e., in excess of the 40km distance between the Project sites and the EEZ boundary. On this basis The MMO recommend that transboundary impacts to fish receptors arising from underwater noise and vibration are scoped into the EIA.

3.6.15 The MMO do not support scoping out of the impacts arising from direct damage and disturbance to fish species during construction, operation and decommissioning stages of the development. The justification that the impact/s will be limited in spatial and/or temporal extent cannot be supported until the spatial / temporal extent of the impact/s in relation to specific species and/or habitats has been quantified and assessed. This impact should be scoped into EIA for all stages.

3.6.16 The MMO do not support the scoping out of increases in local suspended sediment concentrations and sediment settlement during the operation phase of development. As per paragraph 27, the justification that the impact/s will be limited in spatial and/or temporal extent cannot be supported until the spatial / temporal extent of the impact/s in relation to specific species and/or habitats has been quantified and assessed. This impact should be scoped into EIA for all stages.

3.6.17 The MMO consider that the impact of habitat loss / disturbance to spawning and nursery areas should be scoped into the EIA for the operation phase as well as the construction and decommissioning stages. Given the location of the Project arrays within an important sandeel habitat, and the ECC cable corridor which crosses the Banks herring spawning ground at Flamborough Head, there is potential for significant impacts relating to habitat loss and/or disturbance to occur to sandeel habitat and herring spawning habitat as a result of operation and maintenance activities. The magnitude and significance of impact would depend on the scale of works required and timing of the O&M activity.

3.6.18 The MMO note that the term ‘long term’ should be changed to ‘permanent’ in the context of assessing loss of habitat or changes in habitat type from OWFs during the operation and decommissioning phases, unless the Applicant is able to commit that all infrastructure relating to the project will be removed from the seabed at the end of the Project’s lifetime.

3.6.19 The MMO are content that impacts arising from accidental pollution during the construction, operation, and decommissioning phases can be scoped out of further assessment, on the basis that an Environmental Management and Monitoring Plan (EMMP) will be implemented to manage and mitigate any pollution events.

3.6.20 The MMO note that the information provided on the proposed approach to assessing the impacts of noise and vibration on fish is quite high-level, though underwater noise modelling will be included in the EIA the MMO have provided some recommendations in points a) to g) below, to inform the approach to the EIA and underwater noise modelling for fish, particularly in respect of herring.

a. The MMO would expect to see an accurate description of the physiological and behavioural impacts to fish caused by noise and vibration to be included in the PEIR and ES, and fish species relevant to the development should be assigned into one of the four categories described in Popper *et al.* (2014).

b. The MMO recommend that fish are treated as a stationary receptor in any modelling used to make predictions for noise propagation on fish spawning and nursery grounds. The MMO do not support the use of a fleeing animal model for fish.

c. The MMO know that fish will respond to loud noise and vibration, through observed reactions including; schooling more closely; moving to the bottom of the water column; swimming away, and; burying in substrate (Popper *et al.* 2014). However, this is not the same as fleeing, which would require a fish to flee directly away from the source over the distance shown in the modelling. The MMO are not aware of scientific or empirical evidence to support the assumption that fish will flee in this manner.

d. The assumption that a fish will flee from the source of noise is overly simplistic as it overlooks factors such as fish size and mobility, biological drivers, and philopatric behaviour which may cause an animal to remain/return to the area of impact. This is of particular relevance to herring, as they are benthic spawners which require a specific substrate type on which to spawn.

e. Eggs and larvae have little to no mobility, which makes them vulnerable to barotrauma and developmental effects. Accordingly, they should also be assessed and modelled as a stationary receptor, as per the Popper *et al.* (2014) guidelines.

f. The outputs of modelling should be presented in map-form depicting the predicted noise contours. 10 years of IHLS data should be presented in the form of a ‘heat map’ which should be overlaid with the mapped noise contours. This will provide a better understanding of the likely extent of noise propagation into herring spawning grounds and allow for a more robust assessment of impacts to be made.

g. The applicant should clearly state in their ES (and PEIR if applicable) whether they propose to undertake simultaneous piling, i.e., the installation of more than one pile at a time, for the

installation of WTGs or other offshore platform structures. If simultaneous piling is proposed, then underwater noise modelling for impacts to fish should be based on this scenario.

3.6.21 The MMO could not find any reference to the use of 'soft start' procedures on commencement of piling within the scoping report. This form of 'best-practice' mitigation involves the gradual ramping up of hammer energy so that sensitive marine receptors have adequate time to distances themselves away from the source of impact, thus limiting a sensitive receptor's exposure to the impact. Cefas fisheries advisors recommend a 20-minute soft-start in accordance with Joint Nature Conservation Committee (JNCC) protocol for minimising the risk of injury to marine mammals and other fauna from piling noise (JNCC, 2010). Should piling cease for a period greater than 10 minutes, then the soft-start procedure must be repeated.

3.6.22 The MMO note that the Applicant will undertake a cable burial risk assessment for cable protection and have stated that all cables will be buried, where possible, to reduce the risk of electromagnetic field (EMF) impacts on sensitive receptors. The MMO note from Table 1-2 that the Applicant is proposing a cable burial target of 100% (apart from at crossings with other cables or infrastructure) and will aim to have a minimum cable burial depth of 1m. The MMO recommend that all cables are buried to a minimum depth of 1.5m (subject to local geology and obstructions) to minimise the effects of EMF, as recommended in the Department of Energy and Climate Change report (2011).

3.6.23 The MMO support the proposed Environmental Management and Monitoring Plan (EMMP) to reduce the risks of contamination and pollution events arising during all phases of the Project.

3.6.24 The MMO note that fisheries-specific mitigation measures have been proposed at scoping stage which is appropriate. The need for additional mitigation measures should be determined on the outcomes of an appropriate and robust EIA.

3.6.25 The MMO note that the description of the proposed approach to cumulative impact assessment (CIA) in section 295 is rather limited but does state that the impacts of habitat loss and disturbance and noise will be assessed in relation to other adjacent projects. Cumulative changes to seabed habitat caused by changes in physical processes based on the results of the marine physical processes assessment will also be included in the CIA.

3.6.26 The MMO would highlight that when assessing the impacts of noise and vibration on fish for the purpose of a CIA, given the far-reaching effects of underwater noise, projects do not need to be adjacent to each other for cumulative effects to arise.

3.6.27 The MMO note that inter-related impacts and effects on fisheries and fish ecology have not been discussed in the scoping report, so it is unclear if / how inter-related impacts will be assessed.

3.7 Shellfish

3.7.1 The MMO considers the scope of the approach is sufficient to fully identify and assess the potential impacts.

3.7.2 The MMO recommends that the applicant use of the Fisheries Sensitivity Maps developed by Coull et al., 1998 to identify spawning and nursery areas for

Nephrops. The MMO believes Nephrops spawning, and nursery areas fall within the Fish and Shellfish Ecology Study Area and should be considered in the future EIA.

3.7.3 The Applicant has identified a range of suitable data sources of various timescales. The MMO would expect to see data collected within the last 5 years as the primary data source used as this data will provide the most accurate view of current baseline conditions. This should be updated in the ES.

3.7.4 The MMO notes that at this stage the applicant has not fully described the potential cumulative and inter-related impacts and effects on the physical and biological environment related to shellfisheries. The MMO agrees with the applicant's intention to include habitat loss and disturbance and noise impacts in conjunction with adjacent projects and cumulative changes to seabed habitat caused by changes in physical processes.

3.8 Marine Mammals

3.8.1 The MMO considers the approach provided to be sufficient. It is appropriate that a full assessment of the baseline conditions will be undertaken through the EIA process, and will inform, alongside the results of the site-specific aerial surveys, the species to be taken forward for further assessment. It is expected that the six most commonly occurring species within the Offshore Study Area, and therefore taken forward for assessment, will be the harbour porpoise, white-beaked dolphin; bottlenose dolphin; minke whale; grey seal; and harbour seal.

3.8.2 The MMO notes that the Dogger Bank South (DBS) East and DBS West array areas, and part of the Offshore Study Area, are within the summer area of the Southern North Sea Special Area of Conservation (SAC), which is designated for harbour porpoise.

3.8.3 The MMO defers to Natural England as the Statutory Nature Conservation Body (SNCB) in relation to all other potential impacts to marine mammals.

3.9 Underwater noise

3.9.1 The MMO expect any underwater unexploded ordnance (UXO) surveys to be completed before a marine licence application for the UXO disposal campaign is submitted.

3.9.2 The MMO notes that potential impacts during construction are considered in section 2.7.3 of the report. Potential impacts during construction will result from underwater noise principally from piling activities and Unexploded Ordnance (UXO) clearance but also from cable installation activities and the presence of vessels. Potential impacts during the operation will mostly result from the presence of operation and maintenance vessels, as well as underwater noise generated by operational turbines and activities such as cable laying, re-burial and protection placement. The MMO expects the following impacts to be scoped into the EIA:

- Auditory injury resulting from piling and UXO clearance (during construction)

- Behavioral and disturbance impacts resulting from noise including vessels (during construction and operation

3.9.3 The MMO welcome that behavioural impacts resulting from underwater noise during other (i.e. non piling and UXO clearance) construction activities, for example cable installation, will be considered. The MMO recommends that the risk of auditory injury (i.e. PTS and TTS) is also considered, using appropriate noise exposure criteria where relevant.

3.9.4 The CIA will consider displacement due to cumulative underwater noise and impacts on prey species. The assessment will also consider displacement due to the presence of offshore vessels and maintenance activities during the operational phase. The MMO expects the potential for auditory injury to also be considered.

3.10 Seascape / Landscape

3.10.1 The MMO defers to Historic England, Natural England (as the SNCB) and relevant local planning authorities on the suitability of the scope of the assessment with regards to Seascape and Landscape.

3.11 Archaeology / Cultural Heritage

3.11.1 The MMO defers to Historic England on the suitability of the scope of the assessment with regards to Archaeology and Cultural Heritage impacts.

3.12 Navigation / Other Users of the Sea

3.12.1 The MMO defers to the Maritime Coastguard Agency (MCA) and Trinity House on the suitability of the scope of the assessment with regards to navigation of vessels.

3.13 Water Quality

3.13.1 The MMO defers to The Environment Agency on the suitability of the scope of the assessment with regards to water quality.

3.14 Dredging and Disposal

3.14.1 If dredge & disposal is required, a disposal method should be provided including the estimated volume of material to be disposed of. This must be provided in order to make an assessment of the proposed activity and to allow the proposed volumes to be included on any Development Consent Order.

3.14.2 The MMO can provide further comment on this issue once more detail on disposal activities is provided.

3.15 Population and Human Health

3.15.1 The MMO defers to the Local Authority and Public Health England on the suitability of the scope of the assessment with regards to population and human health impacts.

3.16 Cumulative Impacts & In-Combination Impacts

3.16.1 The MMO is content with the proposal for cumulative impacts and in-combination impacts.

4. Conclusion

The topics highlighted in this scoping opinion should be assessed during the EIA process and the outcome of these assessments should be documented in the EIA report in support of the deemed marine licence application and the planning application. This statement, however, should not necessarily be seen as a definitive list of all EIA (and HRA) requirements. Given the scale and program of these planned works, other work may prove necessary.

Yours Sincerely,

[redacted]

[redacted]

Marine Licensing Case Manager

[redacted]

From:	[redacted]
To:	Dogger Bank South
Cc:	[redacted]
Subject:	RE: Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	22 August 2022 10:27:23
Attachments:	~WRD2198.jpg image003.png image005.png image008.png image009.png image010.png image011.png image012.png image013.png image014.png image015.png image016.png Scoping Report Response-DBS.pdf

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Good Morning,

Please find the attached EIA Scoping Response from The Maritime and Coastguard Agency for Dogger Bank South Offshore Windfarms.

