

RWE Renewables UK Dogger Bank South (West) Limited

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Dogger Bank South Offshore Wind Farms

Environmental Statement

Volume 7

Appendix 21-1 Land Use Consultation Responses

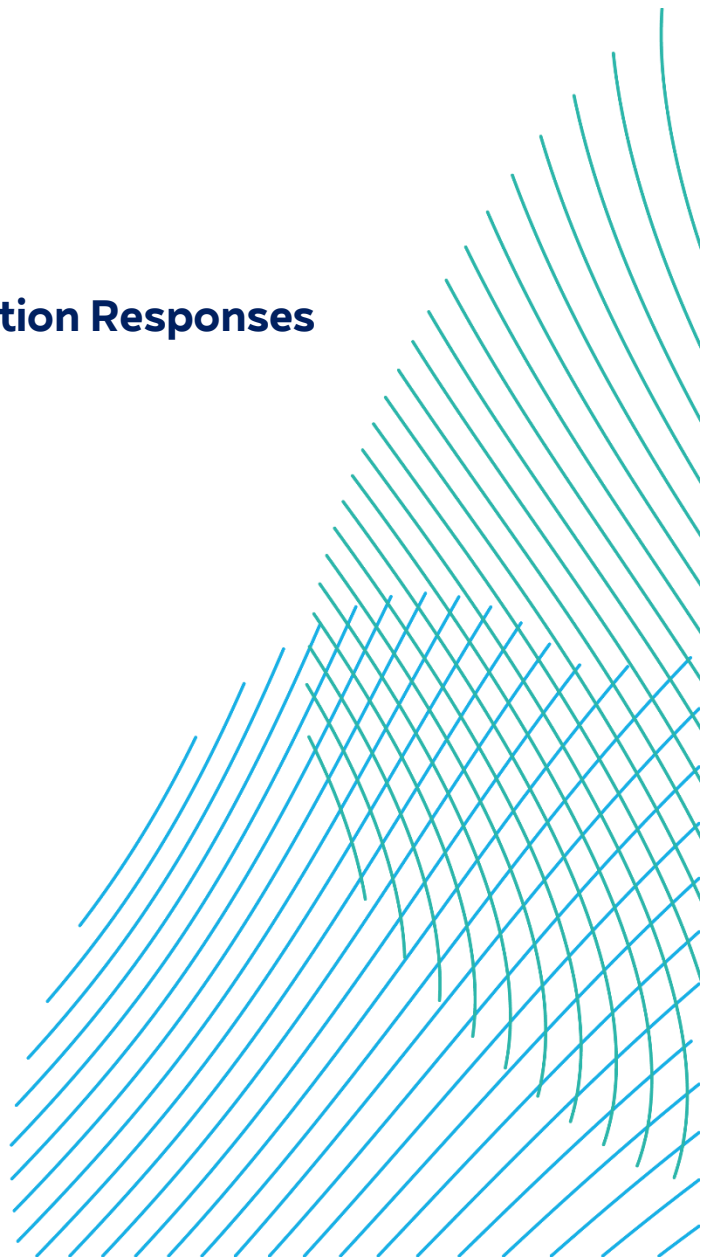
June 2024

Application Reference: 7.21.21.1

APFP Regulation: 5(2)(a)

Revision: 01

Unrestricted



Company:	RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited	Asset:	Development
Project:	Dogger Bank South Offshore Wind Farms	Sub Project/Package:	Consents
Document Title or Description:	Environmental Statement - Appendix 21-1 Land Use Consultation Responses		
Document Number:	004300162-01	Contractor Reference Number:	PC2340-RHD-ON-ZZ-AX-Z-0062

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Rev No.	Date	Status/Reason for Issue	Author	Checked by	Approved by
01	June 2024	Final for DCO Application	RHDHV	RWE	RWE

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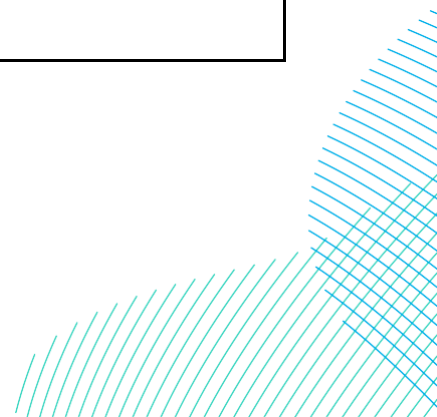
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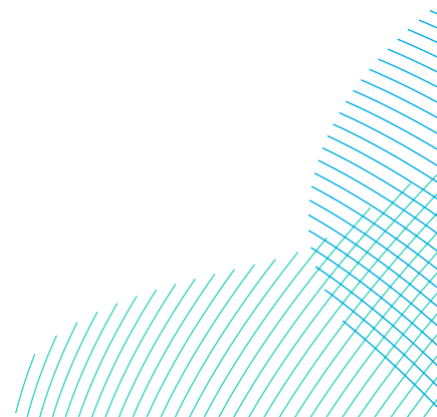
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Glossary

Term	Definition
Baseline	The existing conditions as represented by the latest available survey and other data which is used as a benchmark for making comparisons to assess the impact of the Projects
Effect	Term used to express the consequence of an impact. The significance of an effect is determined by correlating the magnitude of the impact with the value, or sensitivity, of the receptor or resource in accordance with defined significance criteria.
Impact	Used to describe a change resulting from an activity via the Projects, i.e. increased suspended sediments / increased noise.
Landfall	The point on the coastline at which the Offshore Export Cables are brought onshore, connecting to the onshore cables at the Transition Joint Bay (TJB) above mean high water.
Link Boxes	An underground metal box placed within a concrete pit where the metal sheaths between adjacent export cable sections are connected and earthed, installed with a ground level manhole to allow access to the link box for regular maintenance or fault-finding purposes.
Onshore Development Area	The Onshore Development Area for ES is the boundary within which all onshore infrastructure required for the Projects would be located including Landfall Zone, Onshore Export Cable Corridor, accesses, Temporary Construction Compounds and Onshore Converter Stations.
Onshore Export Cable Corridor	This is the area which includes cable trenches, haul roads, spoil storage areas, and limits of deviation for micro-siting. For assessment purposes, the cable corridor does not include the Onshore Converter Stations, Transition Joint Bays or temporary access routes; but includes Temporary Construction Compounds (purely for the cable route).



