

A coastal landscape featuring a path that winds through a marshy area with patches of water and sparse vegetation. The path leads towards the ocean under a sky filled with soft, grey clouds. The overall scene is serene and natural.

# Outer Dowsing Offshore Wind Farm

## Project Statements

### Document 9.1 Planning Statement

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## Acronyms & Terminology

### Abbreviations / Acronyms

Abbreviation / Acronym	Description
<b>AEoI</b>	Adverse Effect on Integrity
<b>AEZ</b>	Archaeological Exclusion Zone
<b>AIS</b>	Air Insulated Switchgear
<b>ALARP</b>	As Low As Reasonably Practicable
<b>ANO</b>	Air Navigation Order
<b>AONB</b>	Area of Outstanding Natural Beauty
<b>APFP</b>	Applications Prescribed Forms and Procedure
<b>AQMA</b>	Air Quality Management Area
<b>BEIS</b>	Department for Business, Energy & Industrial Strategy (now the Department for Energy Security and Net Zero (DESNZ))
<b>BESS</b>	British Energy Security Strategy
<b>BMV</b>	Best and Most Versatile
<b>BNG</b>	Biodiversity Net Gain
<b>CAA</b>	Civil Aviation Authority
<b>CCC</b>	UK Committee on Climate Change
<b>CCR</b>	Climate Change Resilience
<b>CCUS</b>	Carbon Capture, Usage and Storage
<b>CCW</b>	Countryside Council for Wales
<b>CEFAS</b>	Centre for Environment, Fisheries and Aquaculture Science
<b>CIA</b>	Cumulative Impact Assessment
<b>CfD</b>	Contract for Difference
<b>CNP</b>	Critical National Priority
<b>CNS</b>	Communications, Navigations, and Surveillance
<b>COP</b>	Conference of Parties
<b>DBA</b>	Desk Based Assessment
<b>DCO</b>	Development Consent Order <sup>1</sup>
<b>DECC</b>	Department of Energy & Climate Change, now the Department for Energy Security and Net Zero (DESNZ)
<b>Defra</b>	Department for Environment, Food and Rural Affairs
<b>DESNZ</b>	Department for Energy Security and Net Zero, formerly Department of Business, Energy and Industrial Strategy (BEIS), which was previously Department of Energy and Climate Change (DECC)
<b>dML</b>	Deemed Marine License
<b>ECC</b>	Export Cable Corridor
<b>EEA</b>	European Economic Area
<b>EIA</b>	Environmental Impact Assessment
<b>EMF</b>	Electromagnetic field
<b>EMP</b>	East Marine Plan
<b>EPA</b>	Environmental Protection Plan
<b>EPP</b>	Evidence Plan Process
<b>EPS</b>	European Protected Species
<b>ES</b>	Environmental Statement

<b>Abbreviation / Acronym</b>	<b>Description</b>
<b>ETG</b>	Expert Topic Groups
<b>EU</b>	European Union
<b>FFC</b>	Flamborough and Filey Coast
<b>FLCP</b>	Fisheries Liaison and Co-existence Plan
<b>FLO</b>	Fisheries Liaison Officer
<b>FLOWW</b>	Fisheries Liaison with Offshore Wind and Wet Renewables
<b>FRA</b>	Flood Risk Assessment
<b>FSA</b>	Formal Safety Assessment
<b>GCN</b>	Great Crested Newt
<b>GHG</b>	Greenhouse Gas
<b>GIG</b>	Green Investment Group
<b>GLVIA</b>	Guidelines for Landscape and Visual Impact Assessment
<b>GT R4 Ltd</b>	The Applicant. The special project vehicle created in partnership between Corio Generation (a wholly owned Green Investment Group portfolio company), Gulf Energy Development and TotalEnergies).
<b>GW</b>	Gigawatt
<b>HAT</b>	Highest Astronomical Tide
<b>HDD</b>	Horizontal Directional Drilling
<b>HGV</b>	Heavy Goods Vehicle
<b>HPMA</b>	Highly Protected Marine Areas
<b>HRA</b>	Habitats Regulations Assessment
<b>HSC</b>	Historic Seascape Characterisation
<b>HVAC</b>	High Voltage Alternating Current
<b>IALA</b>	International Association of Marine Aids
<b>ICCI</b>	In-combination Climate Impact
<b>ICNIRP</b>	International Commission Non-Ionising Radiation Protection
<b>IDB</b>	Internal Drainage Board
<b>IEMA</b>	Institute of Environmental Management and Assessment
<b>IMO</b>	International Maritime Organisation
<b>INNS</b>	Invasive Non-Native Species
<b>IPCC</b>	Intergovernmental Panel on Climate Change
<b>IROPI</b>	Imperative Reasons of Over-Riding Public Interest
<b>ISO</b>	International Organisation for Standardisation
<b>JHWS</b>	Joint Health and Wellbeing Strategies
<b>JNCC</b>	Joint Nature Conservation Committee
<b>LCA</b>	Landscape Character Assessment
<b>LDP</b>	Local Development Plan
<b>LEA</b>	Local Economic Area
<b>LLFA</b>	Lead Local Flood Authority
<b>LNG</b>	Liquified Natural Gas
<b>LSE</b>	Likely Significant Effect
<b>LVIA</b>	Landscape and Visual Impact Assessment
<b>LWAONB</b>	Lincolnshire Wolds Area of Outstanding Natural Beauty

<b>Abbreviation / Acronym</b>	<b>Description</b>
<b>LWT</b>	Lincolnshire Wildlife Trust
<b>MCA</b>	Maritime Coastguard Agency
<b>MCAA</b>	Marine and Coastal Access Act
<b>MCZ</b>	Marine Conservation Zone
<b>MDS</b>	Maximum Design Scenario
<b>MGN</b>	Marine Guidance Note
<b>MHWS</b>	Mean High Water Springs
<b>MLWS</b>	Mean Low Water Springs
<b>MMMP</b>	Marine Mammal Mitigation Protocol
<b>MMO</b>	Marine Management Organisation
<b>MOD</b>	Ministry of Defence
<b>MPA</b>	Marine Protected Area
<b>MPCP</b>	Marine Pollution Contingency Plan
<b>MPS</b>	Marine Policy Statement
<b>MSFD</b>	Marine Strategy Framework Directive
<b>MW</b>	Megawatt
<b>NATS</b>	National Air Traffic Services
<b>NERC</b>	Natural Environment and Rural Communities
<b>NHS</b>	National Health Service
<b>NIC</b>	National Infrastructure Commission
<b>NPSE</b>	Noise Policy Statement for England
<b>NPPF</b>	National Planning Policy Framework
<b>NPSs</b>	National Policy Statements
<b>NRA</b>	Navigational Risk Assessment
<b>NRMM</b>	Non-Road Mobile Machinery
<b>NRW</b>	National Resources Wales
<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>NSWWS</b>	National Severe Weather Warning Service
<b>O&amp;M</b>	Operation and Maintenance
<b>OCTMP</b>	Outline Construction Traffic Management Plan
<b>ODOW</b>	Outer Dowsing Offshore Wind (The Project)
<b>OLEMS</b>	Outline Landscape and Ecology Management Strategy
<b>OnSS</b>	Onshore Substation
<b>OPAMP</b>	Outline Public Access Management Plan
<b>ORCP</b>	Offshore Reactive Compensation Platform
<b>ORE</b>	Offshore Renewable Energy
<b>OREI</b>	Offshore Renewable Energy Installations
<b>ORPAD</b>	Offshore Renewable Protocol for Archaeological Discoveries
<b>OSS</b>	Offshore Substations
<b>OTP</b>	Outline Travel Plan
<b>OWF</b>	Offshore Windfarm
<b>PAD</b>	Protocol for Archaeological Discoveries
<b>PAMP</b>	Public Access Management Plan

Abbreviation / Acronym	Description
PEIR	Preliminary Environmental Information Report
PEMP	Project Environment Management Plan
PINS	Planning Inspectorate
PPG	Planning Practice Guidance
PPW	Planning Policy Wales
PTS	Permanent Threshold Shift
RIAA	Report to Inform Appropriate Assessment
RPG	Registered Parks and Gardens
SAC	Special Area of Conservation
SEA	Strategic Environmental Assessment
SF6	Sulphur Hexafluoride
SLVIA	Seascape, Landscape and Visual Impact Assessment
SMP	Shoreline Management Plan
SNCB	Statutory Nature Conservation Bodies
SNS	Southern North Sea
SOLAS	Safety of Life at Sea
SoS	Secretary of State
SPA	Special Protection Area
SPMP	Scour Protection Management Plan
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Drainage System
SVIA	Seascape Visual Impact Assessment
TA	Transport Assessment
TAG	Transport Analysis Guidance
TCE	The Crown Estate
TJB	Transition Joint Bays
TLHS	Trinity Light House Service
TTS	Temporary Threshold Shift
UNCLOS	United Nations Convention on the Law of the Sea
UNFCCC	United Nations Framework Convention on Climate Change
UXO	Unexploded Ordnance
WCA	Wildlife and Countryside Act 1981
WFD	Water Framework Directive
WST	Written Scheme of Investigation
WTG	Wind Turbine Generator
ZTV	Zone of Theoretical Visibility

## Terminology

Term	Definition
The 2008 Act	Planning Act 2008
Array area	The area offshore within which the generating station (including wind turbine generators (WTG) and inter-array cables), offshore accommodation

Term	Definition
	platforms, offshore transformer substations and associated cabling are positioned.
Baseline	The status of the environment at the time of assessment without the development in place.
Biodiversity Net Gain	An approach to development that leaves biodiversity in a measurably improved state than it was previously. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected, to ensure that the current loss of biodiversity through development will be halted and ecological networks can be restored.
Cumulative effects	The combined effect of the Project acting additively with the effects of other projects, on the same single receptor/resource.
Cumulative impacts	Impacts that result from changes caused by other past, present or reasonably foreseeable actions together with the Project.
Deemed Marine Licence (dML)	A marine licence set out in a Schedule of the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
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 sensitivity of the receptor, in accordance with defined significance criteria.
EIA Directive	European Union 2011/92/EU (as amended by Directive 2014/52/EU).
EIA Regulations	Infrastructure Planning (Environmental Impact Assessment) Regulations 2017
Environmental Impact Assessment (EIA)	A statutory process by which certain planned projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information, which fulfils the assessment requirements of the EIA Regulations, including the publication of an Environmental Statement (ES).
Environmental Statement (ES)	The suite of documents that detail the processes and results of the EIA.
Evidence Plan	A voluntary process of stakeholder consultation with appropriate Expert Topic Groups (ETGs) that discusses and, where possible, agrees the detailed approach to the Environmental Impact Assessment (EIA) and information to support Habitats Regulations Assessment (HRA) for those relevant topics included in the process, undertaken during the pre-application period.
Export cables	Cable which connects the Offshore Reactive Compensation Platform (ORCP) and Offshore Substations (OSS) with the Onshore Substation (OnSS) to transmit power from the wind farm to shore. Cable can be Onshore, landfall and Offshore.
Grid connection cable	Cable which connects the project Onshore Substation (OnSS) with the National Grid Substation.
Habitats Regulations Assessment (HRA)	A process which helps determine likely significant effects and (where appropriate) assesses adverse impacts on the integrity of European conservation sites and Ramsar sites. The process consists of up to four stages of assessment: screening, appropriate assessment, assessment of alternative solutions and assessment of imperative reasons of over-riding public interest (IROPI) and compensatory measures.



Term	Definition
High Voltage Alternating Current (HVAC)	High voltage alternating current is the bulk transmission of electricity by alternating current (AC), whereby the flow of electric charge periodically reverses direction.
Impact	An impact to the receiving environment which is defined as any change to its baseline condition, either adverse or beneficial.
Inter-array cables	Cable which connects the wind turbines to each other and to the offshore substation(s).
Intertidal	The area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS)
Joint bays	An excavation formed with a buried concrete slab at sufficient depth to enable the jointing of high voltage power cables.
Landfall	The location at the land-sea interface where the offshore export cables and fibre optic cables will come ashore.
Maximum Design Scenario	The project design parameters, or a combination of project design parameters that are likely to result in the greatest potential for change in relation to each impact assessed.
Mitigation	Mitigation measures are commitments made by the Project to reduce and/or eliminate the potential for significant effects to arise as a result of the Project. Mitigation measures can be embedded (part of the project design) or secondarily added to reduce impacts in the case of potentially significant effects.
National Grid's OnSS	Onshore substation which is owned and operated by National Grid Electricity Transmission.
National Policy Statement (NPS)	A document setting out national policy against which proposals for Nationally Significant Infrastructure Projects (NSIPs) will be assessed and decided upon.
Offshore Export Cable Corridor (ECC)	The Offshore Export Cable Corridor (Offshore ECC) is the area within the Order Limits within which the export cables running from the array to landfall will be situated.
Offshore Reactive Compensation Station (ORCP)	A structure attached to the seabed by means of a foundation, with one or more decks and a helicopter platform (including bird deterrents) housing electrical reactors and switchgear for the purpose of the efficient transfer of power in the course of HVAC transmission by providing reactive compensation.
Offshore Substation (OSS)	A structure attached to the seabed by means of a foundation, with one or more decks and a helicopter platform (including bird deterrents), containing— (a) electrical equipment required to switch, transform, convert electricity generated at the wind turbine generators to a higher voltage and provide reactive power compensation; and (b) housing accommodation, storage, workshop auxiliary equipment, radar and facilities for operating, maintaining and controlling the substation or wind turbine generators.
Onshore Export Cable Corridor (ECC)	The Onshore Export Cable Corridor (Onshore ECC) is the area within which the export cables running from the landfall to the onshore substation will be situated.
Onshore Infrastructure	The combined name for all onshore infrastructure associated with the Project from landfall to grid connection.
Onshore substation (OnSS)	The Project's onshore HVAC substation, containing electrical equipment, control buildings, lightning protection masts, communications masts, access, fencing and other associated equipment, structures or buildings; to enable connection to the National Grid.

Term	Definition
Outer Dowsing Offshore Wind (ODOW)	The Project.
Order Limits	The area subject to the application for development consent. including all permanent and temporary works for Outer Dowsing Offshore Wind. The limits shown on the works plans within which the Project may be carried out.
The Applicant	GT R4 Ltd. The Applicant making the application for a DCO. The Applicant is GT R4 Limited (a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development (GULF)), trading as Outer Dowsing Offshore Wind. The project is being developed by Corio Generation (a wholly owned Green Investment Group portfolio company), TotalEnergies and GULF.
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs).
Pre-construction and post-construction	The phases of the Project before and after construction takes place.
Preliminary Environmental Information Report	The PEIR was written in the style of a draft Environmental Statement (ES) and provided information to support and inform the statutory consultation process during the pre-application phase.
The Project	Outer Dowsing Offshore Wind, an offshore wind generating station together with associated onshore and offshore infrastructure.
Project Design Envelope	A description of the range of possible elements that make up the Project's design options under consideration, as set out in detail in the project description. This envelope is used to define the Project for Environmental Impact Assessment (EIA) purposes when the exact engineering parameters are not yet known. This is also often referred to as the "Rochdale Envelope" approach.
Receptor	A distinct part of the environment on which effects could occur and can be the subject of specific assessments. Examples of receptors include species (or groups) of animals or plants, people (often categorised further such as 'residential' or those using areas for amenity or recreation), watercourses etc.
Statutory consultee	Organisations that are required to be consulted by the Applicant, the Local Planning Authorities and/or The Planning Inspectorate during the pre-application and/or examination phases, and who also have a statutory responsibility in some form that may be relevant to the Project and the DCO application. This includes those bodies and interests prescribed under Section 42 of the Planning Act 2008.
Study area	Area(s) within which environmental impact may occur – to be defined on a receptor-by-receptor basis by the relevant technical specialist.
Subsea	Subsea comprises everything existing or occurring below the surface of the sea.
Transboundary impacts	Transboundary effects arise when impacts from the development within one European Economic Area (EEA) state affects the environment of another EEA state(s).
Transition Joint Bays (TJBs)	The offshore and onshore cable circuits are jointed on the landward side of the sea defences/beach in a Transition Joint Bay (TJB). The TJB is an underground chamber constructed of reinforced concrete which provides a secure and stable environment for the cable.

Term	Definition
Trenchless technique	Trenchless technology is an underground construction method of installing, repairing and renewing underground pipes, ducts and cables using techniques which minimize or eliminate the need for excavation. Trenchless technologies involve methods of new pipe installation with minimum surface and environmental disruptions. These techniques may include Horizontal Directional Drilling (HDD), thrust boring, auger boring, and pipe ramming, which allow ducts to be installed under an obstruction without breaking open the ground and digging a trench.
Wind turbine generator (WTG)	A structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation.

## Reference Documentation

Document Number	Title
6.1.1	Introduction
6.1.2	Need, Policy, and Legislative Context
6.1.3	Project Description
6.3.3.1	Cable Burial Risk Assessment
6.1.4	Site Selection and Consideration of Alternatives
6.1.5	EIA Methodology
6.1.6	Technical Consultation
6.1.7	Marine Physical Processes
6.1.8	Marine Water Quality and Sediment Quality
6.3.8.1	Water Framework Directive
6.1.9	Benthic and Intertidal Ecology
6.3.9.4	Marine Conservation Zone Assessment
6.1.10	Fish and Shellfish Ecology
6.3.10.1	Fish and Shellfish Ecology Technical Baseline
6.1.11	Marine Mammals
6.3.11.1	Marine Mammals Technical Baseline
6.1.12	Offshore and Intertidal Ornithology
6.1.13	Marine and Intertidal Archaeology
6.3.13.1	Marine Archaeology Technical Report
6.1.14	Commercial Fisheries
6.3.14.1	Commercial Fisheries Technical Baseline
6.1.15	Shipping and Navigation
6.3.15.1	Navigational Risk Assessment
6.1.16	Aviation, Radar, Military and Communication
6.1.17	Seascape, Landscape and Visual
6.3.17.1	SLVIA Methodology
6.2.17.2	SLVIA Study Area
6.1.18	Marine Infrastructure and Other Users
6.1.19	Onshore Air Quality
6.1.20	Onshore Archaeology and Cultural Heritage
6.1.21	Onshore Ecology
6.1.22	Onshore Ornithology
6.1.23	Geology and Ground Conditions
6.1.24	Hydrology and Flood Risk
6.1.25	Land Use
6.1.26	Noise and Vibration
6.1.27	Traffic and Transport
6.1.28	Landscape and Visual Assessment
6.1.29	Socio-Economic Characteristics
6.1.30	Human Health
6.1.31	Climate Change
8.6.1	Outline Marine Mammal Mitigation Protocol (Piling)
8.6.2	Outline Marine Mammal Mitigation Protocol (UXO)
8.7	In Principle Southern North Sea Special Area of Conservation Site Integrity Plan
8.8	Outline Marine Archaeology WSI

Document Number	Title
8.10	Outline Landscape and Ecology Management Strategy (OLEMS)
8.15	Outline Construction Traffic Management Plan
8.16	Outline Travel Plan
9.5	Biodiversity Net Gain Report Principles and Approach

# 1 Planning Statement

## 1.1 Background

1. This Planning Statement has been prepared on behalf of Outer Dowsing Offshore Wind (hereafter referred to as 'the Project').
2. GT R4 Ltd (trading as Outer Dowsing Offshore Wind) hereafter referred to as the 'Applicant', is proposing to develop the Project. The Project will include both offshore and onshore infrastructure including an offshore generating station (windfarm) located approximately 54km from the Lincolnshire coastline, export cables to landfall, onshore cables, an onshore substation, connection to the electricity transmission network, and ancillary and associated development (see) for full details).
3. This Planning Statement is part of a suite of documents that support the Development Consent Order (DCO) application submitted by the Applicant to the Secretary of State for consent to construct and operate the project. The DCO application is being submitted in accordance with section 37 of Planning Act 2008 (the 2008 Act) and Regulations 5 and 6 of the Infrastructure Planning (Application: Prescribed Forms and Procedures) Regulations 2009 (the 'APFP Regulations'). It should be noted that the APFP Regulations do not require a Planning Statement to be submitted, however, the Applicant considers one to be a useful document for summarising principal matters and relevant policy.
4. The Project has undertaken an Environmental Impact Assessment (EIA), the outcomes of which are reported in the Environmental Statement (ES) which accompanies the DCO application. The Project has also been subject to Habitat Regulations Assessment (HRA) to determine its potential effects on European Designated Sites and Species.
5. Aspects concerning the need for the Project (see Section 5), the site selection process (see Section 6.5), and alternative design and technologies considered by the Applicant during the design development process are explained fully in the Volume 1, Chapter 4: Site Selection and Consideration of Alternatives (document reference 6.1.4) and presented in summary form within this Planning Statement. The full legislative and policy context is presented in Volume 1, Chapter 2: Need, Policy, and Legislative Context (document reference 6.1.2).
6. The outcomes of the EIA and 6 have informed the final content of this Planning Statement, specifically in relation to ensuring the compliance of the Project with the relevant National Policy Statements (NPSs) and English national policy. This Planning Statement is structured as follows:
  - Section 2: Background and Context for Development
  - Section 3: Project Location and Description
    - This section summarises the project description (as set out in detail in Volume 1, Chapter 3: Project Description (document reference 6.1.3)), including the main offshore project components necessary to deliver the Project and connect to the National Grid Transmission System. Please note that this section is not intended to replace Chapter 3 (document reference 6.1.3), which remains the main reference point for the detailed project description.

- Section 4: Relevant Legislation and Policy
  - This section details the legislation and policy context for the Project, where it is considered to be relevant to the determination of the application.
- Section 5: Need for the Project
  - This section sets out the need case for the Project, in the context of national, European, and international policy and legislation.
- Section 6: Accordance with National Policy Statements
  - This section sets out the Project's compliance with the topic-specific planning policies set out in NPSs Overarching National Policy Statement for energy (EN-1), National Policy Statement for renewable energy infrastructure (EN-3), and National Policy Statement for Electricity Networks Infrastructure (EN-5) (November 2023). Consideration of other planning policy including, where relevant, local planning policy (as identified and confirmed in Section 4), are described under 'Other Policy' for each topic.
- Section 7: Balance of Considerations and Overall Conclusion:
  - This section summarises the Project and concludes that the Project has met all policy requirements at the date the DCO application was submitted.

## 2 Background and Context for Development

### 2.1 The Applicant

7. The Applicant is GT R4 Ltd (a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development), trading as Outer Dowsing Offshore Wind (ODOW).
8. TotalEnergies, a global multi-energy company, has expertise in offshore operations and maintenance thanks to its historical activities. TotalEnergies is already developing and building offshore wind projects with a cumulative capacity of approximately six gigawatts (GW), including three floating offshore wind projects in Europe and Asia. As part of its ambition to get to net zero by 2050, TotalEnergies is building a portfolio of activities in renewables and electricity that should account for up to 40% of its sales by 2050. At the end of 2020, TotalEnergies' gross power generation capacity worldwide was around 12GW, including 7GW of renewable energy. TotalEnergies will continue to expand this business to reach 35GW of gross production capacity from renewable sources by 2025, and then 100GW by 2030 with the objective of being among the world's top five in renewable energies.
9. Corio Generation is a specialist offshore wind business, dedicated to harnessing the world's greatest energy supply. With a unique blend of sector-leading expertise and deep access to long-term capital, Corio applies a long-term partnership approach to the creation and management of projects, taking them from origination, through development and construction, and into operations. Corio's 15GW pipeline is one of the largest in the world, spanning established and emerging markets, as well as floating and traditional fixed-bottom technologies. These next generation offshore wind projects will help form the backbone of the net-zero global energy system while meeting the energy needs of communities and corporate off takers sustainably, reliably, safely and responsibly. Corio Generation is a Green Investment Group (GIG) portfolio company, operating on a standalone basis. GIG is a specialist green investor within Macquarie Asset Management, part of Macquarie Group.
10. Gulf Energy Development (GULF) is a holding company that invests in a global portfolio of energy, infrastructure, and digital and telecommunications businesses. GULF brings close to three decades of experience in energy project management and operation, with a mission to invest in businesses related to renewable energy and climate management, in accordance with the global target to achieve net zero emissions by 2050. GULF produces over 20 GW of gas-fired and renewable capacity and is committed to supporting the energy transition with onshore and offshore wind projects, solar projects, and other contributions to energy security across various regions to create sustainable shared value in all spheres where it operates.



## 3 Project Location and Description

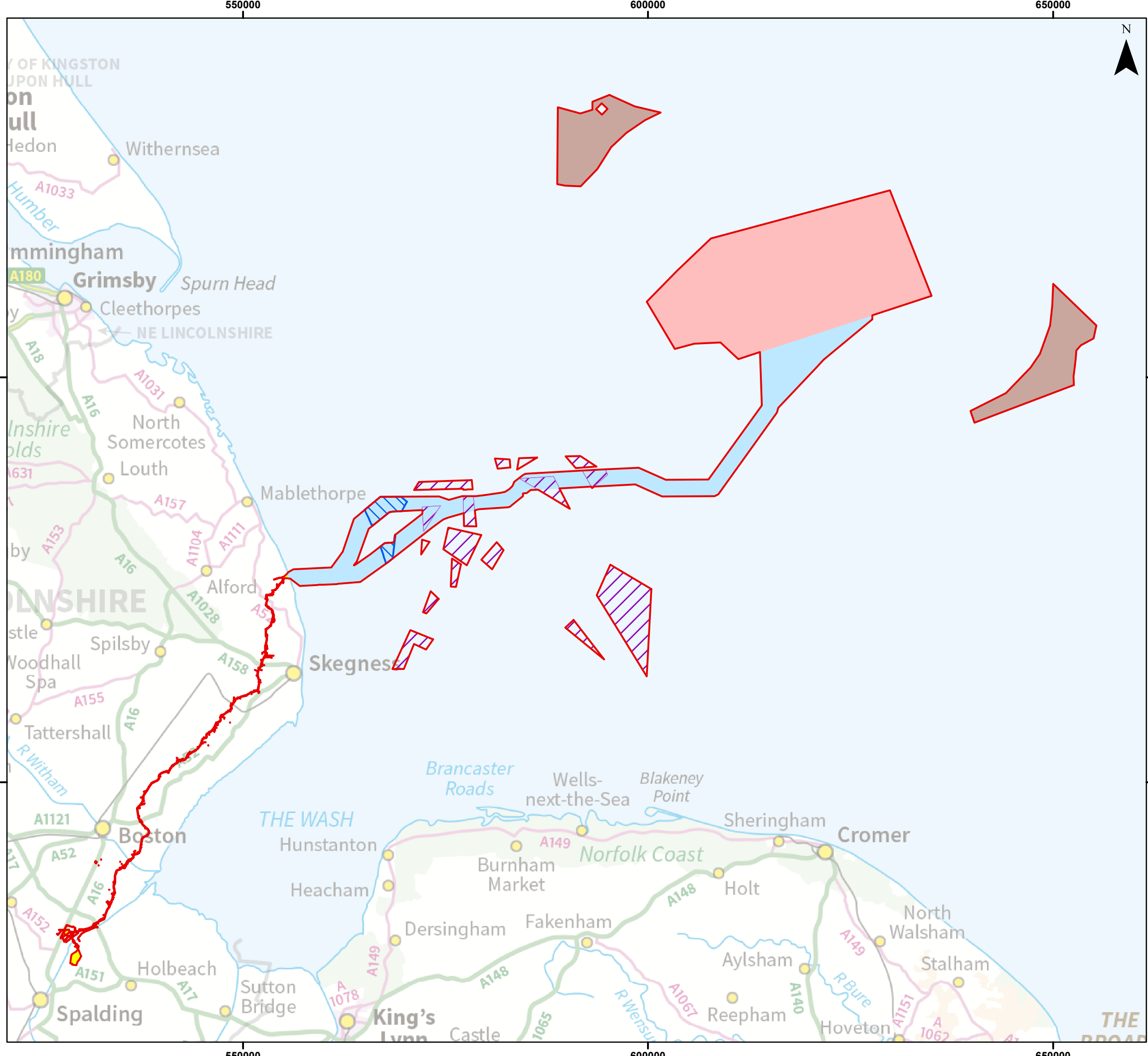
### 3.1 Project Location

11. In September 2019, The Crown Estate (TCE), as manager of the seabed, initiated a new leasing round process, known as Leasing Round 4, to make new areas of the seabed available for offshore wind development. It aimed to identify at least 7GW of new offshore wind projects in English and Welsh waters, with the potential to deliver electricity for more than six million homes. The Offshore Wind Leasing Round 4 tender process concluded in February 2021, selecting six proposed new offshore wind projects in the waters around England and Wales.
12. The Project is a proposed offshore windfarm comprising up to 100 turbines which will be located approximately 54km off the coast of Lincolnshire, England, comprising of an offshore generating station and covering an area of seabed, with export cables making landfall at Wolla Bank, on the Lincolnshire Coast, South of Anderby Creek.
13. As required by TCE leasing process for Round 4, the Applicant has commenced the process of reducing the size of the array area from the 500km<sup>2</sup> assessed at Preliminary Environmental Information Report (PEIR) prior to DCO application.
14. The windfarm array (the generating station) will be connected to the National Grid Electricity Transmission System by offshore and onshore export cables. The offshore export cables will run from the offshore substation and will be located within an offshore export cable corridor (ECC) running from the array area to the coast. The offshore ECC will be approximately 80km in length.
15. The provisional outcomes of the Offshore Transmission Network Review process included two possible grid connection options for the Project, both of which were considered in the PEIR; a location known as ‘Lincolnshire Node’ situated close to the coast at Anderby in Lincolnshire, and a connection at the junction of the existing overhead lines at Weston Marsh, to the south of Boston, Lincolnshire. On the 10<sup>th</sup> August 2023 it was confirmed that the Project will have a National Grid Connection at Weston Marsh.
16. The Project’s Onshore Substation (OnSS) will be connected at Surfleet Marsh (previously Weston Marsh North), with a proposed 400kV cable now running under the River Welland from Surfleet Marsh to National Grid’s substation at Weston Marsh – previously Weston Marsh South.
17. A geographical overview of the location of the offshore and onshore project infrastructure is presented in Figures 3.1 – 3.3.