Best Regards

[redacted]

Navigation Policy Advisor
Marine Licensing and Consenting
UK Technical Services Navigation

[redacted]

Maritime & Coastguard Agency
Spring Place
105 Commercial Road,
Southampton SO15 1EG

Safer Lives, Safer Ships, Cleaner Seas
www.gov.uk/mca

[redacted]
Maritime and Coastguard Agency
UK Technical Services – Navigation
105 Commercial Road
Southampton
SO15 1EG
www.gov.uk/mca

Your ref: [redacted]

22 August 2022

[redacted]
The Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol, BS1 6PN
By email to:
DoggerBankSouth@planninginspectorate.gov.uk

Dear Ms [redacted]

Application by RWE Renewables for an Order granting Development Consent for the Dogger Bank South (West) and Dogger Bank South (East) Limited (the Proposed Development)

Scoping Report Consultation

Thank you for your letter dated 26 July 2022 requesting comments on the scoping report provided by Morgan Offshore Wind Limited. The MCA welcomes the opportunity to provide comments under the above Environmental Impact Assessment Regulations, and we would comment as follows:
The Environmental Impact Report should supply detail on the possible impact on navigational issues for both commercial and recreational craft, specifically:

- Collision Risk
- Navigational Safety
- Visual intrusion and noise
- Risk Management and Emergency response
- Marking and lighting of site and information to mariners
- Effect on small craft navigational and communication equipment
- The risk to drifting recreational craft in adverse weather or tidal conditions
- The likely squeeze of small craft into the routes of larger commercial vessels.

The development area carries a moderate amount of traffic with several important commercial shipping routes to/from UK ports, particularly passenger vessels, oil and gas support vessels and cargo ships including tankers. Attention needs to be paid to routing, particularly in heavy weather routeing so that vessels can continue to make safe passage without large-scale deviations. The likely cumulative and in combination effects on shipping routes should be considered which will be an important issue going forward. It should consider the proximity to other windfarm developments, other infrastructure, and the impact on safe navigable sea room.

It is noted that a Navigational Risk Assessment will be submitted in accordance with MGN 654. This should be accompanied by a detailed MGN 654 Checklist which can be found at:
https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping

We note that a vessel traffic survey will be undertaken to the standard of MGN 654. We also note the winter vessel traffic survey was carried out during January-February 2022 and the second survey is planned for summer 2022. The surveys will consist of a minimum of 28 days of seasonal data (two x 14-day surveys) collected from a vessel-based survey using AIS, radar and

visual observations to capture all vessels navigating in the study area. We would expect the details of these consultations to be included within the NRA. Kindly note for all OREI developments, subject to the planning process, the traffic survey must be undertaken within 24 months prior to submission of the DCO application. If the EIA Report is not submitted within 24 months an additional 14-day continuation survey data may be required for each subsequent 12-month period. Should there be a break in the continuation surveys, a new full traffic survey may be required, and the time period starts from the completion of the initial 28-day survey period.

The proximity to other offshore windfarms will need to be fully considered, with an appropriate assessment of the distances between OREI boundaries and shipping routes as per MGN 654. The cumulative impacts of other windfarms in close proximity, in particular the Dogger Bank A, Dogger Bank B, Dogger Bank C and Sofia offshore wind farms will change routing. Attention must be paid for ensuring the established shipping routes within the area can continue safely without unacceptable deviations. Particular attention should be given to the oil and gas activity within the area.

The turbine layout design will require MCA approval prior to construction to minimise the risks to surface vessels, including rescue boats, and Search and Rescue (SAR) aircraft operating within the site. Any additional navigation safety and/or Search and Rescue requirements, as per MGN 654 Annex 5, will be agreed at the approval stage.

Attention should be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed and subject to the traffic volumes, an anchor penetration study may be necessary. If cable protection measures are required e.g. rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. This will be particularly relevant where depths are decreasing towards shore and potential impacts on navigable water increase, such as at the HDD location.

Particular consideration will need to be given to the implications of the site size and location on SAR resources and Emergency Response Co-operation Plans (ERCoP). The report must recognise the level of radar surveillance, AIS and shore-based VHF radio coverage and give due consideration for appropriate mitigation such as radar, AIS receivers and in-field, Marine Band VHF radio communications aerial(s) (VHF voice with Digital Selective Calling (DSC)) that can cover the entire wind farm sites and their surrounding areas. A SAR checklist will also need to be completed in consultation with MCA, as per MGN 654 Annex 5 SAR requirements.

MGN 654 Annex 4 requires that hydrographic surveys should fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard, with the final data supplied as a digital full density data set, and survey report to the MCA Hydrography Manager. Failure to report the survey or conduct it to Order 1a might invalidate the Navigational Risk Assessment if it was deemed not fit for purpose.

On the understanding that the Shipping and Navigation aspects are undertaken in accordance with MGN 654 and its annexes, along with a completed MGN checklist, MCA is likely to be content with the approach.

Yours sincerely,

[redacted]
Navigation Policy Advisor
UK Technical Services - Navigation

From: [redacted]
To: Dogger Bank South
Subject: 20220823-EN010125-000181-DIO10053433_Rev1-DoggerBankSouth-MODresponse
Date: 23 August 2022 16:56:38
Attachments: image001.jpg
20220823-EN010125-000181-10053433_Rev1-DoggerBankSouth-MODresponse.pdf

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Good afternoon,

Please find attached a letter responding to the scoping report prepared for the Dogger Bank South Offshore wind farm.

If I can provide any additional information or clarification please don't hesitate to contact me.

Regards,

[redacted]
Senior Safeguarding Manager | Safeguarding | Estates |
St George's House| Defence Infrastructure Organisation Head Office |
DMS Whittington | Lichfield | Staffordshire | WS14 9PY

[redacted]

Defence Infrastructure Organisation

Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Reference: [redacted]

Our Reference:

Tel:

Email: [redacted]

Ms [redacted]
The Planning Inspectorate
Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN

23 August 2022

By email only.

Dear [redacted],

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by RWE Renewables UK Swindon Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development) - Scoping consultation and notification of the Applicant's contact details.

Thank you for consulting the Ministry of Defence (MOD) on the above detailed Scoping Opinion in respect of the Dogger Bank South Offshore Wind Farm development. Consultation correspondence was received by this office on 26 July 2022.

It is acknowledged that, at this time, details of the precise location, dimensions, and configuration of the turbines and associated infrastructure is not available and that a study area has been designated.

I write to confirm the safeguarding position of the MOD on information that should be provided in the Environmental Statement to support any application, this response is based on the Environmental Impact Assessment Scoping Report dated 26/07/2022 (Document Reference. 004376179 Rev. 02) which recognises some of the principal defence issues that will be of relevance to the progression of the proposed development.

The MOD is identified in Table 1-3 Consultation Groups as a stakeholder with particular interest in Aviation and Radar.

Wind turbine development has the potential to affect, and be detectable by, radar systems and can have a significant and detrimental impact on the capability and operation of such systems. At paragraph 440, the report identifies that the nearest primary radar-equipped military airfield to the proposed development is Royal Air Force (RAF) Leeming which is located approximately 182km from the nearest point of the array areas. The report goes on to state that the proposed turbines would not be detectable to the PSR sited at RAF Leeming.

Similarly, the effect of the development on Air Defence Radar (ADR) is acknowledged at paragraph 441 which identifies the context of the application site relative to Remote Radar Head (RRH) Staxton Wold, RRH Trimingham, and RRH Brizlee Wood. The impact of the development on those radars should be considered as the design is progressed and any impact will need to be mitigated, it will be for the applicant to provide appropriate technical mitigation(s).

Through paragraph 443 of the Scoping Report, it is acknowledged that the offshore array may fall wholly or partially within Southern Managed Danger Area (MDA) Practice and Exercise Areas (PEXA) D323B, D323C, and D323D. The lower vertical limits of blocks of danger area airspace are also noted.

In addition, the cable route indicated in the Scoping Report passes through Practice and Exercise Areas (PEXA) D323K, D323D, and D323C. The applicant should be advised to take account of the current published MOD Practice and Exercise Areas (PEXA) in preparation of their development proposal. The MOD has highly surveyed routes which maybe relevant to the installation of the export cables & associated infrastructure. MOD should be consulted at the next stage of any application.

With regard to aviation safety, the requirement to install aviation safety lighting on the turbines proposed is set out in Table 2-32 Existing Datasets. The MOD would request that the development is fitted with MOD accredited aviation safety lighting in accordance with the Air Navigation Order 2016. The MOD will also require that sufficient information is submitted to ensure accurate marking of the development on aeronautical charts.

The potential for unexploded ordnance (UXO) to be present within the study area and the necessity for clearance is acknowledged within the Scoping Report. The potential presence of UXO and disposal sites should be a consideration during the installation and decommissioning of turbines, cables, and any other infrastructure, or where other intrusive works are necessary.

The landfall and onshore elements of the proposal, described in section 1.5.2 and 1.5.3 of the Scoping Report, identifies landfall at one of two sites close to Skipsea and an 80km² area within which two substations may be sited and an export cable will connect landfall with onshore substations. As the proposal matures MOD would hope to be consulted in order that any impact on MOD assets can be identified.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely,

[redacted]
Senior Safeguarding Manager

From: [redacted]
To: Dogger Bank South
Subject: DOGGER BANK SOUTH OFFSHORE WIND FARMS - NGET Scoping Response
Date: 15 August 2022 16:41:39
Attachments: Dogger Bank South NGET Scoping Response.pdf
Dogger Bank South Wind Farm NGET 2 (1).pdf
Dogger Bank South Wind Farm NGET 1 (1).pdf

Good afternoon,

Further to your letter dated 26th July 2022 please now find attached a response from National Grid Electricity Transmission Plc.

If you require anything further please do not hesitate to contact me.

Kind regards,

[redacted]
Development Liaison Officer
UK Land and Property
nationalgrid

[redacted]

National Grid House, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA
nationalgrid.com | [redacted]

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Complex Land Rights
[redacted]
Development Liaison Officer
UK Land and Property
[redacted]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
DoggerBankSouth@planninginspectorate.gov.uk

15 August 2022

Dear Sir/Madam

APPLICATION BY RWE RENEWABLES UK DOGGER BANK SOUTH (WEST) LIMITED AND RWE RENEWABLES UK DOGGER BANK SOUTH (EAST) LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE DOGGER BANK SOUTH OFFSHORE WIND FARMS (THE PROPOSED DEVELOPMENT)

SCOPING CONSULATION RESPONSE

I refer to your letter dated 26th July 2022 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET). Having reviewed the scoping report, I would like to make the following comments regarding NGET infrastructure within or in close proximity to the current red line boundary.

NGET has high voltage electricity overhead transmission lines, underground cables and a high voltage substation within the scoping area. The overhead lines and substation form an essential part of the electricity transmission network in England and Wales.

Substation

- Creyke Beck Substation
- Associated overhead and underground apparatus including cables

Overhead Lines

4ZQ 400kV OHL	Creyke Beck - Humber Refinery – Keadby 1
	Creyke Beck - Keadby – Killinghome 2
4ZR 400kV OHL	Creyke Beck - Thornton 1
	Creyke Beck - Thornton 2
YYW 275kV OHL	Creyke Beck - Salt End North 1
	Creyke Beck – Hedon 2

I enclose two plans showing the location of NGET's apparatus in the scoping area.

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset

- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004)".

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.

- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.

- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

To download a copy of the HSE Guidance HS(G)47, please use the following link:
http://www.hse.gov.uk/pubns/books/hsg47.htm

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Further Advice

We would request that the potential impact of the proposed scheme on NGET's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: **box.landandacquisitions@nationalgrid.com**

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

The information in this letter is provided not withstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully

Development Liaison Officer, Complex Land Rights

nationalgrid

Dogger Bank South Wind Farm NGET 1

Legend:

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel

Notes:

Dogger Bank South Wind Farm NGET 1

0 0.51 1.0 Kilometers

Date: 08/08/2022
Time: 14:55:07

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

nationalgrid | Dogger Bank South Wind Farm NGET 2

Legend:

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel

Notes:

Dogger Bank South Wind Farm NGET 2

0 0.51 1.0 Kilometers

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Date: 08/08/2022
Time: 14:56:29

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

N

From:	[redacted]
To:	Dogger Bank South
Subject:	Dogger Bank South Wind Farms DCO - Scoping Consultation - National Grid Gas Plc
Date:	08 August 2022 16:07:36
Attachments:	image001.png Dogger Bank South - Scoping Opinion Consultation - NGG Response.pdf Dogger Bank South Wind Farm NGG 1.pdf Dogger Bank South Wind Farm NGG 2.pdf Dogger Bank South Wind Farm NGG 3.pdf Dogger Bank South Wind Farm NGG 4.pdf

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Dear Sir/Madam

Please find attached a scoping opinion response on behalf of National Grid Gas Plc.