Term	Definition
Onshore Export Cables	Onshore Export Cables take the electric from the Transition Joint Bay to the Onshore Converter Stations.
Onshore Converter Stations	A compound containing electrical equipment required to transform and stabilise electricity generated by the Projects so that it can be connected to the electricity transmission network. There will be one Onshore Converter Station for each Project.
Scoping opinion	The report adopted by the Planning Inspectorate on behalf of the Secretary of State.
Scoping report	The report that was produced in order to request a Scoping Opinion from the Secretary of State
The Applicants	The Applicants for the Projects are RWE Renewables UK Dogger Bank South (East) Limited and RWE Renewables UK Dogger Bank South (West) Limited. The Applicants are themselves jointly owned by the RWE Group of companies (51% stake) and Masdar (49% stake).
The Projects	DBS East and DBS West (collectively referred to as the Dogger Bank South Offshore Wind Farms).



Acronyms

Term	Definition
ALC	Agricultural Land Classification
ALO	Agricultural Liaison Officer
BMV	Best and Most Versatile
CRoW	Countryside and Rights of Way
DCO	Development Consent Order
ECP	England Coast Path
ERYC	East Riding of Yorkshire Council
ES	Environmental Statement
ETG	Expert Topic Group
HSE	Health and Safety Executive
JLAF	Joint Local Access Forum
NFU	National Farmers Union
NGET	National Grid Electricity Transmission
NGG	National Grid Gas
OCoCP	Outline Code of Construction Practice
PEIR	Preliminary Environmental Information Report
PRoW	Public Rights of Way
SMP	Soil Management Plan

21.1 Consultation Responses

21.1.1 Introduction

1. This appendix covers those statutory consultation responses that have been received as a response to the scoping report (2022), the Preliminary Environmental Information Report (PEIR) (2023) and Expect Topic Group (ETG) meetings.
2. Response from stakeholders and regard given by the Applicants have been captured in **Table 21-1-1**.

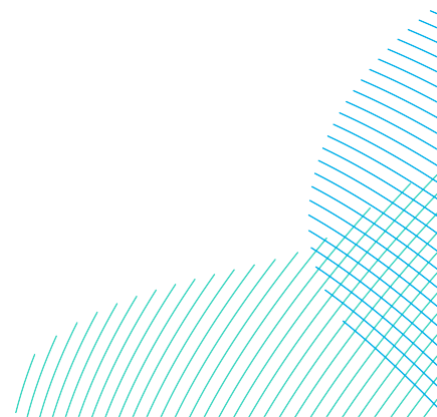
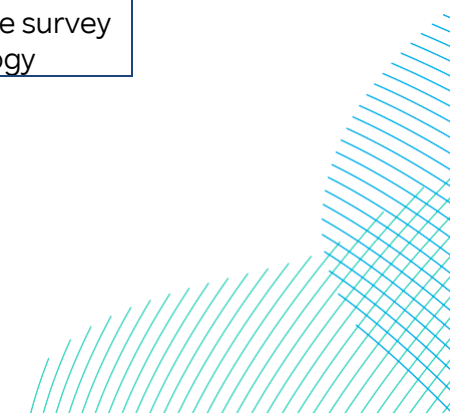


Table 21-1-1 Consultation Responses Related to **Volume 7, Chapter 21 Land Use (application ref: 7.21)**

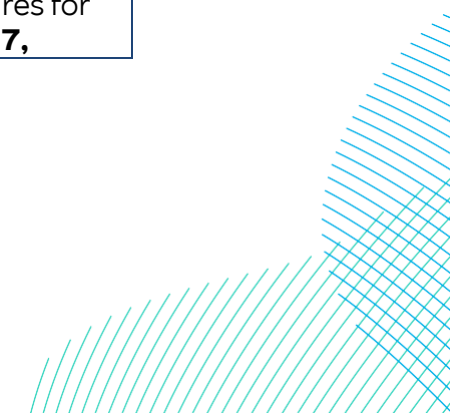
Comment	Project Response
Planning Inspectorate Scoping Responses 02/09/2022	
<p>Planning Inspectorate ID 4.4.1: While the intention to design the buried cable systems to minimise heat loss is acknowledged, in the absence of any detailed information about the measures adopted and predicted emissions it 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.</p>	<p>The potential impacts associated with soil heating during the operational phase of the Projects is discussed within section 21.6.2.6 of Volume 7, Chapter 21 Land Use (application ref: 7.21).</p>
<p>Planning Inspectorate ID 4.4.2: 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.</p>	<p>Impacts associated with the temporary loss of agricultural land, including Best and Most Versatile (BMV) are assessed in section 21.6.1.2, with impacts associated with the permanent loss of agricultural land assessed in section 21.6.2.2 of Volume 7, Chapter 21 Land Use (application ref: 7.21).</p> <p>The Applicants have committed to undertaking an Agricultural Land Classification survey prior to the commencement of works to refine the baseline environment. The findings of the survey will inform the reinstatement methodology</p>



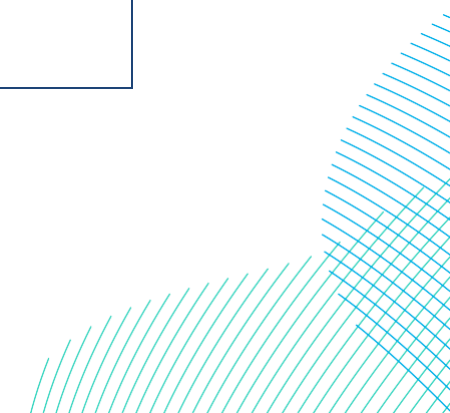
Comment	Project Response
	following completion of construction works within the Onshore Development Area.
<p>Planning Inspectorate ID 4.4.3: The Scoping Report does not expand on its statement that erosion impacts are not anticipated during operation, e.g. with reference to landfall design or operational 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.</p>	<p>Potential impacts, and mitigation measures (if required), associated with erosion of the landfall are assessed within Volume 7, Chapter 8 Marine Physical Processes (application ref: 7.8).</p>
<p>Planning Inspectorate ID 4.4.4: 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.</p>	<p>The potential impacts to Environmental Stewardship Schemes during the construction and operational phases of the Projects are discussed in sections 21.6.1.4 and 21.6.2.3 of Volume 7, Chapter 21 Land Use (application ref: 7.21). Proposed mitigation measures to reduce the significance of effect on Environmental Stewardship Schemes during construction and operation are also discussed in these sections.</p>
<p>Planning Inspectorate ID 4.4.5: 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</p>	<p>Details of the utilities present within the Onshore Development Area are included within section 21.5.2.5 of Volume 7, Chapter 21 Land Use</p>