### 3.2 Consultation

18. Consultation is a key part of the DCO application process. Technical consultation regarding this Project has been conducted through:
  - the publication of the Scoping Report (Outer Dowsing Offshore Wind, 2022)
  - the publication of the PEIR and other Phase 2 consultation materials (Outer Dowsing Offshore Wind, 2023); and

- discussions with relevant stakeholders through both the Evidence Plan Process (EPP) and bilateral consultation as appropriate.
19. Full details of the above consultations are provided in the Consultation Report (document reference 5.1) and Volume 1, Chapter 6: Technical Consultation (document reference 6.1.6)
  20. Since the Project's launch in October 2022, the Project has undertaken five phases of consultation (Phase 1, Phase 1a, Phase 2, Autumn and Targeted Winter), all of which are summarised in the Consultation Report (document reference 5.1).
  21. Statutory consultation been carried out, under Sections 42, 47 and 48 of the 2008 Act and the Project has had regard to relevant comments in developing the final project design. Through consultation the Project has identified matters that have informed design changes and commitments that will be made within construction methodologies.
  22. An overview of the EIA specific consultation process is presented within Chapter 6 (document reference 6.1.6).



**Legend**

- Onshore and Offshore Order Limits
- Array Boundary
- Offshore Export Cable Corridor
- ORCP Area
- Biogenic Reef Restoration Area
- Artificial Nesting Structure Area
- Onshore ECC Corridor, Substation and NG Search Area



Coordinate System: British National Grid

0 10 20 km

Scale: 1:450,000

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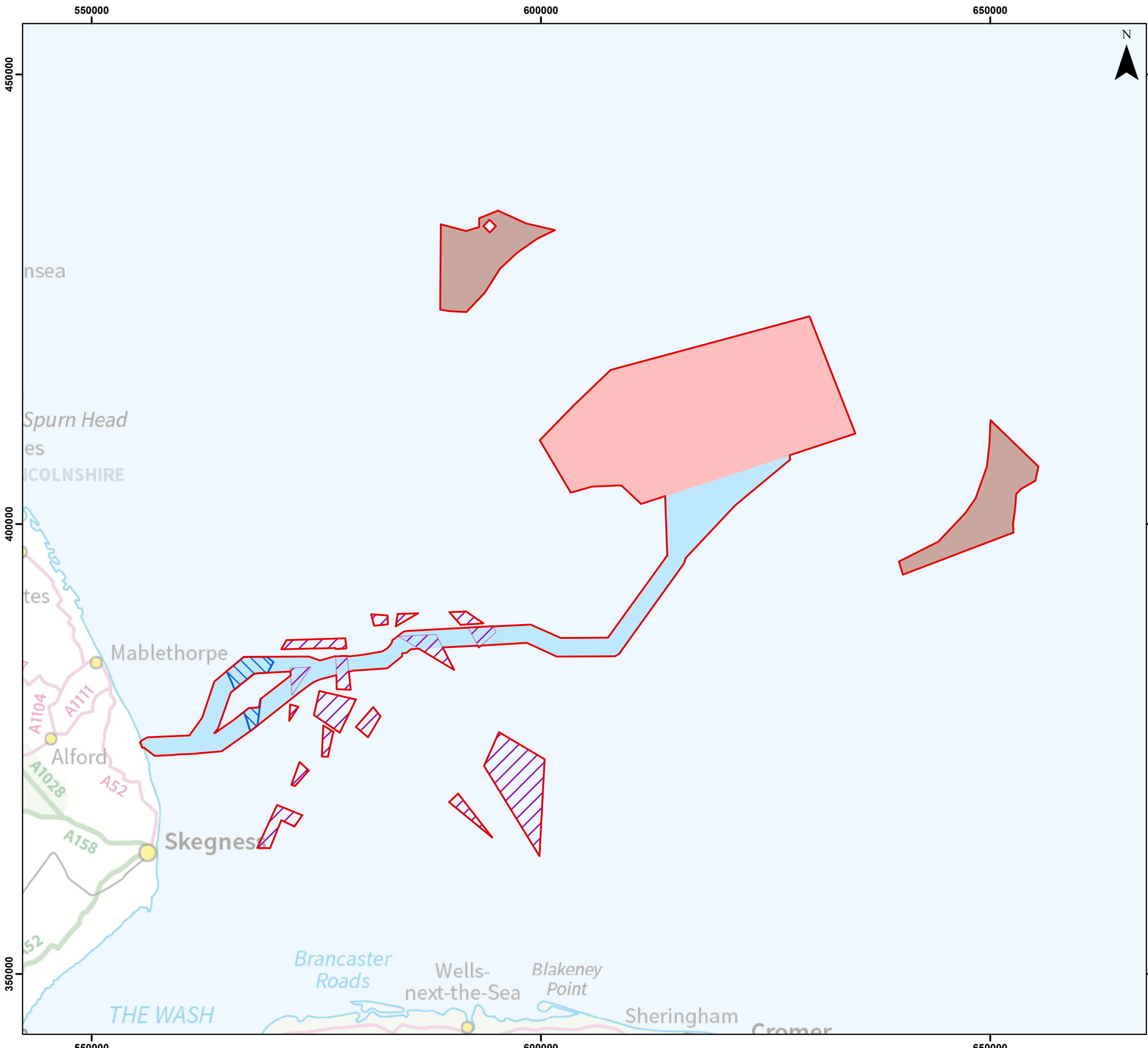
Environmental Statement

Offshore and Onshore Order Limits

Figure 3.1



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**Legend**

- Offshore Order Limits
- Array Boundary
- Offshore Export Cable Corridor
- ORCP Area
- Biogenic Reef Restoration Area
- Artificial Nesting Structure Area



Coordinate System: British National Grid  
 0 10 20 km  
**Scale: 1:400,000**  
 A3 Page Size

Environmental Statement  
 Offshore Order Limits  
 Figure 3.2

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**Legend**

- Order Limits
- Onshore Segment Break

Coordinate System: British National Grid

0 5 10 km

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Environmental Statement

Onshore Order Limits

Figure 3.3

**OUTER DOWSING**  
OFFSHORE WIND

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## 4 Relevant Legislation and Policy

### 4.1 Introduction

23. This section outlines the legislative and policy framework for applications for development consent under the 2008 Act, the matters to which the Secretary of State (SoS) must have regard, and the weight which should be ascribed to those matters in the decision-making process in accordance with the relevant policy.
24. To fully assess the Project, the following factors have been reviewed and will form part of the decision-making process:
- International Obligations and National Climate Change legislation for energy;
  - NPSs relating to energy;
  - The Infrastructure Planning (Decisions) Regulations 2010; and
  - Any other relevant matters that the decision-maker has deemed significant and relevant towards their decision.
25. In addition to this, the following sub-sections set out the national, regional, and local policy positions with regards to supporting the provision of renewable energy. The Project's compliance with specific policies and policy objectives including environmental protection are also outlined. A Policy Compliance Document (document reference 9.1.1) has also been prepared and shared with the Planning Inspectorate prior to submission as part of the Early Adopters Programme. Section 6 of this Planning Statement details the development's compliance with these policies based on the findings of the ES and Report to Inform Appropriate Assessment (RIAA) (document reference 7.1).

### 4.2 International obligations on climate change and National climate change and energy legislation

26. Chapter 2 (document reference 6.1.2) of the ES outlines international and national climate change legislation, and whilst this is not reproduced in full in this Planning Statement, key legislation is detailed below.
27. The United Nations Convention on Climate Change supreme decision-making body is termed the Conference of Parties (COP) which reviews the implementation of the Convention and any other legal instruments that the COP adopts and takes decisions necessary to promote the effective implementation of the Convention, including institutional and administrative arrangements. In 2022, the 27th COP (COP27) was held in Egypt to pursue efforts to limit the global temperature increase to within 2°C of the pre-industrial average temperature, to continue the aspiration for an improved limit of 1.5°C building on the negotiated global agreement at the 26<sup>th</sup> COP (COP26) conference.

28. COP26 was a development of the Paris Agreement for a binding and universal agreement on climate from all the parties. The agreement was reached by 196 parties, seeking to prevent a “climate catastrophe” by keeping temperature rises within 1.5°C.
29. Table 4-1 summarises some of the most recent relevant policies and legislation that relate to the mitigation of climate change and the development of renewable energy, specifically discussing Offshore Wind Farms (OWF) developments.

**Table 4-1: Summary of Relevant Policy Legislation Relating to the Mitigation of Climate Change and the Development of Renewable Energy**

Policy Legislation	Summary of Requirements
United Nations Framework Convention on Climate Change (UNFCCC) (Paris Agreement)	The UNFCCC met in Paris 2015 and set out an international agreement by all parties to limit global temperature increase to below 2°C, while pursuing efforts to limit the increase to 1.5°C.
The Climate Change Act 2008	The Climate Change Act 2008 (HM Government, 2008) commits the UK to a net reduction in greenhouse gas emissions against the 1990 baseline by 2050, including a 34% reduction by 2022 and an 80% reduction by 2050.
Climate Change Act 2008 (2050 Target Amendment) Order 2019	Amends the Climate Change Act 2008 to implement a target of a net reduction in greenhouse gas emissions of at least 100% against the 1990 baseline (superseding the 80% target in the Climate Change Act 2008).
The Energy Act 2013	The Energy Act 2013 makes provisions to incentivise investment in low carbon electricity generation, ensure security of supply, and help the UK meet its emissions reduction and renewables targets; it included the framework for Contracts for Difference (CfD) as well as introducing requirements to enable a statutory 2030 decarbonisation target range for the UK’s electricity sector.
Clean Growth Strategy 2017	The Clean Growth Strategy (2017) promoted 'clean growth' as growing national income while cutting greenhouse gas emissions. It aimed to promote further growth of offshore wind by holding auctions of CfDs, working with the industry to develop a Sector Deal for offshore wind, and to provide further funding for innovation in offshore wind.
National Infrastructure Assessment 2018	The first National Infrastructure Assessment by the National Infrastructure Commission (NIC,

Policy Legislation	Summary of Requirements
	2018) recommended that half of the UK's power is provided by renewables by 2030.
Net Zero Strategy: Build Back Greener 2021 (Presented to Parliament pursuant to Section 14 of the Climate Change Act 2008)	The Net Zero Strategy is a long-term plan for a transition that will take place over the next three decades and sets out key targets and delivery pathway of reaching net zero emissions by 2050 and 40 GW of offshore wind by 2030.
Energy White Paper: Powering our Net Zero Future	Increase in operating capacity to 40 GW by 2030, as part of the plan for the green industrial revolution. The 2020 white paper puts net zero and the effort to fight climate change at its core.
Sixth Carbon Budget	Published in 2020, the UK Committee on Climate Change (CCC) recommended that offshore wind should become the backbone of the whole UK energy system, growing from 40 GW of capacity in 2030 to 100 GW or more by 2050.
British Energy Security Strategy	UK Government created the British Energy Security Strategy in 2022, where investing in offshore wind generation has been listed as one of the UK Government's '10 Point Plan', contributing to a carbon net zero by 2050.
Powering up Britain	Plans published in March 2023 setting out how the UK government will enhance Britain's energy security and deliver net zero commitments. Offshore wind is identified as a key aspect of the energy transition proposals set out in the strategy. The plans include a goal to develop up to 50GW of offshore wind by 2030.

## 4.3 Legislation

### 4.3.1 Requirement for Development Consent

30. The requirement for a DCO is set out in the 2008 Act, which defines the thresholds above which the specific types of infrastructure development is considered a Nationally Significant Infrastructure Project (NSIP) and requires a DCO.
31. The Project consists of an offshore energy generation project and associated offshore and onshore infrastructure required to connect into the network.
32. The Project has a projected energy generating capacity of up to 1500MW therefore exceeding the threshold of 100MW as defined under section 15(3)(b) of the 2008 Act and therefore constitutes an offshore generating station NSIP. Under section 31 of the 2008 Act this Project requires a DCO, which requires an application to be submitted by the Applicant in the prescribed form.



33. Section 104 of the 2008 Act provides that any application for an order granting development consent must be determined in accordance with any relevant NPS (a NPS which has effect in relation to development of the description to which the application relates) unless one of the following exceptions apply:

*'104 Decisions in cases where national policy statement has effect ....*

*(3) The [SoS] must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of subsections (4) to (8) applies.*

*(4) This subsection applies if the [SoS] is satisfied that deciding the application in accordance with any relevant national policy statement would lead to the United Kingdom being in breach of any of its international obligations.*

*(5) This subsection applies if the [SoS] is satisfied that deciding the application in accordance with any relevant national policy statement would lead to the [SoS] being in breach of any duty imposed on the [SoS] by or under any enactment.*

*(6) This subsection applies if the [SoS] is satisfied that deciding the application in accordance with any relevant national policy statement would be unlawful by virtue of any enactment.*

*(7) This subsection applies if the [SoS] is satisfied that the adverse impact of the Project would outweigh its benefits.*

*(8) This subsection applies if the [SoS] is satisfied that any condition prescribed for deciding an application otherwise than in accordance with a national policy statement is met.*

*(9) For the avoidance of doubt, the fact that any relevant national policy statement identifies a location as suitable (or potentially suitable) for a particular description of development does not prevent one or more of subsections (4) to (8) from applying.'*

34. Additionally, S104 of the 2008 Act lists the other considerations that the SoS must take into account when determining an NSIP which includes:

- Appropriate Marine Policy Statements (MPS);
- Local Impact Reports;
- Any matters prescribed in relation to the development; and
- Any matters the SoS considers important and relevant.

35. Once the application has undergone examination by the Planning Inspectorate, a recommendation shall be provided. The SoS for Department for Energy Security and Net Zero (DESNZ) will then take the decision on granting a DCO for the Project.

36. Compliance with the policies set out in the relevant NPSs and the identification of any specified exceptions is a key test within the DCO process. This requires for the application to be considered in the context of NPS policies relating to the deliverability of renewable energy and in relation to any identified adverse impacts. The project's relevance to MPS and other national policies is considered in sections 5 and 6, and within the technical assessment sections (Section 161 to 6.18), following consideration of the NPS tests.

37. This Planning Statement sets out the compliance of the Project with the relevant NPS policies and other policy, regulations and legislative requirements. Volume 1, Chapter 1: Introduction (document reference 6.1.1) lists the suite of documents submitted as part of the ES. The DCO application includes the ES and a draft DCO that proposes requirements that may be incorporated in the final DCO. The draft DCO incorporates deemed marine licences that would otherwise have to be applied for separately under the Marine and Coastal Access Act (MCAA) 2009, and which identify conditions that may be applied to the Project.

## **4.4 Policy and Guidance**

### **4.4.1 National Policy Statements (NPS)**

38. NPSs are produced by the UK Government and set out the Government's policy for the delivery of energy infrastructure and provide the legal framework for planning decisions for major infrastructure projects. A DCO application for the Project will be assessed and decided on by the Planning Inspectorate in the context of the policy set out within the NPSs.

39. In January 2024, the Department for Energy Security and Net Zero (DESNZ) designated revised NPSs (November 2023) for Energy. These versions replace the 2011 versions and include:

- EN-1 Overarching Energy (DESNZ, 2023);
- EN-3 Renewable Energy Infrastructure (DESNZ, 2023), which covers nationally significant renewable energy infrastructure (including offshore generating stations in excess of 100 MW); and
- EN-5 Electricity Networks Infrastructure (DESNZ, 2023), which covers the electrical infrastructure associated with an NSIP.

40. This level of urgent need, established by the NPSs, has been further underlined by the UK Government's policy requirements set out below. Importantly, Paragraph 3.3.62 of EN-1 highlights that the Government has concluded that there is a Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 goes on to identify offshore generation that does not include fossil fuel combustion as falling within the definition of a CNP.

41. This Planning Statement should be read alongside Appendix 1 Policy Compliance Document (document reference 9.1.1) that was shared with the Planning Inspectorate as part of the Early Adopters Programme. This Planning Statement considers NPS policies relevant to the particular topic being considered and indicates where the Project has met the necessary policy tests.

42. Table 4-2 summarises the requirements of EN-1, EN-3 and EN-5 and their relevance to the Project.

Table 4-2: Relevant National Policy Statements to the Project

National Policy Statement	Summary of Requirements
<p>Overarching National Policy Statement for Energy (EN-1) (2023)</p>	<p>EN-1 sets out the national policy for the delivery of energy infrastructure, including offshore renewable electricity generation. Part 3 of NPS EN-1 explains the UK Government consider new, low-carbon electricity NSIPs are urgently needed because they play a crucial role in delivering the UK’s energy target and decarbonising the UK economy (3.3.58).The SoS is directed to assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent. In addition, substantial weight should be given to this need when considering applications for development consent under the 2008 Act Furthermore, the SoS is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS (3.2.6-3.2.8).</p> <p>With regards to the role of offshore wind, the NPS notes that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar (3.3.20) with an ambition to deliver up to 50GW of offshore wind by 2030 (3.3.21).</p> <p>In decision making the SoS is directed to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. Where residual non-HRA or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk. (4.2.14-4.2.17)</p>
<p>NPS for Renewable Energy Infrastructure (EN-3) (2023)</p>	<p>NPS EN-3, taken together with the Overarching NPS EN-1, provides the primary policy for decisions by the SoS on applications they receive for nationally significant renewable energy infrastructure (1.1.5).</p> <p>EN-3 makes clear reference to the target of 50GW of new offshore wind capacity by 2030, with the expectation that even more</p>

National Policy Statement	Summary of Requirements
	<p>offshore capacity will be required to achieve the UK Government’s target of net-zero by 2030. (2.8.1).</p> <p>Given the ambitions to deliver up to 50GW of offshore wind by 2030, there is a need to speed up and reduce delays in the consenting process (2.8.7).</p>
<p>NPS for Electricity Networks Infrastructure (EN-5) (2023)</p>	<p>NPS EN-5 taken together with the Overarching NPS EN-1, provides the primary policy for decisions taken by the SoS on applications it receives for electricity networks infrastructure (1.1.8).</p> <p>This NPS applies to above ground electricity lines and electricity infrastructure including offshore transmission of any type (defined at section 2.13.3), underground cables at any voltage, associated infrastructure as referred to above and lower voltage overhead lines, where that infrastructure becomes subject to the 2008 Act in the following circumstances:</p> <ul style="list-style-type: none"> <li>i. if it constitutes associated development for which consent is sought along with an NSIP such as an offshore wind generating station or relevant overhead line; or</li> <li>ii. if the Secretary of State gives a direction under Section 35 of the 2008 Act (for developments which, when completed, will be wholly in one or more of the areas specified in subsection 35(3)) that it should be treated as an NSIP and requires a development consent order (DCO) (1.6.3)</li> </ul> <p>In considering factors which influence site selection and design, EN-5 advises that the SoS “should bear in mind that the initiating and terminating points – or development zone – of new electricity networks infrastructure is not substantially within the control of the applicant”, with siting being determined by the location of new generating stations or other infrastructure requiring connection to the network, and/or system capacity and resilience requirements determined by the Electricity System Operator. “These twin constraints, coupled with the government’s legislative commitment to net zero by 2050, strategic commitment to new interlinks with neighbouring North Seas countries and an ambition of up to 50GW of offshore wind generation by 2030, means that significant new electricity networks infrastructure is required, including in areas with comparatively little build-out to date.” (2.2.3)</p>

43. Whilst the NPSs are the primary policy framework for the assessment and determination of NSIPs, other planning policy may be important and relevant where it does not conflict with the NPSs or where the NPS requires it to be complied with. The extent to which other planning policy including the National Planning Policy Framework (NPPF) (December 2023), marine policy documents, and local planning policy has been considered is set out below.

#### 4.4.2 Marine Policy

44. The MCAA 2009 introduced new planning and management systems for overseeing the marine environment, most notably through the requirement to obtain marine licences for works at sea (including the deposition or removal of any substance or object from the sea below Mean High Water). The MCAA 2009 created a strategic marine planning system that seeks to promote the efficient, sustainable use and protection of the marine environment, guided by the Marine Policy Statement (MPS) and a series of Marine Plans. The MCAA 2009 provides the framework for a marine licensing system, which is administered by the Marine Management Organisation (MMO) for activities in English waters, a statutory consultee within the DCO application process. The MCAA 2009 also amended certain provisions of the 2008 Act.
45. The MCAA 2009 also enabled the designation of MCZs Highly Protected Marine Areas (HPMAs). MCZs and HPMAs are types of Marine Protected Areas (MPAs) in England, Wales and UK waters, which seek to protect a range of nationally important marine wildlife, habitats, geology and geomorphology. A MCZ assessment has been undertaken as part of the application.

##### 4.4.2.1 Marine Planning Policy

46. The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development. The marine plans and MPS have been considered in developing the application for consents for the Project, which lies within the East Inshore & Offshore Marine Plan Areas.

##### 4.4.2.2 Deemed Marine Licensing

47. The relevant marine activities that require a licence include the construction and maritime works located in the sea or on the seabed, as well as the deposition of any substance or object in the sea or on/under the seabed (such as the disposal of dredged material), as well as the operational maintenance activities associated with the Project.
48. Seven deemed marine Licences for the Project pursuant to the provisions of the MCAA 2009 are included within the draft DCO, through provisions in Section 149A of the 2008 Act ensuring that the MMO are consulted as a statutory consultee to the DCO process for those parts of the Project related to inshore and offshore waters.

#### 4.4.3 National Planning Policy Framework

49. The NPPF was originally implemented in 2012, with the most recent update in December 2023. The NPPF sets out the UK Government's planning policies for England and how these are expected to be applied.

50. The NPPF does not contain specific policies for NSIPs) but may be considered as a relevant consideration (see Table 4-3).
51. The NPPF provides principles that cover protection and conservation of the natural and built environment and promotes sustainable growth and development.
52. The NPPF is also supported by a collection of guidance, known as the Planning Practice Guidance (PPG). This guidance covers a range of policy areas and advises applicants on how to address them in any relevant planning applications. It should be noted that all relevant PPGs are contained within the Policy Compliance Document (document reference 9.1.1).

Table 4-3: Summary of National Planning Policy Framework Considerations

Principle		Summary of NPPF consideration
Achieving Sustainable Development		<p>The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives:, which are independent and need to be pursued in mutually supportive ways:</p> <p>a) <i>“an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;</i></p> <p>b) <i>a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and</i></p> <p>c) <i>an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy”.</i> (paragraphs 7-8)</p>
Meeting the Challenge of Climate Change, Flooding and Coastal Change		<p>“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources; and support renewable and low carbon energy and associated infrastructure” (paragraph 152). Additionally,</p>

Principle	Summary of NPPF consideration
	<p>development should be directed away from areas of highest flood risk (present or future) (paragraph 1659).</p> <p><i>“New development should be planned for in ways that:</i></p> <ul style="list-style-type: none"> <li data-bbox="560 376 1441 607"><i>a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and</i></li> <li data-bbox="560 629 1441 819"><i>b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards”</i> (paragraph 159).</li> </ul> <p><i>“To help increase the use and supply of renewable and low carbon energy and heat, plans should:</i></p> <ul style="list-style-type: none"> <li data-bbox="560 954 1441 1144"><i>a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, and their future re-powering and life extension, while ensuring that adverse impacts are addressed appropriately (including cumulative landscape and visual impacts);</i></li> <li data-bbox="560 1167 1441 1267"><i>b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and</i></li> <li data-bbox="560 1290 1441 1447"><i>c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers”</i>. (paragraph 160)</li> </ul>
Making Effective Use of Land	<i>“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions”</i> . (paragraph 123)
Achieving well-designed places	<i>“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process”</i> . (paragraph 131)

Principle	Summary of NPPF consideration
<p>Conserving and Enhancing the Natural Environment</p>	<p>Paragraph 180 states:</p> <p><i>“Planning policies and decisions should contribute to and enhance the natural and local environment by:</i></p> <ul style="list-style-type: none"> <li><i>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</i></li> <li><i>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</i></li> <li><i>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</i></li> <li><i>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</i></li> <li><i>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</i></li> <li><i>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate”.</i> (paragraph 180).</li> </ul>

#### 4.4.4 Regional and Local Context

53. Local level planning policy and guidance may be relevant in the consideration of the application for development consent where it is consistent with the NPS and only national policies.
54. Local Development Plans (LDPs) set out local authorities’ objectives for the use and development of land within their administrative areas, and general policies for their implementation. If a point of contention arises between the LDP scale policies and NPS policies, the NPS will take precedence over local policy.



55. The onshore development area is in East Lindsey District, South Holland District and Boston Borough, within Lincolnshire. The Local Plan for East Lindsey comprises the Core Strategy 2018 and the Settlement Proposals Document 2018. The South East Lincolnshire Local Plan 2011-2036 is a joint strategic partnership covering Boston Borough and South Holland District.

56. Table 4-4 presents the relevant policies from East Lindsey Core Strategy 2018 and Table 4-5 presents the relevant policies from the South East Lincolnshire Local Plan 2011-2036.

Table 4-4: Relevant Policies from the East Lindsey Core Strategy 2018

Policy	Policy Wording
Vision and Objective 1	A network of thriving, safer and healthy sustainable communities, where people can enjoy a high quality of life and an increased sense of well-being and where new development simultaneously addresses the needs of the economy, communities and the environment.
Vision and Objective 3	A growing and diversified economy that not only builds on and extends the important agriculture and tourism base but supports the creation of all types of employment.
Vision and Objective 6	A commitment to tackling the causes and effects of global climate change through local action.
Para 1.11	To achieve the vision of a commitment to tackling the causes and effects of global climate change through local action. Support new development to ensure it does not cause flood risk to existing properties and encourage new development to reduce flood risk to existing properties.
Para 1.11	The Council support the use of renewable energy but balanced against the protection of the District's distinct landscapes.
Strategic Policy 10 (SP10) – Design	Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.
Strategic Policy 11 (SP11) – Historic Environment	The Council will support proposals that secure the continued protection and enhancement of heritage assets in East Lindsey, contribute to the wider vitality and regeneration of the areas in which they are located and reinforce a strong sense of place.
Strategic Policy 13 (SP13) – Inland Employment	The Council will support growth and diversification of the local economy by: Strengthening the rural economy by supporting in the large, medium and small villages: <ul style="list-style-type: none"> <li>▪ Development where it can provide local employment.</li> </ul>
Strategic Policy 16 (SP16) – Inland Flood Risk	The Council will support development that demonstrates an integrated approach to sustainable drainage that has positive gains to the natural environment.  The Council will support development for business, leisure and commercial uses in areas of inland flood risk where it can be demonstrated that accommodating the development on a sequentially safer site would undermine the overall commercial integrity of the

Policy	Policy Wording
	existing area. Such developments must incorporate flood mitigation measures in their design.
Strategic Policy 17 (SP17) – Coastal East Lindsey	All relevant development will need to provide adequate flood mitigation. The council will support improvements to flood defences, infrastructure associated with emergency planning and the development and replacement community buildings. Development must also demonstrate that it satisfies the Sequential and Exception Test and will need to provide adequate flood mitigation.
Strategic Policy 21 (SP21) – Coastal Employment	The Council will support the rural coastal economy by supporting development in the large, medium and small villages where it: <ul style="list-style-type: none"> <li>▪ Provides local employment and help support local services.</li> </ul>
Strategic Policy 23 (SP23) – Landscape	The District’s landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District’s Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection.
Strategic Policy 24 (SP24) - Biodiversity and Geodiversity	Development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings and minimise fragmentation and maximise opportunities for connection between natural habitats.
Strategic Policy 25 (SP25) – Green Infrastructure	In the case of sites not identified on the Inset Maps, development will only be permitted on open spaces provided unacceptable harm will not be caused to their appearance, character or role.
Strategic Policy 27 (SP27) – Renewable and Low Carbon Energy	Large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to: <ol style="list-style-type: none"> <li>a) residential amenity;</li> <li>b) surrounding landscape, townscape and historic landscape character, and visual qualities;</li> <li>c) the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site or other heritage asset;</li> <li>d) sites or features of biodiversity or geodiversity importance, or protected species;</li> <li>e) the local economy;</li> <li>f) highway safety; and</li> <li>g) water environment and water quality.</li> </ol>
Strategic Policy 28 (SP28) – Infrastructure and S106 Obligations	Infrastructure schemes will be supported provided they are essential in the national interest; contribute to sustainable development, and respect the distinctive character of the district.

#### 4.4.5 South East Lincolnshire Local Plan 2011-2036

57. The South East Lincolnshire Joint Strategic Planning Committee is a partnership of Boston Borough, South Holland District and Lincolnshire County Councils who are working together to plan the future of South Holland District and Boston Borough. Table 4-5 below presents a summary of the relevant policies from the South East Lincolnshire Local Plan 2011-2036.