Kind Regards

[redacted]

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Submitted electronically to:
DoggerBankSouth@planninginspectorate.gov.uk

[redacted]
Land and Planning Consultant
Gas Transmission & Metering
[redacted]

www.nationalgrid.com/gas-transmission

08 August 2022

Dear Sir / Madam

Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development) - Scoping consultation

I refer to your letter dated 26th July 2022 regarding the proposed Dogger Bank South Offshore Wind Farms DCO. This is a response on behalf of National Grid Gas PLC (NGG).

Having reviewed the consultation documents, NGG wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGG has high pressure (major accident hazard pipelines) located either within the Order limits or in close proximity to the order boundary. These pipelines form an essential part of the gas transmission network in England and Wales.

- Feeder Main 6 – Burton Agnes to Beeford
- Feeder Main 6 - Beeford to South Skirlaugh
- Feeder Main 6 – Hornsea to Beeford
- Feeder Main 29 – Ganstead to Asselby

Note: No liability of any kind whatsoever is accepted by National Grid Gas or its agents or contractors for any error or omission

Please note that NGG has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

Should any diversions be required to facilitate the scheme, NGG will require adequate notice and discussions should be started at the earliest opportunity. Please be aware that diversions for high pressure apparatus can take in excess of two years to plan and procure materials

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGG's apparatus, NGG will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works or crossings proposed within the easement strip.

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Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Key Considerations:

- NGG has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

- Please be aware that written permission is required before any works commence within the NGG easement strip. Furthermore, a Deed of Consent will be required prior to commencement of works within NGG's easement strip subject to approval by NGG's plant protection team.

- The below guidance is not exhaustive and all works in the vicinity of NGG's asset shall be subject to review and approval from NGG's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGG's Dial Before You Dig Specification for Safe Working in the Vicinity of NGG Assets. There will be additional requirements dictated by NGG's plant protection team.

- NGG will also need to ensure that its pipelines remain accessible during and after completion of the works.

- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGG representative. Ground cover above our pipelines should not be reduced or increased.

- If any excavations are planned within 3 metres of NGG High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGG representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGG's Plant Protection team is essential:

    - Demolition
    - Blasting
    - Piling and boring
    - Deep mining
    - Surface mineral extraction
    - Landfliing
    - Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
    - Wind turbine installation

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Gallows Hill, Warwick
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- Solar farm installation
- Tree planting schemes

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGG prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGG pipeline without the prior permission of NGG
- NGG will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGG.
- An NGG representative shall monitor any works within close proximity to the pipeline to comply with NGG specification T/SP/SSW22

Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- Where a new cable is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.
- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGG representative shall approve and supervise any cable crossing of a pipeline.
- A Deed of Consent is required for any cable crossing the easement

Further Advice

We would request that the potential impact of the proposed scheme on NGG's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application. Please engage early with NGG's plant protection team to understand the specific requirements and constraints in relation to working close to high pressure pipelines.

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGG apparatus, protective provisions will be required in a form acceptable to it to be included within the

National Grid House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

DCO. NGG requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.

Adequate access to NGG pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.

Yours Faithfully

[redacted]

[redacted]
Land and Planning Consultant

Further Safety Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

http://www.hse.gov.uk/pubns/books/hsg47.htm

SSW22

https://www.nationalgrid.com/gas-transmission/document/82951/download

Tree Planting Guidance

https://www.nationalgrid.com/gas-transmission/document/82976/download

Working Near NGG Assets

www.nationalgrid.com/gas-transmission/land-and-assets/working-near-our-assets

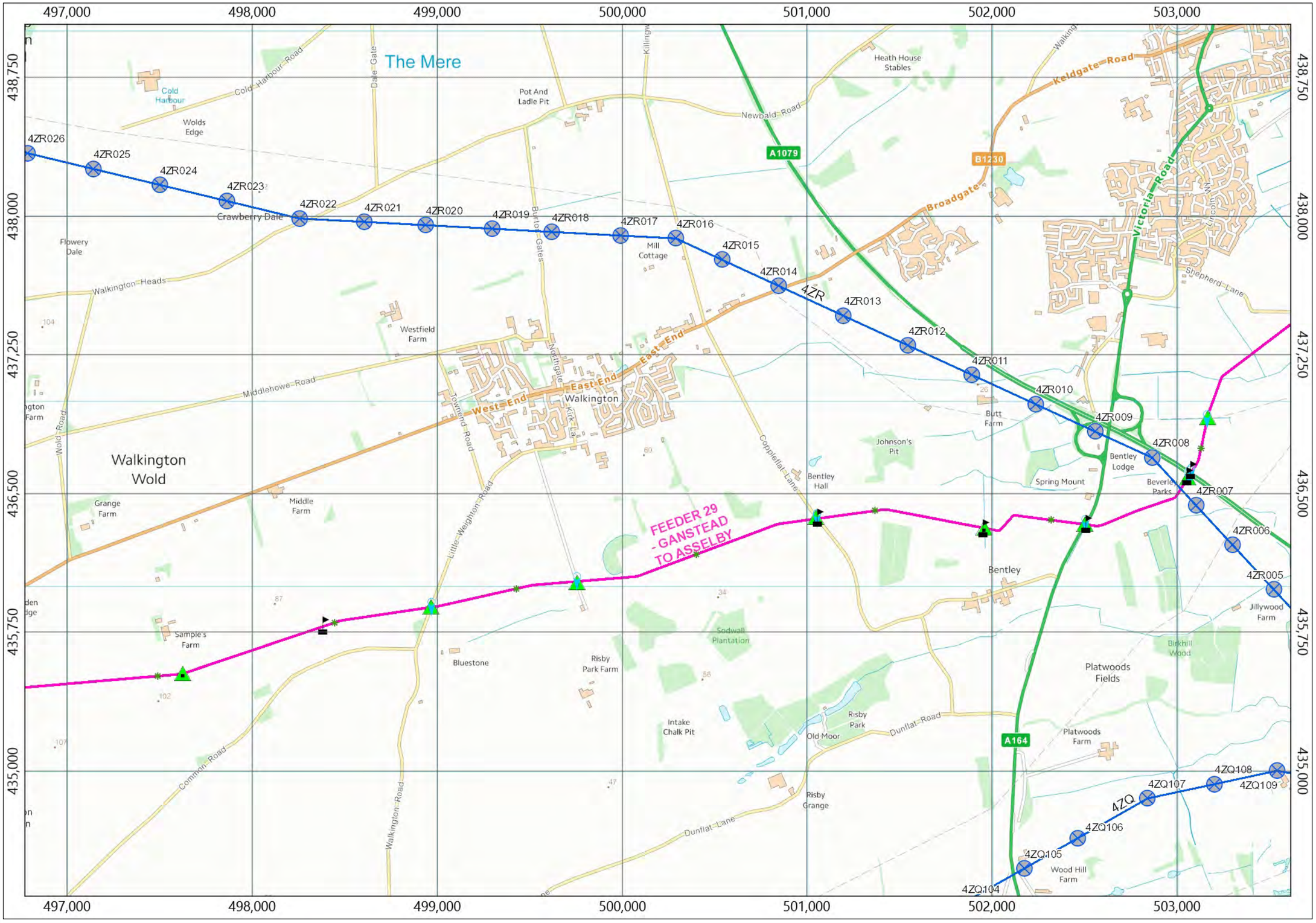
Excavating Safely

https://www.nationalgrid.com/gas-transmission/document/82971/download

Dial Before You Dig Guidance

https://www.nationalgrid.com/gas-transmission/document/128751/download

nationalgrid | Dogger Bank South Wind Farm NGG 1



Legend:

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
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- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel
- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

Dogger Bank South Wind Farm NGG 1

0 0.51 1.0 Kilometers

Date: 08/08/2022
Time: 14:46:26

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

nationalgrid | Dogger Bank South Wind Farm NGG 2

Legend:

- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

Dogger Bank South Wind Farm NGG 2

0 0.51 1.0 Kilometers

Date: 08/08/2022
Time: 14:48:47

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

nationalgrid | Dogger Bank South Wind Farm NGG 3

Legend:

- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

Dogger Bank South Wind Farm NGG 3

0 0.51 1.0 Kilometers

Date: 08/08/2022
Time: 14:50:29

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

nationalgrid | Dogger Bank South Wind Farm NGG 4

Legend:

- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- CP Test Post
- Transformer Rectifier
- Pipeline Crossing
- Sleeve
  - Nitrogen Sleeve
  - Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- River Crossings

Notes:

Dogger Bank South Wind Farm NGG 4

0 0.51 1.0 Kilometers

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Date: 08/08/2022
Time: 14:51:53

Page size: A3 Landscape Scale: 1: 20,000
Print by: **Holdsworth, Anne**

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NG Disclaimer National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.

Note Any sketches on the map are approximate and not captured to any particular level of precision.

From:	[redacted]
To:	Dogger Bank South
Subject:	RE: Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification [SG337773]
Date:	09 August 2022 11:35:09
Attachments:	~WRD0003.jpg image003.png image005.png image008.png image009.png image010.png image011.png image012.png image013.png image014.png image015.png image016.png

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Our Ref: SG33773

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

[redacted]

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

From:	[redacted]
To:	Dogger Bank South
Cc:	[redacted]
Subject:	Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	23 August 2022 16:16:44
Attachments:	Picture (Device Independent Bitmap) 1.jpg EN010125 Dogger Bank South EIA scoping- NE response 230822 (1).pdf

Good afternoon,

Please find attached Natural England's consultation response for the updated Dogger Bank South Scoping Report.

Kind regards,
[redacted]

Dr [redacted]
Marine Senior Advisor
Yorkshire and North Lincolnshire
Natural England
Eastbrook, Shaftesbury Road,
Cambridge CB2 8DR

[redacted]

www.gov.uk/natural-england

Date: 23 August 2022
Our ref:
Your ref: [redacted]

Environmental Services
Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by RWE Renewables UK Swindon Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank South Offshore Wind Farms (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 26th July 2022 consulting Natural England on the Dogger Bank South Offshore Wind Farms (DBS OWFs) Environmental Impact Assessment (EIA) Scoping Report. The following constitutes Natural England's formal statutory response; however, this is without prejudice to any comments we may wish to make in light of further submissions or on the presentation of additional information.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The advice contained within this letter is provided by Natural England, which is the statutory nature conservation body within English territorial waters (0-12 nautical miles). As the application is located partially outside English territorial waters we have also sought advice from JNCC, the statutory nature conservation body in offshore UK waters (beyond 12 nautical miles), for impacts relating to the Dogger Bank Special Area of Conservation (SAC). It should be noted that pursuant to an authorisation made on the 9th December 2013 by the JNCC under paragraph 17(c) of Schedule 4 to the Natural Environment and Rural Communities Act 2006, Natural England is authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (0-200 nm) adjacent to England. This application was included in that authorisation and therefore Natural England will be providing statutory advice in respect of that delegated authority.

Case law[1] and guidance[2] has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the

[1] Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)
[2] *Note on Environmental Impact Assessment Directive for Local Planning* Authorities Office of the Deputy Prime Minister (April 2004) available from http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/

Environmental Impact Assessment (EIA) for this development.

Summary of Main Points

1. Approach to EIA scoping

Whilst Natural England has provided further advice on the second scoping consultation for DBS OWFs, it must be noted that the scoping report produced remains extremely high level and based on a large area of search. The rationale for the inclusion of these large boundaries is due to substantial components of the projects remaining undetermined at the point of scoping, in particular regarding the location of the grid connection but also other aspects including incomplete data collection. Thereby, the EIA scoping reports are extremely high level, especially when compared to non-OWF NSIPs.