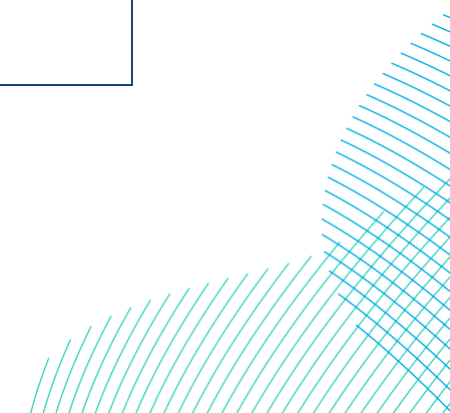
Comment	Project Response
<p>maintenance of rights of access to utilities or the implications of reinstatement planting. The ES should assess operational effects on existing utilities where significant effects could occur.</p>	<p>(application ref: 7.21). An assessment of the potential impacts on existing utilities as a result of the construction and operation of the Projects are included within sections 21.6.1.5 and 21.6.2.4 of Volume 7, Chapter 21 Land Use (application ref: 7.21) respectively.</p>
<p>Planning Inspectorate ID 4.4.6: 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.</p>	<p>Details of Public Rights of Way (PRow) and Countryside and Rights of Way (CRoW) Act areas present within the Onshore Development Area are included within section 21.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21).</p> <p>An assessment on the potential impacts associated with the construction and operation of the Projects are discussed in sections 21.6.1.6 and 21.6.2.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21) respectively. An Outline Public Rights of Way Management Plan is included in Appendix C of the OCoCP (Volume 8, application ref: 8.9.3), which forms part of the embedded mitigation measures for the Projects (see Table 21-3 of Volume 7,</p>



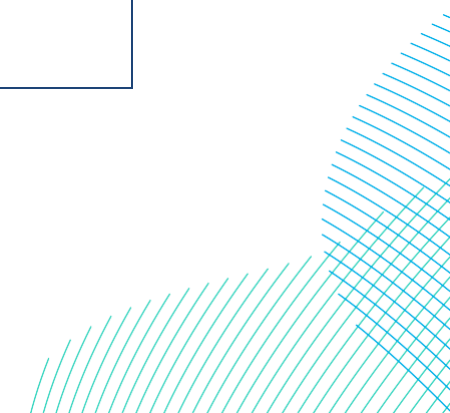
Comment	Project Response
	<p>Chapter 21 Land Use (application ref: 7.21), forms part of the DCO application.</p>
<p>Planning Inspectorate ID 4.4.7: Paragraph 665 refers to the presence of landfill sites within the onshore study area. These are not referred to further within this chapter and as such it is not clear whether the ES will include an assessment of likely significant effects to land use arising from impacts to landfills.</p>	<p>The presence, potential impacts and mitigation measures associated with landfills within the Onshore Development Area are discussed in Volume 7, Chapter 19 Geology and Land Quality (application ref: 7.19).</p>
<p>Planning Inspectorate ID 4.4.8: 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.</p>	<p>The Applicants completed an ALC survey of the Onshore Substation Zone in February 2024 and have committed to undertaking an Agricultural Land Classification (ALC) for the Onshore Export Cable Corridor and Landfall Zone in Summer 2024. The findings of the survey at the Onshore Substation Zone have informed the OSMP, Appendix A of the OCoCP (Volume 8, application ref: 8.9.1) and will inform the reinstatement methodology following completion of construction works within the Onshore Development Area.</p>



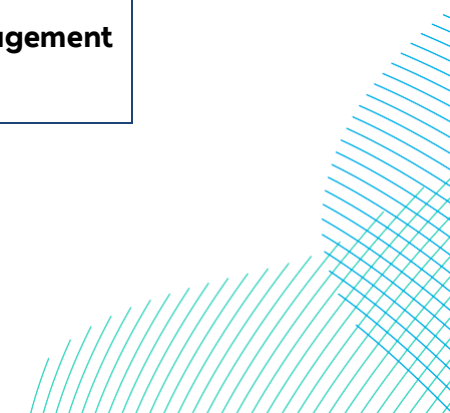
Comment	Project Response
National Grid / Scoping Responses 02/09/2022	
<p>NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com</p>	<p>Regular liaison with NGET in the form of meetings are being undertaken as part of the DCO process. Details of mitigation measures to protect existing utilities are provided in sections 21.6.1.5 and 21.6.2.4 of Volume 7, Chapter 21 Land Use (application ref: 7.21).</p>
National Grid Gas Scoping Responses 02/09/2022	
<p>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.</p>	<p>Regular liaison with NGG in the form of meetings are being undertaken as part of the DCO process. Details of mitigation measures to protect existing utilities are provided in sections 21.6.1.5 and 21.6.2.4 of Volume 7, Chapter 21 Land Use (application ref: 7.21).</p>
<p>NGG will also need to ensure that its pipelines remain accessible during and after completion of the works.</p>	
<p>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</p>	



Comment	Project Response
<p>the specific requirements and constraints in relation to working close to high pressure pipelines.</p>	
<p>Section 42 Consultation - Beverley Ramblers July 2023</p>	
<p>We would prefer to avoid another cable route from the coast to Beverley. We would prefer the route to go to the south of Beverley, using the same route as that which has been used for the Dogger bank site currently under construction. This would avoid tearing up more countryside North of Beverley.</p>	<p>Details of PRow, National Trails, Coastal Paths and Marked Routes present within the Onshore Development Area are included within section 21.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21). An assessment of the potential impacts to these features during construction and operation of the Projects is included within sections 21.6.1.6 and 21.6.2.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21) respectively.</p>
<p>We would prefer to keep the Onshore Substation Zone Option 1 as the preferred site. This would be alongside the existing site, keeping the sites close together.</p>	<p>An Outline Public Rights of Way Management Plan. Appendix C of the OCoCP (Volume 8, application ref: 8.9.3), which forms part of the embedded mitigation measures for the Projects (see Table 21-3) of Volume 7, Chapter 21 Land Use (application ref: 7.21), forms part of the DCO application.</p>
<p>The Minster Way foot path to the North of Beverley would be adversely affected by the scheme, if the cable route were to the North of Beverley.</p>	