Table 4-5: Relevant Policies from the South East Lincolnshire Local Plan 2011-2036

Policy	Summary
<p>Policy 2: Development Management</p>	<p><i>“Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:</i></p> <ol style="list-style-type: none"> <li><i>1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;</i></li> <li><i>2. quality of design and orientation;</i></li> <li><i>3. maximising the use of sustainable materials and resources;</i></li> <li><i>4. access and vehicle generation levels;</i></li> <li><i>5. the capacity of existing community services and infrastructure;</i></li> <li><i>6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;</i></li> <li><i>7. sustainable drainage and flood risk;</i></li> <li><i>8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and</i></li> <li><i>9. impact on the potential loss of sand and gravel mineral resources.”</i></li> </ol>
<p>Policy 3: Design of New Development</p>	<p><i>“All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.”</i></p> <p>This Policy requires development proposals to demonstrate how they will secure a number of issues where these are relevant to the proposal. Including:</p> <p><i>“1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area; (...)</i></p> <p><i>3. the landscape character of the location;</i></p> <p><i>4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways; (...)</i></p> <p><i>7. ensuring public spaces are accessible to all;</i></p>

Policy	Summary
	<p>(...)</p> <p>12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);</p> <p>13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;</p> <p>14.the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;</p> <p>(...).”</p>
<p>Policy 4: Approach to Flood Risk</p>	<p>“Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency’s flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:</p> <ol style="list-style-type: none"> <li>1. It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed). (...)</li> <li>2. It can be demonstrated that essential infrastructure in FZ3a &amp; FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk.</li> <li>3. The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ol style="list-style-type: none"> <li>a. demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>b. identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> <li>c. propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> <li>d. include appropriate flood warning and evacuation procedures where necessary (referring to the County’s evacuation routes plan), which have been undertaken in consultation with the authority’s emergency planning staff;</li> <li>e. incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage</li> </ol> </li> </ol>

Policy	Summary
	<p><i>network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</i></p> <p><i>f. demonstrates that the proposal will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</i></p> <p><i>g. demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</i></p> <p><i>h. ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</i></p> <p><i>Development in all flood zones, and development over 1ha in size in Flood Zone 1, will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.</i></p> <p><i>(...)</i></p> <p><i>No development will be permitted within a 50m buffer from the toe of the raised Witham Haven Banks (flood defences), as shown on the indicative Plan contained in Appendix 10, to allow access for construction and maintenance.</i></p> <p><i>Flood risk management infrastructure shall be provided at the strategic level, where development opportunities allow, to reduce the hazard and probability of flooding.”</i></p>
Policy 5: Meeting Physical Infrastructure and Service Needs	<p><i>“Planning permission will be granted for new development provided that developers can demonstrate that there is or will be sufficient physical infrastructure and service needs capacity to support and meet the needs of the proposed development. A planning condition and/or legal agreement may be required to help secure the arising need.(...)”</i></p>
Policy 6: Developer Contributions	<p><i>Non-residential development of 1,000sqm gross floorspace or more will be expected to mitigate their impacts upon infrastructure, services and the environment to ensure that such developments are acceptable in planning terms.</i></p>
Policy 28: The Natural Environment	<p><i>“A high quality, comprehensive ecological network of interconnected designated sites, sites of nature conservation importance and wildlife-friendly greenspace will be achieved by protecting, enhancing and managing natural assets:</i></p> <ol style="list-style-type: none"> <li><i>1. Internationally designated sites, on land or at sea;</i></li> <li><i>(...)</i></li> <li><i>2. Nationally or locally designated sites and protected or priority habitats and species;</i></li> <li><i>(...)</i></li> <li><i>3. Addressing gaps in the ecological network.(...)”</i></li> </ol>
Policy 29: The Historic Environment	<p><i>“Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.</i></p>

Policy	Summary
	<p><i>Opportunities to identify a heritage asset’s contribution to the economy, tourism, education and the local community will be utilised including:</i></p> <ul style="list-style-type: none"> <li>▪ <i>The historic archaeological and drainage landscape of the Fens;</i></li> <li>▪ <i>The distinctive character of South East Lincolnshire market towns and villages;</i></li> <li>▪ <i>The dominance within the landscape of church towers, spires and historic windmills. (...)</i></li> </ul>
<p>Policy 30: Pollution</p>	<p><i>“Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:</i></p> <ol style="list-style-type: none"> <li><i>1. health and safety of the public;</i></li> <li><i>2. the amenities of the area; or</i></li> <li><i>3. the natural, historic and built environment;</i></li> </ol> <p><i>by way of:</i></p> <ol style="list-style-type: none"> <li><i>4. air quality, including fumes and odour;</i></li> <li><i>5. noise including vibration;</i></li> <li><i>6. light levels;</i></li> <li><i>7. land quality and condition; or</i></li> <li><i>8. surface and groundwater quality.</i></li> </ol> <p><i>Planning applications, (...) must include an assessment of:</i></p> <ol style="list-style-type: none"> <li><i>9. impact on the proposed development from poor air quality from identified sources;</i></li> <li><i>10. impact on air quality from the proposed development; and</i></li> <li><i>11. impact on amenity from existing uses.”</i> </li></ol>
<p>Policy 31: Climate Change and Renewable and Low Carbon Energy</p>	<p><i>“A. Climate Change</i></p> <p><i>All development proposals will be required to demonstrate that the consequences of current climate change have been addressed, minimised and mitigated by:</i></p> <ol style="list-style-type: none"> <li><i>1. employing a high-quality design;</i></li> <li><i>2. the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all ‘Major’ applications;</i></li> <li><i>3. the protection of the quality, quantity and availability of water resources, including for residential developments, complying with the Building Regulation water efficiency standard of 110 litres per person per day;</i></li> <li><i>4. reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses;</i></li> <li><i>5. incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity</i></li> </ol>

Policy	Summary
	<i>as required by Policy 28 to improve the resilience of ecosystems within and beyond the site. (...)</i>
Policy 32: Community, Health and Well-being	<i>“Development shall contribute to the creation of socially cohesive and inclusive communities; reducing health inequalities; and improving the community’s health and well-being (...).”</i>
Policy 33: Delivering a More Sustainable Transport Network	<i>“The Local Planning Authorities will work with partners to make the best use of, and seek improvements to, existing transport infrastructure and services within, and connecting to South East Lincolnshire, having considered first solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel. (...)”</i>

## 4.5 Relevant Legislation and Regulations

58. There is a range of relevant international obligations and environmental legislation that applies to the Project. This includes:

### 4.5.1 The Environmental Impact Assessment Regulations

59. The legislative framework for the EIA process originated from the European Council Directive 85/337/EEC. This was codified by Directive 2011/92/EU and then amended by Directive 2014/52/EU (the EIA Directive). The EIA Directive was transposed for NSIPs into UK law on 16 May 2017 by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations).

60. The Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018 made under the European Union (Withdrawal) Act 2018 (as amended), made the necessary changes to domestic legislation which governs EIA as a result of the UK leaving the European Union (EU), and ensures that the EIA Regulations continue to apply to the same degree and effect as they did before the UK's departure from the EU.

### 4.5.2 Habitats Regulation Assessment

61. The European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (the Habitats Directive) and Directive 2009/147/EC on the conservation of wild birds (the Wild Birds Directive) were given statutory effect in the onshore environment and offshore environment out to 12 nautical miles by the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), and in the UK’s offshore marine area which covers waters beyond 12nm to the extent of the British Fishery Limits and UK Continental Shelf Designated Area by the Conservation of Offshore Marine Habitats and Species Regulations 2017 (the Offshore Habitats Regulations).

62. Following the UK’s departure from the EU, the Habitats Regulations and the Offshore Habitats Regulations have been amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 and continue to be the relevant legislation for HRA in the UK.

63. Sites formerly referred to as European sites in the Habitats Regulations and Offshore Habitats Regulations are now collectively termed the “National Site Network” and no longer form part of the Natura 2000 network. The National Site Network includes Special Areas of Conservation (SACs), for habitats and species, and Special Protection Areas (SPAs), for birds.
64. Under the Habitats Regulations, the competent authority which is the SoS for DESNZ (as of February 2023) must consider whether a plan or project has the potential to have an adverse effect on the integrity of the features of a National Site Network site (either alone or in combination with another plan or project), a process known as an HRA, which includes the undertaking of an Appropriate Assessment by the competent authority.
65. HRA is a four-stage process, starting with screening which was submitted to the relevant statutory stakeholders alongside the Project’s Scoping Report. This screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (document reference 7.1). The RIAA, is submitted as part of the DCO Application alongside the ES and other suite of documents, and supports Stage 2 of the HRA Process.
66. The requirement for stages 3 and 4 (collectively referred to as derogation and incorporating the requirement for compensation) has ultimately been determined by the conclusions of the RIAA. The Project progressed early consideration of ‘without prejudice’ derogation requirements and compensation options, which have been subject to discussion with relevant stakeholders throughout the pre-application period in the event that derogation provisions are required by the SoS following examination.
67. The Project is subject to the outcomes of the Plan-Level HRA which was undertaken by TCE. The Plan-Level HRA assessed the potential impacts of the preferred bidding areas that were selected through the Round 4 process on the UK’s network of designated sites and protected habitats and species. TCE concluded the Plan-Level HRA in Summer 2022.

### 4.5.3 Biodiversity Net Gain

68. The Environment Act 2021 addresses the vision set out in the UK Government’s 25 Year Environment Plan (Department for Environment, Food and Rural Affairs (Defra), 2018) with a specific requirement for ‘net gain’. The principle of net gain is the requirement for developments to increase habitat or ‘biodiversity net gain’ (BNG) following operations.
69. The NPPF makes general provisions for the delivery of BNG, though this is not a compulsory requirement for NSIPs until 2025.
70. Outer Dowsing Offshore Wind is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities to deliver on the future requirements for NSIPs to provide 10% BNG and is actively engaging with organisations and environmental bodies local to the Project’s footprint to identify potential collaboration opportunities.



71. The Project's aspirations to deliver 'net gain' voluntarily are presented in a Biodiversity Net Gain Report Principles and Approach (document reference 9.5)

#### 4.5.4 Other Relevant Legislation

72. Other relevant international obligations and environmental legislation that apply to the Project includes:

- The OSPAR Convention;
- The Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention);
- The Convention on Biological Diversity;
- The Wildlife and Countryside Act 1981;
- Countryside and Rights of Way Act 2000;
- Natural Environment and Rural Communities Act 2006;
- The Commons Act 2006;
- Water Environment (Water Framework Directive, hereafter WFD) (England and Wales) Regulations 2017; and
- Marine Strategy Regulations 2010.

## 5 Need for the Project

### 5.1 Overview

73. The NPSs establish the policy need for new renewable energy generation and this is set out in Section 5.2. The key drivers underpinning the need for renewable energy within the UK, and why the government believes there is an urgent need for new electricity NSIPs, are discussed throughout this section, with the NPSs in particular considered further in Section 5.2.
74. In April 2022, the UK Government through the British Energy Security Strategy (BESS) stated its ambition to increase offshore wind capacity to 50GW by 2030 (UK Government, 2022). This represents an increase from the approximately 13.6GW currently deployed today, with over £1.6 billion invested so far in the UK offshore wind infrastructure securing 3,600 jobs.
75. The BESS recognises the need to reduce greenhouse gas emissions, including increasing energy generation from low carbon sources to replace high carbon energy sources such as burning coal and gas.
76. As a result of the ongoing war in Ukraine and its impact on global energy markets, sharp focus has been placed on the UK's dependence on imports to heat homes, fuel cars and generate electricity. Energy security is considered to be a primary policy driver, with the need for offshore wind forming a critical part of the BESS. This includes:
- The need to secure safe, affordable, reliable energy, preferably generated in the UK for the UK market;
  - The need to replace existing ageing energy generation infrastructure; and
  - The need to meet expected electricity demand whilst meeting climate change commitments.

### 5.2 National Policy Statements: The Need for New Nationally Significant Energy Infrastructure Projects and Offshore Wind Projects

77. Part 3 of NPS EN-1 establishes an indisputable and urgent policy need for all types of energy infrastructure in order to achieve energy security and dramatically reduce carbon emissions (NPS EN-1, paragraph 3.1.1). It is not therefore necessary, when determining applications for offshore wind, to demonstrate a specific need for the principle of offshore wind development. Part 3 also explains that, without significant amounts of new large-scale energy infrastructure, the Government's energy and climate change objectives cannot be fulfilled and this will not be possible without some significant residual adverse impacts (NPS EN-1, paragraph 3.1.2).
78. Beyond the principle of offshore wind being needed, it is important to note that the targets within the NPSs require a level of deployment such that all currently planned and proposed offshore wind projects are needed. This is captured within paragraph 3.2.6 which states that the SoS has determined that substantial weight should be given to this need when considering applications for development consent under the 2008 Act.

79. With regards the role of offshore wind, the NPS notes that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar (paragraph 3.3.20). EN-1 further notes the committed target of 50GW of offshore wind by 2030 (paragraph 3.3.21) and advises that in practice, this means the installation of in the region of 2,666 of the larger turbines currently available at a rate of 333 turbines per year.
80. In particular, NPS EN-1 sets out that electricity meets a significant proportion of overall energy demand and reliance upon it is likely to increase in the period leading up to 2050. When combined with the UK Government's legal obligation to reduce the UK's greenhouse gas emissions by at least 68% (from 1990 levels), an urgent need for new NSIPs to deliver electricity is established (paragraph 2.2.1). The revised targets as presented within the sixth carbon budget, are to achieve net zero by 2050, with 78% reduction to be achieved by 2035.
81. EN-1 also introduces a new policy presumption known as a CNP for low carbon infrastructure which refers to all onshore and offshore generation that does not involve fossil fuel combustion, thus including offshore wind. In addition, new text has been included in the adopted EN-3 and EN-5 setting out the CNP for offshore wind infrastructure. This seeks to provide clarity on the need for additional offshore wind infrastructure, at pace, to meet the Government's ambition to deliver up to 50GW of offshore wind by 2030. Paragraph 3.3.60 of EN-1 states:

*“As set out in EN-3, subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.”*

82. Section 4 NPS EN-1 sets out a number of assessment principles that should be taken into account when considering proposals for new energy infrastructure. Where appropriate, these considerations have been addressed in each topic chapter of the ES.

### **5.3 The Need to Reduce Greenhouse Gas Emissions**

83. Within the Intergovernmental Panel on Climate Change (IPCC) report, the 2007 Fourth Assessment Report<sup>1</sup>, predictions are made that a continuation of global emission trends, including emissions of greenhouse gases such as carbon dioxide, could lead average global temperatures to rise by up to 6°C by the end of this century. The potential impacts associated with such a global temperature rise include :

- Increased frequency of extreme weather events such as floods and drought;
- Reduced food supplies;
- Impacts on human health;
- Increased poverty; and

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<sup>1</sup> <https://www.ipcc.ch/assessment-report/ar4/>

- Ecosystem impacts, including species extinction.

84. The UK Committee on UK CCC (2017 Report to Parliament)<sup>2</sup> reported that 2016 was the hottest year on record, which represented the fifth time in the 21st century a new record high annual temperature had been set (along with 2005, 2010, 2014, and 2015). The UK CCC, in its 2023 progress no report noted that 2022 was the UK's warmest recorded year and one of the six warmest years on record globally; 2020 , and 2023 are also considered some of the warmest years in the UK (Met Office, 2024).
85. A commitment was made by the UK during COP26 in Glasgow in 2021 to pursue efforts to limit the global temperature increase to within 1.5°C of the pre-industrial average temperature.
86. Power sector emissions fell 17% in 2015 to 50% below 1990 levels. This follows an average annual decrease of 5% in the years between 2009 and 2014. This reduction is largely due to an increase in renewable and nuclear generation, equating to almost half of the UK's electricity demand in 2015 (CCC, 2016a). In order to achieve necessary ongoing reductions in emissions, the CCC recommended that the UK government should set out an intention to support 1-2GW of offshore wind per year, provided costs continue to fall, with a view to phasing out subsidies in the 2020s (CCC, 2015a).

**5.4 The EU and UK legislation that has been put in place to secure a reduction in emissions is outlined in the Chapter 2 (document reference 6.1.2). It should be noted that the EU legislation is only relevant to the extent that it was incorporated in UK legislation prior to Brexit.**

## **5.5 Future Increases in Demand**

87. NPS EN-1 (paragraph 3.3.3) anticipates that electricity demand (measured in terawatt hours over a year) is likely to increase significantly and could more than double by 2050 as the transport, heating and industry look to decarbonise, particularly following the UK Government's commitment to achieving net zero emissions.
88. This expected increase in demand and net zero emissions targets translates into very significant need for large-scale renewable energy projects. The role of offshore wind in delivering this additional capacity of low carbon energy is highlighted by the CCC reports which recognise that the sector is now maturing and showing very significant cost reduction<sup>3</sup>s.
89. NPS EN-1 states that as the UK decarbonises its economy there is an urgent need to bring forward renewable energy projects as soon as possible (NPS EN-1, paragraph 3.3.58).

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<sup>2</sup> <https://www.theccc.org.uk/publication/2017-report-to-parliament-progress-in-preparing-for-climate-change/>

<sup>3</sup> [Sixth Carbon Budget - Climate Change Committee \(theccc.org.uk\)](https://www.theccc.org.uk/publication/sixth-carbon-budget-climate-change-committee-theccc.org.uk/)

90. EN-3 of NPS makes reference to the Government’s ambition to deploy up to 50GW of offshore wind capacity (including up to 5GW floating wind) by 2030, with an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050 (paragraph 2.8.1). It is noted that to meet this objective, the Government considers that that all offshore wind developments are likely to need to maximise their capacity within the technological, environmental, and other constraints of the development (paragraph 2.8.2).

## 5.6 Role of Offshore Wind

91. The role of offshore wind is key in achieving the UK Government targets for 2030 and 2050. The offshore wind industry presents an opportunity to utilise and further develop the UK’s maritime engineering skills in order to secure supply chain and other employment opportunities in the UK. The importance of maximising opportunities for the involvement of local businesses and communities in offshore wind has been highlighted as a key success factor for the sector in the UK (The Crown Estate, 2014).

92. In 2019, the offshore wind sector deal noted that the share of offshore wind in UK energy generation had increased from 0.8% in 2010 to 6.2% in 2017, reaching 10% in 2020. In March 2020, one year on from the sector deal, there was 9.8GW of installed OWF capacity, which was anticipated to reach 19.5GW by the mid-2020s (at the time of writing the offshore capacity is 13.6GW) (Renewable UK, 2023<sup>4</sup>). The UK Government has since committed to a target of 50GW of installed OWF capacity by 2030 (UK Government, 2022).

93. The role of OWF, and this Project in particular, in delivering both clean energy (to meet government targets) and significant economic benefits is therefore a material consideration in the planning balance for the proposed Project.

## 5.7 Local Support for the Benefits of Offshore Wind

94. In addition to the Regional and National policy, goals and targets for renewable energy, local support is also a driver for renewable energy development. The relevant local development plans are the East Lindsey Core Strategy 2018 and Settlement Proposals Document 2018 and the South East Lincolnshire Local Plan 2011-2036.

95. The East Lindsey Core Strategy recognizes the commitment to tackling the causes and effects of global climate change through local action as one of their visions which is translated into their objective to *‘support the use of renewable energy balanced against the protection of the District’s distinct landscapes’*. Furthermore, the Core Strategy clearly states that *‘the benefits of renewable energy developments are a material consideration and will be weighed in the balance alongside all other material considerations’* thus emphasizing the important role of developments, such as offshore wind, in providing national, regional, and local benefits.

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<sup>4</sup> <https://www.renewableuk.com/page/UKWEDhome>

96. The South East Lincolnshire Local Plan 2011-2036 developed a vision for the area focused on guiding sustainable development which includes new development that will help South East Lincolnshire mitigate and adapt to climate change. It is highlighted that *'The use of renewable energy technologies and sustainable drainage systems will also help minimise carbon emissions and flood risk respectively.'* To deliver the Local Plan's vision a series of strategic priorities have been set some of which comprise delivering *'sustainable development in South East Lincolnshire that seeks to meet the social and economic needs of the area, whilst protecting and enhancing its environment for the enjoyment of future generations'* and minimising *'the impact of and adapt to climate change by making more sustainable use of land and resources, reducing exposure to flood risk, promoting sustainable development and reducing human exposure to environmental risks'*.
97. The Project is an opportunity to meet National and Regional goals and targets but to also support the Local Development Plan's visions not only related to climate change but also in terms of economic benefits.

## **5.8 Apportioning Weight to the Need Established in the Planning Balance & Decision Making**

98. All applications seeking development consent for energy NSIPs should be assessed by the SoS on the basis there is a demonstrated need for those types of infrastructure and that the scale and urgency of that need is as described in NPS EN-1 (Section 3.2) and summarised above.
99. Furthermore, the SoS has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008 (NPS EN-1, paragraph 3.2.7). In this policy context, the Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030 and should therefore be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments.
100. The principal need for the Project is therefore established.

## 6 Accordance with National Policy Statements and Other Relevant Policy

### 6.1 Introduction

101. This section presents the Project's accordance with each relevant NPS, presenting the relevant NPS test for a given technical area. Where relevant, contextual reference is also made to the marine, and other policies which were considered in detail in Section 4. The findings of the accompanying ES, RIAA (document reference 7.1) and other submitted documents have formed the basis for this assessment. It should be noted that the Policy Compliance Document that is appended to this Planning Statement (document reference 9.1.1) should be referred to for further information.

102. The remainder of this section identifies the policy requirements and decision-making considerations set out in the NPSs and, where relevant, other planning policy.

103. Each topic is structured as follows:

- National Policy Statements:
  - Describes the requirements set out in the relevant NPSs for the assessment of the topic, how it is anticipated that the Project will meet these requirements and have regard to the policy.
- Other Policy Considerations:
  - Where relevant policy has been identified beyond the NPSs, consideration of the regard to this is set out in this section.
- Considerations for the SoS:
  - Identifies key considerations for the SoS when having regard to the Project's compliance with relevant policy and the weight that project effects should be given in determining the overall planning balance.

### 6.2 Overview

104. This section summarises the key aspects of policy contained in the relevant NPSs and how they apply to the determination of the application for the Project. The statutory framework for determining applications for development consent is provided by the Planning Act 2008 (as amended). Section 104 of the Act confirms the matters the Examining Authority must have regard to in decision making where a national policy statement has effect, such as for the Project. It also states they must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of the following applies:

- deciding the application in accordance with any relevant national policy statement would lead to the United Kingdom being in breach of any of its international obligations;
- deciding the application in accordance with any relevant national policy statement would lead to the Examining Authority, being in breach of any duty imposed on it by or under any

enactment;

- deciding the application in accordance with any relevant national policy statement would be unlawful by virtue of any enactment;
- the adverse impact of the proposed development would outweigh its benefit; and
- any condition prescribed for deciding an application otherwise than in accordance with a national policy statement is met.

105. In deciding the application for development consent for the Project, the relevant NPSs to which the Secretary of State must have regard in accordance with Sections 104(2) and 104(3) of the 2008 Act, are:

- Overarching National Policy Statement for Energy EN-1 (NPS EN-1) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration generic impacts in relation to such projects.
- National Policy Statement for Renewable Energy Infrastructure EN-3 (NPS EN-3) which covers technology specific matters including offshore wind; and
- National Policy Statement for Electricity Networks Infrastructure EN-5 (NPS EN-5) which covers technology specific matters but mostly relates to the provision of overhead lines and as such, is of limited relevance as no new overhead lines are proposed as part of the Project application.
- NPS EN-1 confirms that the above NPSs prevail in the event of a conflict between development plan documents and a NPS (paragraphs 4.1.15) and between any marine planning documents and a NPS (paragraph 4.4.12).

### **6.3 National Policy Statements: generic impacts and technology-specific impact policy (NPS EN-3 and NPS EN-5)**

106. It is acknowledged in NPS EN-3 that due to the complex nature of offshore wind farm development many details of the scheme may be unknown at the time of submission (paragraph 2.8.74). Guidance on how applicants should manage flexibility is set out at section 2.6 of NPS EN-3 and 4.3 of EN-1 and has been applied to the Project.

107. Where details are not known, it should be explained which elements of the scheme are not finalised and this may lead to a degree of flexibility in the consent. Under these circumstances, it needs to be ensured that the proposal has been properly assessed to identify any potential impacts (the 'Rochdale Envelope'). This will allow the maximum adverse case scenario to be assessed and this uncertainty should be allowed in the consideration of the application and consent (paragraph 2.6.2 of EN-3).

108. The ES and RIAA (document reference 7.1) assess the impacts in terms of those covered in the NPSs. Section 6.4 of this Planning Statement outlines the relevant policies and demonstrates the Projects accordance with these policy requirements based on the findings of the ES and



RIAA (document reference 7.1).

## 6.4 Critical National Priority

109. The Government has concluded that there is a CNP for the provision of nationally significant low carbon infrastructure.

110. The Project falls within the definition of a CNP and therefore this section of the Planning Statement provides a summary of notable elements of NPS EN-1, NPS EN-3, and NPS EN-5 before providing the Applicant’s position with regards considerations for the SoS.

### 6.4.1 National Policy Statement: NPS EN-1

Table 6-1 Table 6-1: Relevant policies from NPS EN-1.

Policy	Summary	Where is this addressed?
111.	outlines the relevant policies from NPS EN-1 in relation to CNP and provides detail as to where this is addressed by the Project.	

Table 6-1: Relevant policies from NPS EN-1.

Policy	Summary	Where is this addressed?
Paragraph 4.2.10	Paragraph 4.2.10 states: <i>“Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.”</i>	An EIA and RIAA (document reference 7.1) supports the application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of this Planning Statement, the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy any other legal and regulatory requirements.
Paragraph 4.2.11	Paragraph 4.2.11 states: <i>“Applicants must apply the mitigation hierarchy and demonstrate that it has been applied. They should also seek the advice of the appropriate SNCB or other relevant statutory body when undertaking this process. Applicants should demonstrate that all residual impacts are those that cannot be avoided, reduced or mitigated.”</i>	As demonstrated throughout the EIA and RIAA (document reference 7.1), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. Full details on the consultation process undertaken for the Project is detailed within Chapter 6 (document reference 6.1.6). In addition, a brief summary relevant to the RIAA is described within Table 4-1 of the RIAA (document reference 7.1). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded

Policy	Summary	Where is this addressed?
		<p>in their response that, while there were some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the considered impact pathways to designated sites were considered appropriate. The key issues raised have been considered when drafting the RIAA and addressed in the relevant section. In addition, feedback on the draft RIAA (Outer Dowsing Offshore Wind, 2023) was received from Natural England on 20<sup>th</sup> of July 2023. These comments and the Project’s responses are presented within Table 4-3 of the RIAA (document reference 7.1).</p>
Paragraph 4.2.12	<p>Paragraph 4.2.12 states: <i>“Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The cumulative impacts of multiple developments with residual impacts should also be considered.”</i></p>	<p>An EIA supports the Application which considers the assessment principles outlined in Section 4 of EN-1. Each chapter of the ES considers mitigation measures, cumulative impacts as well as monitoring.</p>
Paragraph 4.2.13	<p>Paragraph 4.2.13 states: <i>“Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.”</i></p>	<p>A RIAA supports the Application and addresses Paragraph 4.2.13 in Part 7 HRA, RIAA and Compensation documents, document number 7.5 Without prejudice Derogation Case.</p>
<p><b>Non-HRA and non-MCZ residual impacts of CNP Infrastructure</b></p>		
Paragraph 4.2.15	<p>Paragraph 4.2.15 states: <i>“Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has</i></p>	<p>An EIA supports the Application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of</p>

Policy	Summary	Where is this addressed?
	<p><i>been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and <b>offshore</b> which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk."</i></p>	<p>this Planning Statement, the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
<p>Paragraph 4.2.16</p>	<p>Paragraph 4.2.16 states:  <i>"As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances."</i></p>	<p>An EIA supports the Application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of this Planning Statement, the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
<p>Paragraph 4.2.17</p>	<p>Paragraph 4.2.17 states:  <i>"This means that the Secretary of State will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</i></p>	<p>No elements of the Application are situated within areas having the highest status of protection (National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs)). No part of the Project falls within Green Belt land. In addition, there are no landscape designations</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>• <i>where development within a Green Belt requires very special circumstances to justify development;</i></li> <li>• <i>where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs.</i></li> <li>• <i>where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</i></li> <li>• <i>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.”</i></li> </ul>	<p>within the Landscape and Visual Impact Assessment (LVIA) study area. There will, therefore, be no significant effects on landscape designations as they lie beyond the distance within which there is potential for significant effects to arise.</p> <p>There will be no direct impact to any subtidal or intertidal SSSI features as identified in Volume 1, Chapter 9: Benthic and Intertidal Ecology (document reference 6.1.9).</p> <p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) and summarised in Volume 1, Chapter 13: Marine and Intertidal Archaeology (document reference 6.1.13). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 (document reference 6.1.13). Substantial harm has not been concluded.</p> <p>The assessment presented in Volume 1, Chapter 20: Onshore Archaeology and Cultural Heritage (document reference 6.1.20) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.</p> <p>No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>
<b>HRA derogations and MCZ assessments for CNP Infrastructure</b>		
Paragraphs 4.2.18 - 4.2.20	Paragraphs 4.2.18 - 4.2.20 state: <i>“Any HRA or MCZ residual impacts will continue to be</i>	The derogation case is presented as part of the HRA as presented in document

Policy	Summary	Where is this addressed?
	<p><i>considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</i></p> <p><i>Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</i></p> <p><i>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the Secretary of State will consider making a derogation under section 126(7) of the Marine and Coastal Access Act 2009.”</i></p>	<p>reference 7.5 Without Prejudice Derogation Case.</p> <p>A MCZ Assessment is an appendix to the Benthic and Intertidal Ecology chapter and is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (document reference 6.3.9.4).</p> <p>With regards to the HRA and MCZ there are no LSE with the exception of (in-combination) effects at the Flamborough and Filey Coast (FFC) SPA.</p> <p>Consultation has taken place through the Scoping process, EPP, and through statutory consultation meetings. In particular, the Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of Adverse Effect on Integrity (AEoI) can be found in the [RIAA]. As set out in the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the FFC SPA during the operation and maintenance (O&amp;M) phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p> <p>The alternative solutions and IROPI case will be set out in the derogation (HRA Stage 3).</p>
Paragraph 4.2.21	<p>Paragraph 4.2.21 states:  <i>“For both derogations, the Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy</i></p>	<p>The derogation case is presented as part of the HRA as presented in document reference 7.5.</p> <p>As demonstrated in Chapter 4 (document reference 6.1.4), the SoS should be content that there are no alternative</p>

Policy	Summary	Where is this addressed?
	<p><i>security and decarbonising the power sector to combat climate change:</i></p> <ul style="list-style-type: none"> <li>• <i>requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</i></li> <li>• <i>are capable of amounting to imperative reasons of overriding public interest (IROPI) for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.”</i></li> </ul>	<p>solutions. In addition, the alternative solutions and IROPI case will be set out in the derogation (HRA Stage 3).</p>
Paragraph 4.2.22	<p>Paragraph 4.2.22 states:  <i>“For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the Secretary of State as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which</i></p>	<p>The derogation case is presented as part of the HRA as presented in document reference 7.5 Without Prejudice Derogation Case.</p> <p>A MCZ Assessment is an appendix to the Benthic and Intertidal Ecology chapter and is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (document reference 6.3.9.4). No impacts have been identified.</p>

Policy	Summary	Where is this addressed?
	<i>would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the Secretary of State must be satisfied that measures of equivalent environmental benefit will be undertaken."</i>	As demonstrated in the RIAA (document reference 7.1), the SoS should be content that there are no alternative solutions and there is an IROPI.