This makes it difficult to provide targeted advice on the scope of the EIA at this stage, and given the EIA scoping opinion from PINS is binding as regards the scope of the Environmental Statement (ES), this creates consenting risks further down the line with identifying and resolving environmental impacts/concerns.

Additionally, we highlight that because we are unable to confirm with a high level of confidence that the data collection proposed will be sufficient to inform the ES/areas of search, we are also unable to advise on the potential scale and level of risk this project may pose to nature conservation receptors. Without having this understanding it is unclear to Natural England how this project will now progress towards submission and ensure that there is sufficient time in the pre-application phase to identify and address all of the potential environmental concerns.

There is a risk with premature EIA scoping, and submission of the Preliminary Environmental Information Report (PEIR) prior to the completion of the data collection and analysis, that consenting issues are identified late in the day and are not resolved in advance through pre-application discussions or data collection, and that Examinations are then unable to resolve these issues. This runs counter to the increased emphasis on 'front-loading' issues in the NSIP process, and the ambition of the British Energy Security Strategy as regards speeding up the consenting process.

In addition, Natural England highlight the risk that any additional data analysis has the potential to change the conclusions of the ES from those set out in the PEIR, which could cause potential delays to the project both during consenting and/or in the pre-construction phase. More generally, Natural England advises that 24 months of survey effort is the minimum expected evidence standard for bird and marine mammal data, to have any certainty to draw conclusions from and inform requirements for mitigation measures.

2. Transmission assets

Natural England notes that the main changes between the November 2021 EIA scoping report and the present consultation is in relation to the transmission assets. Natural England therefore advises our advice provided on 8th December 2021 (Ref: EN010125-000010) remains unchanged and should be read alongside this response.

Natural England notes that the Applicant acknowledges that the scoping report only considers the transmission infrastructure required for the Project's grid connection, and not any interconnectivity that may be required as a result of the recommended coordinated approach for the East Coast Region outlined in the National Grid Electricity System Operator (ESO)'s Holistic Network Design (HND). However, if circumstances should change and a more coordinated/joined up approach for energy transmission for multiple NSIP projects is taken forward; we advise that thorough consideration will need to be given to consenting implications from infrastructure and DCO/dML interdependency and assessing in-combination/cumulative impacts. All of which may have implications for project timelines.

3. Derogations

Natural England notes that the Crown Estate's plan level Habitat Regulations Assessment (HRA) has now concluded. The plan level HRA could not rule out adverse effects on integrity (AEoI) for the Dogger Bank SAC and the Flamborough and Filey Coast SPA and the impacts of this project on these sites will therefore need to be fully compensated for. Given the planned submission timescales for this project (PEIR, Q2 2023; DCO, Q1 2024), we are concerned that it will not be possible for robust derogations cases to be developed by the point of application.

4. Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards

Natural England has been leading the 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' project, funded by Defra's Offshore Wind Enabling Actions Programme (OWEAP).

The project is providing up-front best practice advice on the way data and evidence is used to support offshore wind farm development and consenting in English waters, focussing on the key ecological receptors which pose a consenting risk for projects, namely seabirds, marine mammals, seafloor habitats and species and fish.

The project aims to facilitate the sustainable development of low impact offshore wind by increasing clarity for industry, regulators and other stakeholders over data and evidence requirements at each stage of offshore wind development, from pre-application through to post-consent.

The advice documents are currently stored on a SharePoint Online site, access to the SharePoint site needs to be requested from [redacted]. Please allow up to three working days for requests to access the site to be granted. Natural England is currently reviewing ways of making the advice more accessible and open access.

The ES should be fully informed by the recommendations in the Best Practice Advice and we will increasingly be appraising ESs with respect to the extent to which the guidance has been followed

Please see **Annex A** for guidance on EIA requirements. In **Annex B** we provide detailed comments on the transmission aspects of the scoping report. As the resubmitted scoping report has focussed on refinement of the export cable corridor and grid connection locations, we provide our advice on the original scoping report for generation assets in **Annex C** –we consider that these comments still stand.

Further guidance is set out in Planning Practice Guidance on environmental assessment, natural environment and climate change.

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again if the proposal is amended in any way which significantly affects its impact on the natural environment.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to [redacted]

For any queries relating to the specific advice in this letter please contact me using the details below.

Yours faithfully,

[redacted]

Marine Senior Advisor
Yorkshire and North Lincolnshire Team

[redacted]

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 / Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (Regulation 10) sets out the necessary information to assess impacts on the natural environment to be included in an Environmental Statement (ES), specifically:

- A description of the development – including physical characteristics and the full marine use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape/seascape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

1.1 Cumulative and in-combination effects

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure and activities should be included within the assessment.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

a. existing completed projects;
b. approved but uncompleted projects;
c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England's advice on the scope and content of the Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes:
https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

1.2 Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at: http://www.naturalengland.org.uk/publications/data/default.aspx.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's Site of Special Scientific Interest (SSSI) Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EcIA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EcIA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework (NPPF) sets out guidance in paragraphs 174-175 and 179-182 on how to take account of biodiversity interests in planning decisions and the framework that the responsible authority should provide to assist developers. Further guidance is set out in Planning Practice Guidance on the natural environment.

2.2 Internationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g. designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 181 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF).

The Generation assets of the development are within the following internationally designated nature conservation sites:

- Southern North Sea Special Area of Conservation (SAC)
- Dogger Bank SAC

The Transmission assets of the development are within the following internationally designated nature conservation sites:

- Greater Wash SPA

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites, and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Internationally designated site conservation objectives are available on our internet site: http://publications.naturalengland.org.uk/category/6490068894089216.

2.3 Habitats Regulations Assessment

If the proposal outlined within the scoping document has the potential to significantly effect features of the internationally designated sites and the activity is not directly connected to the management of any designated site it should be assessed under Regulation 63 the Conservation of Species and Habitats Regulations (2017) (as amended) and Regulation 28 of the Conservation of Offshore Species and Habitats regulations (2017) (as amended). Should a Likely Significant Effect on an internationally designated site be identified or be uncertain, the competent authority for the licence/consent (the Marine Management Organisation / Government Department) should undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives, in addition to consideration of impacts through the EIA process. Noting recent case law (People Over Wind[3]) measures intended to avoid and/or reduce the likely harmful effects on an internationally designated sites cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site, therefore consideration is required at Appropriate Assessment. Natural England wishes to be consulted on the scope of the Habitats Regulations Assessment and the information that will be produced to support it and should be formally consulted on any Appropriate Assessment provided for the proposal (Regulation 63).

The consideration of Likely Significant Effects should include any functionally linked habitat outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically. Further guidance is set out in Planning Practice Guidance on appropriate assessment here: https://www.gov.uk/guidance/appropriate-assessment.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website https://designatedsites.naturalengland.org.uk/; and the Joint Nature Conservation Committee (JNCC) website About Marine Protected Areas | JNCC - Adviser to Government on Nature Conservation.

2.4 Nationally Designated Sites

Sites of Special Scientific Interest (SSSI) - The Generation assets of the Project do not fall within or adjacent to any nationally designated sites.

The Offshore Transmission assets of the development are within/adjacent to the Withow Gap, Skipsea Site of Special Scientific interest (SSSI).

As the onshore search area for the transmission route remains large we do not provide a list of all potentially affected nationally designated sites here. We have however provided comment on the Applicant's list in Annex B.

Further information on the location of SSSIs and their special interest features can be found at www.magic.gov.uk. The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within all identified sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Marine Conservation Zones - Marine Conservation Zones are areas that protect a range of nationally important, rare or threatened habitats and species. You can see where MCZs are located and their special interest features on www.magic.gov.uk. Factsheets that establish the purpose of designation and conservation objectives for each of the MCZ's are available at https://www.gov.uk/government/collections/marine-conservation-zone-designations-in-england

[3] People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17).

The Offshore Transmission assets of the development are within/adjacent to the following Marine Conservation Zones:

- Holderness Inshore MCZ
- Holderness Offshore MCZ

The ES should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location. Further information on MCZs is available via the following link: http://publications.naturalengland.org.uk/category/1723382

Further information on the special interest features, the conservation objectives, and relevant conservation advice packages for designated sites is available on our website https://designatedsites.naturalengland.org.uk/

2.5 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The ES should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust(s), geoconservation group(s) or local sites body in onshore areas of search for further information.

2.6 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)

The ES should assess the impact of all phases of the proposal on protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises whales), fish (including seahorses, sharks and skates), marine turtles, birds, marine invertebrates, bats, etc.). Information on the relevant legislation protecting these species can be reviewed on the following link https://www.gov.uk/government/publications/protected-marine-species. Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, NBN Atlas, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. **For Land Based Impacts:** Natural England has adopted standing advice for protected species which includes links to guidance on survey and mitigation.

2.7 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is

available here https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration…in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

For Developments with a Land based element
Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.8 Contacts for Local Records
Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

3. Designated Landscapes and Landscape/Seascape Character

3.1 Nationally Designated Landscapes
Consideration should be given to any potential direct or indirect impacts to designated landscapes. We provide advice on consideration with respect to the Yorkshire Wolds AONB in Annex B.

3.2 Landscape/Seascape and visual impacts
Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape/seascape assessment methodologies. We encourage the use of Landscape and Seascape Character Assessment (LCA/SCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA/SCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment. For National Parks and Areas of Outstanding Natural Beauty (AONBs), we advise

that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

In order to foster high quality development that respects, maintains, or enhances, local landscape / seascape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant National Character Areas which can be found on our website. Links for Landscape / Seascape Character Assessment at a local level are also available on the same page.
https://www.gov.uk/government/publications/seascape-assessments-for-north-east-north-west-south-east-south-west-marine-plan-areas-mmo1134

https://data.gov.uk/dataset/3fed3362-2279-4645-8aaf-c6b431c94485/mmo1037-marine-character-areas

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green/blue infrastructure. Relevant aspects of local authority green/blue infrastructure strategies should be incorporated where appropriate.

4.1 England Coast Path

The England Coast Path (ECP) is a new National Trail that will extend around all of England's coast with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both land owners/occupiers and users of the England Coast Path, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme and all proposals have to be approved by the Secretary of State. We would encourage any proposed development to include appropriate provision for the England Coast Path to maximise the benefits this can bring to the area. We suggest that the development includes provision for a walking or multi-user route, where practicable and safe. This should not be to the detriment of nature conservation, historic environment, landscape character or affect natural coastal change. Consideration for how best this could be achieved should be made within the Environmental Statement.

As part of the development of the ECP a 'coastal margin' is being identified. The margin includes all land between the trail and the sea. It may also extend inland from the trail if:

- it's a type of coastal land identified in the Countryside and Rights of Way Act 2000 (CROW Act), such as beach, dune or cliff
- there are existing access rights under section 15 of the CROW Act
- Natural England and the landowner agree to follow a clear physical feature landward of the trail

Maps for sections of the ECP and further proposals for adoption are available here:

https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast

4.2 Rights of Way, Access land, Coastal access and National Trails
The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Water Quality
Increases in suspended sediment concentrations (SSC) during construction and operation (e.g. future dredging works) have the potential to smother sensitive habitats. The ES should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites as listed above.

The ES should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.

For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The ES should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies. Further guidance on WFD assessments is available here: https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters

6. Air Quality
Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation
The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 174), which should be demonstrated through the ES.

Further information is available from the Committee on Climate Change's (CCC) Independent Assessment of UK Climate Risk, the National Adaptation Programme (NAP), the Climate Change Impacts Report Cards (biodiversity, infrastructure, water etc.) and the UKCP18 climate projections.

Annex B – Detailed comments on July 2022 EIA scoping consultation report

Below we provide our detailed comments on the resubmitted scoping (July 2022). In the majority of instances our original comments remain relevant (Annex C) as the scoping report continues to be too high level to advise with more specific technical detail. The focus of our advice is therefore on the transmission assets as the generation scoping remains mostly unchanged.