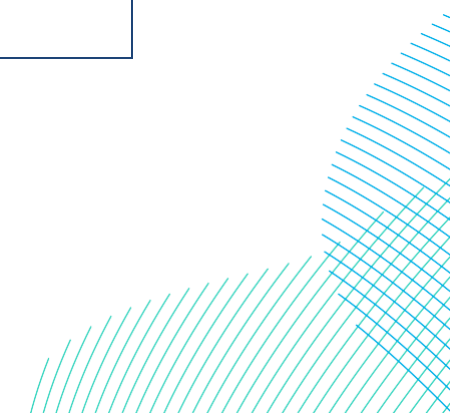
Comment	Project Response
<p>Section 42 Consultation - East Riding of Yorkshire and Kingston upon Hull Joint Local Access Forum July 2023</p>	
<p>The RWE Dogger Bank South onshore cable corridor intersects 24 PRowS (including the King Charles III England Coast Path), consisting of 19 footpaths and 5 bridleways. PRowS are recorded on the Definitive Map held by the Definitive Map Team of the East Riding of Yorkshire Council.</p> <p>The JLAF does not object to the proposed development but asks that the following issues be addressed during the review and deliberation of the Development Consent Order (DCO) application.</p>	<p>Details of PRow, National Trails, Coastal Paths (including the King Charles III England Coast Path), Marked Routes and cycle routes (including national routes) present within the Onshore Development Area are included within section 21.5.2.3 of Volume 7, Chapter 21 Land Use (application ref: 7.21). An assessment of the potential impacts to these features during construction and operation of the Projects is included within sections 21.6.1.6 and 21.6.2.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21) respectively.</p> <p>An Outline Public Rights of Way Management Plan, Appendix A of the OCoCP (Volume 8, application ref: 8.9.3), which forms part of the embedded mitigation measures for the Projects (see Table 21-3 of Volume 7, Chapter 21 Land Use (application ref: 7.21)), forms part of the DCO application.</p> <p>The Outline Public Rights of Way Management Plan discusses:</p>
<p>There is a need for specific details about PRow (Public Right of Way) diversions where the cable corridor intersects PRowS. Currently, there are no details. The JLAF asks that temporary diversion routes be defined by the Applicant after consulting the East Riding of Yorkshire Council's Countryside Access Team. Permissions will need to be sought from landowners. The same procedure should be adopted where permanent PRow diversions are proposed except that, in these cases, the Applicant is asked to liaise with the Definitive Map Team of East Riding of Yorkshire Council. The Definitive Map Team will consult the JLAF for its collective opinion in order to avoid unintended complications along the proposed diversion route. In each and all cases, JLAF asks that diversions be in place before temporary or permanent closure is affected.</p>	



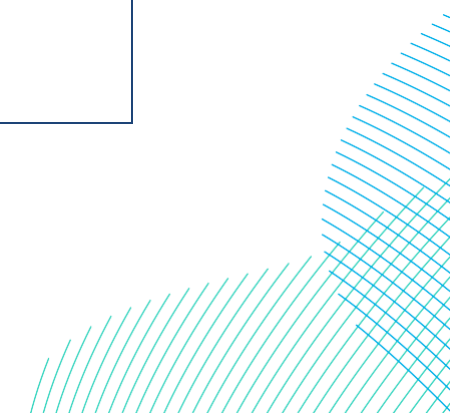
Comment	Project Response
<p>Temporary closure of each PRow where diversion cannot be implemented should be limited in time in order to minimise, as much as possible, the interruption of public rights of access and the physical and mental public health benefits that accrue to countryside access. The Applicant is asked to liaise with the East Riding of Yorkshire Council's Countryside Access Team regarding temporary closure of PRowS.</p>	<ul style="list-style-type: none"> • The temporary management measures to be employed during the construction phases of the Projects; • Identification of which management measures will be applied to each recreational route that the Projects interact with; • Details of PRow reinstatement following construction including consideration of settlement; and • Details of how these management measures will be communicated to the general public.
<p>The JLAF asks that the Applicant gives an outline schedule of the way the installation will proceed. It wishes to be assured that the work will progress on a 'rolling' geographical basis i.e. that work shifts progressively along the proposed corridor in defined lengths and that there is no intention to divert or close all affected PRowS from landfall to the converter stations proximal to the Creyke Beck sub-station for the duration of the installation.</p>	
<p>The alignment of The King Charles III England Coast Path (ECP) – a new National Trail – is currently being established along the Holderness Coast and this intersects the planned landfall of the Dogger Bank South cable corridor. The ECP alignment agreements with cliff-top landowners allow for coastal erosion (which is estimated to average a rate of 2m/year). The Applicant should consult with Natural England and ERYC's Countryside Access Team about the ECP alignment and issues regarding access, especially where cable installation involves trenching or any activity that weakens of the sea cliff.</p>	