#### 6.4.2 National Policy Statement: NPS EN-3

112. EN-3 refers back to the assessment criteria within EN-1 and is therefore not considered further.

#### 6.4.3 National Policy Statement: NPS EN-5

113. EN-5 refers back to the assessment criteria within EN-1 and is therefore not considered further.

#### 6.4.4 Considerations for the SoS

114. The reader should refer to the Policy Compliance Document (Document Reference 9.1.1) for a full discussion relating to 'considerations for the SoS'.

115. Government has concluded that there is a CNP for the provision of nationally significant low carbon infrastructure. Section 3.3 of NPS EN-1 states which energy generating technologies are low carbon and are therefore CNP infrastructure. This includes offshore wind and therefore the Project falls under the definition of a CNP.

116. Paragraph 3.3.60 of EN-1 is clear that:

117. "As set out in EN-3, subject to any legal requirements, the urgent need for CNP Infrastructure to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy." Paragraph 4.2.14 of EN-1 states:

*"The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The Secretary of State must be satisfied that the applicant's assessment demonstrates that the requirements set out above have been met. Where the Secretary of State is satisfied that they have been met, the CNP presumptions."*

118. The ES shows that application meets the requirements in EN-1. The following sections within this Planning Statement considers each topic and applies the Assessment Principles of EN-1 where relevant. A consideration against other NPSs, Marine Plans and other policy considerations is also made for each topic. Mitigation is outlined within the application and adheres to legal and regulatory requirements. The chapters within the ES have concluded there will be residual non-HRA or non-MCZ impacts after the mitigation hierarchy has been applied.

119. With regards to HRA and MCZ, Paragraph 4.2.21 advises that:

*“For both derogations, the Secretary of State will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:*

- requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and*
- are capable of amounting to imperative reasons of overriding public interest (IROPI) for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.”*

120. It is also noted in Advice Note 10 (the Planning Inspectorate, 2022) that the EIA and HRA apply differently to decision-making. Whilst the ES findings inform the decision, the DCO can only be granted if the decision-maker has followed the stages prescribed by the 2017 Habitats Regulations.
121. The information contained in the ES, Part 6, Volume 1, Chapters and documents has been used to inform the assessments undertaken in the submitted RIAA (document reference 7.1), with the distinct legal and evidentiary requirements of the Habitats Regulations firmly in mind.
122. Designated sites and features have been considered within the RIAA (document reference) and relevant ES Chapters. Further details are available in Table 7-1 of the RIAA (document reference 7.1) and each relevant ES Chapter.
123. It is worth noting that the screening exercise undertaken to inform the RIAA was based on a broader cable corridor than the finalised cable route established at ES, which has resulted in an increased number of SACs and effects being considered on a precautionary basis. An updated screening exercise will be undertaken before the final RIAA for application, which could result in a revised list of sites for the final RIAA.
124. The RIAA (document reference 7.1) considers whether there is an AEoI for the following topics:
- Benthic and Intertidal Ecology
  - Marine mammals
  - Offshore and Intertidal Ornithology
  - Migratory fish
  - Onshore Ecology



125. Overall, the RIAA (document reference 7.1) concludes that the Project would not undermine any of the conservation objectives. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the FFC SPA during the O&M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.
126. The alternative solutions and IROPI case will be set out in the derogation (HRA Stage 3).
127. The mitigation relevant to the RIAA is summarised, including the route for securing each measure. Mitigation is not taken into account during the consideration of potential LSE; however, it is a consideration during the determination of the potential for adverse effect within the design scenario assessed. The approach ensures the RIAA is compliant with the People over Wind ruling referenced in the RIAA (document reference 7.1).
128. A MCZ assessment document reference 6.3.9.4) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:
- Holderness Inshore MCZ;
  - Holderness Offshore MCZ; and
  - Cromer Shoal Chalk Bed MCZ.
129. The Chapter concludes that the Project’s construction, O&M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.
130. In conclusion, the assessment of CNP has had regard to the relevant requirements for assessment set out in all relevant policy and regulations, and been carried out, and will continue to be carried out, in accordance with those requirements. The Project would contribute to addressing a CNP which the Government have described as being urgent.
131. There is a demonstrable and urgent need for renewable energy, and specifically offshore wind. The economic effects of the Project are considered to be beneficial, as has been concluded in Volume 1, Chapter 29: Socio-Economic Characteristics (document reference 6.1.29). The economic benefits and need should also be balanced against the significant costs to the economy that could be caused by unmitigated climate change (as recognised in policy terms (UK Climate Change Risk Assessment 2022 presented to Parliament pursuant to Section 56 of the Climate Change Act 2008)).
132. The SoS should be content that there are no alternative solutions and there is an imperative need of overriding public interest (IROPI) as set out in the Derogation case.

## 6.5 Consideration of Alternatives

133. The consideration of alternatives is presented in Chapter 4 (document reference 6.1.4) of the ES and its associated appendices. This section of the Planning Statement signposts to where the Applicant has addressed notable elements of NPS EN-1, NPS EN-3, NPS EN-5 and other policy before providing a short summary with regards considerations for the SoS. The appended Policy Compliance Document (document reference 9.1.1) should be referred to for a full summary demonstrating how the Applicant has complied with relevant policy and considerations for the SoS.

### 6.5.1 National Policy Statement: NPS EN-1

134. Table 6-2 outlines the relevant policies from NPS EN-1 and provides detail as to where this is addressed by the Project.

Table 6-2: NPS EN-1 related to Consideration of Alternatives

Policy	Summary	Where is this addressed?
Paragraph 4.3.12	<p>Paragraph 4.3.12 states:</p> <p><i>“Where some details are still to be finalised, the ES should, to the best of the applicant’s knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed”.</i></p>	<p>Within the ES, a range of parameters for each aspect of the Project are defined and the Maximum Design Scenario (MDS) for each receptor and/or impact is identified and considered for assessment. This process and the associated parameters have been refined for the Project’s ES taking account of newly available survey data and feedback from the Project’s consultation, as detailed within the Consultation Report (document reference 5.1) and summarised in section 3.3 of Chapter 3 (document reference 6.1.3).</p>
Paragraphs 4.3.15 – 4.3.17	<p>Paragraphs 4.3.15 – 4.3.17 states:</p> <p><i>“Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant’s choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility.</i></p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation</p>

Policy	Summary	Where is this addressed?
	<p><i>In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</i></p> <p><i>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.”</i></p>	<p>meetings, as outlined in Chapter 4 (document reference 6.1.4).</p>
<p>Paragraphs 4.3.22-4.3.29</p>	<p>Paragraphs 4.3.22- 4.3.29 state that:</p> <p><i>“Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g., under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:</i></p> <ul style="list-style-type: none"> <li><i>• the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; and</i></li> <li><i>• only alternatives that can meet the objectives of the proposed development need to be considered.</i></li> </ul> <p><i>The Secretary of State should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</i></p> <p><i>The Secretary of State should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of</i></p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings, as outlined in Chapter 4 (document reference 6.1.4).</p>

Policy	Summary	Where is this addressed?
	<p><i>the type proposed may be needed for future proposals.</i></p> <p><i>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the Secretary of State thinks they are both important and relevant to the decision.</i></p> <p><i>As the Secretary of State must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the Secretary of State concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the Secretary of State's decision.</i></p> <p><i>Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.</i></p> <p><i>Alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the Secretary of State's decision.</i></p> <p><i>It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the Secretary of State (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third</i></p>	

Policy	Summary	Where is this addressed?
	<i>party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect the applicant to have assessed it.”</i>	

### 6.5.2 National Policy Statement: NPS EN-3

135. Table 6-3 outlines the relevant policies from NPS EN-3 and provides detail as to where this is addressed by the Project.

Table 6-3: NPS EN-3 related to Consideration of Alternatives

Policy	Summary	Where is this addressed?
Paragraph 2.8.119	<p>Paragraph 2.8.119 states:</p> <p><i>“Applicant assessment of the effects of installing offshore transmission infrastructure across the intertidal/coastal zone should demonstrate compliance with mitigation measures in any relevant plan-level HRA including those prepared by The Crown Estate as part of its leasing round, and include information, where relevant, about:</i></p> <ul style="list-style-type: none"> <li>▪ <i>any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice;</i></li> <li>▪ <i>any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice;”</i></li> </ul>	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings, as outlined in Chapter 4 (document reference 6.1.4).
Paragraphs 2.8.214-2.8.216	<p>Paragraphs 2.8.214-2.8.216 state:</p> <p><i>“At the earliest possible stage, alternative ways of working and use of technology should be employed to avoid</i></p>	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and

Policy	Summary	Where is this addressed?
	<p><i>environmental impacts. For example, construction vessels may be rerouted to avoid disturbing seabirds. Where impacts cannot be avoided, measures to reduce and mitigate impacts should be employed, for example using trenching techniques or noise abatement technology.</i></p> <p><i>Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors.</i></p> <p><i>Only once all feasible avoidance, reduction and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.”</i></p>	<p>engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings, as outlined in Chapter 4 (document reference 6.1.4).</p>
<p>Paragraphs 2.8.351-2.8.352</p>	<p>Paragraphs 2.8.351-2.8.352 state:</p> <p><i>“Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The Secretary of State should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless:</i></p> <ul style="list-style-type: none"> <li>▪ <i>it considers that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that the applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or</i></li> <li>▪ <i>it takes account of the sensitivity of the receptor(s) and impacts on the statutory purposes of designated landscapes as set out in Section 5.10 of EN-1; and</i></li> </ul>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings, as outlined in Chapter 4 (document reference 6.1.4). There is no alternative layout within the identified site.</p>

Policy	Summary	Where is this addressed?
	<p><i>decides that the harmful effects outweigh the benefits of the proposed scheme. See also Critical National Priority (Section 3 of this NPS).</i></p> <p><i>Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the Secretary of State should consider the extent to which the effects are temporary or reversible.”</i></p>	

### 6.5.3 National Policy Statement: NPS EN-5

136. Table 6-4 outlines the relevant policies from the National Policy Statement NPS EN-5 and provides detail as to where this is addressed by the Project.

Table 6-4: NPS EN-5 related to Consideration of Alternatives

Policy	Summary	Where is this addressed?
<p>Paragraphs 2.9.59 – 2.9.64</p>	<p>Paragraphs 2.9.59-2.9.64 state:</p> <p><i>“Sulphur Hexafluoride (SF6) is an insulating and arc-suppressant gas used in high-voltage switchgear for electricity networks.</i></p> <p><i>It is also an extraordinary potent greenhouse gas, and fugitive emission from electricity networks infrastructure are an object of increasing environmental concern, especially in light of the UK’s commitment to net zero by 2050.</i></p> <p><i>Applicants should at the design phase of the process consider carefully whether the proposed development should be reconceived to avoid the use of SF6-reliant assets.</i></p> <p><i>Where the development cannot be conceived, the applicant must provide evidence of their reasoning on this point. Such evidence will include, for instance,</i></p>	<p>As outlined in Chapter 3 (document reference 6.1.3), the Applicant does not propose to put SF6-reliant assets onto the electricity system.</p>

Policy	Summary	Where is this addressed?
	<p><i>an explanation of the alternatives considered, and a case why these alternatives are technically infeasible or require bespoke components that are grossly disproportionate in terms of cost.</i></p> <p><i>In particular, an accounting cost differential between the SF6-reliant asset and the appropriate SF6-free alternative should be provided.</i></p> <p><i>Where applicants, having followed the above procedure, do propose to put new SF6-reliant assets onto the electricity system, they should design a plan for the monitoring and control of fugitive SF6 emissions consistent with the Fluorinated gas (F-gas) Regulation and its successors.”</i></p>	
Paragraph 2.10.15	<p><i>Paragraph 2.10.15 states:</i></p> <p><i>“Where no proven SF6-free alternative is commercially available, and where the cost of procuring a bespoke alternative is grossly disproportionate, the continued use of SF6 is acceptable, provided that emissions monitoring and control measures compliant with the F-gas Regulation and/or its successors are in place.”</i></p>	As outlined in Chapter 3 (document reference 6.1.3), the Project has retained the option for two types of technology for the OnSS; Air Insulated Switchgear (AIS) and Gas Insulated Switchgear (GIS). The selection of substation technology will be made during the detailed design phase and will be dependent on suitability and availability during the procurement process.
Paragraph 2.11.14	<p><i>Paragraph 2.11.14 states:</i></p> <p><i>“Where a statutory consultee on the safeguarding of technical facilities identifies a risk that the EMF effect of electricity network infrastructure would compromise the effective and safe operation of such facilities, the potential impact and siting and design alternatives will need to have been fully considered as part of the application.”</i></p>	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings, as outlined in Chapter 4 (document reference



Policy	Summary	Where is this addressed?
		<p>6.1.4).The proposals are for underground cables and not overhead. Therefore, the effects of Electromagnetic field (EMF) were scoped out of the ES by the Planning Inspector at an early stage.</p> <p>Such findings indicate the Project will not have a significant impact on the effective and safe operation of technical facilities.</p>

#### 6.5.4 Other Policy Considerations

137. Table 6-5 sets out other relevant policy considerations related to site selection and consideration of alternatives and provides detail as to where they are addressed by the Project.

Table 6-5: Other Policy Considerations related to Consideration of Alternatives.

Policy	Summary	Where is this addressed?
<p>UK Marine Policy Statement (2011)</p> <p>Paragraph 2.3.2.2</p>	<p>Paragraph 2.3.2.2 states that there are a number of principles should be taken into account including:</p> <p><i>“Look to avoid and then mitigate negative impacts where possible at various stages of development, including appropriate conditions in line with legal obligations, in a manner that is proportionate to the potential impacts of the proposal under consideration. Where alternative site selection or design could mitigate negative effects whilst retaining benefits, this should be considered, where appropriate”</i></p>	<p>Chapter 4 (document reference 6.1.4), outlines the that the Project has undergone an iterative site selection and design process to ensure that the projects elements are located within the most suitable areas that safeguard the environment.</p> <p>To achieve this, the project has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project.</p>

Policy	Summary	Where is this addressed?
East Marine Plan (2014)  Objective 6- Environment	Objective 6 states:  <i>“To have a healthy, resilient and adaptable marine ecosystem in the East marine plan areas.”</i>	This policy requirement has been addressed throughout the topic-wide and offshore chapters. Most notably design and site selection process see Chapter 4 (document reference 6.1.4) of the offshore element which has been iterative as a way to ensure harm to marine ecosystems.
East Marine Plan (2014)  Policy TR1	Policy TR1 states:  <i>“Proposals for development should demonstrate that during construction and operation, in order of preference: a) they will not adversely impact tourism and recreation activities b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</i>	As confirmed in Chapter 29 (document reference 6.1.29), the proposal will not have significant adverse impacts on tourism recreation activities.  This is partially as a consequence of the iterative site selection process that has avoid the most sensitive tourist locations and the adoption of construction methods including trenchless techniques which will avoid disruption (see Chapter 4 (document reference 6.1.4)).
East Lindsey Local Plan Core Strategy 2016-2031  Strategic Policy 10 (SP10)- Design	Policy 10 (SP10)- Design states:  <i>“The Council will support well-designed sustainable development, which maintains and enhances the character of the District’s towns, villages and countryside (...).”</i>  Several criteria are set out to achieve this ambition, which includes:  <i>“1. Where possible supporting the use of brownfield land for development, unless it is of high environmental value, seeking to use areas of poorer quality agricultural land in preference to that of a higher quality. (...)3. Ensuring it is easy for everyone to get around by incorporating safe and attractive roads, cycleways and footways</i>	The site selection process (see Chapter 4 (document reference 6.1.4)) for the project has been iterative and subject to several iterations involving early engagement with several stakeholders and community groups as a way of ensuring the project is well design and maintains the character of local areas. The site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water

Policy	Summary	Where is this addressed?
	<p><i>that enable people of all abilities to access shops, jobs, schools and other community facilities.</i></p> <p><i>4. Providing on-site landscaping to integrate the development into its wider surroundings and make provision for open space.</i></p> <p><i>5. Development will be supported where it can demonstrate that its design incorporates sustainable features and/or renewables and that the development could be adapted in the future for other uses in that it is development that will become a high quality integrated part of the built environment over many generations.</i></p> <p><i>(...)</i></p> <p><i>8.Supporting development that includes measures to recycle, re-use or reduce the demand for finite resources. New development should be designed to Building Regulation water consumption standard for water scarce areas, to not exceed 110 litres per day per person.</i></p> <p><i>9. Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.(...)"</i></p>	<p>flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>As such, the criteria set out within Policy 10 are achieved as a result of the Project. To give an example with reference to incorporating the Project into the wider surrounding, the Applicant has produced an Outline Landscape and Ecological Management Strategy (document reference 8.10) which includes a mitigation planting plan to ensure the development is both sympathetic to the local landscape, whilst also achieving biodiversity net gains. Further to this, the Applicant has sought to managed features like open spaces and recreational routes through the preparation of an Outline Public Access Management Plan (OPAMP) (document reference 8.17).</p>
<p>South East Lincolnshire Local Plan 2011-2036 Policy 2- Development Management</p>	<p>Policy 2- Development Management states:</p> <p><i>"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:</i></p> <ol style="list-style-type: none"> <li><i>1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to</i></li> </ol>	<p>In relation to all the points outlined within Policy, these have all been addressed throughout the ES. Most notably, the design and site selection process (see Chapter 4 (document reference 6.1.4)) has aimed to ensure harm to the environment and public is minimised. This addresses the criterion related to neighbouring land uses for instance, as areas most sensitive to noise, odour,</p>

Policy	Summary	Where is this addressed?
	<p><i>existing development and land uses;</i></p> <p>2. <i>quality of design and orientation;</i></p> <p>3. <i>maximising the use of sustainable materials and resources;</i></p> <p>4. <i>access and vehicle generation levels;</i></p> <p>5. <i>the capacity of existing community services and infrastructure;</i></p> <p>6. <i>impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;</i></p> <p>7. <i>sustainable drainage and flood risk;</i></p> <p>8. <i>impact or enhancement for areas of natural habitats and historical buildings and heritage assets;</i> <i>and</i></p> <p>9. <i>impact on the potential loss of sand and gravel mineral resources.”</i></p>	<p>disturbance and visual intrusion have been avoided.</p>

### 6.5.5 Considerations for the SoS

138. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
139. The assessment of alternatives has had regard to the relevant requirements for assessment set out in all relevant policy and regulations, and been carried out, and will continue to be carried out, in accordance with those requirements.
140. The Applicant will meet the requirements of Paragraph 4.3.22 of NPS EN-1 which requires inter alia consideration of alternatives under the Habitats Regulations, having undertaken consideration of suitable alternatives with regards minimising or avoiding designated sites, and/or the specific features within the designated sites (document reference 7.1). Based on the findings of the ES and RIAA (document reference 7.1), the Project is in compliance with all requirements of the Habitats Regulations.

141. Therefore, it is clear that the Project has complied with all policy and legislation requirements with regards to consideration of alternatives; notwithstanding the outcome of substation technology investigations, which are ongoing. Cognisance of the relevant policy and legislative requirements has resulted in specific design considerations, such as the commitment to underground cables instead of employing overhead lines, and the iterative design process which has sought, and will continue to seek, to minimise visual impacts to coastal receptors.
142. With regards to the overall process of site selection and consideration of alternatives, the Applicant has presented (in Chapter 4 (document reference 6.1.4) and the associated technical appendices) a detailed and comprehensive assessment which takes account of reasonable alternatives. The potential effects on the environment are clearly considered. The influence that consultation has had on the process is presented. The Chapter presents a clearly defined, staged process and identifies the main reasons for each of the options that have been progressed from one stage to a subsequent stage of the design evolution process.
143. The findings of the ES and RIAA (document reference 7.1) demonstrate that there is no conflict with any of the tests set out in the EIA Regulations, The Habitats Regulations or the requirements of NPS EN-1 and NPS EN-3.

## **6.6 Good Design**

144. Design considerations of relevance to the onshore design are set out in the Design Principles Statement (document reference 8.19). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the Outline Landscape and Ecology Management Strategy (OLEMS) (document reference 8.10).

### **6.6.1 National Policy Statement: NPS EN-1**

145. Table 6-6 sets out the relevant NPS EN-1 related to Good Design and provides detail as to where they are addressed by the Project

Table 6-6: NPS EN-1 related to Good Design

Policy	Summary	Where is this addressed?
<p>Paragraphs 4.7.1-4.7.2</p>	<p>Paragraphs 4.7.1 – 4.7.2 state:</p> <p><i>“The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object - be it a building or other type of infrastructure - including fitness for purpose and sustainability, is equally important.</i></p> <p><i>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.”</i></p>	<p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 (document reference 6.1.4).</p> <p>Further design considerations of relevance to the onshore design are set out in the Design Principles Statement (document reference 8.19). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in OLEMS (document reference 8.10).</p> <p>With regards offshore design, the Project is being designed in so far as reasonably practicable to apply good design, siting wind turbine generators (WTGs) in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing WTG height or altering colour are not considered feasible due to the flexibility needed due to uncertainty in technological advances (as recognised in NPS EN-3) or due to other considerations such as operational safety which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements.</p>
<p>Paragraphs 4.7.6-4.7.8</p>	<p>Paragraphs 4.7.6 – 4.7.8 states:</p> <p><i>“Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape</i></p>	<p>Refer to comment for Paragraphs 4.7.1-4.7.2. Design decisions in terms of Project infrastructure and location are set out in Chapter 4 (document reference 6.1.4).</p> <p>The Applicant has committed to an external design review as committed to in the Design Approach Document.</p>

Policy	Summary	Where is this addressed?
	<p><i>character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</i></p> <p><i>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</i></p> <p><i>Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.”</i></p>	

### 6.6.2 National Policy Statement: NPS EN-3

146. Table 6-7 sets out the relevant NPS EN-3 related to Good Design and provides detail as to where they are addressed by the Project.

Table 6-7: NPS EN-3 related to Good Design

Policy	Summary	Where is this addressed?
Paragraph 2.5.2	<p>Paragraph 2.5.2 states:</p> <p><i>“Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage.”</i></p>	<p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 (document reference 6.1.4).</p> <p>Further design considerations of relevance to the onshore design are set out in the Design Principles Statement (document reference 8.19). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in OLEMS (document reference 8.10).</p>
Paragraphs 2.7.60-2.7.62	<p>Paragraphs 2.7.60-2.7.62 state:</p> <p><i>“Good design that is sympathetic and contributes positively to the landscape character and quality of the area will go some way to mitigate adverse landscape and visual effects.</i></p> <p><i>Applicants should consider the design of the generating station, including the materials to be used in the context of the local landscape character.</i></p> <p><i>Although micro-siting within the development area can help, mitigation is achieved primarily through aesthetic aspects of site layout and building design including size and external finish and colour of the generating station to minimise intrusive appearance in the landscape as far as engineering requirements permit. The precise architectural treatment will need to be site-specific.”</i></p>	<p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 (document reference 6.1.4).</p> <p>Further design considerations of relevance to the onshore design are set out in the onshore Design Principles Statement (document reference 8.19). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in OLEMS (document reference 8.10).</p> <p>Both documents demonstrate that the proposal has been designed to be sympathetic to the landscape.</p>



Policy	Summary	Where is this addressed?
Paragraph 2.7.92	<p>Paragraph 2.7.92 states:</p> <p><i>“The Secretary of State should be satisfied that the design of the proposed generating station is of appropriate quality and minimises adverse effects on the landscape character, visual amenity and quality.”</i></p>	<p>As per Chapter 4 (document reference 6.1.4) the design of the project has undergone an iterative process and minimises adverse effects on the landscape character, visual amenity and quality where possible.</p>
Paragraphs 2.8.31-2.8.33	<p>Paragraphs 2.8.31-2.8.33 state:</p> <p><i>“Water depth, bathymetry and geological conditions are all important considerations for the selection of sites and will affect the design of the foundations of the turbines, the layout of turbines within the site and the siting of the cables that will export the electricity.</i></p> <p><i>The onus is on the applicant to ensure that the foundation design is technically suitable for the seabed conditions and that the application caters for any uncertainty regarding the geological conditions.</i></p> <p><i>Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</i></p>	<p>Proposals for minimising the effects on marine biodiversity from the offshore infrastructure are set out in the Design Principles Statement (document reference 8.19).</p> <p>This document demonstrates that the proposals will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</p>
Paragraph 2.8.43	<p>Paragraph 2.8.43 states:</p> <p><i>“The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interlink) projects should seek to be sufficiently flexible so that they are future-proofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.”</i></p>	<p>Design considerations are set out in the Design Principles Statement (document reference 8.19).</p>

Policy	Summary	Where is this addressed?
Paragraphs 2.8.263-2.8.264	<p>Paragraphs 2.8.263-2.8.264 state:</p> <p><i>“Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the Secretary of State should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible.</i></p> <p><i>However, the siting layout of the turbines should be designed appropriately to minimise harm, considering other constraints such as ecological effects, safety reasons or engineering and design parameters.”</i></p>	<p>Proposals for minimising the effects on landscape and visual amenity from the onshore infrastructure are set out in the OLEMS (document reference 8.10). Design considerations are set out in the Design Principles Statement (document reference 8.19).</p> <p>Proposals for minimising the effects on marine biodiversity from the offshore infrastructure are set out in the Design Principles Statement (document reference 8.19).</p> <p>These documents demonstrate that the proposals will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</p>

### 6.6.3 National Policy Statement: NPS EN-5

Table 6-8: NPS EN-5 related to Good Design

147. Table 6-8 sets out the relevant National Policy Statements from NPS EN-5 related to Good Design and provides detail as to where they are addressed by the Project.

Table 6-8: NPS EN-5 related to Good Design

Policy	Summary	Where is this addressed?
Paragraphs 2.4.3 – 2.4.4	<p>Paragraphs 2.4.3 – 2.4.4 state:</p> <p><i>“However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant’s ability to influence the aesthetic appearance of that infrastructure.</i></p>	<p>In regard to the ECC, the Project has committed to bury all onshore cables along the route. The location of the route has also undergone significant review of alternative options as outlined in Chapter 4 (document reference 6.1.4).</p>

Policy	Summary	Where is this addressed?
	<p><i>While the above principles should govern the design of an electricity networks infrastructure application to the fullest possible extent – including in its avoidance and/or mitigation of potential adverse impacts (particularly those detailed in Sections 2.9 below) – the functional performance of the infrastructure in respect of security of supply and public and occupational safety must not thereby be threatened.”</i></p>	
<p>Paragraph 2.14.2</p>	<p>Paragraph 2.14.2 states:</p> <p><i>“In the assessments of their designs, applicants should demonstrate:</i></p> <ul style="list-style-type: none"> <li>▪ <i>how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design;</i></li> <li>▪ <i>how enhancements to the environment post construction will be achieved including demonstrating consideration of how proposals can contribute towards biodiversity net gain (as set out in Section 4.5 of EN-1 and the Environment Act 2021), as well as wider environmental improvements in line with the Environmental Improvement Plan and environmental targets (paragraph 4.2.29 of EN-1);</i></li> <li>▪ <i>how the construction planning for the proposals has been co-ordinated with that for other similar projects in the area on a similar timeline;</i></li> <li>▪ <i>how enhancements to the landscape and environmental assets may contribute to overall</i></li> </ul>	<p>The location of the route has also undergone significant review of alternative options as outlined in Chapter 4 (document reference 6.1.4).</p> <p>Proposals for minimising the effects on landscape and visual amenity from the onshore infrastructure are set out in OLEMS (document reference 8.10). Design considerations are set out in the Design Principles Statement (document reference 8.19).</p>

Policy	Summary	Where is this addressed?
	<p><i>landscape and townscape quality as set out in EN-1 4.6.13 and 5.10.23;</i></p> <ul style="list-style-type: none"> <li>▪ <i>how the mitigation hierarchy has been followed, in particular to avoid the need for compensatory measures for coastal, inshore and offshore developments affecting SACs SPAs, and Ramsar sites and MCZs as set out in EN-3 2.8;</i></li> <li>▪ <i>For designated landscapes the principal mitigation measure, as established by the Holford Rules, should be to seek to avoid landfall in these areas."</i></li> </ul>	

#### 6.6.4 Other Policy Considerations

148. Table sets out other relevant policy considerations related to site selection and consideration of alternatives and provides detail as to where they are addressed by the Project.