Section 2.1 Marine Physical Processes

We welcome the updated and re-submitted Dogger Bank South EIA Scoping Report. We are broadly content with the approach to evidence gathering, data collection, and impact assessment. However, we have identified a number of receptors and impacts for further consideration by the Applicant. We advise caution when using datasets that are older than five years (e.g. suspended sediment concentrations), and/or designed for other nearby OWFs (e.g. physical and sedimentary process modelling data), due to limited relevance. Robust justification would need to be provided to demonstrate that non project specific data sets are/remain fit for purpose for this project.

The proposed landfall locations are sited along an undefended stretch of coast which experiences high rates of cliff erosion and, episodically, high cliff retreat events. We therefore advise the Applicant to give careful consideration to the siting of landfall infrastructure and burial of cables through the lifetime of the project, with a requirement to avoid disruption to longshore sediment transport created from the placement of cable protection in the nearshore.

We advise that due to Smithic Bank and the Holderness Coast being important morphological features/marine physical process receptors, consideration and assessment of the potential impact of cable installation activities, associated cable protection, and remedial works by the Dogger Bank South project alone, and in-combination with other developments is required. Similarly, we advise that the Flamborough Front is an important water column feature, and marine physical processes receptor, therefore the potential impact of the Dogger Bank South OWF project alone and in-combination with a cluster of OWF developments on stratification and, in turn, primary productivity, needs to be fully considered and assessed.

Section	Paragraph/ Table	Comment	Recommendations
2.1.1		Existing Environment	We advise that baseline information on the following; regional solid geology, regional Quaternary geology, bedform mapping, seabed mobility, sediment transport rates and pathways, site-specific geotechnical data, coastal cells and sub-cells should be taken into consideration in the ES to provide environmental context.
2.1.1.2	152	Surge water levels	We advise the Applicant considers surge water levels.
2.1.1.6	156	It is noted that at the proposed landfall locations close to Skipsea, there is	Longshore transport rates and directions at the landfall/in the nearshore zone should, therefore, be considered and assessed, to

		regional net sediment transport predominantly to the south. The presence of any temporary infrastructure in the nearshore zone, such as access ramps or cofferdams, may interfere with the longshore transport of material along the coastline.	determine if there if there is the potential for the development and associated infrastructure to interact with the coast. And any mitigation measures that may be required.
2.1.1.7	157	Coastal Erosion There are no site-specific data for the proposed landfall locations at Skipsea. This is an undefended stretch of coast which experiences high rates of cliff erosion, including episodic events of high cliff retreat. The evolution of the coast at landfall and implications to longshore sediment transportation will need to be taken into account for the lifetime of the development, this is particularly important to cable burial and siting of jointing bay infrastructure and maintaining designated site features further south.	We would advise that site-specific cliff height, cliff erosion data and shore platform downwearing data be included in the baseline characterisation for the landfall environment. Cliff erosion data and beach profile data are available from East Riding of Yorkshire Council (ERYC). We would also advise that the Applicant considers how the coast at landfall will alter throughout the lifetime of the development, both in terms of vertical change in beach profile and coastal retreat and the changes this has on longshore sediment transport
2.1.2	Table 2.1	Existing Datasets	There are other existing primary data which the Applicant should consider in the baseline environment characterisation, such as: bedform distribution across the study area, seabed mobility, sediment transport pathways, littoral sub-cell boundaries, and any available site-specific geotechnical data. This may be in the form of existing data from other OWF projects including those that are operational where appropriate.
2.1.2	Table 2-1	The Cefas suspended sediment concentration data are now old (i.e. 1998-2015). NE best practice advises that, as a general benchmark, care should be taken when considering datasets which are older than five years.	Ideally, simultaneous records of SSC, water levels, currents and waves should be obtained to help form a better understanding of the process controls on sediment mobilisation events and subsequent transport across the project study area.
2.1.2	159	Surveys that will be undertaken to support	We advise that a baseline understanding of Smithic Bank needs to be

		the assessment	established in order to understand the potential impact of the Dogger Bank South cable installation, cable repair/replacement, and cable protection alone, or in-combination with other developments.
2.1.2	Point 160	Other data sources	Bathymetric data/comparative studies are available as follows: • Brew and Cooper (2022)[4] • Ørsted (2022)[5] • Pye et al. (2015)[6]
2.1.3.1.2	162	Other impacts due to construction activities at landfall may include the use of a temporary beach access ramp, construction vehicle/plant traffic across the beach, ancillary infrastructure (e.g. cofferdams) and seabed excavation within shallow nearshore areas.	We advise that these potential impacts on the local wave regime and/or coastal morphology may also need to be considered by the Applicant. It would also be appropriate to consider adoption of successful landfall operations undertaken by other OWF developers along this coast.
2.1.3.1.4	Point 164	Impacts on seabed morphology due to indentations on the seabed from installation vessels have been scoped out of further consideration. Until site-specific evidence of the sub-seabed conditions becomes available, there exists the potential for anchoring or jack-up vessel legs to penetrate the seabed, cause scour/secondary scour, and to impact the morphology and features of the seabed both during both construction and operation.	We advise that this impact be scoped in for construction and operation/maintenance vessels until further evidence becomes available on the nature of the seabed and its mobility.
2.1.3.2.2	166	Scour at each foundation	Consider modelling of scour around foundations, evaluating scour potential and thus, scour protection requirements. Consider including a seabed sediment mobility study.

[4] Brew, D. and Cooper, T. (2022). Cell 2a Bathymetry Analysis, Document Ref. No. PC2828-RHD-ZZ-XX-RP-Z-0001, Royal HaskoningDHV (31 May 2022), 78pp.
[5] Orsted (2022). Hornsea Project Four Marine Processes Supplementary Report, Deadline: 4, Date: 10 May 2022, Document Ref. No. G4.9 (Revision 01), Royal HaskoningDHV (May 2022), 71pp.

[6] Pye, K., Blott, S.J. and Pye, A.L. 2015. East Riding Beach and Subtidal Sediments: A Preliminary Investigation of Sources and Transport Pathways Based on Multi-element Composition. Kenneth Pye Associates Ltd External Investigation Report EX19066 to Ch2M and East Riding of Yorkshire Council, December 2015.

2.1.3.2.4	169	Flamborough Front	We advise that careful consideration should be given to potential enhanced mixing of the water column due to the Dogger Bank South arrays both alone, and in-combination, with the other Dogger Bank OWF developments. Baseline characterisation surveys should include the natural cycle of water column stratification, biogeochemical fluxes, and primary productivity. The Applicant should also consider turbine spacing and potential wake-wake interactions. This should also be considered in the Outline Monitoring Plan.
2.1.3.4	172	Cumulative impacts of cable installation and cable repair/replacement/protection due to multiple developments making landfall across Smithic bank.	We advise that this needs to be assessed.
2.1.3.6	Table 2-3	Effects on bedload sediment transport and changes to seabed morphology – Construction	Seabed morphology should be scoped in.
		Effects on bedload sediment transport and changes to seabed morphology – Decommissioning	Seabed morphology should be scoped in
		Impacts on waves and tidal currents for construction/decommissioning	These impacts be scoped in for the nearshore zone and landfall (please see comment above on section 2.1.3.1.1)
		Impacts on seabed morphology due to indentations on the seabed from installation vessels	This impact should be scoped in for construction and operation, until there is a better understanding of the sub-seabed conditions (please see comment above on section 2.1.3.1.4)
2.1.4	177	Use of numerical modelling from other OWF projects	It will need to be robustly demonstrated why/how numerical data designed for other projects are directly relevant, and directly applicable, to Dogger Bank South. Moreover, the Applicant will also need to consider and provide evidence of the cumulative effect of Dogger Bank South and other nearby OWFs, on the hydrodynamic regime.
2.1.4	178	Lifetime of the project	Need to consider all stages of the development lifespan. This includes consideration of the potential impacts resulting from any infrastructure that may remain in situ after decommissioning.
2.1.4	Table 2-4	Receptors The list of receptors proposed for inclusion in the assessment does not include the	Need to consider all sensitive receptors and designated sites within the anticipated maximum zone of influence (including MCZs, sandbanks, water column features, estuaries, and the coastline).

		following: • Holderness Coast (morphological feature) • Flamborough Front (water column feature) • Seabed sedimentary features such as The Hills • Geological SSSIs along the Holderness Coast • More distant receptors such as Spurn Head, Humber Estuary etc.	We would advise that these receptors should be considered in the impact assessment. We welcome the inclusion of Smithic Bank as a marine physical process receptor in Table 2-4

Section 2.5 Benthic and Intertidal ecology

Section	Para	Topic	Recommendations
1.5.1.4	45	Rock protection has now been included with a commitment to minimise its use within the Dogger Bank SAC.	Whilst Natural England welcome this, external cable protection should be fully considered in impact assessments including for the full length of the export cable corridor. Within the ES thorough consideration should be given to **how** the use of external protection will be minimised, in order to provide the ExA and regulators the necessary confidence in the success of any proposed mitigation measures.
2.5.2		Approach to Data Collection	The following proposed surveys will be undertaken to inform the EIA in summer 2022: • Geophysical survey e.g. side-scan sonar, multi-beam echosounder and sub-bottom profiler – DBS array area and offshore export cable corridor • Grab sampling and particle size analysis – DBS array areas and offshore export cable corridor • Metocean survey (wave and current) – DBS array area We believe that the surveys proposed above are likely to be sufficient in identifying features of nature conservation interest (including Annex I habitats, List of Threatened and/or Declining Species and Habitats and Habitats of Principal Importance) provided surveys are designed and undertaken as a result of the initial geophysical survey data assessment. We recommend that benthic survey scopes are discussed with Statutory Nature Conservation Bodies (SNCBs) in advance and advise that as a minimum best practice guidance should be followed

			Following recent discussions with developers and stakeholders about the importance of sharing data, existing datasets can and should be used to inform the marine environment whenever practically possible.
2.5.3		Potential Impacts	Given the wide scope we would recommend caution as Likely Significant Effect (LSE) cannot be ruled out for any features at this stage. We note that there is no mention of the requirement for rock deposits as a result of scour. We would expect all activities and impacts to be clearly assessed in Section 2.5.3. We suggest that benthic habitat disturbance and loss is scoped in as a potential impact of UXO clearance

Section 2.6 Fish and Shellfish

Natural England's comments provided in Annex C still stand.

Section 2.7 Marine Mammals

Natural England's comments provided in Annex C still stand.

Section 2.8 Offshore Ornithology

Section	Para	Topic	Recommendations
2.8.1	337	The extent of connectivity between seabird SPAs and offshore wind farms during the breeding season is largely a function of distance and will be informed through review of species-specific foraging ranges (see Woodward *et al.* 2019). The scoping report acknowledges the export cable corridor (ECC) will pass through the Greater Wash SPA	NE welcome this and advise that colony specific data, where available and appropriate should also be referred to.

2.8.2	340	Data collected for the Dogger Bank Creyke Beck and Dogger Bank Teesside projects.	In addition to data collected for the Round 3 Dogger Bank Projects NE advise that data collected at the Round 3 Hornsea projects may also be useful and relevant. (Hornsea 1, 2, 3 and 4).
2.8.4	356	Flight height data	NE acknowledge the difficulties obtaining flight height data from current digital aerial imagery, and hence there has been a dependence on established generic flight height data collected via visual boat-based methods (i.e. Johnston *et al.*2014a, 2014b). However, we would welcome working with all Round 4 developers to improve the knowledge base on flight height either at a project specific or generic level, and encourage further engagement on this.
2.8.4	359	Other guidance documents	SNCB guidance on Displacement has been updated to reflect new evidence for Red Throated Diver[7]. There is also upcoming revised joint SNCB guidance on collision risk modelling (CRM) including revised avoidance rates and other parameters. In the interim, NE has produced a summary of the key parameters and changes expected to be included in this guidance which we will provide to the Applicant through our Discretionary Advice Service.