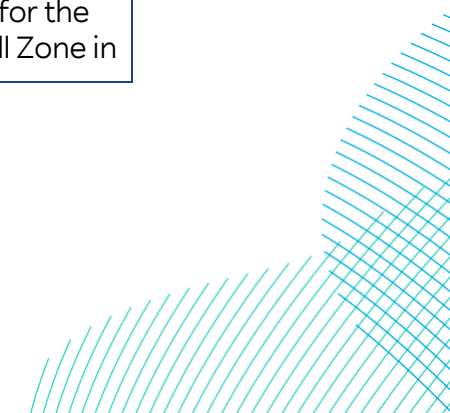
Comment	Project Response
<p>The ECP is not mentioned in the PEIR, but JLAF considers that it should be recognised as an additional nationally important receptor when considering sensitivity and the magnitude of impact of the project.</p>	<p>disturbance to Public Rights of Way users and maintenance of appropriate safety standards.</p> <p>No enhancement of PRowS is proposed as the DCO application considered the National Policy Statement (NPS) requirements and has not identified any significance effects with the measures proposed in the Outline Public Rights of Way Management Plan.</p> <p>All of these points have been reviewed with the JLAF at the relevant ETG, described below.</p>
<p>The Applicant, and/or subsequent owners of the cables, should be required to adopt medium-term responsibility for restoration of surface settlement where PRowS cross ground that has been disturbed. Given the easily-poached, heavy-clay soils of Holderness and typical dilated and consolidated soil bulk densities, soil settlement is eventually likely to be around 15 - 25 cm (6 - 10 inches). This will attract pools of water and plasticise the soil, resulting, de facto, in cul-de-sac PRowS because of unfavourable ground conditions, particularly in winter, thereby severely reducing usage and the public health benefits of countryside access. JLAF suggests a watch-period of at least seven years to allow time for soil settlement. With regard to this matter, the cable owner would best deal with the ERYC Countryside Access Team which, ordinarily, would receive reports of access issues from members of the public and/or be aware of such issues through the field experience of its own officers. These reports and observations could be evaluated and passed directly to the company for action. When ground restoration works take place, permissions will have to be sought beforehand and restoration carried out to standards set by ERYC's Countryside Access Team.</p>	



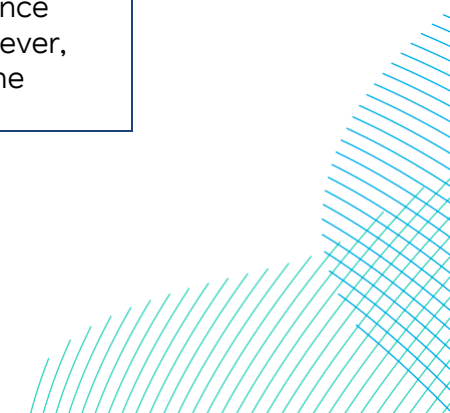
Comment	Project Response
<p>The National Planning Policy Framework (2021 Revision, para. 100) indicates that development should enhance PRowS affected. JLAF therefore requests that the DCO application clearly identifies how the project will enhance rights of way and public access in the onshore project area. The Applicant’s PEIR refers to some mitigation measures for recreational routes but does not clearly identify potential enhancements. Alternatively, JLAF asks the Applicant to give an undertaking to provide a reasonable developer contribution (e.g. section 106 or similar agreement) to East Riding of Yorkshire Council, this fund being used to deliver improvements to public rights of way and access in parishes crossed by the cable corridor, in accordance with NPPF para 100 and with Rights of Way Improvement Plan priorities in the East Riding.</p>	
<p>Section 42 Consultation - Health and Safety Executive July 2023</p>	
<p>According to HSE’s records, the proposed project components (Dogger Bank South Offshore Wind Farms, Location of the onshore project area, Figure 1-2 (Drawing No. PC2340-RHD-ON-ZZ-DR-Z-0502) from the Preliminary Environmental Information Report, Non-Technical Summary, Document Reference: 004300140, Revision 04 (28/04/2023)) cross a number of major accident hazard pipelines, associated with the following operators:</p> <ul style="list-style-type: none"> • National Grid Gas PLC. 	<p>Liaison with utilities providers is being undertaken as part of the DCO process. Details of mitigation measures to protect existing utilities are provided in sections 21.6.1.5 and 21.6.2.4 of Volume 7, Chapter 21 Land Use (application ref: 7.21).</p>



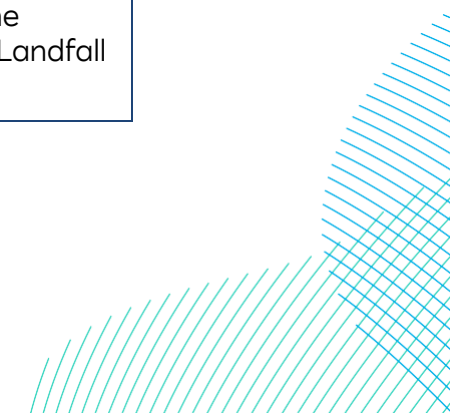
Comment	Project Response
<ul style="list-style-type: none"> • Northern Gas Networks. • Ineos Manufacturing (Hull) Ltd <p>The Applicant should make the necessary approaches to the relevant pipeline operators. There are three particular reasons for this:</p> <p>i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline;</p> <p>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;</p> <p>iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.</p>	
<p>Section 42 Consultation - Natural England July 2023</p>	
<p>An Agricultural Land Classification (ALC) survey has not been undertaken within the area proposed for the route of trench line for the underground cabling.</p> <p>This should be undertaken as part of a comprehensive set of baseline soil and ALC information given that soil disturbance will take place in</p>	<p>The Applicants have completed an ALC survey at the Onshore Substation Zone in February 2024 and committed to undertaking Agricultural Land Classification surveys for the Onshore Cable Corridor and the Landfall Zone in</p>



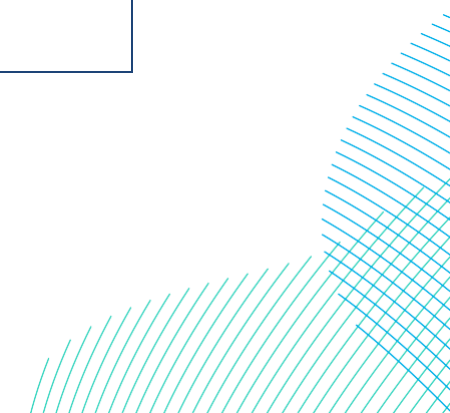
Comment	Project Response
<p>these areas. The soil survey will inform suitable soil handling and restoration criteria.</p> <p>21.4.2.2 (33 & 34): The Applicant’s Agricultural Land Classification (ALC) survey, following the Guide to assessing development proposals on agricultural land - GOV.UK (www.gov.uk), will identify land that is subdivided into 3a and 3b Best and Most Versatile Land (BMV) land.</p> <p>Natural England does not concur with the PEIR’s ‘worst-case’ scenario approach when assessment of a proposals impact on agricultural land is required. The Applicant should consider the worst-case scenario based on the BMV subdivision into level 3a (in particular).</p>	<p>Summer 2024. A contractor (or appointed Agricultural Land Officer) will undertake soil condition and intrusive soil survey trial pits to identify and describe the physical and nutrient characteristics of the existing soil profiles. Information gathered as part of this exercise will inform the reinstatement methodology following completion of the construction works. The ALC surveys undertaken at the Onshore Substation Zone have been incorporated into OSMP, Appendix A of the OCoCP. The final SMP will incorporate the findings of the survey results from the Onshore Export Cable Corridor and the Landfall Zone.</p> <p>The assessment of the potential impacts to BMV land (section 21.6.1.2 and 21.6.2.2 of Volume 7, Chapter 21 Land Use (application ref: 7.21) has assumed, in the absence of Post 1988 data or site specific survey data, that all land classified as Grade 3 within the Provisional ALC data is Grade 3a. This is considered a suitably conservative approach as not all land, once surveyed, may be considered BMV. However, where ALC survey data is available for the Onshore Substation Zone this has been</p>