Table -: Other Policy Considerations related to Good Design

Policy	Summary	Where is this addressed?
<p>UK Marine Policy Statement (2011)</p> <p>Paragraph 2.3.2.2</p>	<p>Paragraph 2.3.2.2 sets out principles that should be taken into account, including:</p> <ul style="list-style-type: none"> <li>▪ "Take account of the benefits that good design (including the best use of available technologies and innovation) can deliver; and</li> <li>▪ Look to avoid and then mitigate negative impacts where possible at various stages of development, including appropriate conditions in line with legal obligations, in a manner that is proportionate to the potential impacts of the proposal under consideration. Where alternative site selection or design could mitigate negative effects whilst retaining benefits, this should be considered, where appropriate".</li> </ul>	<p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4, (document reference 6.1.4).</p> <p>Further design considerations of relevance to the onshore design are set out in the Design Principles Statement (document reference 8.19). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in OLEMS (document reference 8.10).</p> <p>With regards offshore design, the Project is being designed in so far as reasonably practicable to apply good design principles, siting WTGs in an area that seeks to reduce visual effects, whilst</p>

Policy	Summary	Where is this addressed?
		<p>also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures.</p> <p>Where practically possible, the project has sought to minimise negative effects while also deliver enhancements. This includes the OLEMS (document reference 8.10) which sets out a number of measures to raise the design quality of the project, whilst also leading to biodiversity enhancements. This includes the sensitive siting of the onshore infrastructure during site selection and the production of a biodiversity strategy which includes mitigation planting.</p>
<p>UK Marine Policy Statement (2011)</p> <p>Paragraph 2.6.5.4</p>	<p>Paragraph 2.6.5.4 states:</p> <p><i>“For any development proposed within or relatively close to nationally designated areas the marine plan authority should have regard to the specific statutory purposes of the designated areas. The design of a development should be taken into account as an aid to mitigation.”</i></p>	<p>Designated sites were a key consideration within the site selection process (see Chapter 4 (document reference 6.1.4)).</p> <p>With regards careful design offshore, the WTGs and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on designated sites within the ZTV. A detailed consideration and assessment of the capacity of the seascape to accommodate the offshore infrastructure in the context of the existing baseline, characterised in many respects by the presence of OWF projects, is undertaken in Volume 1, Chapter 17: Seascape, Landscape and Visual (document reference 6.1.17).</p>

Policy	Summary	Where is this addressed?
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 10 (SP10)- Design</p>	<p>Strategic Policy 10 states:</p> <p><i>“The Council will support well-designed sustainable development, which maintains and enhances the character of the District’s towns, villages and countryside.”</i></p> <p><i>Several criteria are set out to achieve this ambition, which includes:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Where possible supporting the use of brownfield land for development, unless it is of high environmental value, seeking to use areas of poorer quality agricultural land in preference to that of a higher quality.</i></li> <li>▪ <i>Ensuring it is easy for everyone to get around by incorporating safe and attractive roads, cycleways and footways that enable people of all abilities to access shops, jobs, schools and other community facilities.</i></li> <li>▪ <i>Providing on-site landscaping to integrate the development into its wider surroundings and make provision for open space.</i></li> <li>▪ <i>Development will be supported where it can demonstrate that its design incorporates sustainable features and/or renewables and that the development could be adapted in the future for other uses in that it is development that will become a high quality integrated part of the built environment over many generations.</i></li> <li>▪ <i>Supporting development that includes measures to recycle, re-use or reduce the demand for finite resources. New</i></li> </ul>	<p>The site selection process (see Chapter 4, document reference 6.1.4) for the project has been iterative and subject to several iterations involving early engagement with several stakeholders and community groups as a way of ensuring the project is well design and maintains the character of local areas. The site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>As such, the Project meets the criteria as set out within Policy 10. To give an example with reference to incorporating the project into the wider surrounding, the applicant has produced a OLEMS (document reference 8.10) which includes an mitigation planting plan to ensure the development is both sympathetic to the local landscape, whilst also achieving biodiversity net gains. Further to this, the applicant has sought to managed features like open spaces and recreational routes through the preparation of an</p>

Policy	Summary	Where is this addressed?
	<p><i>development should be designed to Building Regulation water consumption standard for water scarce areas, to not exceed 110 litres per day per person.</i></p> <ul style="list-style-type: none"> <li>▪ <i>Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.”</i></li> </ul>	<p>OPAMP (document reference 8.17).</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 3- Design of New Development</p>	<p>Policy 3 states:</p> <p><i>“All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable”.</i></p> <p>This Policy requires development proposals to demonstrate how they will secure a number of issues where these are relevant to the proposal. Including:</p> <p><i>“1. Creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;</i> (...) <i>3. the landscape character of the location;</i> <i>4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;</i> (...) <i>6. ensuring public spaces are accessible to all;</i></p>	<p>The Project has been subject to an iterative design and site selection process (see Chapter 4, document reference 6.1.4), which has contributed to the project being appropriate to its local context, whilst maximizing opportunities for improving the local character and quality. The iterative process has comprised constraints mapping, assessment and continued consultation undertaken to identify the project design for the offshore ECC, landfall, onshore ECCs and OnSS study areas. This has been undertaken to ensure to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design.</p> <p>Principles of good design are also outlined throughout that contribute to enhancing the quality of local area. For example, the OLEMS (document reference 8.10) which sets out a number of measures to raise the design quality of the project, whilst also leading to biodiversity enhancements. This</p>

Policy	Summary	Where is this addressed?
	(...) 12. <i>the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);</i> 13. <i>the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;</i> 14. <i>the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;</i> (...).”	includes the sensitive siting of the onshore infrastructure during site selection and the production of a biodiversity strategy which includes mitigation planting.

### 6.6.5 Considerations for the SoS

149. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

150. As set out above, the Project has considered design throughout the development of the Project to date and has provided details of that process as part of the ES.

151. NPS EN-1 states in paragraph 4.7.10 that:

*“Given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.”*

152. Where appropriate, climate change resilience and flooding have been factored into the Project design presented in the ES, particularly when identifying OnSS locations.

153. In EN-1 highlights the importance of good design whilst accepting that energy infrastructure also has a functional purpose, paragraph 4.7.11 states:

*“The [SoS] should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.”*

154. This is further reiterated in paragraphs 4.7.6-4.7.7 which state:

*“Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, land form and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations*



*will assist in ensuring that such development contributes to the Quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.*

*Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.”*

155. The design of offshore WTGs and other offshore infrastructure including offshore substations (OSS) have very limited scope in terms of physical appearance. However, consideration has been had with regard to the siting of turbines, for example by ensuring that the WTG placement avoids the areas of highest sensitivity.
156. For the onshore infrastructure, a key design choice made at the start of the Project was to install cables underground, rather than using overhead lines, to convey electricity from Landfall to the OnSS. Further consideration has been had when proposing laying of cables, identifying potential reinstatement measures and enhancements for the surrounding area.
157. The OnSS does lead to some significant visual effects, however these are not considered significant past 15 years (as assessed in Volume 1, Chapter 28: Landscape and Visual Assessment (document reference 6.1.28)). Impacts have been minimised as far as practical during the site selection process. The OnSS will be located in an area where significant effects are not avoidable, and as such proposals for additional screening and planting are set out in Design Principles Statement (document reference 8.19), which would provide mitigation and enhancements to the local area and reduce the significance of effect in the long term and incrementally during the initial period of planting establishment.
158. In line with paragraph 4.7.9 of EN-1, the Applicant has sought further advice from EN-3 and EN-5 which provide guidance on what applicants should demonstrate by way of good design.
159. A suite of information in relation to good design has been submitted which demonstrates that design has been considered throughout the development of the Project and is incorporated into the site selection, project design evolution and set out in the mitigation proposals included in the ES. This demonstrates compliance with the tests set out in the 2008 Act and the NPSs.
160. The principle of good design is incorporated within the design of the Project and forms part of the overall package of the benefits the Project delivers when considering the planning balance.
161. Overall, the Project is compliant with the policy relating to good design set out in the NPS.

## **6.7 Marine Physical Processes**

162. This topic is discussed in full in Volume 1, Chapter 7: Marine Physical Processes (document reference 6.1.7) of the ES.

### **6.7.1 National Policy Statement: NPS EN-1**

163. Table 6-9 sets out the relevant paragraphs from NPS EN-1 related Marine Physical Processes and provides detail as to where they are addressed by the Project.

Table 6-9: NPS EN-1 related to Marine Physical Processes

Policy	Summary	Where is this addressed?
Paragraph 5.6.10	<p>Paragraph 5.6.10 states:</p> <p><i>“Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.”</i></p>	<p>Predictions of change to physical processes that could arise from construction, O&amp;M, and decommissioning of the Project are presented in Chapter 7 (document reference 6.1.7).</p>
Paragraph 5.6.11	<p>Paragraph 5.6.11 states:</p> <p><i>“The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers and estuaries. In particular, applicants should assess:</i></p> <ul style="list-style-type: none"> <li>▪ <i>the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes the applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</i></li> <li>▪ <i>the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) - which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area), any relevant Marine Plans, River Basin Management Plans, and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</i></li> </ul>	<p>The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 (document reference 6.1.7) for the construction, O&amp;M, and decommissioning phases. The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of this chapter.</p> <p>A description of the baseline (existing) Marine Physical Processes is provided in Section 7.4 of this chapter as well as within Volume 3, Chapter 7 Marine Physical Processes, Appendix 7.1: Physical Processes Technical Baseline (document reference 6.3.7.1).</p> <p>The effects of the project on maintaining coastal recreation sites and features are set out in Volume 1, Chapter 18: Marine Infrastructure and Other Users (document reference 6.1.18).</p> <p>The effects of the proposed Project on marine ecology, biodiversity and protected sites are considered in Chapter 9 (document reference 6.1.9), Volume 1, Chapter 10: Fish and Shellfish Ecology (document reference 6.1.10), 89Volume 1,</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>the effects of the proposed project on marine ecology, biodiversity, protected sites and heritage assets</i></li> <li>▪ <i>how coastal change could affect flood risk management infrastructure, drainage and flood risk</i></li> <li>▪ <i>the effects of the proposed project on maintaining coastal recreation sites and features</i></li> <li>▪ <i>the vulnerability of the proposed development to coastal change, taking account of climate change, during the project’s operational life and any decommissioning period.”</i></li> </ul>	<p>Chapter 11: Marine Mammals (document reference 6.1.11), 90Volume 1, Chapter 12: Offshore and Intertidal Ornithology (document reference 6.1.12) and the RIAA (document reference 7.1).</p> <p>90effectThe vulnerability of the Project to coastal change is considered in the context of landfall infrastructure in Chapter 7 (document reference 6.1.7).</p>
Paragraph 5.6.12	<p>Paragraph 5.6.12 states:</p> <p><i>“For any projects involving dredging or deposit of any substance or object into the sea, the applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with Liquified Natural Gas (LNG) tanker deliveries to LNG import facilities.”</i></p>	<p>Consultation undertaken that relates coastal processes and geomorphology is detailed in Chapter 7 (document reference 6.1.7). The Applicant has undertaken consultation via the EPP on methods for assessment of impacts on physical processes with the relevant stakeholders including MMO. The Project has been assessed in Chapter 7 (document reference 6.1.7) as not having a major impact as a result of dredging or deposit of any substance or object into the sea.</p>
Paragraph 5.6.13	<p>Paragraph 5.6.13 states:</p> <p><i>“The applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of Marine Protected Areas (MPAs). These could include MCZs, HRA Sites including Special Areas of Conservation and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should</i></p>	<p>The locations of designated sites are shown in Volume 2, Figure 7.9 (document reference 6.2.7.9) with potential impacts considered in Section 7.12 of Chapter 7 (document reference 6.1.7).</p> <p>A list of designated sites within the Marine Physical Processes ZoI, with detail of the relevant</p>

Policy	Summary	Where is this addressed?
	<p><i>also identify any effects on the special character of Heritage Coasts.”</i></p>	<p>protected features, is provided below:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC</li> <li>▪ Chapel Point – Wolla Bank SSSI</li> </ul> <p>A standalone RIAA (document 7.1) and a MCZ Assessment (Volume 3, Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4 Marine Conservation Zone Assessment (document reference 6.3.9.4) has been produced detailing all matters associated with statutory designations.</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in document reference 6.1.9 and in document reference 7.1.</p>
<p>Paragraphs 5.6.14</p>	<p>Paragraphs 5.6.14 states:</p> <p><i>“Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.</i></p>	<p>Full account has been taken of the policy in the Environmental Statement accompanying the application. Potential changes in climate are described in Volume 1, Chapter 31: Climate Change (document reference 6.1.31).</p>

### 6.7.2 National Policy Statement: NPS EN-3

164. Table 6-10 sets out the relevant National Policy Statements from NPS EN-3 related to the Marine Physical Processes and provides detail as to where they are addressed by the Project.

Table 6-10: NPS EN-3 related to Marine Physical Processes

Policy	Summary	Where is this addressed?
<p>Paragraphs 2.8.111</p>	<p>EN-3, Paragraph 2.8.111 states:</p> <p><i>The construction, operation and decommissioning of offshore energy infrastructure (including the preparation and installation of the cable route) can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Water quality;</i></li> <li>▪ <i>Waves and tides;</i></li> <li>▪ <i>Scour effect;</i></li> <li>▪ <i>Sediment transport</i></li> <li>▪ <i>Suspended solids;</i></li> <li>▪ <i>Sandwaves; and</i></li> <li>▪ <i>Water column.</i></li> </ul>	<p>An assessment of the potential impacts on Marine Physical Processes (including all of those listed in Paragraph 2.8.111 of NPS EN-3) that could arise from the construction, O&amp;M and decommissioning of the Project are presented in Section 7.12 of Chapter 7 (document reference 6.1.7).</p>
<p>Paragraphs 2.8.112-2.8.114</p>	<p>Paragraphs 2.8.112-2.8.114 state:</p> <p><i>“Applicant assessments are expected to include predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and sea bed morphology that will result from the construction, operation, and decommissioning of the required infrastructure.</i></p> <p><i>Assessments should also include effects such as the scouring that may result from the proposed development and how that might impact sensitive species and habitats.</i></p> <p><i>Applicants should undertake geotechnical investigations as part of the assessment, enabling the design of appropriate construction techniques to minimise any adverse effects.”</i></p>	<p>Predictions of change to physical processes that could arise from the construction, operation and decommissioning phases of the Project are presented in Chapter 7 (document reference 6.1.7).</p> <p>The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 (document reference 6.1.7) and addresses effects arising from the construction, operation and decommissioning phases.</p>
<p>Paragraph 2.8.119</p>	<p>Paragraph 2.8.119 states:</p>	<p>Details regarding alternative landfall sites that have been</p>

Policy	Summary	Where is this addressed?
	<p><i>“Applicant assessment of the effects of installing cable across the intertidal/coastal zone should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round and include information, where relevant, about:</i></p> <ul style="list-style-type: none"> <li>▪ <i>any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice;</i></li> <li>▪ <i>any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice;</i></li> <li>▪ <i>potential loss of habitat;</i></li> <li>▪ <i>disturbance during cable installation, maintenance/repairs and removal (decommissioning);</i></li> <li>▪ <i>increased suspended sediment loads in the intertidal zone during installation and maintenance/repairs;</i></li> <li>▪ <i>potential risk from invasive and non-native species;</i></li> <li>▪ <i>predicted rates at which the intertidal zone might recover from temporary effects, based on existing monitoring data; and</i></li> <li>▪ <i>protected sites.”</i></li> </ul>	<p>considered during the design phase and an explanation for the final choice is provided in Chapter 4 (document reference 6.1.4).</p> <p>Assessment of the potential loss of habitat and disturbance during cable installation and removal, as well as expected rates of recovery, are set out in Chapter 9 (document reference 6.1.9) and in the RIAA (document reference 7.1).</p> <p>Suspended sediment loads during installation are assessed in Chapter 7 (document reference 6.1.7).</p> <p>Predictions of change to physical processes that could arise from the construction and O&amp;M of the Project are presented in Chapter 7 (document reference 6.1.7).</p>
Paragraph 2.8.126	<p>Paragraph 2.8.126 states:</p> <p><i>“Applicant assessment of the effects on the subtidal environment should include:</i></p> <ul style="list-style-type: none"> <li>▪ <i>loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection, and altered sedimentary processes, e.g., sandwave/boulder/UXO clearance;</i></li> </ul>	<p>Predictions of change to physical processes that could arise from the construction, O&amp;M and decommissioning of the Project are presented in Chapter 7 (document reference 6.1.7).</p> <p>Assessment of the potential effects on subtidal ecology and disturbance during cable installation and removal, as well</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>environmental appraisal of inter-array and export cable routes and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/cable protection and sandwave/boulder/UXO clearance;</i></li> <li>▪ <i>habitat disturbance from construction and maintenance/repair vessels' extendable legs and anchors;</i></li> <li>▪ <i>increased suspended sediment loads during construction and from maintenance/repairs;</i></li> <li>▪ <i>predicted rates at which the subtidal zone might recover from temporary effects;</i></li> <li>▪ <i>potential impacts from EMF on benthic fauna;</i></li> <li>▪ <i>protected sites; and</i></li> <li>▪ <i>potential for invasive/non-native species introduction."</i></li> </ul>	<p>as expected rates of recovery, are set out in Chapter 9 (document reference 6.1.9).</p>
<p>Paragraphs 2.8.197-2.8.198</p>	<p>Paragraphs 2.8.197-2.8.198 state:</p> <p><i>"Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure or has the potential to affect activities for which a licence has been issued by government, the applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities.</i></p> <p><i>The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy and guidance for offshore wind farm EIAs."</i></p>	<p>The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 (document reference 6.1.7) and addresses effects arising from the construction, operation, and decommissioning phases.</p>
<p>Paragraphs 2.8.200-2.8.203</p>	<p>Paragraphs 2.8.200-2.8.203 state:</p> <p><i>"Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-</i></p>	<p>Consultation related to coastal processes and geomorphology is detailed in Chapter 7 (document reference 6.1.7). The Applicant has undertaken consultation via</p>

Policy	Summary	Where is this addressed?
	<p><i>application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application. (see paragraphs 2.8.56 and 2.8.273/4 and 2.8.267 of this NPS for further guidance). Such stakeholder engagement should continue throughout the life of the development including construction, operation, and decommissioning phases where necessary.</i></p> <p><i>As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary.</i></p> <p><i>Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to co-exist successfully.”</i></p>	<p>the EPP on methods for assessment of impacts on physical processes with the relevant stakeholders including MMO and Centre for Environment, Fisheries and Aquaculture Science (CEFAS).</p>
<p>Paragraphs 2.8.224-2.8.225</p>	<p>Paragraphs 2.8.224-2.8.225 state:</p> <p><i>“Applicants are expected to have considered the best ecological outcomes in terms of potential mitigation. These might include:</i></p> <ul style="list-style-type: none"> <li>▪ <i>avoidance of areas sensitive to physical effects;</i></li> <li>▪ <i>consideration of micro-siting of both the array and cables;</i></li> <li>▪ <i>alignment and density of the array;</i></li> <li>▪ <i>design of foundations;</i></li> <li>▪ <i>ensuring that sediment moved is retained as locally as possible;</i></li> <li>▪ <i>the burying of cables to a necessary depth;</i></li> <li>▪ <i>using scour protection techniques around offshore structures to prevent scour effects or designing turbines to withstand scour, so scour protection is not required or is minimised.</i></li> </ul>	<p>Embedded mitigation relating to cable burial and scour are set out in Volume 3, Chapter 3 Project Description, Appendix 3.1: Cable Burial Risk Assessment (document reference 6.3.3.1) (subject to this requirement being a condition of a Marine Licence). Use of scour protection and methods of cable protection are set out in Chapter 3 (document reference 6.1.3). Consultation has been undertaken through the scoping process and with statutory consultees and other interested parties via the EPP and bilateral monthly meetings.</p>



Policy	Summary	Where is this addressed?
<p>Paragraphs 2.8.227-2.8.230</p>	<p><i>Applicants should consult the statutory consultees on appropriate mitigation and monitoring.”</i></p> <p>Paragraphs 2.8.227 – 2.8.230 state:</p> <p><i>“Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on intertidal/coastal habitats, taking into account other constraints.</i></p> <p><i>Where applicable, use of horizontal directional drilling techniques (HDD) should be considered as a method to avoid impacts on sensitive habitats and species.</i></p> <p><i>Where HDD is proposed, the applicant should provide a mitigation plan to account for the possibility that HDD fails. The applicant should explain their justification for the alternative plan and ensure this is the least impactful method possible.”</i></p>	<p>The techniques used to carry out the landfall works will be trenchless techniques (such as HDD, micro-tunnelling or auger boring. It may be possible to carry out trenchless techniques beyond the intertidal area and install the rest of the cable using an offshore installation spread. A Cable Burial Risk Assessment and Cable Specification and Installation Plan are submitted as part of the DCO application. Volume 3, Chapter 3 Project Description, Appendix 3.1: Cable Burial Risk Assessment (document reference 6.3.3.1) provides a mitigation plan to account for the possibility that HDD fails.</p> <p>Geotechnical investigations form part of the above assessments and this enables the design of appropriate construction techniques to minimise any adverse effects.</p> <p>Site specific geophysical and preliminary geotechnical data has informed the assessment and project design of the Project. Details are provided in Chapter 7 (document reference 6.1.7).</p>
<p>Paragraph 2.8.309</p>	<p>Paragraph 2.8.309 states:</p> <p><i>“The Secretary of State must be satisfied that the design of the wind farm, offshore transmission and methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical</i></p>	<p>The Project has proposed designs and installation methods that seek to minimise significant adverse effects on the physical environment where possible. Where necessary, the assessment has set out mitigation to avoid or reduce</p>

Policy	Summary	Where is this addressed?
	<i>environment. This could involve, for instance, the exclusion of certain foundations because of their impacts or minimising quantities of rock that are used to protect cables whilst taking into account other relevant considerations such as safety.”</i>	significant adverse effects, as outlined in Chapter 7 (document reference 6.1.7).

### 6.7.3 National Policy Statement: NPS EN-5

165. Table 6-11 sets out the relevant National Policy Statements from NPS EN-5 related to the Marine Physical Processes and provides detail as to where they are addressed by the Project.

Table 6-11: NPS EN-5 related to Marine Physical Processes

Policy	Summary	Where is this addressed?
Paragraph 2.3.2	<p>Paragraph 2.3.2 states:  <i>As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to:</i></p> <ul style="list-style-type: none"> <li>▪ <i>flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change;</i></li> <li>▪ <i>the effects of wind and storms on overhead lines;</i></li> <li>▪ <i>higher average temperatures leading to increased transmission losses;</i></li> <li>▪ <i>earth movement or subsidence caused by flooding or drought (for underground cables); and</i></li> <li>▪ <i>coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.</i></li> </ul>	The implications of the Project on strategies for managing the coast are considered in Chapter 7 (document reference 6.1.7) and a full description of Marine Physical Processes understanding at the landfall is set out in Volume 3, Chapter 7 Marine Physical Processes, Appendix 7.1: Physical Processes Technical Baseline (document reference 6.3.7.1).

### 6.7.4 Other Policy Considerations

166. Table 6-12 sets out other relevant policy considerations related to Marine Physical Processes and provides detail as to where they are addressed by the Project.

Table 6-12: Other Policy Considerations related to Marine Physical Processes

.Policy	Summary	Where is this addressed?
<p>UK Marine Policy Statement (2011) Paragraphs 2.6.1.3–2.6.1.5</p>	<p>Paragraphs 2.6.1.3– 2.6.1.5 states</p> <p><i>“Marine planning will be a key tool for ensuring that the targets and measures to be determined by the UK for the MSFD can be implemented. As a general principle, development should aim to avoid harm to marine ecology, biodiversity and <b>geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives.</b> Where significant harm cannot be avoided, then appropriate compensatory measures should be sought. Additional requirements apply in relation to developments affecting Natura 2000 sites.</i></p> <p><i>It is also recognised that the benefits of development may include benefits for marine ecology, biodiversity and geological conservation interests and that these may outweigh potential adverse effects. Development proposals may provide, where appropriate, opportunities for building-in beneficial features for marine ecology, biodiversity and geodiversity as part of good design; for example, incorporating use of shelter for juvenile fish alongside proposals for structures in the sea. When developing Marine Plans, marine plan authorities should maximise the opportunities for integrating policy outcomes.</i></p> <p><i>Marine plan authorities should apply precaution within an overall risk-based</i></p>	<p>The Project has proposed designs and installation methods that seek to minimise significant adverse effects on the physical environment where possible. Where necessary, the assessment has set out mitigation to avoid or reduce significant adverse effects, as outlined in Chapter 7 (document reference 6.1.7).</p> <p>An assessment of the potential impacts during the construction, O&amp;M, and decommissioning of the Project is contained within Volume 1, Chapter 8: Marine Water and Sediment Quality (Document Reference 6.1.8). Contaminant analysis of sediment samples collected during the Project specific benthic survey are also presented.</p>

.Policy	Summary	Where is this addressed?
	<p><i>approach, in accordance with the sustainable development policies of the UK Administrations. The marine plan authority should ensure that appropriate weight is attached to designated sites; to protected species; habitats and other species of principal importance for the conservation of biodiversity; and to geological interests within the wider environment.”</i></p>	
<p>East Marine Plan (2014) Policy CAB1</p>	<p>Policy CAB1 states: <i>“Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.”</i></p>	<p>Cables will be buried where possible and cable protection will be applied as and where appropriate.</p> <p>Indicative design options for cable burial and protection are set out in Chapter 3 (document reference 6.1.3).</p>
<p>East Marine Plan (2014) Policy MPA1</p>	<p>Policy MPA1 states: <i>“Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.”</i></p>	<p>The effects of designated sites are shown in Figure 7.9 (document reference 6.2.7.9) with potential impacts considered in Section 7.12 of Chapter 7 (document reference 6.1.7).</p> <p>A list of designated sites within the Marine Physical Processes Zol, with detail of the relevant protected features, is provided below:</p> <ul style="list-style-type: none"> <li>- North Norfolk Sandbanks and Saturn Reef SAC</li> <li>- Inner Dowsing, Race Bank and North Ridge SAC</li> <li>- Chapel Point – Wolla Bank SSSI</li> </ul> <p>Notably, a standalone Habitats Regulation Assessment (HRA) Report to Inform Appropriate</p>

.Policy	Summary	Where is this addressed?
		<p>Assessment (RIAA) (Report 7.1) and a MCZ Assessment (Volume 3, Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (document reference 6.3.9.4)) has been produced detailing all matters associated with statutory designations.</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 (document reference 6.1.9) and in Document Reference 7.1.</p>

### 6.7.5 Considerations for the SoS

167. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
168. Paragraphs 5.6.10-5.6.14 of NPS EN1 set out a series of principles that will be taken into account when reaching a decision on marine processes. NPS EN-1 requires an assessment of the proposed project on the effects on the coast, tidal rivers, and estuaries as per Section 4.3. Section 2.8 of EN-3 also outlines a number of measures that should be assessed by the Applicant.
169. In addition to NPS EN-1 and EN-3, the SoS must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.
170. The Applicant has considered the relevant marine processes throughout the application, for all offshore components of the Project within the relevant marine area and has assessed the effects on the coast.
171. In particular, EN-1, Paragraph 5.6.17 states:

*The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where*

*the decision maker is satisfied that the benefits (including need) of the development outweigh the adverse impacts.*

172. A full description of coastal processes understanding at the landfall is set out in Volume 3, Chapter 7 Marine Physical Processes, Appendix 7.1 Physical Processes Technical Baseline (document reference 6.3.7.1). This chapter considers the nature of ongoing shoreline change at the landfall and the potential for cables and other project infrastructure to impact coastal processes. Details regarding alternative landfall sites that have been considered during the design phase and an explanation for the final choice are provided in Chapter 4 (document reference 6.1.4).

Paragraph 5.6.20 places a requirement on the SoS to consult the MMO on projects which could impact on coastal change in England. The Applicant has demonstrated within the EEP that consultation has taken place with the MMO and there are no outstanding concerns. The draft DCO incorporates deemed marine licences that would otherwise have to be applied for separately under the MCAA 2009, and which identify conditions that may be applied to the Project.

173. The construction, O&M, and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.

174. The ES and draft RIAA (document reference 7.1) prepared for the Project concludes that there are no anticipated significant effects with regards the EIA Regulations and Habitat Regulations and therefore effects on Marine Physical Processes should not weigh against the substantial benefits of the Project when considering the planning balance.

## **6.8 Overall, the project is compliant with the adopted NPS, HRA and other policy relating to Marine Physical Processes. Marine Water Quality**

175. This topic is assessed in Chapter 8 (document reference 6.1.8) of the ES. References to sections and tables within Section 6.8 refer to Chapter 8 (document reference 6.1.8).

### **6.8.1 National Policy Statement: NPS EN-1**

176. Table 6-13 sets out the relevant paragraphs from NPS EN-1 related Marine Processes and provides detail as to where they are addressed by the Project.