Section 2.14 Landscape and Visual Impact

Section	Para	Topic	Recommendations
3.6.1.1	746	Yorkshire Wolds AONB	*"In June 2022 a candidate AONB boundary was published for consultation. This candidate boundary does not include any areas within 10km of the Onshore Study Area and so will not be considered further."* Provided the cables will be underground to the new onshore substation and the substation will be an extension to an existing substation located to the west of Beverley, Natural England will have no concerns regarding potential adverse effects this scheme presents to the candidate Yorkshire Wolds AONB and have no further comment to

[7] Joint SNCB Interim Displacement Advice Note | JNCC Resource Hub

			make. If this is not the case this will need to be revisited.

Section 3 Onshore

Section	Para	Topic	Recommendations
3.1.1		Existing environment	The high-level characterisation of the existing environment is satisfactory at this stage but we would expect to see far more detail as the projects move forward into PEIR and site/project specific data becomes available.
3.1.1.1		Designations	See comment on Table 3-2 below.
3.1.1.1	Table 3-2	Designated Sites Within the Onshore Study Area and 2km buffer	The following sites have not been included which fall within the onshore study area and 2km buffer: • Hornsea Mere SPA & SSSI • Skipsea Bail Meer SSSI • Leven Canal SSSI • Pulfin Bog SSSI Please note that for Annex I birds a larger buffer may be required to take account of potential impacts to functionally linked land which can only be determined through on the ground consideration of project specific details/designated site features. Please note that impact risk zones are only a rule of thumb and are receptor and/or project dependent.
3.1.2		Approach to evidence gathering/data collection	Details of survey methodology are vague at this stage so while the approach to surveys and the timings appear appropriate, it is not possible to confirm if the surveys will follow good practice guidelines. See also comments on Table 3-3 below.
3.1.1	Table 3-3	Great crested newts	Natural England expects GCN surveys, which may inform a future GCN licence application, to include ponds up to 250m or 500m from development sites. Factors such as scale of the development, habitat connectivity, barriers to dispersal, etc. should be considered when determining the survey area. These factors can also be considered

			when excluding specific ponds from a survey (e.g. significant barriers to dispersal between a pond and the development site). If ponds are excluded from the survey effort and/or if only ponds within 250m of the development are surveyed, NE would suggest the ecologist retains evidence of their justification for their own records. If there is clear habitat connectivity between ponds within 250m to 500m and the development site, it may be necessary to extend the survey area. eDNA surveys are suitable only for determining presence/absence. Should European Protected Species Licence be required, population assessments will be required. There will take longer to conduct and are limited to specific months of the year.
3.1.1	Table 3-3	Wintering bird surveys - only one year of survey data will be obtained	Natural England would usually expect two years of survey data to be provided to capture interannual variability, particularly where there may be impacts to SSSI/SPAs. We advise the Project to draw on any other applicable data sources to help address this.
3.1.3		Potential impacts	It appears that potential impacts have been considered however this can only be known once all surveys have been completed.

Annex C – Updated Detailed comments

We provide our original scoping advice on the generation assets as set out below in December 2021 (Ref: 3743075). Section/paragraph references have been updated where necessary to make relevant to July 2022 consultation

Section 1 Project Description

Section	Para	Topic	Recommendations
General		National Policy Statement (NPS)	The ES will need to take account of anything in the revised NPS. We advise that early consideration should be given to policies in draft NPS updates out to consultation in case these are adopted. In particular, the Project should be cognisant of policies in the draft NPS around coordination and work of the Offshore Transmission Network Review (OTNR) pathways to 2030 – these will need to be factored into ES development.
General		Scoping timing	Scoping has been undertaken very early, further consideration is likely to be needed in relation to the cable corridor and need for further scoping or ongoing discussions.
General		Plan level HRA	The Project should have regard to the outcome of the plan level HRA.
General		EIA guidance	Natural England would expect the guidance provided in Annex A to be taken into account.
General		Strategic Environmental Assessment (SEA)	We note that there will be a new offshore energy SEA next year which will have information that should be taken into account by the Project.
1.8.2.2	117	In order to predict the significance of an impact, it is also important to consider: • Temporal scale in terms of permanent or temporary changes in the ecology (and which differs from 'Duration') Whilst careful consideration should be given to: • Duration of the impact relates to the time over which the impact will last as opposed to the duration of the activity. Furthermore, 'short-term to long-term' is also rather broad, and should include 'medium-term', along with some	Please consider definitions of temporal scale, duration, and spatial extent carefully. Please also consider the different phases of the development when defining the significance of an impact.

		indication of the timescales e.g. > 5 years, 1-5 years, < 1 year etc. • Scale or spatial extent – 'small scale to large scale' is vague, and can be broken down into, for example, transboundary, national, regional, local site-specific etc. The magnitude of change should also consider the different phases of the development.	
1.9.4.1		Information to inform an HRA is discussed but not an MCZ assessment.	Information must also be provided in the application to inform an MCZ assessment should one be required

Section 2.1 Marine Physical Processes

The Marine Physical Processes information provided in the Dogger Bank South OWFs EIA Scoping Report is very high-level. Furthermore, whilst the array areas for the Dogger Bank South Projects are known, the landfall location currently remains unknown due to the lack of a confirmed grid connection location. Consequently, we are unable to agree at this stage with the proposed approach to data collection owing to the very wide study area and unknown grid connection location. In regard to the approach to impact assessment, we would advise that impacts resulting in seabed morphological change during construction, and effects on waves and tidal currents in the nearshore during construction, should both remain scoped in at this stage. We would also like to advise that potential impacts due to the development should be assessed throughout the lifetime of the project, and all its phases. We look forward to being consulted on this matter again, once the grid connection location is confirmed and the study area more clearly defined.

Section	Paragraph/ Table	Comment	Recommendations
2.1.1		Existing Environment	Need to consider regional solid geology, regional Quaternary geology, bedform mapping, site-specific geotechnical data, coastal cells and sub-cells.
2.1.1.7	157	Coastal Erosion	Need to consider how the coast at landfall will alter throughout the lifetime of the development, both in terms of vertical change in beach profile and coastal retreat.
2.1.2	2.1.2	Approach to Data Collection	In order to assess the potential impacts of the proposed development, a full conceptual understanding of the physical environment baseline of the development and its surrounding area, must first be established. Therefore, we advise that a sufficient quantity of accurate field and/or model data are essential to the development of this conceptual

			understanding. These data should describe both contemporary conditions as well as longer-term historical change.
2.1.2	158	Existing Datasets	Please provide a map showing the geographic locations of existing (accessible) data holdings as well as key metrics (e.g. temporal duration of wave records, parameters measured etc.).
2.1.2	159	Surveys that will be undertaken to support the assessment	We are unable to agree at this stage with the proposed approach to data collection owing to the very wide study area and unknown grid connection location. Therefore, we would wish to be consulted on this matter again, once the grid connection is known.
2.1.3.1.1	161	Effects on waves and tidal currents during construction are scoped out.	These should not be scoped out in the nearshore zone due the presence of ancillary infrastructure present during construction (e.g. cofferdams or temporary floatation pits) which might give rise to changes to waves and/or current flows.
2.1.3.1.2		Impacts on bedload sediment transport and seabed morphological change have been scoped out of further consideration in relation to the construction phase.	We disagree that impacts on seabed morphological change should be scoped out on the basis that construction activities could alter seabed morphology and seabed sediment composition. We advise the Project needs to consider: • To what extent sensitive areas of seabed/substratum will be disturbed during cable installation in offshore (subtidal) areas, intertidal and supratidal areas (including areas adjacent to the project boundary). This also applies to turbine foundation drilling/pile driving, seabed preparation, and sediment disposal • The presence of ancillary infrastructure present during construction (e.g. cofferdams), seabed excavation within shallow nearshore areas. Modelling of plume dispersal and sediment settlement may also be necessary • The impact of sandwave clearance (as well as any material disposal) prior to cable installations on sediment transport patterns and ensuing morphological change • Whether the removal of sandwaves could adversely impact adjacent sandbank systems.
2.1.3.1.4	Point 164	Impacts on seabed morphology due to indentations on the seabed from installation vessels have been scoped out of further consideration. Until site-specific evidence of the sub-	We advise that this impact be scoped in for construction and operation/maintenance vessels until further evidence becomes available on the nature of the seabed and its mobility.

		seabed conditions becomes available, there exists the potential for anchoring or jack-up vessel legs to penetrate the seabed, cause scour/secondary scour, and to impact the morphology and features of the seabed both during both construction and operation.	
2.1.3.2.1	165	Potential impacts to waves and tidal currents during operation.	Need to consider the spatial extent of projected changes to the wave regime downwind of the array through the lifetime of the project. Need also to consider sensitive receptors and designated sites.
2.1.3.2.2	166	Scour at each foundation	Consider modelling of scour around foundations, evaluating scour potential and thus, scour protection requirements. Consider including a seabed sediment mobility study.
2.1.3.2.4	169	Flamborough Front	This should also be considered in the Monitoring Plan.
2.1.3.6	Table 2-3	Effects on bedload sediment transport and changes to seabed morphology – Construction	Seabed morphology should be scoped in.
2.1.3.6	Table 2-3	Effects on bedload sediment transport and changes to seabed morphology – Decommissioning	Seabed morphology should be scoped in
2.1.4	177	Use of numerical modelling from other OWF projects	It will need to be demonstrated why/how numerical data designed for other projects are directly relevant, and directly applicable, to Dogger Bank South. Moreover, the Applicant will also need to consider and provide evidence of the cumulative effect of Dogger Bank South and other nearby OWFs, on the hydrodynamic regime.
2.1.4	178	Lifetime of the project	Need to consider all stages of the development lifespan. This includes consideration of the potential impacts resulting from any infrastructure that may remain in situ after decommissioning.
2.1.4	Table 2-4	Receptors	Need to consider all sensitive receptors and designated sites within the anticipated maximum zone of influence (including MCZs, sandbanks, water column features, estuaries, and the coastline).

Section 2.5 Benthic and Intertidal ecology

The Benthic and Intertidal ecology information provided in the Dogger Bank South OWFs EIA Scoping Report is very high-level. Furthermore, whilst the array areas for the Dogger Bank South Projects are known, the landfall location currently remains unknown due to the lack of a confirmed grid connection location. Consequently, we are unable to agree at this stage if all benthic impacts have been identified owing to the very wide study area and unknown grid connection location. We note that there is very little information included on how the assessment to designated sites will be undertaken, what information will be needed to inform these and what impacts should be taken into account. We highlight that impacts on Dogger Bank SAC, how these are assessed and how the steps in the habitats regulations are followed are a key risk for this project. Where it is not possible to rule out an adverse effect on integrity early conversations should be held on potential compensation proposals as per BEIS H3 decision letter and draft NPS policies. Additional discussion will also be needed in relation to export cable route, landfall and potential considerations as scoping has been undertaken without a defined landfall location and grid connection.

Section	Para	Topic	Recommendations
1.5		Technical details to be included	In conjunction with the information to be gathered on the proposed offshore array and export cable corridor through survey work, the ES should include details on the following technical aspects relating to the construction and operation of the Dogger Bank South Wind Farms: • Footprint of area affected by excavation for and laying of the export cable; • Footprint of area affected by export cable protection; • Footprint of area affected by inter-array electrical cables; • Footprint of area affected by inter-array cable protection; • Estimation of electromagnetic fields (EMF) potentially arising from cables both at exterior of cables and at surface of seabed above buried cables; • Footprint of area affected by installation of Wind Turbine Generator foundations; • Footprint of area affected by installation vessels; • Duration and rate of cable-laying; • Number and types of vessels to be used in cable-laying operations; • Routes of vessels for cable works.
1.5.1.3	36 & Table 1-1	Foundations	We appreciate that the projects are still in the early stages and that technical aspects, including number and location of turbines, foundation types and cable routes are still to be decided. We would, however, take this opportunity to highlight that the provision of accurate and meaningful advice is only possible when details

			of the potential impacts resulting from a project are provided. The SNCBs would like to see the worst-case scenario for each activity, and associated impacts, provided and assessed for the construction, operation and decommissioning stages.
1.5.1.3	38	Introduction of hard substrate	We acknowledge that the deposition of hard substrate into a mainly sedimentary environment may be required for the purposes of seabed preparation/stabilisation, cable protection, scour protection, and cable crossings. We note that some of the hard substrate will be deposited in the Dogger Bank SAC which is designated for sandbanks which are slightly covered by seawater all of the time. We encourage the Project to work to minimise the amount of hard substrate material used during the construction, operation and maintenance and decommissioning of the wind farm and that the worst-case quantity be assessed for the lifetime of the project. We note that the long-term effect of the introduction of substratum into a naturally sandy or muddy seabed is not fully understood at present and as such should be carefully considered by both the operator and regulator. We advise detailed commentary is provided in the ES on the introduction of hard substrate as part of the proposed developments to allow further understanding of the potential nature conservation impact. This would include: • location of deposit sites; • type / size / grade of rock / mattresses / bags to be used; • tonnage / volume to be used; • contingency tonnage / volume to be used; • method of delivery to the seabed; • footprint of hard substrate introduced; • assessment of the impact (particularly in the Dogger Bank SAC) • Decommissioning potential of any introduced substrate Where protective material cannot be avoided, we recommend using a targeted placement method, e.g., use of a fall pipe vessel rather than using vessel-side discharge methods.