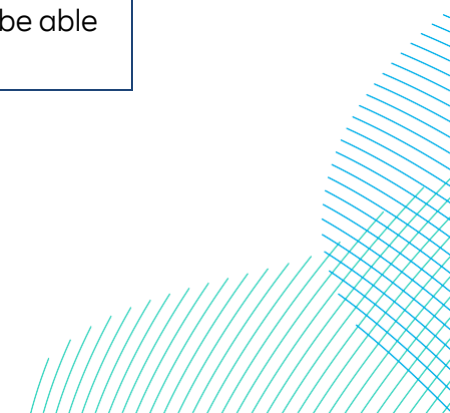
Comment	Project Response
	identified as 3b which is not classed as BMV land.
<p>21.4.2.2: Natural England hold site specific data within the proposed red line DCO boundary. This should be used in conjunction with the applicants own ALC survey.</p> <p>Please find enclosed the following ALC map and report, which lies within your area of interest.</p> <p>Natural England Survey Ref: ALCL07990 Land at Tickton, Hall Farm</p>	<p>Post 1988 data for the area referred to has been included within the baseline environment section (section 21.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21)).</p>
<p>Table 21-7 requires updating to show difference between 3a and 3b Best and Most Versatile (BMV) agricultural land.</p>	<p>Definitions for Grade 3a and 3b BVM land has now been included within Table 21-6 (previously Table 21-7 within the PEIR). The Onshore Substation Zone has been classified as grade 3b.</p>
<p>21.6.1.3.5 (137) Natural England supports the measures to mitigate for residual effects on agricultural soils, however measures should be based on the findings of the Applicant’s ALC survey as discussed previously.</p>	<p>The ALC surveys undertaken at the Onshore Substation Zone have been incorporated into OSMP, Appendix A of the OCoCP (Volume 8, application ref: 8.9.1). The final SMP, to be developed prior to construction will incorporate the findings of the survey results from the Onshore Export Cable Corridor and the Landfall Zone.</p>



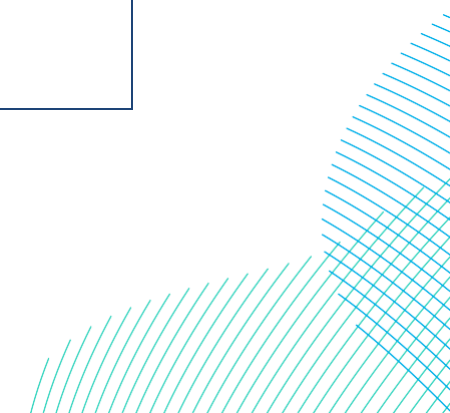
Comment	Project Response
<p>Section 42 Consultation - National Farmers Union July 2023</p>	
<p>section 21.6.1.5 within Chapter 21 of the PIER, states that the Onshore Export Cable Corridor crosses the Dogger Bank A and B offshore wind farm underground cable route and is adjacent to the indicative cable route for the Hornsea Project Four offshore wind farm. If not already, RWE should be in contact with Orsted and collaborating with them to make sure all measures which might reduce the impact on agricultural land and agricultural operations are in place. This will ensure that the cumulative impact and burden on owner/occupiers is reduced.</p>	<p>Interaction between the Projects and other onshore cable routes has been discussed within section 21.7 of Volume 7, Chapter 21 Land Use (application ref: 7.21). Liaison with other developers will be undertaken as part of the DCO process.</p>
<p>Table 21-11 within chapter 21 of the PIER (Land Use), indicates that 68.40% of the Onshore Export Cable Corridor is located within Grade 2 agricultural land, whereas 29.20% is located within Grade 3 land. The proposed Onshore Substation Zone is also located within 100% Grade 2 agricultural land and this area of land will be acquired permanently and removed from agricultural production. The NFU prefers to see infrastructure schemes avoiding best and most versatile (BMV) land but does understand that for linear schemes this is very difficult especially when there is a fixed end point. Due to the amount of BMV agricultural land being impacted on a temporary basis it is important that the reinstatement and aftercare of the soils is carried out to a high specification and at the right time to achieve favourable results.</p>	<p>Mitigation measures associated with BMV land are outlined in section 21.6.1.3.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21). Pre-construction surveys will be undertaken to define the current baseline environment, this will help inform a SMP which will set out the procedures for the appropriate handling of soils.</p>