Table 6-13: NPS EN-1 related to Marine Water Quality

Policy	Summary	Where is this addressed?
Paragraphs 5.16.1 – 5.16.2	<i>Paragraphs 5.16.1 – 5.16.2 state:  “Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters , coastal and marine waters.</i>	Potential impacts upon water quality are assessed in Chapter 8 (document reference 6.1.8) and in Volume 3, Chapter 8 Marine Water and Sediment Quality, Appendix 8.1: WFD (combined

Policy	Summary	Where is this addressed?
	<p><i>During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water, and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas<sup>278</sup> failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.”</i></p>	<p>offshore and onshore) (document reference 6.3.8.1).</p>
<p>Paragraph 5.16.3</p>	<p>Paragraph 5.16.3 states:</p> <p><i>“Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).”</i></p>	<p>The existing Marine Water and Sediment Quality (MW&amp;SQ) baseline, including that for relevant WFD waterbodies, is presented in Chapter 8 (document reference 6.1.8). Potential impacts are also assessed within the chapter.</p> <p>A standalone WFD Compliance Assessment is presented in Volume 3, Chapter 8 Marine Water and Sediment Quality Appendix 8.1 Water Framework Directive (document reference 6.3.8.1).</p>
<p>Paragraph 5.16.7</p>	<p>Paragraph 5.16.7 states:</p> <p><i>“The ES should in particular describe</i></p> <ul style="list-style-type: none"> <li>▪ <i>the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges,</i></li> </ul>	<p>A description of the baseline (existing) water quality conditions is provided in Chapter 8 (document reference 6.1.8).</p> <p>Within the chapter an assessment of the potential impacts of the Project upon water quality is provided. The</p>

Policy	Summary	Where is this addressed?
	<p><i>proposed new discharges and proposed changes to discharges;</i></p> <ul style="list-style-type: none"> <li>▪ <i>existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</i></li> <li>▪ <i>existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</i></li> <li>▪ <i>any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions.</i></li> <li>▪ <i>how climate change could impact any of the above in the future;</i></li> <li>▪ <i>any cumulative effects.”</i></li> </ul>	<p>chapter also considers climate change and any cumulative effects.</p> <p>A standalone WFD Compliance Assessment is presented in Volume 3, Chapter 8 Marine Water and Sediment Quality Appendix 8.1 Water Framework Directive(document reference 6.3.8.1).</p>
Paragraph 5.16.9	<p>Paragraph 5.16.9 states:</p> <p><i>“The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate</i></p>	<p>An outline Project Environment Management Plan (PEMP) is being submitted with the DCO Application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice.</p>



Policy	Summary	Where is this addressed?
	<i>drainage facilities, should be clearly marked.”</i>	

## 6.8.2 National Policy Statement: NPS EN-3

177. Table 6-14 sets out the relevant National Policy Statements from NPS EN-3 related Marine Water and Sediment Quality and provides detail as to where they are addressed by the Project.

Table 6-14: NPS EN-3 related to Marine Water and Sediment Quality.

Policy	Summary	Where is this addressed?
Paragraph 2.8.111	<p>Paragraph 2.8.11 states:</p> <p><i>“The construction, operation and decommissioning of offshore energy infrastructure can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors...:</i></p> <ul style="list-style-type: none"> <li>▪ <i>water quality – disturbance of the seabed sediments or release of contaminants can result in direct or indirect effects on habitats and biodiversity, as well as on fish stocks thus affecting the fishing industry; • waves and tides – the presence of the turbines can cause indirect effects through change to wave climate and tidal currents on flood and coastal erosion risk management, marine ecology and biodiversity, marine archaeology and potentially coastal recreation activities;</i></li> <li>▪ <i>scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels,</i></li> </ul>	<p>An assessment of the potential impacts during the construction, O&amp;M, and decommissioning of the Project is Chapter 8 (document reference 6.1.8). Contaminant analysis of sediment samples collected during the Project specific benthic survey are also presented.</p>

Policy	Summary	Where is this addressed?
	<p><i>marine archaeology, and impact biodiversity and seabed habitats;</i></p> <ul style="list-style-type: none"> <li>▪ <i>sediment transport – the resultant movement of sediments, such as sand across the seabed or in the water column, can indirectly affect navigation channels for marine vessels, and could affect sediment supply to sensitive coastal sites and impact biodiversity and seabed habitats;</i></li> <li>▪ <i>suspended solids – the release of sediment during construction, operation and decommissioning can cause indirect effects on marine ecology and biodiversity;</i></li> <li>▪ <i>sandwaves – the modification/clearance of sandwaves can cause direct physical (such as in affecting unknown archaeological remains) and ecological effects both at the seabed and within the water column due to disturbance and suspension of sediment, and potentially indirect effects (e.g., changes to seabed morphology in water depths where waves can influence the seabed, which can in turn affect wave climate and sediment transport); and</i></li> <li>▪ <i>water column – wind turbine structures can also affect water column features such as tidal mixing fronts or stratification due to a change in hydrodynamics and turbulence around structures.”</i></li> </ul>	

### 6.8.3 National Policy Statement: NPS EN-5

178. No relevant policy requirements for Marine Water and Sediment Quality have been identified in EN-5.

#### 6.8.4 Other Policy Considerations

179. Table 6-15 sets out other relevant policy considerations related Marine Water and Sediment Quality and provides detail as to where they are addressed by the Project.

Table 6-15: Other Policy Considerations related to Marine Water and Sediment Quality.

Policy	Summary	Where is this addressed?
<p>UK Marine Policy Statement (2011) Paragraph 3.3.24</p>	<p>Paragraph 3.3.24 states:</p> <p><i>“Renewable energy developments can potentially have adverse impacts on marine fish and mammals, primarily through construction noise and may displace fishing activity and have direct or indirect impacts on other users of the sea, including mariners. Certain bird species may be displaced by offshore wind turbines, which also have the potential to form barriers to migration or present a collision risk for birds. Their foundation designs are likely to have an effect on hydrodynamics and consequent sediment movement. This includes potential scouring of sediments around the bases of turbines. These and other potential adverse impacts, together with potential mitigation measures, are considered in the National Policy Statement for Renewable Energy Infrastructure (EN-3).”</i></p>	<p>The existing Marine Water and Sediment Quality baseline, including that for relevant WFD waterbodies, is presented in Chapter 8 (document reference 6.1.8). Potential impacts are also assessed within the chapter.</p> <p>8.8 of Chapter 8 (document reference 6.1.8) present the assessment of the proposed development on Marine Water and Sediment Quality receptors.</p> <p>The conclusions drawn within Chapter 8 (document reference 6.1.8) are that there are no significant adverse effects on Marine Water and Sediment Quality receptors.</p> <p>In addition, the Applicant has prepared a combined Volume 3, Chapter 8 Marine Water and Sediment Quality, Appendix 8.1: Water Framework Directive (document reference 6.3.8.1)</p>

Policy	Summary	Where is this addressed?
East Marine Plan (2014) Policy DD1	Policy DD1 states:  <i>“Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference</i> <i>a) that they will not adversely impact dredging and disposal activities</i> <i>b) how, if there are adverse impacts on dredging and disposal, they will minimise these</i> <i>c) how, if the adverse impacts cannot be minimised they will be mitigated</i> <i>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</i>	Consultation related to coastal processes and geomorphology is detailed in Chapter 7 (document reference 6.1.7). The Applicant has undertaken consultation via the EPP on methods for assessment of impacts on physical processes with the relevant stakeholders including MMO. The Project has been assessed in Chapter 7 (document reference 6.1.7) as not having a major impact as a result of dredging or deposit of any substance or object into the sea.
East Marine Plan (2014) Policy CAB1	Policy CAB1 states:  <i>“Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.”</i>	A burial installation technique has been adopted as part of the project (see Chapter 7, document reference 6.1.7 for further information).

### 6.8.5 Considerations for the SoS

180. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
181. Paragraphs 5.16.11-5.16.16 of NPS EN-1 set out a series of principles that will be taken into account when reaching a decision on marine water quality. NPS EN-1 (paragraph 5.16.3) requires an assessment of the proposed project on water quality and considerations of the proposed project on waterbodies/the water environment.
182. The assessment of Water Quality and Sediment Quality (Chapter 8 (document reference 6.1.8)) has had regard to the relevant requirements for assessment set out in NPS EN-1 and NPS EN-3 and been carried out in accordance with those requirements.
183. A full WFD assessment is presented in Volume 3, Chapter 8 Marine Water and Sediment Quality, Appendix 8.1: Water Framework Directive (document reference 6.3.8.1) which details the impacts on coastal and transitional waterbodies and protected areas under WFD.
184. The construction, operation and decommissioning of the Project will be undertaken in accordance with the relevant NPSs and other identified material planning policy matters.

185. The ES indicates that there are no anticipated significant effects and therefore effects on marine water and sediment quality should not weigh against the substantial benefits of the Project when considering the planning balance.

## 6.9 Benthic and Intertidal Ecology

186. This topic is assessed in Chapter 9 (document reference 6.1.9) of the ES.

### 6.9.1 National Policy Statement: NPS EN-1

187. Table 6-16 sets out the relevant National Policy Statements from NPS EN-1 related to Benthic and Intertidal Ecology and provides detail as to where they are addressed by the Project.

Table 6-16: NPS EN-1 related to Benthic and Intertidal Ecology

Policy	Summary	Where is this addressed?
Paragraph 5.4.8	<p>Paragraph 5.4.8 states:</p> <p><i>“Development on land within or outside a [Site of Special Scientific Interest] SSSI, and which is likely to have an adverse effect on it (either individually or in-combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.”</i></p>	<p>Designated sites within the region have been identified in section 9.5 of Chapter 9 (document reference 6.1.9). Any potential impacts to features of the sites have been assessed in section 9.8.</p>
Paragraphs 5.4.17 – 5.4.18	<p>Paragraphs 5.4.17 – 5.4.18 state:</p> <p><i>“Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</i></p>	<p>The potential effects of the Project have been assessed in regard to international, national, and local sites designated for ecological or geological features of conservation importance in Chapter 9 (document reference 6.1.9).</p>

Policy	Summary	Where is this addressed?
	<i>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project."</i>	
Paragraph 5.4.51	Paragraph 5.4.51 states:  <i>"The SoS is bound by the duties in relation to Marine Conservation Zones (MCZs) imposed by sections 125 and 126 of the Marine and Coastal Access Act (MCAA) 2009."</i>	An MCZ assessment is presented within Volume 3, Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (document reference 6.3.9.4), with a summary of the relevant habitats.

## 6.9.2 National Policy Statement: NPS EN-3

188. Table 6-17 sets out the relevant National Policy Statements from NPS EN-3 related Benthic and Intertidal Ecology and provides detail as to where they are addressed by the Project.

Table 6-17: NPS EN-3 related to Benthic and Intertidal Ecology

Policy	Summary	Where is this addressed?
Paragraph 2.8.101	Paragraph 2.8.101 states:  <i>"Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.3 and 5.4 of EN-1)."</i>	Consideration of the construction, operation and decommissioning phases of the scheme in relation to benthic and intertidal ecology are set out in Chapter 9 (document reference 6.1.9)
Paragraph 2.8.104	Paragraph 2.8.104 states:  <i>"Applicants should consult at an early stage of pre-application with relevant statutory consultees and energy not-for-profit organisations/non-governmental organisations as appropriate, on the assessment methodologies, baseline data collection, and</i>	Consultation has been undertaken through the scoping process, statutory pre-application requirements and the EIA Evidence Plan process as set out in Chapter 9 (document reference 6.1.9) The EPP is contained within Volume 3, Chapter 6 Technical Consultation, Appendix 6.1: Evidence Plan Process Consultation (document reference 6.3.6.1) and an overview of the consultation is within the Consultation Report (document reference 5.1).

Policy	Summary	Where is this addressed?
	<p><i>potential avoidance, mitigation and compensation options which should be undertaken.”</i></p>	
<p>Paragraph 2.8.106</p>	<p>Paragraph 2.8.106 states:</p> <p><i>“Any relevant data that has been collected as part of post-construction ecological monitoring from existing, operational [OWFs] should be referred to where appropriate.”</i></p>	<p>Relevant data collected as part of post-construction monitoring from other OWFs has informed the assessment within Chapter 9 (document reference 6.1.9) The Marine Management Organisation (MMO) has produced a review (MMO, 2014) on post-construction monitoring that has been undertaken for OWFs within which it is noted that there have been limited effects arising on benthic communities from certain impacts.</p>
<p>Paragraph 2.8.119</p>	<p>Paragraph 2.8.119 states:</p> <p><i>“Applicant assessment of the effects of installing cable across the intertidal/coastal zone should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round and include information, where relevant, about:</i></p> <ul style="list-style-type: none"> <li>▪ <i>any alternative landfill sites that have been considered by the applicant during the design phase and an explanation for the final choice;</i></li> <li>▪ <i>any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice;</i></li> <li>▪ <i>potential loss of habitat;</i></li> <li>▪ <i>disturbance during cable installation, maintenance/repairs and removal (decommissioning);</i></li> <li>▪ <i>increased suspended sediment loads in the</i></li> </ul>	<p>Consideration of the specific effects of increased suspended sediment load and the associated sediment deposition on benthic and intertidal ecology are set out in Chapter 9 (document reference 6.1.9).</p> <p>An assessment of the effects from all development phases on benthic and intertidal habitats and species in the vicinity of the Project is provided in Chapter 9 (document reference 6.1.9). These assessments included all likely effects from temporary and permanent habitat loss and the effects of changes in physical processes.</p> <p>An assessment of the effects of benthic and intertidal disturbances throughout the whole of the development can be found in Chapter 9 (document reference 6.1.9). The assessments within the chapter for Benthic and Intertidal Ecology have specific reference to construction vessels and anchors and habitat disturbance within the intertidal zone.</p> <p>The likely rates of recovery of benthic and intertidal habitats/species have been presented for each impact assessed and are based on the Marine Evidence Based Sensitivity Assessment (MarESA) which has been used to inform the assessment as set out in Chapter 9 (document reference 6.1.9).</p>

Policy	Summary	Where is this addressed?
	<p><i>intertidal zone during installation and maintenance/repairs;</i></p> <ul style="list-style-type: none"> <li>▪ <i>potential risk from invasive and non-native species;</i></li> <li>▪ <i>predicted rates at which the intertidal zone might recover from temporary effects, based on existing monitoring data; and</i></li> <li>▪ <i>protected sites.”</i></li> </ul>	
<p>Paragraph 2.8.126</p>	<p>Paragraph 2.8.126 states:</p> <p><i>“Applicant assessment of the effects on the subtidal environment should include:</i></p> <ul style="list-style-type: none"> <li>▪ <i>loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes, e.g. sandwave/boulder/UXO clearance;</i></li> <li>▪ <i>environmental appraisal of inter-array and other offshore transmission and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/cable protection and sandwave/boulder/UXO clearance;</i></li> <li>▪ <i>habitat disturbance from construction and maintenance/repair vessels’ extendable legs and anchors;</i></li> <li>▪ <i>increased suspended sediment loads during construction and from maintenance/repairs;</i></li> </ul>	<p>An assessment of the effects of benthic and intertidal disturbances throughout the whole of the development can be found in Chapter 9 (document reference 6.1.9). The assessments within the chapter for Benthic and Intertidal Ecology have specific reference to construction vessels and anchors and habitat disturbance within the intertidal zone.</p> <p>The likely rates of recovery of benthic and intertidal habitats/species have been presented for each impact assessed and are based on the Marine Evidence Based Sensitivity Assessment (MarESA) which has been used to inform the assessment as set out in Chapter 9 (document reference 6.1.9)</p> <p>An assessment of the effects from all development phases on benthic and intertidal habitats and species in the vicinity of the Project is provided in Chapter 9 (document reference 6.1.9). These assessments included all likely effects from temporary and permanent habitat loss and the effects of changes in physical processes.</p> <p>Consideration of the indirect disturbance of EMF generated by inter-array and export cables and effects on protected species are set out in Chapter 9 (document reference 6.1.9)</p>



Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>predicted rates at which the subtidal zone might recover from temporary effects;</i></li> <li>▪ <i>potential impacts from EMF on benthic fauna;</i></li> <li>▪ <i>potential impacts upon natural ecosystem functioning;</i></li> <li>▪ <i>protected sites; and</i></li> <li>▪ <i>potential for invasive/non-native species introduction.”</i></li> </ul>	
Paragraph 2.8.218	<p>Paragraph 2.8.218 states:</p> <p><i>“Mitigation will be possible in the form of careful design of the development itself and the construction techniques employed.”</i></p>	<p>Consideration of mitigation during the assessment, where considered appropriate and where effects associated with the project may be considered significant in the absence of mitigation are set out in Chapter 9 (document reference 6.1.9)</p>
Paragraphs 2.8.221-2.8.223	<p>Paragraphs 2.8.221-2.8.223 state:</p> <p><i>“Applicants must develop an ecological monitoring programme to monitor impacts during the pre-construction, construction and operational phases to identify the actual impacts caused by the project and compare them to what was predicted in the EIA/HRA.</i></p> <p><i>Should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted.</i></p> <p><i>Monitoring should be of sufficient standard to inform future decision-making. Increasing the understanding of the efficacy of alternatives and mitigation will</i></p>	<p>An In-Principal Monitoring Plan (document reference 8.3) has been submitted alongside the application which provides details of the proposed monitoring for the Project.</p> <p>Within Chapter 9 (document reference 6.1.9) the embedded monitoring mitigation is detailed. Benthic monitoring will be undertaken at pre-construction phases of the Project in order to determine the location, extent and composition of any habitats of principal importance or Annex 1 habitat. In the event that habitats of principal importance or Annex 1 habitat are identified in the pre-construction survey; post-construction monitoring will also be carried out with focus on these identified habitats.</p>

Policy	Summary	Where is this addressed?
<p>Paragraph 2.8.234</p>	<p><i>deliver greater certainty on applicant requirements.”</i></p> <p>Paragraph 2.8.234 states:</p> <p><i>“Mitigation measures which applicants are expected to have considered include:</i></p> <ul style="list-style-type: none"> <li>▪ <i>surveying and micro-siting of the turbines, designing array layout, or re-routing of the export and inter-array cables to avoid adverse effects on sensitive/protected habitats, biogenic reefs or protected species;</i></li> <li>▪ <i>Reducing as much as possible the amount of infrastructure that will cause habitat loss in sensitive/protected habitats;</i></li> <li>▪ <i>burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and</i></li> <li>▪ <i>the use of anti-fouling paint could be minimised on subtidal surfaces in certain environments, to encourage species’ colonisation on the structures, unless this is within a soft sediment MPA and thus would allow colonisation by species that would not normally be present.”</i></li> </ul>	<p>Where considered appropriate, and where effects associated with the project may be considered significant in the absence of mitigation, mitigation has been considered during the assessment, in Chapter 9 (document reference 6.1.9)</p>
<p>Paragraphs 2.8.304-2.8.305</p>	<p>Paragraphs 2.8.304-2.8.305 state:</p> <p><i>“The designation of an area as a protected site (including SACs SPAs, and Ramsar sites, MCZs and SSSIs) does not necessarily restrict the construction or operation of offshore wind farms or offshore</i></p>	<p>Natura 2000 sites (including HRA sites, MCZs and SSSIs) have been considered during the Project assessment with potential effects on the relevant habitats described in Chapter 9 (document reference 6.1.9).</p> <p>Further information in relation to designated sites is contained within the RIAA (RIAA (document</p>

Policy	Summary	Where is this addressed?
	<p><i>transmission in, near, or through that area (see also Sections 4.3 and 5.4 of EN-1). However, it may make consent for such construction more difficult to secure.</i></p> <p><i>Where adverse effects on site integrity/conservation objectives are predicted, the Secretary of State should consider the extent to which the effects are temporary or reversible, and the timescales for recovery. The Secretary of State should also consider the extent to which the effects may impede achievement of the MPA target (including any interim target) set under the Environment Act 2021.”</i></p>	<p>reference 7.1), which relates to the HRA (document reference 7.2).</p>
<p>Paragraph 2.8.310</p>	<p>Paragraph 2.8.310 states:</p> <p><i>“The use of external cable protection has been suggested as a mitigation for EMF (by increasing the distance between fish species and individual cables). However, the Secretary of State should also consider any negative impacts from external cable protection on benthic habitats, and a balance between protection of various receptors must be made, with all mitigation and alternatives reviewed.”</i></p>	<p>Offshore cables are proposed to be buried for the project. However, the potential need for cable protection (either for crossings and/or where burial is not achievable) has been considered within the assessments in relation to the potential effects on the receiving benthic environment. An assessment of the nature, potential burial depth, and installation of export cables is provided in Chapter 9 (document reference 6.1.9), in accordance with the cable design and specification as presented in Chapter 7 (document reference 6.1.7).</p>
<p>Paragraph 2.8.311</p>	<p>Paragraph 2.8.311 states:</p> <p><i>“The Secretary of State should be satisfied that cable installation and decommissioning has been designed sensitively, considering intertidal/coastal habitats.”</i></p>	<p>Chapter 9 (document reference 6.1.9) includes the duration and reversibility of effects in the assessment of effects.</p> <p>Consultation has been undertaken through the scoping process, statutory pre-application requirements and the EIA Evidence Plan process as set out in Chapter 9 (document reference 6.1.9).</p>
<p>Paragraph 2.8.317</p>	<p>Paragraph 2.8.317 states:</p> <p><i>“The Secretary of State should be satisfied that activities have been designed considering sensitive</i></p>	<p>This includes consultation with Natural England across all the consultation stages.</p>

Policy	Summary	Where is this addressed?
	<i>subtidal environmental aspects and discussions with the relevant conservation bodies have taken place."</i>	Further information can be found within the EPP is contained within Volume 3, Chapter 6 Technical Consultation, Appendix 6.1 : Evidence Plan Process Consultation (document reference 6.3.6.1) and an overview of the consultation is within the Consultation Report (document reference 5.1).
Paragraph 2.8.352	Paragraph 2.8.352 states:  <i>"Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the Secretary of State should consider the extent to which the effects are temporary or reversible."</i>	Chapter 9 (document reference 6.1.9) includes the duration and reversibility of effects in the assessment of effects.

### 6.9.3 National Policy Statement: NPS EN-5

189. No relevant policy requirements for Benthic and Intertidal Ecology have been identified in EN-5.

### 6.9.4 Other Policy Considerations

190. Table 6-18 sets out other relevant policy considerations related to Benthic and Intertidal Ecology and provides details as to where they are addressed by the Project.

Table 6-18: Other Policy Considerations related to Benthic and Intertidal Ecology

: Other policies related to considerations related to Benthic and Intertidal Ecology

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011)  Paragraph 2.2.2	High-level objectives include:  <i>"Living within environmental limits" includes the following requirements relevant to marine mammals:</i> <ul style="list-style-type: none"> <li>▪ <i>Biodiversity is protected, conserved and, where appropriate, recovered, and loss has been halted.</i></li> <li>▪ <i>Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient</i></li> </ul>	The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project on fish have been assessed in the impact assessment in Chapter 6 (document reference 6.1.9)

Policy	Summary	Where is this addressed?
	<p><i>and adaptable marine ecosystems.</i></p> <ul style="list-style-type: none"> <li>▪ <i>Our oceans support viable populations of representative, rare, vulnerable, and valued species”.</i></li> </ul>	
<p>UK Marine Policy Statement (2011) Paragraphs 2.6.1.3–2.6.1.5</p>	<p>Paragraphs 2.6.1.3– 2.6.1.5 states:</p> <p><i>“Marine planning will be a key tool for ensuring that the targets and measures to be determined by the UK for the MSFD can be implemented. As a general principle, development should aim to avoid harm to marine ecology, biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, then appropriate compensatory measures should be sought. Additional requirements apply in relation to developments affecting Natura 2000 sites.</i></p> <p><i>It is also recognised that the benefits of development may include benefits for marine ecology, biodiversity and geological conservation interests and that these may outweigh potential adverse effects. Development proposals may provide, where appropriate, opportunities for building-in beneficial features for marine ecology, biodiversity and geodiversity as part of good design; for example, incorporating use of shelter for juvenile fish alongside proposals for structures in the sea. When developing Marine Plans, marine plan authorities</i></p>	<p>Potential impacts upon habitats and biodiversity are assessed in Chapter 6 (document reference 6.1.9).</p> <p>Potential impacts upon fish ecology are assessed in Chapter 10 (document reference 6.1.10).</p> <p>Potential impacts upon the fishing industry are assessed in Volume 1, Chapter 14: Commercial Fisheries, (document reference 6.1.14). A RIAA and compensation documents support the Application (document reference 7.5).</p>

Policy	Summary	Where is this addressed?
	<p><i>should maximise the opportunities for integrating policy outcomes.</i></p> <p><i>Marine plan authorities should apply precaution within an overall risk-based approach, in accordance with the sustainable development policies of the UK Administrations. The marine plan authority should ensure that appropriate weight is attached to designated sites; to protected species; habitats and other species of principal importance for the conservation of biodiversity; and to geological interests within the wider environment."</i></p>	
<p>East Marine Plan (2014) Policy SOC3</p>	<p>Policy SOC3 states:</p> <p><i>"Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference: a) that they will not adversely impact the terrestrial and marine character of an area b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts."</i></p>	<p>The siting of the offshore infrastructure has been informed by the site's iterative selection process (see Chapter 4 (document reference 6.1.4) which included consultation with several statutory and non-statutory consultees including Environmental Agency and Natural England. Comments have been taken into account.</p> <p>An assessment of the potential impacts during the construction, O&amp;M, and decommissioning of the Project is within Chapter 8 (document reference 6.1.8). Contaminant analysis of sediment samples collected during the specific benthic survey are also presented. Potential impacts upon habitats and biodiversity are assessed in Chapter 9 (document reference 6.1.9). Potential impacts upon fish ecology are assessed in Chapter 10 (document reference 6.1.10).</p>

Policy	Summary	Where is this addressed?
East Marine Plan (2014) Policy	Policy ECO1 states:  <i>“Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.”</i>	The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project has been considered in the following chapters: Chapter 9 (document reference 6.1.9) Chapter 10, (document reference 6.1.10) Chapter 11 (document reference 6.1.11).
East Marine Plan (2014) Policy BIO1	Policy BIO1 states:  <i>“Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).”</i>	Refer to response for Policy ECO1. The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project has been considered in the following chapters: Chapter 9 (document reference 6.1.9) Chapter 10 (document reference 6.1.10) Chapter 11 (document reference 6.1.11).
East Marine Plan (2014) Policy BIO2	Policy BIO2 states:  <i>“Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.”</i>	The potential effects of the Project have been assessed in regard to international, national and local sites designated for ecological or geological features of conservation importance in Chapter 11 (document reference 6.1.11). Direct or indirect effects on features of relevant SAC and SPA sites were also considered in the RIAA (document reference 7.1). Important protected areas for marine mammals within their respective Management Units (Mus) are detailed in Volume 3, Chapter 11 Marine Mammals, Appendix 11.1: Marine Mammals Technical Baseline (document reference 6.3.11.1).

Policy		Summary	Where is this addressed?
Marine Framework (2008)	Strategy Directive	<p>Descriptor 1 – Biological diversity states:</p> <p><i>“Biological diversity is maintained. The quality and occurrence of habitats and the distribution and abundance of species are in line with prevailing physiographic, geographic and climatic conditions.”</i></p>	<p>Consideration of the effects on biological diversity for the Project alone and cumulatively are set out in Chapter 9 (document reference 6.1.9).</p>
Marine Framework (2008)	Strategy Directive	<p>Descriptor 2 – Non-indigenous species states:</p> <p><i>“Non-indigenous species introduced by human activity are at levels that do not adversely alter the ecosystems.”</i></p>	<p>Consideration of the potential for effects associated with marine invasive non-native species on benthic species and habitats that may be attributable to the Project are set out in Chapter 9 (document reference 6.1.9).</p>
Marine Framework (2008)	Strategy Directive	<p>Descriptor 6 – Sea floor integrity states:</p> <p><i>“Seafloor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected.”</i></p>	<p>Consideration of the effects on benthic and intertidal ecology, inclusive of any risk to ecological integrity, for the Project alone and cumulatively are set out in Chapter 9 (document reference 6.1.9).</p>



### 6.9.5 Considerations for the SoS

191. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
192. Part 5.4 of NPS EN-1 sets out matters relevant to biodiversity and geological conservation at national level. In paragraph 5.4.1 It is recognised that:
- ‘Biodiversity is the variety of life in all its forms and encompasses all species of plants and animals and the complex ecosystems of which they are a part’.*
193. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large scale projects.
194. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 Paragraph 4.1.6 requires that the following matters relevant to benthic subtidal and intertidal ecology are taken into account when considering any proposed development:
- ‘the Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans<sup>94</sup>, and other material considerations as outlined in Section 1.1.’*
195. Paragraph 2.8.302 of NPS EN-3 sets out matters the SoS should have regard to in reaching a decision. It advises that the SoS should consider the effects of a proposed development on marine ecology and biodiversity, considering all relevant information made available by the applicant.
196. Table 6-16, Table 6-17, and Table 6-18 above and the documents to which they refer to, provide sufficient detail to demonstrate that the applicant has made appropriate, and extensive, use of up-to-date evidence from previous deployments and research results from scientific peer reviewed papers, and the programmes listed in paragraph 2.8.107 and assessed through HRA/MCZ processes (including the mitigation hierarchy), the impact on any protected species or habitats, as well as having regard to requirements set out in 5.4.39 of EN-1 (e.g. the Environment Act) and Good Environmental Status under the UK Marine Strategy.
197. Paragraphs 2.8.310 to 2.8.314 and Paragraph 2.8.317 to 2.6.118 of NPS EN-3 set out matters the SoS should have regard to when considering impacts on subtidal and intertidal environments.
198. Chapter 9 (Document Reference 6.1.9) of the ES provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction, operation, and decommissioning phases (document reference 7.1).
199. The assessment of Benthic and Intertidal Ecology has had regard to the relevant requirements for assessment set out in NPS EN-1 and NPS EN-3 have been carried out in accordance with those requirements.