1.5.4	Table 1-2	Summary of Indicative Project Parameters	We note that the target minimum cable burial depth is 1m. Given the potential for some of these activities to occur within the Dogger Bank SAC we would like to emphasise that Dogger Bank is formed by underlying glacial sediments, if these are damaged this is a permanent impact and there is not scope for recovery. The surface sediments across Dogger Bank vary in depth (0.5m - 20m), therefore any proposed activities could have varying impacts to the glacial sediments beneath.
1.8.2.7	125	Tiers for Cumulative Impact Assessment	We would like to take this opportunity to refer the developer to JNCC and Natural England Suggested Tiers for Cumulative Impact Assessment: https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010056/EN010056-001638-EA3%20-%20JNCC%20and%20NE%20suggested%20tiers%20for%20CIA.pdf This information and further guidance will be collated in the Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards document which is currently in prep.
1.9.4.1		Information to inform an HRA is discussed but not an MCZ assessment.	Information must also be provided in the application to inform an MCZ assessment should one be required
2.5.1		Existing Environment	The high-level characterisation of the existing environment is satisfactory at this stage but we would expect to see far more detail as the projects move forward and site/project specific data becomes available. The broadscale habitats and larger habitats of conservation interest appear to be broadly correct. We note it is only based on EU Seamap with a few of other data sources included. The Developer should refer to our EIA guidance (Annex A) for what to consider in the desktop study and be expanded to use these sources for EIA. There will be more local data from other projects that should be used to give context to any modelled data presented along with data that will be gathered for this project. There may well be other habitats such as cobble reef, peat and clay exposures and seapens and burrowing megafauna communities that are known in this area but not mapped at this broad scale.
2.5.1	Figure 2-8		Please ensure the EUNIS classification version is specified. The EUNIS marine habitat classification review 2019 has slightly changed the classifications compared to EUNIS habitat classification 2012. We note that EUNIS 2012 has been reported

			in the scoping document and it is currently preferable to Natural England for this classification to be used in the assessment, however this could change during the duration of the project.
2.5.1.4		Designations	All relevant SACs and MCZs appear to have been identified
2.5.2		Approach to Data Collection	High level survey techniques presented in the scoping document mean it is difficult to comment on specific data collection techniques suitable for this project. Please ensure that within the ES, the standards to which the data collection methodologies will be subjected to are included. More information on what is expected can be found in the best practise for EIA surveys. Survey techniques should be appropriate to the habitats being assessed. i.e. If epibenthic trawls are to be conducted, they should only be conducted in environments where the sensitivity to surface abrasion pressure is low. Areas which are to be sampled in this way should be ground truthed first to ensure no sensitive habitats are likely to be damaged. The large area covered by the offshore study area due to uncertainty over landfall location has resulted in a wide array of potential habitats which could be impacted. Assessment techniques should be revisited once more information is known on the likely cable route to ensure any habitats of interest and designated features within MPAs which may potentially be impacted by this development are fully quantified. We request that benthic survey scopes are discussed with Statutory Nature Conservation Bodies (SNCBs) in advance.
2.5.2		Intertidal approach	We assume landfall location data is set to be acquired by intertidal walkover survey is a phase I qualitative survey. Given the extent of the coastline currently being considered in the broad areas of search for a landfall location, a combination of phase I and phase II survey techniques to provide suitable data biotope classification would enable robust conclusions to be drawn within the EIA on biotope types. As there is currently no further available information on where landfall is likely to be, it would be inappropriate to comment further on suitable survey techniques but we advise that this should be revisited once suitable landfall locations have been shortlisted in order to ensure suitable data are collected, especially if these landfall areas are to fall within designated areas.
2.5.3		Potential Impacts	We note: • Impacts from deposition of sediment and smothering are not covered. This is important for any material deposited from seabed preparation works, foundation and cable installation and sandwave clearance. • It is not clear in the benthic section how any changes to hydrodynamics and

			impacts of these on benthic habitats will be taken into account e.g. changes in water flow, wave and tide climate. • Impacts from boulder clearance, both removal and deposition must be taken into account. • We advise that lessons should be learnt from the existing Dogger Bank projects and other projects in the area in relation to what needs to be considered. • It is not always clear in this section whether impacts have been scoped in or out.
2.5.3		Maintenance activities	We consider assessment of maintenance activities is underestimated. This is important as whilst impacts may be less than during construction, they are additional to those during construction and can inhibit or slow recovery of impacted habitat. Full consideration should therefore be given to impacts from maintenance activities for these to be permitted.
2.5.3		Contaminants	Contaminants should not be scoped out at this stage – it will need to be demonstrated what the local contaminant levels are. We would defer to Cefas for this.
2.5.3		EMF	EMF should remain scoped in – this is covered in draft revised NPS currently out to consultation (2.30.2 in that document)
2.5.3		Decommissioning	Decommissioning should also continue to consider permanent habitat loss from any infrastructure that remains at the time of decommissioning – this is thus the extension of habitat loss from the operational phase.
2.5.3			Temperature changes due to heating from cables has not been discussed, therefore it is not clear whether this is scoped in or out.
2.5.4		Approach to Impact Assessment	It can be useful to use the standard list of pressures that are used in NE advice on operations consideration of impacts both within and outside MPAs. MarLIN - The Marine Life Information Network - MarESA pressures and benchmarks For designated site impacts, assessments should be made with reference to NE conservation advice packages and advice on operations available online. The list of potential impacts is very high level so it is difficult to comment if anything has been missed. We refer the Developer to our best practise EIA guidance which

			we would expect them to take account of.

Section 2.6 Fish and Shellfish

Natural England will defer to Cefas' advice on this topic.

Section 2.7 Marine Mammals

Natural England have no detailed comments at this time.

Section	Para	Topic	Recommendations
2.7.1		Existing Environment	Natural England are in agreement with the information presented here to characterise the existing environment, but would expect a more thorough and complete assessment in the PEIR/ES.
2.7.2		Approach to Data Collection	Natural England are in agreement with two years' worth of data being collected via aerial digital surveys on the array area + 4km buffer.
2.7.3		Potential Impacts	Natural England is in agreement with the potential impacts identified.
2.7.3		Impacts scoped in/out of assessment	Natural England is broadly in agreement with the potential impacts identified and is in agreement that EMF can be scoped out for marine mammals. However, barrier effects from physical presence should be considered further in the context of what is known about animal movements and activities in and around the array areas, such as telemetry data that may show seals transit through the area when foraging, before it is scoped in or out.
2.7.4		Approach to Impact Assessment	Natural England are in agreement with the proposed approach to assessment presented here, but would expect a more thorough approach to assessment to be outlined within the PEIR/ES.

Section 2.8 Offshore Ornithology

Section	Para	Topic	Recommendations
2.8.1	335	Existing Environment	Natural England note that no information has been presented to characterise the existing environment.

2.8.1	Table 2.23	Species specific seasons	NE note that the seasonal definitions provided in Table 2.19 are likely to be appropriate for species at a broad population scale such as at EIA (unless more up to date evidence becomes available, that suggests a change is required). However NE recommend that colony and project specific data is used to inform colony specific seasons at an HRA level. As such, while the seasons presented in Table 2.19 are likely to be appropriate for the EIA, they are not necessarily appropriate for the HRA.
2.8.2	339	Approach to Data Collection	Natural England are in agreement with two years' worth of data being collected via aerial digital surveys on the array area + 4km buffer. However, we urge the applicant to consider other key data gaps in regards quantification of ornithological receptors at the site, in particular: • Flight height of species sensitive to collision risk (and potentially other parameters that inform collision risk such as nocturnal activity and flight speed) • Data contributing to increased understanding connectivity and apportioning of key species (e.g. tracking work, age classes, observations of adults with attendant young)
2.8.3		Potential Impacts	Natural England is in agreement with the potential impacts identified.
2.8.3		Impacts scoped in/out of assessment	Natural England is broadly in agreement with the potential impacts identified.
2.8.4		Approach to Impact Assessment	Natural England are broadly in agreement with the proposed approach to assessment presented here, but would expect a more thorough approach to assessment to be outlined within the PEIR/ES.
2.8.4	358	Reference population sizes	NE note that reference populations for specific SPAs should be informed by the most up to data at that colony rather than depending on Furness (2015).

Section 2.14 Seascape, Landscape and Visual Impact

Natural England confirms agreement that operational effects on seascape from the array as they relate to the effects on either designated (e.g. North York Moors National Park) or defined (e.g. Flamborough Head Heritage Coast) landscapes can be ruled out of the ES. We agree that with the proposed separation distance, the turbines will not be visible from the shore.

We request further consideration and engagement is given to landscape impacts once the landfall location is known.

Section 3 Onshore

At this point in time the onshore search area is too large for Natural England to meaningfully comment on. We therefore advise that nothing is scoped out at this stage and request that the Project consider the best practice EIA guidance provided in Annex A. We recommend that further information is provided for consultation once the transmission asset locations are known.

From: [redacted]
To: Dogger Bank South
Subject: Ref EN010125-000181 - Dogger Bank Offshore Wind Farms
Date: 15 August 2022 16:10:33
Attachments: image001.png

Network Rail Consultation Response

FAO	The Planning Inspectorate
Date	15 August 2022
Application reference	EN010125-000181
Proposal	Dogger Bank South Offshore Wind Farms
Location	Dogger Bank South

Thank you for your recent correspondence relating to the above scoping consultation.

Network Rail is a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates, maintains and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests, will need to be carefully considered.

Impact on Network Rail Infrastructure
Network Rail has been reviewing the information provided and note that the proposed onshore development areas include locations where there are railway assets. We also note that the importation of materials by rail is also under consideration as part of this scheme. In view of this, the EIA should consider of the impact of the proposed development upon operational railway safety. This should include a transport assessment section considering the impact that haulage routes associated with the construction and operation of the scheme may have on operational railway assets such as railway bridges with low clearance, bridges with weight restrictions and railway level crossings. Details should also be provided of anticipated train movements associated with the scheme and it should be noted that such details would be required to be agreed with Network Rail well in advance.

In addition, should any part of the scheme require the use of, or access across railway land including the operational railway itself, the developer will be required to obtain the necessary agreements and consents (easement agreements, licences etc) from Network Rail going forward.

Summary
Network Rail would be grateful if the comments above are considered by The Planning Inspectorate. Network Rail would welcome further discussion and negotiation with The Planning Inspectorate and RWE in relation to the proposed development as required going forward. If you have any questions or require more information in relation to the above please let me know.

Kind regards

[redacted]
Technician
[redacted]
Network Rail Property - Eastern Region
George Stephenson House, Toft Green, York, YO1 6JT

From:	[redacted]
To:	Dogger Bank South
Subject:	RE: EXT:Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	27 July 2022 12:41:51
Attachments:	~WRD0316.jpg image003.png image005.png image008.png image009.png image010.png image011.png

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Good Afternoon,

NGN has a number of gas assets in the vicinity of some of the identified “site development” locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include “Population Density Restrictions” or limits within certain distances of some of our “HP” assets.