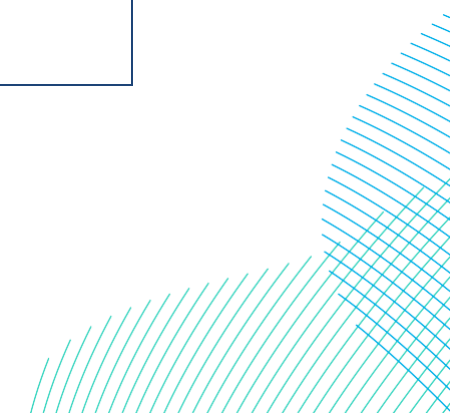
Comment	Project Response
<p>The NFU also feels strongly that the impact the project will have on agricultural businesses needs to be considered in the development of the project. section 21.6.1.2.5 within Chapter 21 of the PIER (land use) states that access to severed land will be maintained where practicable, subject to individual agreements with landowners and occupiers. In the worst-case scenario, the Onshore Export Cable Corridor would be fenced for the entire duration of the construction works, which could be between 33 and 57 months. There must be discussions with landowners and occupiers on timings of construction, including how access will be achieved across the working strip so that agricultural businesses maintain access to all land on the holding. This will help to reduce disruption to Agri holdings. We also note that within Section 21.6.1.4, the refinement of the Onshore Development Area will take into consideration land parcels managed under agri-environment agreements, with a view to avoid these areas where possible.</p>	<p>Refinement of the Onshore Development Area has led to a reduction in the area of agricultural land that may be impacted by the Projects on a temporary or permanent basis.</p> <p>The impact assessment has been updated to reflect both the refinement of the Onshore Development Area and embedded mitigation measures (see Table 21.3 of Volume 7, Chapter 21 Land Use (application ref: 7.21)). Additional mitigation measures, including ongoing liaison with landowners / occupiers, will be implemented where practicable to reduce the potential impacts further (see section 21.6 of Volume 7, Chapter 21 Land Use (application ref: 7.21)).</p>
<p>The NFU understands from the PIER (Chapter 21: Land Use – Table 21.2) that the maximum cable depth will be 2m and the indicative cable depth will be 1.6m. Please can you confirm what the depth from the top of the protective tile to the surface of the soil is? It is imperative that the cables are laid at a minimum depth of 1.2m to the top of the tile to ensure there is sufficient distance between the cables and farming operations.</p>	<p>The approximate depth from existing ground level to the top of the duct / cables will be 1.7 – 1.3m (see Table 21-1 of Volume 7, Chapter 21 Land Use (application ref: 7.21) for further details). During the operational phase of the Projects normal farming operations will be able</p>



Comment	Project Response
<p>Link Boxes – It is stated that there will also be up to 343 link boxes approximately every 750m along the cable corridor. It is noted that where possible, the link boxes will be located adjacent to field boundaries and accessed via manhole covers at ground level. The NFU would like to see that landowners are consulted on the location of the link boxes to minimise the impact on agricultural operations. It is essential that any link boxes located within agricultural fields are at ground level and marked appropriately in consultation with the landowner/occupier to avoid further disruption to agricultural operations. Above ground infrastructure within fields would increase the area of land taken out of agricultural production due to machinery having to work around them.</p>	<p>to resume, with the exception of areas associated with link boxes.</p> <p>Liaison with farmers who could be impacted by the Projects will continue as the DCO application progresses to secure all necessary agreements.</p>
<p>Outline Code of Construction – The NFU notes and is pleased to see that an Outline Code of Construction Practice has been prepared and will be submitted with the DCO application. At section 21.6.1.1.5, it states that RWE will appoint an Agricultural Liaison Officer (ALO) and/or a land drainage consultant to develop both pre and post-construction drainage plans. The NFU is pleased to see this, but it is essential and a preference that you appoint a local drainage consultant as the ALO will only be able to coordinate works with the consultant, contractor and the farmer.</p> <p>We also note that the outline Code of Construction Practice (COCP) has a section at 4.3 covering Agricultural Operations and that the ALO will</p>	<p>The soil and drainage surveys will be undertaken by a suitably qualified and competent contractor and follow all relevant guidance and legislation. Ongoing liaison with the NFU and landowners will continue as the DCO application progresses to ensure that all relevant agreements are in place and that the wording of such agreements is agreed as far as reasonably practicable.</p>



Comment	Project Response
<p>gather information on existing agricultural management and soil/land conditions to be verified and recorded within a detailed pre - construction condition survey. The ALO will help with agreeing reinstatement measures during construction and following completion of works. The NFU is pleased to this that this will be carried out, but further details are required. We note that at section at 4.1 covers Soil Management. The NFU is pleased to see that this section has been included but the detail is lacking on what will be needed in a pre-soil statement and how after care will be carried out. This work is essential and the NFU has specific wording that it would like to see agreed, which covers practical matters and forms an interface document. The NFU would welcome the opportunity to engage with RWE on this and for the wording to be included within the Outline Code of Construction, so that it is taken forward and becomes binding on contractors under the Code of Construction. The NFU wording covers the following:</p> <ul style="list-style-type: none"> a) Role of an Agricultural Liaison Officer b) Records of Condition c) Biosecurity d) Irrigation e) Agricultural Land Drainage f) Treatment of Soils 	<p>Appendix A of the OCoCP (Volume 8, application ref: 8.9) now includes and Outline Soil Management Plan.</p>



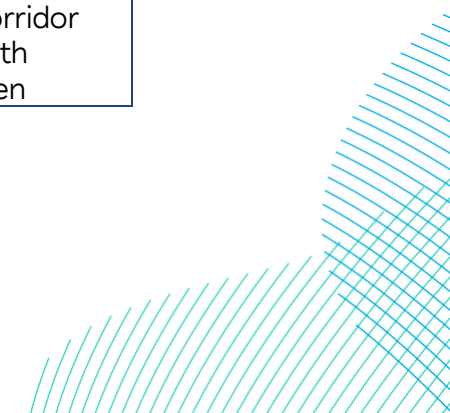
Comment	Project Response
g) Agricultural Water Supplies	
Onshore Public Rights of Way and Access - ETG 14/12/2023	
Concerns were raised in relation to settlement and creation of boggy ground in areas of reinstatement that had been identified for other cable routes in the region.	<p>Details of PRow, National Trails, Coastal Paths (including the King Charles III England Coast Path), Marked Routes and cycle routes (including national routes) present within the Onshore Development Area are included within section 21.5.2.3 of Volume 7, Chapter 21 Land Use (application ref: 7.21). An assessment of the potential impacts to these features during construction and operation of the Projects is included within sections 21.6.1.6 and 21.6.2.5 of Volume 7, Chapter 21 Land Use (application ref: 7.21) respectively.</p> <p>An Outline Public Rights of Way Management Plan (Volume 8, application ref: 8.9.3), which forms part of the embedded mitigation measures for the Projects (see Table 21-3 of Volume 7, Chapter 21 Land Use (application ref: 7.21)) forms part of the DCO application.</p>
Concerns raised into how equestrians and pedestrians could be impacted by temporary closures with short PRow diversions within the site boundary ahead of excavations. Queries raised as to whether equestrians would be expected to dismount, and if mounting blocks would be required, which carries the risk of riders encountering unstable ground. It was stated that riders preferred not to dismount due to less abled riders getting into difficulties, as well as having two- way gates wide enough to open, with a high latch (i.e., to use without dismounting).	
Concerns raised about the issue of ground stability following reinstatement and the impact of shear force from horses using the reinstated ground weakening ground stability. This could in turn affect pedestrian usage of the PRow. Could duck boarding be used? Long term settlement in reinstated areas was estimated to be around 25cm. In light of this, there should be a commitment to long term maintenance of the PRows affected over a period of around 5-7 years. Suggestions	