200. The construction, operation and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters. The findings of the ES and RIAA indicate that there are no anticipated significant residual effects with regards to the EIA Regulations and HRA regulations and therefore demonstrates that effects on benthic, subtidal, and intertidal ecology should not weigh against the substantial benefits of the Project when considering the planning balance.

## 6.10 Fish and Shellfish Ecology

201. This topic is assessed in full in Chapter 10 (document reference 6.1.10) of the ES.

### 6.10.1 National Policy Statement: NPS EN-1

202. Table 6-19 sets out the relevant National Policy Statements from NPS EN-1 related to Fish and Shellfish Ecology and provides detail as to where they are addressed by the Project. provides detail as to where they are addressed by the Project.

Table 6-19: NPS EN-1 related to Fish and Shellfish Ecology

Policy	Summary	Where is this addressed?
Paragraphs 5.4.7 – 5.4.8	<p>Paragraphs 5.4.7 – 5.4.8 state:</p> <p><i>“Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.</i></p> <p><i>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.”</i></p>	<p>Designated sites within the region have been identified in Chapter 10 (document reference 6.1.10) and in the HRA Screening Report (document reference 7.2). The Humber Estuary has been included as it is designated as a SAC, a SPA, a Ramsar Site and an SSSI.</p>

Policy	Summary	Where is this addressed?
Paragraph 5.4.9	<p>Paragraph 5.4.9 states:</p> <p><i>“Marine Conservation Zones (MCZs) (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.”</i></p>	<p>One MCZ relevant to fish and shellfish was identified – Holderness Offshore MCZ. This is discussed in Chapter 10 (document reference 6.1.10). An assessment on potential impacts to MCZs is undertaken in Volume 3, Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (document reference 6.3.9.4).</p>
Paragraphs 5.4.17-5.4.18	<p>Paragraphs 5.4.17 – 5.4.18 state:</p> <p><i>“Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</i></p> <p><i>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the</i></p>	<p>The potential effects of the Project have been assessed regarding international, national, and local sites designated for ecological features of conservation importance (Chapter 10 (document reference 6.1.10)).</p>

Policy	Summary	Where is this addressed?
	<p><i>Secretary of State consider thoroughly the potential effects of a proposed project.”</i></p>	
<p>Paragraph 5.4.35</p>	<p>Paragraph 5.4.35 states:</p> <p><i>“Applicants should include appropriate avoidance, mitigation, compensation, and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</i></p> <ul style="list-style-type: none"> <li>▪ <i>during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</i></li> <li>▪ <i>the timing of construction has been planned to avoid or limit disturbance;</i></li> <li>▪ <i>during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</i></li> <li>▪ <i>habitats will, where practicable, be restored after construction works have finished; and</i></li> <li>▪ <i>opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.</i></li> </ul>	<p>Designed-in measures to be adopted as part of the Project are presented in Chapter 10 (document reference 6.1.10). These design measures address all phases of the Project including, construction, operation and decommissioning.</p> <p>During the construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a Marine Pollution Contingency Plan (MPCP);</li> <li>• Adherence to best practice guidelines.</li> </ul> <p>During the operation and maintenance phase mitigation measures will include a Scour Protection Management Plan (SPMP), while a Decommissioning Programme will be developed for the decommissioning phase.</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>mitigations required as a result of legal protection of habitats or species will be complied with.”</li> </ul>	
Paragraphs 5.4.54-5.4.55	<p>Paragraphs 5.4.54 – 5.4.55 state:</p> <p><i>“The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</i></p> <p><i>The Secretary of State should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.”</i></p>	All species receptors, including those of principal importance for the conservation of biodiversity in the North Sea are summarised in Chapter 10 (document reference 6.1.10) (full description in Volume 3, Chapter 10 Fish and Shellfish Ecology, Appendix 10.1: Fish and Shellfish Ecology Technical Baseline (document reference 6.3.10.1).

## 6.10.2 National Policy Statement: NPS EN-3

203. Table 6-20 sets out the relevant National Policy Statements from NPS EN-3 related to Fish and Shellfish Ecology and provides detail as to where they are addressed by the Project.

Table 6-20: NPS EN-3 related to Fish and Shellfish Ecology

Policy	Summary	Where is this addressed?
Paragraphs 2.8.101-2.8.102	<p>Paragraphs 2.8.101-2.8.102 state:</p> <p><i>“Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.3 and 5.4 of EN-1).</i></p>	<p>Construction, O&amp;M and decommissioning phases of the Project have been assessed in Chapter 10 (document reference 6.1.10). The assessment considers the offshore ecological, biodiversity and physical impacts of the Project .</p> <p>The Biodiversity Net Gain Report Principles &amp; Approach</p>

Policy	Summary	Where is this addressed?
	<p><i>Applicants need to consider environmental and biodiversity net gain as set out in Section 4.6 of EN-1 and the Environment Act 2021.</i></p>	<p>(document reference 9.5) outlines the commitment of the Project to adopting Biodiversity Net Gain using the latest metric.</p>
Paragraph 2.8.103	<p>Paragraph 2.8.103 states:</p> <p><i>“Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects.”</i></p>	<p>The assessment methodology includes the provision for assessment of both positive and negative effects (see Chapter 10 (document reference 6.1.10)).</p>
Paragraph 2.8.104	<p>Paragraph 2.8.104 states:</p> <p><i>“Applicants should consult at an early stage of pre-application with relevant statutory consultees, as appropriate, on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options should be undertaken.”</i></p>	<p>Consultation with relevant statutory and non-statutory stakeholders has been carried out from the early stages of the Project (see Chapter 10 (document reference 6.1.10)) for a summary of consultation regarding fish and shellfish).</p>
Paragraphs 2.8.106-2.8.107	<p>Paragraphs 2.8.106– 2.8.107state:</p> <p><i>“Any relevant data that has been collected as part of post-construction ecological monitoring from existing, operational offshore wind farms should be referred to where appropriate.</i></p> <p><i>A range of research programmes are ongoing to investigate impacts of offshore wind farm development, including, but not limited to: DESNZ (formerly BEIS) SEA Research Programme<sup>43</sup>, ORJIP<sup>44</sup>, ScotMER<sup>45</sup>, the ORE Catapult<sup>46</sup> and OWEC<sup>47</sup>. Applicants should explain why their decisions on siting, design, and impact mitigation are proportionate and well-targeted, referring to relevant scientific research and literature as appropriate”.</i></p>	<p>Relevant data collected as part of post-construction monitoring from other OWF projects has informed the assessment (see Chapter 10 (document reference 6.1.10)).</p>
Paragraph 2.8.150	<p>Paragraph 2.8.150 states:</p> <p><i>“The applicant should identify fish species that are the most likely receptors of impacts with respect to:</i></p>	<p>The key receptors of impacts are listed in Chapter 10 (document reference 6.1.10). Consideration of receptors with regards to spawning grounds, nursery</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>spawning grounds;</i></li> <li>▪ <i>nursery grounds;</i></li> <li>▪ <i>feeding grounds;</i></li> <li>▪ <i>over-wintering areas for crustaceans;</i></li> <li>▪ <i>migration routes; and</i></li> <li>▪ <i>protected sites.”</i></li> </ul>	<p>grounds, feeding grounds, over-wintering areas and migration routes has been given, with those receptors of potential sensitivity to impacts from the development of the Project.</p>
<p>Paragraph 2.8.151</p>	<p>Paragraph 2.8.151 states:</p> <p><i>“Applicant assessments should identify the potential implications of underwater noise from construction and unexploded ordnance including, where possible, implications of predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance and addressing both sound pressure and particle motion) and EMF on sensitive fish species.”</i></p>	<p>Potential implications from underwater noise and EMF on fish and shellfish receptors have been assessed in Chapter 10 (document reference 6.1.10).</p>
<p>Paragraph 2.8.218</p>	<p>Paragraph 2.8.218 states:</p> <p><i>“Mitigation will be possible in the form of careful design of the development itself and the construction techniques employed.”</i></p>	<p>Embedded mitigation relevant to the fish and shellfish ecology chapter is detailed in Chapter 10 (document reference 6.1.10).</p>
<p>Paragraph 2.8.221</p>	<p>Paragraph 2.8.221 states:</p> <p><i>“Applicants <b>must</b> develop an ecological monitoring programme to monitor impacts during the pre-construction, construction and operational phases to identify the actual impacts caused by the project and compare them to what was predicted in the EIA/HRA.”</i></p>	<p>The requirement for fish and shellfish monitoring has been considered within the impact assessments in Chapter 10 (document reference 6.1.10). The requirement for fish and shellfish monitoring has been considered within the impact assessments in Chapter 10 (document reference 6.1.10) Section 10.6.</p>
<p>Paragraphs 2.8.245-2.8.247</p>	<p>Paragraphs 2.8.245-2.8.247 state:</p> <p><i>“EMF in the water column during operation, is in the form of electric and magnetic fields, which are reduced by use of armoured cables for interarray and export cables.</i></p>	<p>The impacts of EMF on fish and shellfish receptors have been considered in Chapter 10 (document reference 6.1.10). Where possible cables will be buried but if not, cable protection will be installed.</p>

Policy	Summary	Where is this addressed?
	<p><i>Burial of the cable increases the physical distance between the maximum EMF intensity and sensitive species. However, what constitutes sufficient depth to reduce impact will depend on the geology of the seabed.</i></p> <p><i>It is unknown whether exposure to multiple cables and larger capacity cables may have a cumulative impact on sensitive species. It is therefore important to monitor EMF emissions which may provide the evidence to inform future EIAs."</i></p>	
Paragraph 2.8.249	<p>Paragraph 2.8.249 states:</p> <p><i>"Construction of specific elements can also be timed to reduce impacts on spawning or migration. Underwater noise mitigation can also be used to prevent injury and death of fish species."</i></p>	Spawning periods for relevant species are detailed in Chapter 10 (document reference 6.1.10).
Paragraph 2.8.302	<p>Paragraph 2.8.302 states:</p> <p><i>"The Secretary of State should consider the effects of a proposed development on marine ecology and biodiversity, considering all relevant information made available by the applicant."</i></p>	Designated sites within the region have been identified in Chapter 10 (document reference 6.1.10) and in the RIAA (document reference 7.1) as appropriate, along with any potential impacts to features of the sites have been assessed.

### 6.10.3 National Policy Statement: NPS EN-5

204. Table 6-21 sets out the relevant National Policy Statements from NPS EN-5 related to the Fish and Shellfish Ecology and provides detail as to where they are addressed by the Project.



Table 6-21: NPS EN-5 relevant to Fish and Shellfish Ecology

Policy	Summary	Where is this addressed?
Paragraph 2.14.1	<p>Paragraph 2.14.1 states:</p> <p><i>“Adverse impacts on Marine Protected Areas (MPAs) have caused consenting delays, and in some cases a need for compensatory measures under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Habitats and Species Regulations 2017, or measures of equivalent environmental benefit under the Marine and Coastal Access Act 2009. Therefore, applicants should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process. Applicants should also facilitate delivery of strategic compensation measures where appropriate (see paragraphs 2.8.292 -2.8.299 of EN-3).”</i></p>	<p>Designated nature conservation sites within the Project study area have been detailed in Volume 3, Volume 3, Chapter 10 Fish and Shellfish Ecology, Appendix 10.1: Fish and Shellfish Ecology Technical Baseline (document reference 6.3.10.1) and are summarised in Chapter 10 (document reference 6.1.10).</p> <p>The potential for impacts to fish and shellfish features of MPAs have been assessed in Chapter 10 (document reference 6.1.10).</p>
Paragraph 2.14.2	<p>Paragraph 2.14.2 states:</p> <p><i>“In the assessments of their designs, applicants should demonstrate:</i></p> <ul style="list-style-type: none"> <li>▪ <i>how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design; and</i></li> <li>▪ <i>how enhancements to the environment post construction will be achieved including demonstrating consideration of how proposals can contribute towards biodiversity net gain (as set out in Section 4.5 of EN-1 and the Environment Act 2021), as well as wider environmental improvements in line with the Environmental Improvement Plan and environmental targets (paragraph 4.2.29 of EN-1). In addition, all applicants are encouraged to demonstrate how the construction planning for the proposals</i></li> </ul>	<p>A Project Environmental Management Plan (PEMP) will be produced, in line with the Outline PEMP (document 8.4) prior to construction and followed to cover all phases of the Project.</p> <p>Embedded mitigation relating to fish and shellfish ecology is provided in Chapter 10 (document reference 6.1.10).</p>

Policy	Summary	Where is this addressed?
	<p><i>has been coordinated with that for other similar projects in the area on a similar timeline."</i></p>	

#### 6.10.4 Other Policy Considerations

205. Table 6-22 sets out other relevant policy considerations related to Fish and Shellfish Ecology and provides detail as to where they are addressed by the Project.

Table 6-22: Other Policy Considerations related to Fish and Shellfish Ecology.

Policy	Summary	Where is this addressed?
<p>UK Marine Policy Statement (2011) Paragraph 2.2.2</p>	<p>Paragraph 2.2.2 states:</p> <p><i>"High-level objectives include:</i></p> <p><i>Living within environmental limits" includes the following requirements relevant to marine mammals:</i></p> <p><i>Biodiversity is protected, conserved and, where appropriate, recovered, and loss has been halted;</i></p> <p><i>Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems; and</i></p> <p><i>Our oceans support viable populations of representative, rare, vulnerable, and valued species."</i></p>	<p>The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project on fish have been assessed in the impact assessment in Chapter 10 (eocument reference 6.1.10).</p>

Policy	Summary	Where is this addressed?
East Marine Plan (2014) Policy SOC3	<p>Policy SOC3 states:</p> <p><i>“Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference: a) that they will not adversely impact the terrestrial and marine character of an area b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</i></p>	<p>The siting of the offshore infrastructure has been informed by the site’s iterative selection process (see Chapter 4 (document reference 6.1.4) which included consultation with several statutory and non-statutory consultees like the Environmental Agency and Natural England. Comments have been taken into account.</p> <p>An assessment of the potential impacts during the construction, O&amp;M, and decommissioning of the Project is within Chapter 8 (document reference 6.1.8). Contaminant analysis of sediment samples collected during the Project specific benthic survey are also presented.</p> <p>Potential impacts upon fish ecology are assessed in Chapter 10 (document reference 6.1.10).</p>
East Marine Plan (2014) Policy BIO1	<p>Policy BIO1 states:</p> <p><i>“Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).”</i></p>	<p>Refer to response for Policy ECO1.</p>

Policy	Summary	Where is this addressed?
East Marine Plan (2014) Policy ECO1	Policy ECO1 states:  <i>“Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.”</i>	The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project has been considered in Chapter 10 (document reference 6.1.10).
East Marine Plan (2014) Policy FISH2	Policy FISH2 states:  <i>“Proposals should demonstrate, in order of preference:</i> <ul style="list-style-type: none"> <li>▪ <i>that they will not have an adverse impact upon spawning and nursery areas and any associated habitat;</i></li> <li>▪ <i>how, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them;</i></li> <li>▪ <i>how, if the adverse impacts cannot be minimised they will be mitigated; and</i></li> <li>▪ <i>the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts.”</i> </li></ul>	Potential impacts on fish and shellfish receptors have been assessed in Sections 10.6 and 10.7, and embedded mitigation detailed in Table 10.8 within Chapter 10 (document reference 6.1.10).  To summarise, there are no significant effects concluded on fish and shellfish receptors, therefore no additional mitigation measures (other than the embedded mitigation) are proposed.

### 6.10.5 Considerations for the SoS

206. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

207. Part 5.4 of NPS EN-1 sets out the policy for the SoS in relation to generic biodiversity impacts. Paragraphs 2.8.85 to 2.8.110 of NPS EN-3 sets out offshore wind-specific biodiversity policy. In addition, there are specific considerations set out in NPS EN-3 (paragraph 2.8.148) which apply to the effect of offshore wind energy infrastructure proposals on fish and shellfish as set out below:

*“There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities and nursery areas of particular species.”*

208. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large-scale projects.”
209. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.6 requires that the following matters relevant to fish and shellfish ecology are taken into account when considering any proposed development:
- “The Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1)”*
210. Paragraph 2.8.310 NPS EN-3 sets out matters the SoS should have regard to in reaching a decision in relation to fish. The paragraph discusses how the SoS should consider cable protection as a mitigation for EMF. It states that:
- “The use of external cable protection has been suggested as a mitigation for EMF (by increasing the distance between fish species and individual cables). However, the Secretary of State should also consider any negative impacts from external cable protection on benthic habitats, and a balance between protection of various receptors must be made, with all mitigation and alternatives reviewed.”*
211. Where it is proposed that mitigation measures are applied to offshore export cables to reduce EMF (e.g., armoured cabling and cable burial at sufficient depths) the residual effects of EMF on sensitive species from cable infrastructure during operation are not likely to be significant. Once installed, operational EMF impacts are unlikely to be of sufficient range or strength to create a barrier to fish movement.
212. Chapter 10 (document reference 6.1.10) provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&M phase, and decommissioning phase.
213. The assessment of Fish and Shellfish has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and been carried out in accordance with those requirements.
214. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters. The findings of the ES and draft RIAA demonstrate that there is no conflict with any of the conditions set out by the NPSs which would lead to a refusal of development consent on fish and shellfish grounds.
215. The findings of the ES and RIAA indicate that there will be no significant effects with regards to the EIA and Habitats Regulations and therefore the effects on fish and shellfish ecology should not weigh against the substantial benefits of the Project when considering the planning balance.
216. Overall, the project is compliant with the NPSs with respect to policy relating to policy relating to Fish and Shellfish Ecology

## 6.11 Marine Mammals

217. This topic is assessed in full in Chapter 11 (document reference 6.1.11).

### 6.11.1 National Policy Statement: NPS EN-1

218. Table 6-23 sets out the relevant National Policy Statements from NPS EN-1 related to Marine Mammals and provides detail as to where they are addressed by the Project.

Table 6-23: NPS EN-1 related to Marine Mammals

Policy	Summary	Where is this addressed?
Paragraph 5.4.17	<p>Paragraph 5.4.17 states:</p> <p><i>“Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.”</i></p>	<p>The potential effects of the Project have been assessed in regard to international, national and local sites designated for ecological or geological features of conservation importance in Chapter 11 (document reference 6.1.11). Direct or indirect effects on features of relevant Special Area of Conservation (SAC) and Special Protection Area (SPA) sites were also considered in the Habitats Regulations Assessment Screening Report and where relevant have been included in the RIAA (document reference 7.1). Important protected areas for marine mammals within their respective Management Units (Mus) are detailed in Volume 3, Chapter 11 Marine Mammals, Appendix 11.1: the Marine Mammals Technical Baseline (document reference 6.3.11.1).</p>
Paragraph 5.4.35	<p>Paragraph 5.4.35 states:</p> <p><i>“Applicants should include appropriate avoidance, mitigation, compensation, and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</i></p> <ul style="list-style-type: none"> <li>▪ <i>during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works</i></li> <li>▪ <i>the timing of construction has been planned to avoid or limit disturbance</i></li> </ul>	<p>Embedded mitigation relevant for marine mammals to be adopted as part of the project have been detailed in Chapter 11: (document reference 6.1.11) section 11.5.4 and within the Marine Mammal Mitigation Protocol (document Rferences 8.6.1 and 8.62).</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements</i></li> <li>▪ <i>habitats will, where practicable, be restored after construction works have finished</i></li> <li>▪ <i>opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.</i></li> <li>▪ <i>mitigations required as a result of legal protection of habitats or species will be complied with. ”</i></li> </ul>	

### 6.11.2 National Policy Statement: NPS EN-3

219. Table 6-24 sets out the relevant National Policy Statements from NPS EN-3 related to Marine Mammals and provides detail as to where they are addressed by the Project.

Table 6-24: NPS EN-3 related to Marine Mammals

Policy	Summary	Where is this addressed?
<p>Paragraphs 2.8.127-2.8.129</p>	<p>Paragraphs 2.8.127-2.8.129 state:</p> <p><i>“Construction activities, including installing wind turbine foundations by pile driving, geophysical surveys, and clearing the site and cable route of unexploded ordinance (UXOs) may reach noise levels which are high enough to cause disturbance, injury, or even death to marine mammals.</i></p> <p><i>All marine mammals are protected under Part 3 of the Habitats Regulations.</i></p> <p><i>In addition, whales, dolphins and porpoises (collectively known as cetaceans) are legally protected species. If construction and associated noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations (which would include deliberately disturbing, injuring or killing), an application will have to be made for a wildlife licence<sup>1</sup> to allow the activity to take place.”</i></p>	<p>Injury and disturbance from construction activities, including piling, geophysical surveys and unexploded ordinance (UXO) clearance has been assessed in Chapter 11 (document reference 6.1.11) as part of the assessment of construction impacts on marine mammals. The Applicant is not seeking to licence UXO in the DCO. All appropriate licencing requirements, including a UXO licence, will be met separately and/or post-consent, if required.</p> <p>Direct or indirect effects on features of relevant SAC and SPA sites were also considered in the HRA Screening Report and where relevant included in the RIAA which has concluded that there is no aEoI to marine mammals.</p> <p>Experience from other OWF projects in the southern North Sea suggests that there is the potential for UXO to occur within the array and export cable corridor for the Project and that it is likely that UXO clearance work may be required in some cases; this would need to be confirmed by site-specific pre-construction surveys and a separate Marine Licence (with associated European Protected Species (EPS) Licence application) will be applied for pre-construction for the clearance of any UXO, if required.</p> <p>It should be noted that the preferred action for the Applicant is for no UXO clearance to occur; however, should UXO be detected during the pre-construction geophysical survey, clearance (including a detonation option) may be required prior to construction as a safety measure. Any required UXO clearance would take place within the pre-construction phase</p>



Policy	Summary	Where is this addressed?
		(broadly 2025– 2028), with the proposed date for piling being 2027. Therefore, the earliest any such clearance may occur is anticipated to be in early 2026.
Paragraph 2.8.130	Paragraph 2.8.130 states:  <i>“The development of offshore wind farms can also impact fish species (see paragraphs 2.8.245 – 2.8.249), which can have indirect impacts on marine mammals if those fish are prey species.”</i>	Impacts to marine mammals arising from changes to prey availability and vessel collision risk have been assessed in Chapter 11 (document reference 6.1.11). There is no risk of entanglement with floating wind structures as there are no floating elements to the Project (see Chapter 3 (document reference 6.1.3))
Paragraph 2.8.131	Paragraph 2.8.131 states:  <i>“Where necessary, assessment of the effects on marine mammals should include details of:</i> <ul style="list-style-type: none"> <li>▪ <i>likely feeding areas and impacts on prey species and prey habitat;</i></li> <li>▪ <i>known birthing areas / haul out sites for breeding and pupping;</i></li> <li>▪ <i>migration routes;</i></li> <li>▪ <i>protected areas;</i></li> <li>▪ <i>baseline noise levels;</i></li> <li>▪ <i>predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance;</i></li> <li>▪ <i>operational noise;</i></li> <li>▪ <i>duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects;</i></li> <li>▪ <i>collision risk;</i></li> </ul>	Throughout the EIA and HRA all relevant impacts have been identified, discussed, analysed and mitigated for if necessary in Chapter 11 (document reference 6.1.11) and the Habitats Regulation Assessment (HRA) Report to Inform Appropriate Assessment (RIAA) (document reference 7.1).  The noise assessment for the Project is detailed in Volume 1 Chapter 26 : Noise and Vibration (document reference 6.1.26) of the ES. The noise generated by construction operations and the operational noise from the OnSS on International or National ecological sites situated near the Landfall, ECC and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09). This guidance is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.  The noise assessment ( Chapter 26 (document reference 6.1.26)) acknowledges that a detailed list of construction plant, operational noise levels and associated on-times for all the construction activities/operations is not yet available.

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ entanglement risk; and</li> <li>▪ barrier risk.”</li> </ul>	
Paragraph 2.8.132	<p>Paragraph 2.8.132 states:</p> <p><i>“The scope, effort and methods required for marine mammal surveys and impact assessments should be discussed with the relevant SNCB.”</i></p>	<p>Communication with SNCBs has been consistent throughout the Project, targeted Expert Topic Groups (ETGs). Discussions have related to the scope and methods for marine mammals surveys, as discussed in Chapter 11 (document reference 6.1.11).</p>
Paragraph 2.8.133-2.8.135	<p>Paragraphs 2.8.133-2.8.135 state:</p> <p><i>“The applicant should discuss any proposed noisy activities with the relevant body and must reference the JNCC and SNCB underwater noise guidance and any successor of this guidance, in relation to noisy activities (alone and in combination with other plans or projects) within SACs, SPAs, and Ramsar sites, in addition to the JNCC mitigation guidelines for piling, explosive use, and geophysical surveys. NRW has a position statement on assessing noisy activities which should also be referenced where relevant.</i></p> <p><i>Where the assessment identifies that noise from construction and UXO clearance may reach noise levels likely to lead to noise thresholds being exceeded (as detailed in the JNCC guidance) or an offence as described in paragraph 2.8.127-2.8.129 above, the applicant must look at possible alternatives or appropriate mitigation.</i></p> <p><i>The applicant should develop a Site Integrity Plan (SIP) or alternative assessments for projects in English and Welsh waters to allow the cumulative impacts of underwater noise</i></p>	<p>This has been assessed in the RIAA (document reference 7.1) and EIA impacts from underwater noise assessed in Volume 3, Chapter 11 Marine Mammals, Appendix 11.2: Underwater Noise Assessment (document reference 6.3.11.2).</p> <p>The assessment of the risk of injury in marine mammals follows the draft 2010 advice issued by JNCC, the Countryside Council for Wales (CCW) and Natural England, titled ‘The protection of marine European Protected Species from injury and disturbance’.</p> <p>Overall, the assessment concludes that and disturbance would be a slight adverse significance, which is not significant in EIA terms.</p> <p>Mitigation measures which will be used to minimise impacts to marine mammals are shown within the Outline MMMP document.</p> <p>The piling MMMP and UXO MMMP have been discussed in the relevant ETGs and Outline documents have been provided as part of the ES (document 8.6a and document 8.6b respectively).</p>

Policy	Summary	Where is this addressed?
	<p><i>to be reviewed closer to the construction date when there is more certainty in other plans and projects.”</i></p>	<p>Mitigation for disturbance risk is also provided for separately within the Outline SNS SIP which will be provided alongside the DCO Application. Discussion around the use of a SIP is within document reference 7.1.</p> <p>An Outline SIP has been submitted alongside the Application (document reference 8.7).</p>
<p>Paragraph 2.8.237</p>	<p>Paragraph 2.8.237 states:</p> <p><i>“Monitoring of the surrounding area before and during the piling procedure can be undertaken by various methods including marine mammal observers and passive acoustic monitoring. Active displacement of marine mammals outside potential injury zones can be undertaken using equipment, such as acoustic deterrent devices. Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before physical or auditory injury is caused.”</i></p>	<p>Mitigation measures are detailed in document reference 8.61, see Chapter 11 (document reference 6.1.11) for more details. Mitigation measures which will be used to minimise impacts to marine mammals are shown within the Outline Marine Mammal Mitigation Protocol (document reference 8.6.1). The protocol will be implemented to to minimise the risk of auditory injury, i.e. to negligible levels.</p> <p>Embedded mitigation is also outlined within , Chapter 11 (document reference 6.1.11). This includes the implementation of a Project Environmental Management Plan, which will be used to safeguard the marine environment in the event of accidental pollution occurring as a result of ODOW operations.</p>
<p>Paragraphs 2.8.238-2.8.239</p>	<p>Paragraphs 2.8.238-2.8.239 state:</p> <p><i>“Where noise impacts cannot be reduced be avoided, other mitigation should be considered, including alternative installation methods and noise abatement technology, spatial/temporal restrictions on noisy activities, alternative foundation types.</i></p>	<p>Mitigation is discussed in document reference 8.61, see Chapter 11 (document reference 6.1.11) for more details. Updates to noise abatement recommendations for other projects will be closely monitored and researched and will inform the MMMP (document references 8.6.1 and 8.6.2) which will be used to minimise the risk of auditory injury, i.e. to negligible level.</p> <p>Further to the above, a SIP has been submitted alongside the DCO application which details the Project’s approach to</p>

Policy	Summary	Where is this addressed?
	<p><i>Applicants should undertake a review of up-to-date research and all potential mitigation options presented as part of the application, having consulted the relevant JNCC mitigation guidelines.”</i></p>	<p>addressing underwater noise disturbance (document reference 8.9).</p>
<p><u>Paragraph 3.11.28</u></p>	<p><u>Paragraph 3.11.28 states:</u>  <i>“Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See Sections 4.2 and 5.4 of EN-1).”</i></p>	<p><u>Construction, O&amp;M, and decommissioning phases of the Project have been assessed in Chapter 11 (document reference 6.1.11).</u></p>
	<p><u>Paragraph 3.11.37 states:</u>  <i>“Careful design and siting of the development is likely to be the primary form of impact mitigation, along with the choice of construction and installation techniques.”</i></p>	<p><u>Embedded mitigation relevant for marine mammals is detailed in Chapter 11 (document reference 6.1.11).</u></p>
	<p><u>Paragraph 3.11.44 states:</u>  <i>“The Secretary of State should consider the effects of a proposed development on marine ecology and biodiversity, taking into account all relevant information made available by the applicant, SNCBs and any other relevant party.”</i></p>	<p><u>The potential effects on marine mammal ecology are presented within this chapter, with the assessment of effects presented within Chapter 11 (document reference 6.1.11).</u></p>

### 6.11.3 National Policy Statement: NPS EN-5

220. No relevant policy requirements for Marine Mammals have been identified in EN-5.

### 6.11.4 Other Policy Considerations

221. Table 6-25 sets out other policy considerations related to Marine Mammals and provides detail as to where they are addressed by the Project.