The gas assets mentioned above form part of the Northern Gas Networks “bulk supply” High Pressure Gas Transmission” system and are registered with the HSE as Major Accident Hazard Pipelines.
Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect you or anyone involved with the site (or any future developer) to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets.
(In terms of High Pressure gas pipelines, the routes of our MAHP’s have already been lodged with members of the local Council’s Planning Department)

Kind regards,

[redacted]

Before You Dig
Northern Gas Networks
1st Floor, 1 Emperor Way
Doxford Park
Sunderland
SR3 3XR

From:	[redacted]
To:	Dogger Bank South
Subject:	EN010125-000181 - Dogger Bank Offshore Wind Farms
Date:	01 August 2022 08:49:05
Attachments:	Dogger Bank South Offshore Wind Farms - Scoping Consultation - SDC - 2022.pdf image4e9bd0.PNG image6d6405.PNG image3244a3.JPG

Good Morning,

Please see attached response from Selby District Council.

Kind regards,

[redacted]ing Officer

[redacted]

w: www.selby.gov.uk

[redacted]

Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.

The Planning Inspectorate
By Email

DoggerBankSouth@planninginspectorate.gov.uk

Our Ref: [redacted]
Your Ref: EN010125-000181

[redacted]
Selby District Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT

[redacted]

Date: 01 August 2022

Dear Sirs

Dogger Bank South Offshore Wind Farms
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for the opportunity to respond the scoping consultation in the above matter.

The District Council can confirm that they have no comments to make.

Yours faithfully

[redacted]
Assistant Principal Planning Officer

From:	[redacted]
To:	Dogger Bank South
Subject:	RE: Planning Inspectorate - EN010125 - Dogger Bank South Offshore Wind Farms - Reg 10 Consultation and Reg 11 Notification
Date:	03 August 2022 15:09:06
Attachments:	~WRD0549.jpg image001.png image003.png image004.png image005.png image006.png

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Dear Sir/Madam

I write on behalf of Skidby Parish Council to advise that it has no comments on the scoping proposals.

Kind regards

[redacted]
Clerk to Skidby Parish Council
[redacted]

[redacted]
Website: skidbyparishcouncil.gov.uk

From:	[redacted]
To:	Dogger Bank South
Subject:	FW: Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	04 August 2022 19:55:44
Attachments:	image001.png image007.png image008.png image009.png image010.png Letter to statutory consultees - Scoping & Regulation 11 Notification.pdf

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Dear Mr[redacted]

In response to the Consultation EN010125 I can confirm that the Parish Council do not have any comments.

Kind regards,

[redacted]

Clerk to Tickton & Routh Parish Council

[redacted]

Website: www.ticktonandrouth.org.uk

From:	[redacted]
To:	Dogger Bank South
Subject:	RE: Planning Inspectorate - EN010125 – Dogger Bank South Offshore Wind Farms – Reg 10 Consultation and Reg 11 Notification
Date:	23 August 2022 10:35:47
Attachments:	image003.jpg image009.png image010.png image011.png image001.png image002.png Letter to statutory consultees - Scoping & Regulation 11 Notification pdf

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Good morning [redacted]

With reference to the above consultation, I can advise that Trinity House would expect the following to form part of the Environmental Statement:

Navigation Risk Assessment

Comprehensive vessel traffic analysis in accordance with MGN 654.

The possible cumulative and in-combination effects on shipping routes and patterns should be adequately assessed.

The potential “corridor” between the project and Dogger Bank A OWF, including future traffic patterns should be considered and assessed.

Risk Mitigation Measures

- We consider that this development will need to be marked with marine aids to navigation by the developer/operator in accordance with the general principles outlined in IALA (International Association of Marine Aids to Navigation and Lighthouse Authorities) Guideline G1162 - The Marking of Offshore Man-Made Structures as a risk mitigation measure. In addition to the marking of the structures themselves, it should be borne in mind that additional aids to navigation such as buoys may be necessary to mitigate the risk posed to the mariner, particularly during the construction phase. All marine navigational marking, which will be required to be provided and thereafter maintained by the developer, will need to be addressed and agreed with Trinity House. This will include the necessity for the aids to navigation to meet the internationally recognised standards of availability and the reporting thereof.
- Assessment of impact on existing aids to navigation, to include both offshore and shore based (where any cabling reaches landfall) aids to navigation.

A decommissioning plan, which includes a scenario where on decommissioning and on completion of removal operations an obstruction is left on site (attr butable to the wind farm) which is considered to be a danger to navigation and which it has not proved possible to remove, should be considered. Such an obstruction may require to be marked until such time as it is either removed or no longer considered a danger to navigation, the continuing cost of which would need to be met by the developer/operator.

The possible requirement for navigational marking of the export cables and the vessels laying them. If it is necessary for the cables to be protected by rock armour, concrete mattresses or similar protection which lies clear of the surrounding seabed, the impact on navigation and the requirement for appropriate risk mitigation measures needs to be assessed.

Kind regards,

[redacted]
Navigation Services Officer | Navigation Directorate | Trinity House
[redacted]
www.trinityhouse.co.uk

From: [redacted]
To: Dogger Bank South
Cc: [redacted]
Subject: UK Health Security Agency"s Response - Dogger Bank Offshore Wind Farm
Date: 23 August 2022 12:26:42
Attachments: image001.jpg
UK Health Security Agency"s Response - Dogger Bank Offshore Wind Farm - Scoping Consultation v1.0.pdf

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Dear Ms [redacted]

Please find attached the UK Health Security Agency's response to the above consultation.

Kind regards

UKHSA logo

Ms [redacted]
NSIP Admin Team
Environmental Hazards and Emergencies Department
Radiation, Chemical and Environmental Hazards
UK Health Security Agency
[redacted]

www.gov.uk/ukhsa [redacted]

The UK Health Security Agency will move to new UKHSA email accounts in the near future.
For now, please continue to use my current email address.

UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

[redacted]
www.gov.uk/ukhsa

Your Ref: EN010125-000181
Our Ref: CIRIS 59944

Ms [redacted]
Senior EIA Advisor,
The Planning Inspectorate,
Environmental Services, Central Operations,
Temple Quay House,
2 The Square,
Bristol, BS1 6PN

23rd August 2022

Dear Ms [redacted]

Nationally Significant Infrastructure Project
Dogger Bank South Offshore Wind Farms EN010125-000181
Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document

Advice on the content of Environmental Statements accompanying an application under the NSIP Regime', setting out aspects to be addressed within the Environmental Statement[1]. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

In addition to our general guidance, we note that the applicant has requested that consultees respond to specific questions relating to the proposed assessments. Please see our detailed response below.

General Comments

UKHSA is satisfied that the offshore development aspect of the proposal should not pose a risk to public health in terms of environmental exposure, or the leisure uses of coastal waters. Our assessment has there focused on the landfall and onshore aspects of the proposed development.

Sections 2.1 - 2.2 and 2.4 – 2.14 cover offshore impacts and predominantly fall outside UKHSA's remit. For that reason, UKHSA has not considered these elements of the development and does not wish to make detailed comments at this stage.

We note that elements **2.6 Fish and Shellfish Ecology** and **2.9 Commercial fisheries** have the potential to impact on human health via the food chain but note that these issues should be addressed by the Food Standards Agency (FSA) rather than UKHSA.

2.3 Offshore Air Quality

UKHSA does not consider that vessels servicing the project will have a significant impact on offshore air quality and does not believe that the emissions will have a deleterious effect on human receptors. We are satisfied that the offshore air quality impacts can be scoped out of further assessment (in terms of human health).

3.2 Geology and Land Quality

UKHSA response

1. Do you agree with the characterisation of the existing environment?
    a. **Yes: UKHSA is satisfied that the geological, land use and commercial use assessments appear sound, and we note that key pathways remain scoped into the next stage of assessment.**

[1] https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658

2. Have all the relevant data sources been identified in the Scoping Report?

    a. **Yes: the use of EA, BGS and local authority information appears reasonable ant to represent typical UK good practice.**

3. Have all the potential impacts on geology and land quality resulting from the Projects been identified in the Scoping Report?

    a. **Yes: The report considers impact on aquifers, new sources of contamination, likely sources of historic contamination, new pathways provided by the infrastructure, cumulative impacts and impacts during construction, operation, and decommissioning. This approach is in line with UK good practice.**

4. Do you agree with the impacts that have been scoped in for further assessment?

    a. **Yes: the approach is reasonable and proportionate.**

5. Do you agree with the proposed approach to assessment?

    a. Yes: the proposal appears to follow industry good practice and the UK standard approach.

3.3 Flood Risk and Hydrology
UKHASA has not considered this point and would defer to the Environment Agency who have the statutory responsibilities re the protection of controlled waters and assessment of flood risks.

3.4 Land Use.
UKHSA has not assessed the impacts of the proposed development on current land uses and does not wish to submit any associated comments.

3.5. Onshore Archaeology and Cultural Heritage
UKHSA has not assessed this issue and does not wish to submit any associated comments.

3.6. Landscape and Visual Impact
UKHSA has not assessed this issue and does not wish to submit any associated comments.

3.7 Traffic and Transport
UKHSA has not assessed this issue and does not wish to submit any associated comments. We note that construction traffic may have an impact on local air quality and have provided comments to question 3.9.

3.8. Noise and Vibration
UKHSA has not assessed this issue and does not wish to submit any associated comments at this time. We note that the assessment is scoped in and reserve the right to comment at future stages of the consultation process.

3.9 Air Quality

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

1. Do you agree with the characterisation of the existing environment?
   a. **Yes: The proposal considers impacted Local Authorities, notes the Prescence/absence of AQMA's and that the majority of the proposal is within rural areas but that there may be road traffic impacts in urban locations.**

2. Have all the relevant data sources been identified in the Scoping Report?
   a. **Yes: Data sources are effectively Local Authority reports / monitoring data and we note that future assessment will be agreed by the relevant LA's**

3. Have all the potential impacts on air quality resulting from the Projects been identified in the Scoping Report?
   a. **Yes: Both human and environmental impacts are scoped into the assessment and the primary impacts of dust during construction and emissions from vehicles are considered.**

4. Do you agree with the impacts that have been scoped in (or scoped out) for further assessment?
   a. **Yes: The proposal scopes in human receptor impacts in residential and other areas. We note that final areas for development are still to be determined.**

5. Do you agree with the proposed approach to assessment?
   a. **Yes: the approach uses UK standardised approaches and methodologies.**

4.2 Human Health

We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual

impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

1. Do you agree with the characterisation of the health baseline?
    a. **Yes, UKHSA is satisfied that the health baseline approach is reasonable and that likely impacts and populations at risk are considered for further assessment.**

2. Have all the relevant data sources been identified in the Scoping Report?
    a. **Yes, UKHSA is satisfied that the proposed approach uses good practice and has identified appropriate data sources and health standards.**

3. Have all the likely and potentially significant impacts on population health resulting from the Projects been identified in the Scoping Report?
    a. **Yes, UKHSA is satisfied likely impacts and populations at risk are considered and that appropriate issues have been scoped in for further assessment in subsequent stages of the submission.**

4. Do you agree with the determinants of health and population groups that have been scoped in (or scoped out) of further assessment?
    a. **Yes, UKHSA is satisfied that appropriate determinants of health and population groups have been identified and scoped into future assessments.**

5. Do you agree with the proposed approach to assessment?
    a. **Yes, UKHSA is satisfied with the proposed approach.**

4.3 Climate Change

UKHSA has not assessed this issue and does not wish to submit any associated comments.

We note that EMF impacts have been scoped out of the assessment based on compliance with extant guidance and regulations. UKHSA is satisfied with this approach.

Should there be any questions regarding our response please do not hesitate to contact us.

Yours sincerely,

On behalf of UK Health Security Agency

[redacted]

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

RWE Renewables UK Dogger Bank South (West) Limited

RWE Renewables UK Dogger Bank South (East) Limited

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