Comment	Project Response
<p>made that a community fund could act as an appropriate mechanism to allow maintenance works to be carried out.</p> <p>With regards to Walkington Footpath No. 4, the crossing of the permanent access road would need to meet Access for All requirements i.e., a slope rather than steps. Typically, 1 in 20 slope but covered in guidelines. IR agreed it was necessary.</p>	<p>The Outline Public Rights of Way Management Plan (Volume 8, application ref: 8.9.3) discusses:</p> <ul style="list-style-type: none"> • The temporary management measures to be employed during the construction phases of the Projects; • Identification of which management measures will be applied to each recreational route that the Projects interact with; and • Details of how these management measures will be communicated to the general public. <p>A detailed Public Rights of Way Management Plan will be secured via the draft DCO and agreed with East Riding of Yorkshire Council prior to the construction of the Projects. The detailed management plan will build on the measures included within the Outline Public Rights of Way Management Plan (Volume 8, application ref: 8.9.1) that require confirmation in relation to impact avoidance, short-term measures to ensure minimal</p>



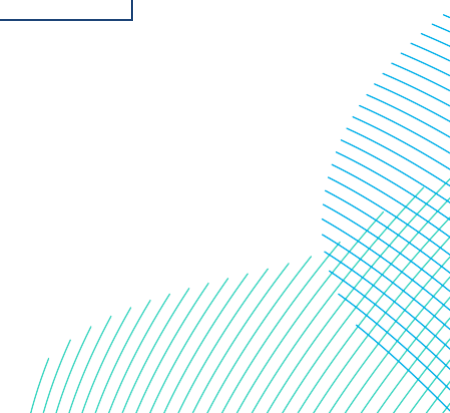
Comment	Project Response
	disturbance to PRow users and maintenance of appropriate safety standards.
Onshore Public Rights of Way and Access - ETG 14/03/2024	
Concerns were raised as to whether there would be gaps in soil storage to allow for PRow access.	Where PRow cross the temporary construction area, fencing would be in place to allow continued safe access as described in the Appendix A, Outline Public Rights of Way Management Plan of the OCoCP (Volume 8, application ref: 8.9.3) .
Concerns raised again about the issue of ground stability following reinstatement and request to a commitment to long term maintenance of the PRowS affected over a period of around 5-7 years. Suggestions made that a community fund could act as an appropriate mechanism to allow maintenance works to be carried out.	Appendix A, Outline Public Rights of Way Management Plan of the OCoCP (Volume 8, application ref: 8.9.3) was updated following the ETG to address this comment and add further detail about reinstatement and a commitment to repair any PRow, should subsidence occur that could be directly attributed to the Projects 5-7 following reinstatement.
With regards to the Onshore Export Cable Corridor, a query as to whether both DBS East and DBS West would share the same corridor.	The 75m wide Onshore Export Cable Corridor has been designed to accommodate both Projects. Should only one project be taken



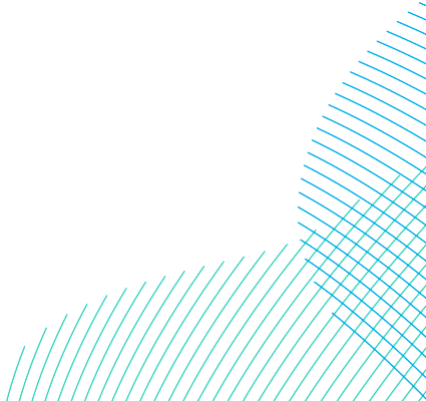
Comment	Project Response
	forward, the width of the Onshore Export Cable Corridor would be reduced to 41m (see Volume 7, Chapter 5 Project Description (application ref: 7.5)).
A concern was about whether the aesthetics had been considered as part of the design of the Onshore Converter Station.	The design of the Onshore Converter Station has incorporated screening for receptors located to the north and south of the Onshore Substation Zone. Where the Onshore Converter Stations are located and will include a native mix of planting, comments were received at the local liaison committee and tree species are being agreed with ERYC. It is assumed in the Landscape and Visual Impact Assessment (LVIA) that the trees will take 10 years to reach full height, based on the growth rate of the native species mix proposed (see Volume 7, Chapter 23 Landscape and Visual Impact (application ref: 7.23)).
Concerns were raised as to whether PRow would be affected along the whole route of the Onshore Export Cable Corridor for the 6 year construction period.	A commitment has been made to reinstate between Jointing Bays within 2 years along the Onshore Export Cable Corridor. This commitment has been included within Appendix A, Outline Public Rights of Way Management



Comment	Project Response
	<p>Plan of the OCoCP. (Volume 8, application ref: 8.9.3).</p>
<p>A query was raised as to whether there would be signage added to the area of Walkington Footpath No. 4 where a permanent diversion is required</p>	<p>Appropriate signage will be put in place to communicate the permanent diversion to users of the footpath. This commitment has been included within the Appendix A, Outline Public Rights of Way Management Plan of the OCoCP (Volume 8, application ref: 8.9.3).</p>
<p>There is the potential for the Projects (and Jocks Lodge Junction Improvement Scheme) to enhance Rowley Footpath No. 13 along the proposed temporary construction road which will connect to Jocks Lodge.</p>	<p>This is not considered but the bridleway would be reinstated to the requirements of its users and there would be a post-construction survey to confirm its reinstatement. However, this bridleway may not require reinstatement if it can be separated from the construction traffic. There is a commitment to keep it open following a brief period of stopping up (up to 3 months) to install any safety measures in the Appendix A, Outline Public Rights of Way Management Plan of the OCoCP (Volume 8, application ref: 8.9.3).</p>



Comment	Project Response
With regards to Walkington Footpath No. 4, the permanent diversion was presented and agreed with all stakeholders. This was confirmed by the definitive map team, by email following the ETG.	N/A



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