Table 6-25: Other Policy Considerations related to Marine Mammals

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 2.2.2	Paragraph 2.2.2 states:  “High-level objectives include:  “Living within environmental limits” includes the following requirements relevant to marine mammals:  Biodiversity is protected, conserved and, where appropriate, recovered, and loss has been halted; Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems; and Our oceans support viable populations of representative, rare, vulnerable, and valued species.”	The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project on marine mammals have been assessed in the impact assessment in section 11.6 of Chapter 11, (document reference 6.1.11).
UK Marine Policy Statement (2011) Paragraphs 2.6.1.3–2.6.1.5	Paragraphs 2.6.1.3– 2.6.1.5 states:  “Marine planning will be a key tool for ensuring that the targets and measures to be determined by the UK for the MSFD can be implemented. As a general principle, development should aim to avoid harm to marine ecology, biodiversity and geological conservation interests (including geological and morphological features), including through location, mitigation and consideration of reasonable alternatives. Where significant harm cannot be avoided, then appropriate compensatory measures should be sought. Additional	The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project on marine mammals have been assessed in the impact assessment in section 11.6 of Chapter 11 (document reference 6.1.11).  Overall, the Chapters conclude that there are no residual impacts.

Policy	Summary	Where is this addressed?
	<p>requirements apply in relation to developments affecting Natura 2000 sites.</p> <p>It is also recognised that the benefits of development may include benefits for marine ecology, biodiversity and geological conservation interests and that these may outweigh potential adverse effects. Development proposals may provide, where appropriate, opportunities for building-in beneficial features for marine ecology, biodiversity and geodiversity as part of good design; for example, incorporating use of shelter for juvenile fish alongside proposals for structures in the sea. When developing Marine Plans, marine plan authorities should maximise the opportunities for integrating policy outcomes.</p> <p>Marine plan authorities should apply precaution within an overall risk-based approach, in accordance with the sustainable development policies of the UK Administrations. The marine plan authority should ensure that appropriate weight is attached to designated sites; to protected species; habitats and other species of principal importance for the conservation of biodiversity; and to geological interests within the wider environment.”</p>	
East Marine Plan (2014) Policy SOC3	<p>Policy SOC3 states:</p> <p>“Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference: a) that they will not adversely impact the terrestrial and marine character of an area b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them c) how, where these adverse impacts on the terrestrial and marine character of an</p>	<p>The siting of the offshore infrastructure has been informed by the site’s iterative selection process (see Chapter 4, (document reference 6.1.4)) which included consultation with several statutory and non-statutory consultees such as the Environmental Agency and Natural England who had an input on the sites location and design.</p>

Policy	Summary	Where is this addressed?
	<p>area cannot be minimised they will be mitigated against d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</p>	<p>An assessment of the potential impacts during the construction, O&amp;M, and decommissioning of the Project is within Chapter 8 (document reference 6.1.8). Contaminant analysis of sediment samples collected during the Project specific benthic survey are also presented.</p> <p>Potential impacts upon habitats and biodiversity are assessed in Chapter 9 (document reference 6.1.9).</p> <p>Potential impacts upon fish ecology are assessed in Chapter 10 (document reference 6.1.10).</p>
<p>East Marine Plan (2014) Policy ECO1 and Policy BIO1</p>	<p>Policy ECO1 states:</p> <p>“Cumulative impacts affecting the ecosystem of the East marine plans and adjacent areas (marine, terrestrial) should be addressed in decision-making and plan implementation.”</p> <p>Policy BIO1 states:</p> <p>“Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).”</p>	<p>The potential effects of the construction, operation, and decommissioning phases and cumulative effects of the Project has been considered in the following chapters:</p> <p>Chapter 9 (document reference 6.1.9).</p> <p>Chapter 10 (document reference 6.1.10).</p> <p>Chapter 11 (document reference 6.1.11).</p>
<p>East Marine Plan (2014) Policy BIO2</p>	<p>Policy BIO2 states:</p> <p>“Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.”</p>	<p>The potential effects of have been assessed in regard to international, national and local sites designated for ecological or geological features of conservation importance in Chapter 11 (document reference 6.1.11). Direct or indirect effects</p>

Policy	Summary	Where is this addressed?
		<p>on features of relevant SAC and SPA sites were also considered in the Habitats Regulations Assessment Screening Report (document reference 7.2) and where relevant have been included in the RIAA (document reference 7.1). Important protected areas for marine mammals within their respective Management Units (Mus) are detailed in the Marine Mammals Technical Baseline (Volume 3, Chapter 11 Marine Mammals, Appendix 11.1 Marine Mammals Technical Baseline (document reference 6.3.11.1).</p>

### 6.11.5 Considerations for the SoS

222. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
223. Part 4.3 of NPS EN-1 sets out the policy for the SoS in relation to generic biodiversity impacts. Paragraphs 2.8.95 to 2.8.110 of NPS EN-3 sets out offshore wind-specific biodiversity policy. In addition, there are specific considerations from piling noise which apply to offshore wind energy infrastructure proposals with regard to marine mammals.
224. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large scale projects.
225. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.6 requires that the following matters relevant to marine mammals are taken into account when considering any proposed development:

*“The Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1)”*

226. Paragraph 2.8.312-2.8.314 of NPS EN-3 relate to the SoS’s decision-making, and sets out that:

*“The Secretary of State should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed reasonably to minimise significant impacts on marine mammals.”*



*Unless suitable noise mitigation measures can be imposed by requirements to any development consent the Secretary of State may refuse the application.*

*The conservation status of cetaceans and seals are of relevance and the Secretary of State should be satisfied that cumulative and in-combination impacts on marine mammals have been considered.”*

227. Different foundation options have been considered for the Project. These have been assessed and are presented in Chapter 11 (document reference 6.1.11).
228. The conservation status of species is factored into the assessment of significance in Chapter 11 (document reference 6.1.11).
229. Chapter 11 (document reference 6.1.11) provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&M phase, and decommissioning phase.
230. The assessment of marine mammals has had regard to the relevant requirements for assessment set out in NPS EN-1 and NPS EN-3 and has been carried out in accordance with those requirements.
231. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters. The ES and draft RIAA (document reference 7.1) prepared for the Project indicates that there is no anticipated conflict with any of the conditions set out by the NPSs which would lead to a refusal of development consent on marine mammal grounds.
232. Therefore, the effects on marine mammals should not weigh against the substantial benefits of the Project when considering the planning balance.
233. Overall, the project is compliant with the NPSs with respect to policy relating to marine mammals.

## **6.12 Offshore and Intertidal Ornithology**

234. This topic is assessed in full in Chapter 12 (document reference 6.1.12).

### **6.12.1 National Policy Statement: NPS EN-1**

Table 6-26 No specific policy requirements for offshore and intertidal ornithology have been identified in NPS EN-1.

Table 6-26: NPS EN-1 related to Offshore and Intertidal Ornithology

Policy	Summary	Where is this addressed?
Paragraph 5.4.17	Paragraph 5.4.17 states <i>“the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity”</i>	The potential effects on internationally nationally and locally designated sites of ecological importance are discussed throughout the ES, HRA and predominantly within Section 12.5 and Section 12.5 of Chapter 12 (document reference 6.1.12).
Paragraph 5.4.19	Paragraph 5.4.19 states that the Applicant is required to show how the proposed project has taken advantage of opportunities to conserve and enhance biodiversity conservation interests	Opportunities for biodiversity enhancement are outlined in the HRA and predominantly within Section 12.5 of Chapter 12 (document reference 6.1.12).
Paragraph 5.4.35	Paragraph 5.4.35 states <i>“Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development”</i>	Embedded mitigation measures are discussed in Section 12.4 of Chapter 12 (document reference 6.1.12). The embedded mitigation measures include minimum tip height, site selection and use of best practice protocols.
Paragraph 5.4.48	Paragraph 5.4.48 states: <i>“The SoS (Secretary of State) should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.”</i>	The potential for effects on designated sites is considered in detail in the RIAA (document reference 7.1), though consideration to relevant designated sites is given in Section 12.4 of Chapter 12 (document reference 6.1.12).

## 6.12.2 National Policy Statement: NPS EN-3

Table 6-27: NPS EN-3 related to Offshore and Intertidal Ornithology

235. sets out the relevant National Policy Statements from NPS EN-3 related to offshore and intertidal ornithology and provides detail as to where they are addressed by the Project.

Table 6-27: NPS EN-3 related to Offshore and Intertidal Ornithology

Policy	Summary	Where is this addressed?
Paragraph 2.8.136	<p>Paragraph 2.8.136 states:</p> <p><i>“Offshore wind farms have the potential to impact on birds through:</i></p> <ul style="list-style-type: none"> <li>▪ <i>collisions with rotating blades;</i></li> <li>▪ <i>direct habitat loss;</i></li> <li>▪ <i>disturbance from construction activities such as the movement of construction/decommissioning vessels and piling;</i></li> <li>▪ <i>displacement during the operational phase, resulting in loss of foraging/roosting area; and</i></li> <li>▪ <i>impacts on bird flight lines (i.e., barrier effect) and associated increased energy use by birds for commuting flights between roosting and foraging areas.</i></li> <li>▪ <i>impacts upon prey species and prey habitat; and</i></li> <li>▪ <i>impacts on protected sites.”</i></li> </ul>	<p>The potential impacts are discussed throughout the ES predominantly within Chapter 12 (document reference 6.1.12) and the HRA.</p>
Paragraph 2.8.144	<p>Paragraph 2.8.144 states:</p> <p><i>“Applicants must undertake collision risk modelling, as well as displacement and population viability assessments for certain species of birds. Applicants are expected to seek advice from SNCBs.”</i></p>	<p>Collision and displacement assessments are undertaken for relevant species in Chapter 12 (document reference 6.1.12). Where relevant and on a species by species basis, Population Viability Assessment has been undertaken with the results presented in Chapter 12 (document reference 6.1.12).</p> <p>Consultation has been undertaken with Natural England through the scoping process and through the EPP as set out in Chapter 9 (document reference 6.1.9).</p>
Paragraph 2.8.240	<p>Paragraph 2.8.240 states:</p> <p><i>“Aviation and navigation lighting should be minimised and/or on demand (as</i></p>	<p>Embedded mitigation in relation to Intertidal and Offshore Ornithology is set out in Chapter 12 (document reference 6.1.12).</p>

Policy	Summary	Where is this addressed?
	<i>encouraged in EN-1 Section 5.5) to avoid attracting birds, taking into account impacts on safety. Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk.”</i>	These embedded mitigation measures include site selection, minimum tip height and use of best practice protocols.
Paragraph 2.8.241	Paragraph 2.8.241 states:  <i>“Turbine parameters should be developed to reduce collision risk where the assessment shows there is significant risk of collision (e.g., altering rotor height).”</i>	As outlined in Chapter 12 (document reference 6.1.12), the minimum air gap has been raised from 22m to 30m at PEIR and has undergone further increase to 40m Highest Astronomical Tide (HAT) at ES to reduce the impacts of collision on birds.

### 6.12.3 National Policy Statement: NPS EN-5

236. No relevant policy requirements for offshore and intertidal ornithology have been identified in EN-5.

### 6.12.4 Other Policy Considerations

237. Table 6-28 sets out other policy considerations related to offshore and intertidal ornithology and provides detail as to where they are addressed by the Project.

Table 6-28: Other Policy Considerations related to offshore and intertidal ornithology.

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 3.1.2	Paragraph 3.1.2 states:  “The UK Administrations are also committed to substantially completing an ecologically coherent network of MPAs by 2012 as part of a broad based approach to nature conservation. The MPA network will comprise existing MPAs as well as new sites. It will be made up of both national (in particular Marine Conservation Zones (MCZs) and MPAs under legislation applying to Scottish waters and Sites of Special Scientific Interest) as well as European designations such as Special Areas of Conservation (as designated) and Special Protection Areas (as classified under the	Consultation has been undertaken with Natural England through the scoping process and the EPP (see Chapter 1, document reference 5.1). The project will not result in any significant effects to offshore and intertidal ornithology. This is a consequence of proposed mitigation set out in Section 12.5 of Chapter 12 (document reference 6.1.12).

Policy	Summary	Where is this addressed?
	<p>Wild Birds Directive) and sites of international importance (Ramsar sites). This network of MPAs will be a key tool in contributing to achieving good environmental status as required by the Marine Strategy Framework Directive (MSFD) and particularly in ensuring biodiversity is protected, conserved and where appropriate recovered, and loss of biodiversity halted. It will also contribute to other objectives of good environmental status, such as the protection of sea-floor ecosystem.”</p>	
<p>UK Marine Policy Statement (2011) Paragraph 3.1.3</p>	<p>Paragraph 3.1.3 states:</p> <p>“These are sites identified and designated under Directives and include Special Areas of Conservation (SACs) designated under the Habitats Directive, and Special Protection Areas (SPAs) classified under the Wild Birds Directive for rare, vulnerable and migratory bird populations. The Conservation of Habitats and Species Regulations 2010, the Conservation (Natural Habitats &amp;c) Regulations 1994 (for Scotland only), the Conservation (Natural Habitats &amp;c) Regulations (Northern Ireland) 1995 and the Offshore Marine Conservation (Natural Habitats &amp;c) Regulations 2007, among others, provide statutory protection for these sites, but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as SPAs. For the purpose of considering development proposals affecting them, as a matter of policy, UK Administrations wish pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites also receive the same protection.”</p>	<p>The Project has been subject to HRA) to determine its potential effects on European Designated Sites and Species. The potential for effects on designated sites is considered in detail in the RIAA (document reference 7.1). though consideration to relevant designated sites is given in Section 12.4 of Chapter 9 (document reference 6.1.9). Overall, the RIAA concludes that the Project would not undermine any of the conservation objectives. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the FFC SPA during the O&amp;M phase of the Project but maintains that</p>

Policy	Summary	Where is this addressed?
		there will be no aEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.
East Marine Plan (2014) Policy BIO1	Policy BIO1 states:  “Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).”	Sections 12.4- 12.5 of Chapter 9 (document reference 6.1.9) shows how the Project will make a positive approach to biodiversity.
East Marine Plan (2014) Policy BIO2	Policy BIO2 states:  “Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.”	The potential for effects on designated sites is considered in detail in the RIAA (document reference 7.1). though consideration to relevant designated sites is given in Section 12.4 of Chapter 9 (document reference 6.1.9).
Marine Strategy Framework Directive (2008) Annex I (1)	Biological Diversity-- Biological diversity is maintained. The quality and occurrence of habitats and the distribution and abundance of species are in line with prevailing physiographic, geographic and climatic conditions.	Effects on biological diversity with respect to offshore and intertidal birds have been described and considered within the assessment for the Project alone and cumulatively (Sections 12.7-- 12.8 of Chapter 9 (document reference 6.1.9)).
Marine Strategy Framework Directive (2008) Annex I (4)	Elements of marine food webs-- All elements of the marine food webs, to the extent that they are known, occur at normal abundance and diversity and levels capable of ensuring the long-term abundance of the species and the retention of their full reproductive capacity.	Potential effects are considered within the assessment for the Project alone and cumulatively within Sections 12.7-- 12.8, and in the description of inter-relationships with Section 13.2 Chapter 9 (document reference 6.1.9).
Marine Strategy Framework Directive (2008) Annex I (6)	Sea floor integrity-- Seafloor integrity is at a level that ensures that the structure and functions of the ecosystems are safeguarded and benthic ecosystems, in particular, are not adversely affected.	The indirect effects as a result of impacts on benthic ecology and on fish and shellfish ecology that may impact ornithological receptors through impacts on

Policy	Summary	Where is this addressed?
		prey availability are presented within the assessment for the Project alone and cumulatively within Sections 12.7-- 12.8 of Chapter 9 (document reference 6.1.9).

### 6.12.5 Considerations for the SoS

238. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
239. It is recognised in NPS EN-1 and EN-3 that producing the energy required by the UK, significant infrastructure will be required, including large scale projects.
240. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.6 requires that the following matters are taken into account when considering any proposed development:

*“The Secretary of State should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1)”*

241. The requirements of the NPS have been assessed and are presented in Chapter 12 (document reference 6.1.12). A summary is provided of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&M phase, and decommissioning phase.
242. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters. The ES for the Project indicates that there is no anticipated conflict with any of the policies set out by the NPSs which would lead to a refusal of development consent on Offshore Ornithology.
243. The assessment of Offshore Ornithology has had regard to the relevant requirements for assessment set out in NPS EN-1 and NPS EN-3 and been carried out in accordance with those requirements.
244. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.
- Overall, the project is compliant with the NPSs with respect to policy relating to offshore and intertidal ornithology.

### 6.13 Marine and Intertidal Archaeology

245. This topic is assessed in full in Chapter 13 (document reference 6.1.13).

### 6.13.1 National Policy Statement: NPS EN-1

246. Table 6-29 sets out the relevant National Policy Statements from NPS EN-1 related to marine and intertidal archaeology and provides detail as to where they are addressed by the Project.

Table 6-29: NPS EN-1 related to Marine and Intertidal Archaeology

Policy	Summary	Where is this addressed?
Paragraph 5.9.9	<p>Paragraph 5.9.9 states:</p> <p><i>“The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these in the ES (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.”</i></p>	<p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Report Appendix 13.1: Marine and Intertidal Archaeology Technical (document reference 6.3.13.1) and summarised in Chapter 13 (document reference 6.1.13). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 (document reference 6.1.13).</p>
Paragraph 5.9.10	<p>Paragraph 5.9.10 states:</p> <p><i>“As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record<sup>232</sup> (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development’s impact.”</i></p>	<p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) and summarised in Chapter 13 (document reference 6.1.13). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 (document reference 6.1.13).</p> <p>Consultation regarding Marine and Intertidal Archaeology has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental</p>



Policy	Summary	Where is this addressed?
		Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project consultation process is presented within the Consultation Report (document reference 5.1).
Paragraph 5.9.11	<p>Paragraph 5.9.11 states:</p> <p><i>“Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.”</i></p>	Marine archaeological and cultural heritage receptors and the archaeological potential within the marine archaeology study area have been considered and assessed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1 Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) and summarised in Chapter 13 (document reference 6.1.13).
Paragraph 5.9.12	<p>Paragraph 5.9.12 states:</p> <p><i>“The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected.”</i></p>	The archaeological significance and potential impact, including positive contribution on the marine archaeology receptors identified within the marine archaeology study area was undertaken according to the methodology outlined in Chapter 13 (document reference 6.1.13). Within the Chapter it outlines the MDS and relevant activities that may impact marine archaeological and cultural heritage receptors. The chapter also details further information how marine archaeological and cultural heritage receptors may be affected.
Paragraph 5.9.13	<p>Paragraph 5.9.13 states:</p> <p><i>“The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</i></p>	As detailed in Outline Marine Archaeology WSI (document reference 8.8) which is secured through embedded mitigation and is expected to be reflected in the DCO requirements or Deemed Marine Licence (dML) conditions, positive contributions to knowledge and enhancement of understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected</i></li> <li>▪ <i>considering where required the development of archive capacity which could deliver significant public benefits</i></li> <li>▪ <i>considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</i></li> </ul>	<p>contribute to current research frameworks in the region and will be further detailed in forthcoming Method Statements.</p>
<p>Paragraph 5.9.14</p>	<p>Paragraph 5.9.14 states:</p> <p><i>“Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.”</i></p>	<p>Potential direct and indirect impacts on marine archaeological and cultural heritage receptors are discussed in Chapter 13 (document reference 6.1.13). Mitigation to avoid or offset any impacts as a result of the Project is detailed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) and Chapter 13 (document reference 6.1.13).</p>
<p>Paragraph 5.9.17</p>	<p>Paragraph 5.9.17 states:</p> <p><i>“Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset’s importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the</i></p>	<p>For marine archaeological and cultural heritage receptors this will be secured through embedded mitigation (see Chapter 13 (document reference 6.1.13)) and is expected to be reflected in the DCO requirements or dML conditions, positive contributions to knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.</p>

Policy	Summary	Where is this addressed?
	<p><i>archive generated in a local museum or other public repository willing to receive it.”</i></p>	
<p>Paragraph 5.9.18</p>	<p>Paragraph 5.9.18 states:</p> <p><i>“Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.”</i></p>	<p>Outline Marine Archaeological WSI (document reference 8.8) outlines all provisions made and standards expected for archaeological recording of marine archaeological and cultural heritage receptors. The document further details where archives and material will be deposited.</p> <p>The securement of document 8.8 is detailed in Table 13.9 and is expected to be reflected in the DCO requirements or dML conditions.</p> <p>Consultation with Historic England undertaken as part of this project is outlined in Chapter 13 (document reference 6.1.13).</p>
<p>Paragraph 5.9.21</p>	<p>Paragraph 5.9.21 states:</p> <p><i>“Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.”</i></p>	<p>Embedded mitigations relevant to marine archaeological and cultural heritage receptors are set out in Chapter 13 (document reference 6.1.13) and detail how data will be collected and assessed to ensure that as yet undiscovered marine archaeological and cultural heritage receptors are identified. Should unidentified marine archaeological and cultural heritage receptors be located during project works, a PAD (see Annex A of document reference 8.8) is implemented as per embedded mitigation.</p>
<p>Paragraph 5.9.22</p>	<p>Paragraph 5.9.22 states:</p> <p><i>“In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</i></p> <ul style="list-style-type: none"> <li>▪ <i>relevant information provided with the application and, where applicable, relevant information</i></li> </ul>	<p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 (document reference 6.1.13). The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference</p>

Policy	Summary	Where is this addressed?
	<p><i>submitted during the examination of the application</i></p> <ul style="list-style-type: none"> <li>▪ <i>any designation records, including those on the National Heritage List for England</i></li> <li>▪ <i>historic landscape character records</i></li> <li>▪ <i>the relevant Historic Environment Record(s), and similar sources of information</i></li> <li>▪ <i>representations made by interested parties during the examination process</i></li> <li>▪ <i>expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.”</i></li> </ul>	<p>6.3.13.1) and are summarised in Chapter 13 (document reference 6.1.13).</p>
<p>Paragraph 5.9.24</p>	<p>Paragraph 5.9.24 states:</p> <p><i>“In considering the impact of a proposed development on any heritage assets, the Secretary of State should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.”</i></p>	<p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 (document reference 6.1.13). The results of the assessments, including the heritage significance of the known receptors as well as the potential to locate marine archaeological and cultural heritage receptors of heritage significance during works are detailed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1).</p>
<p>Paragraph 5.9.25</p>	<p>Paragraph 5.9.25 states:</p> <p><i>“The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their</i></p>	<p>This provision is not directly applicable to marine archaeological and cultural heritage receptors, the embedded mitigation measure for the archaeological assessment of data as outlined in Chapter 13 (document reference 6.1.13) and Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) is expected to be reflected in the DCO requirements or dML conditions. Positive contributions to</p>

Policy	Summary	Where is this addressed?
	<i>economic vitality, and to the public's enjoyment of these assets."</i>	knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.
Paragraph 5.9.26	Paragraph 5.9.26 states:  <i>"The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting)."</i>	As detailed in Outline Marine Archaeological WSI (document reference 8.8) which is secured through embedded mitigation and is expected to be reflected in the DCO requirements or dML conditions, positive contributions to knowledge and enhancement of understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming Method Statements.
Paragraph 5.9.27	Paragraph 5.9.27 states:  <i>"When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance."</i>	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 (document reference 6.1.13)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see Outline Operational Drainage Management Plan (document reference 8.12)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.
Paragraph 5.9.30	Paragraph 5.9.30 states:	No impact on marine archaeological and cultural heritage receptors is expected to lead

Policy	Summary	Where is this addressed?
	<p><i>“Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional.”</i></p>	<p>to harm or total loss of significance. AEZs (as per Chapter 13 (document reference 6.1.13)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see Outline Operational Drainage Management Plan (document reference 8.12)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p>
<p>Paragraph 5.9.31</p>	<p>Paragraph 5.9.31 states:</p> <p><i>“Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</i></p> <ul style="list-style-type: none"> <li>▪ <i>the nature of the heritage asset prevents all reasonable uses of the site</i></li> <li>▪ <i>no viable use of the heritage asset itself can be found in the medium term</i></li> <li>▪ <i>through appropriate marketing that will enable its conservation</i></li> <li>▪ <i>conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible</i></li> </ul>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 (document reference 6.1.13)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see Outline Operational Drainage Management Plan (document reference 8.12)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li><i>the harm or loss is outweighed by the benefit of bringing the site back into use.</i></li> </ul>	
Paragraph 5.9.32	<p>Paragraph 5.9.32 states:</p> <p><i>“Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.”</i></p>	<p>As detailed in Outline Operational Drainage Management Plan (document reference 8.12) which is secured through embedded mitigation and is expected to be reflected in the DCO requirements or dML conditions, positive contributions to knowledge and enhancement of understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming Method Statements.</p>
Paragraph 5.9.33	<p>Paragraph 5.9.33 states:</p> <p><i>“In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”</i></p>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 (document reference 6.1.13)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see document reference 8.8). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p>
Paragraph 5.9.35	<p>Paragraph 5.9.35 states:</p> <p><i>“Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision. “</i></p>	<p>All known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Section 3 of Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1).</p>

Policy	Summary	Where is this addressed?
Paragraph 5.9.36	<p>Paragraph 5.9.36 states:</p> <p><i>“When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.”</i></p>	<p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 (document reference 6.1.13). The results of the assessments, including setting in the context of HSC, are detailed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) and are summarised in Chapter 13 (document reference 6.1.13).</p>

### 6.13.2 National Policy Statement: NPS EN-3

247. Table 6-30 sets out the relevant National Policy Statements from NPS EN-3 related to marine and intertidal archaeology and provides detail as to where they are addressed by the Project.

Table 6-30: NPS EN-3 related to Marine and Intertidal Archaeology

Policy	Summary	Where is this addressed?
Paragraph 2.8.168	<p>Paragraph 2.8.168 states:</p> <p><i>“Applicants should consult with the relevant statutory consultees, such as Historic England or Cadw, on the potential impacts on the marine historic environment at an early stage of development during preapplication, taking into account any applicable guidance (e.g., offshore renewables protocol for archaeological discoveries).”</i></p>	<p>Consultations with Historic England and other stakeholders throughout the development are outlined in Chapter 13 (document reference 6.1.13).</p>
Paragraph 2.8.169	<p>Paragraph 2.8.169 states:</p> <p><i>“Assessment of potential impacts upon the historic environment should be</i></p>	<p>Potential impacts on marine archaeological and cultural heritage receptors are discussed in Chapter 13 (document reference 6.1.13). Mitigation to avoid or offset any impacts as a</p>



Policy	Summary	Where is this addressed?
	<i>considered as part of the Environmental Impact Assessment process undertaken to inform any application for consent.”</i>	result of the Project is detailed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1).
Paragraph 2.8.170	Paragraph 2.8.170 states:  <i>“Desk based studies to characterise the features of the historic environment that may be affected by a proposed development and assess any likely significant effects should be undertaken by competent archaeological experts.”</i>  -	Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) presents and details the archaeological desk based assessment (DBA) and the archaeological assessment of geophysical data collected for the array area. The results are further summarised in Chapter 13 (document reference 6.1.13).
Paragraph 2.8.171	Paragraph 2.8.171 states:  <i>“These studies should consider any geotechnical or geophysical surveys that have been undertaken to aid the wind farm design.”</i>	Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) presents and details the archaeological DBA and the archaeological assessment of geophysical data collected for the array area. The results are further summarised in Chapter 13 (document reference 6.1.13).
Paragraph 2.8.173	Paragraph 2.8.173 states:  <i>“Applicants are required to determine how any known heritage assets might best be avoided.”</i>	AEZs as per Chapter 13 (document reference 6.1.13) have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data. The embedded mitigations are further detailed Chapter 13 (document reference 6.1.13).
Paragraph 2.8.174	Paragraph 2.8.174 states:  <i>“The applicant will be expected to conduct all necessary examination and assessment exercises using a variety of survey techniques to plan the development so as to optimise opportunities for avoidance.”</i>	Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) presents and details the archaeological DBA and the archaeological assessment of geophysical data collected for the array area. The results are further summarised in Chapter 13 (document reference 6.1.13).
Paragraph 2.8.175	Paragraph 2.8.175 states:  <i>“Once a site has been chosen, it may be necessary to undertake further archaeological assessment, including</i>	Embedded mitigations relevant to marine archaeological and cultural heritage receptors are set out in Chapter 13 (document reference 6.1.13) and detail how data will be collected and assessed to ensure that as yet

Policy	Summary	Where is this addressed?
	<p><i>field evaluation, to identify as yet unknown heritage assets when considering the options for detailed site development, in accordance with an archaeological written scheme of investigation included with the application.</i></p>	<p>undiscovered marine archaeological and cultural heritage receptors are identified throughout the life of the Project.</p> <p>Future works will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England (see document reference 8.8).</p> <p>The embedded mitigations are expected to be reflected in the DCO requirements or dML conditions.</p>
<p>Paragraph 2.8.176</p>	<p>Paragraph 2.8.176 states:</p> <p><i>“Assessment may also include the identification of any beneficial effects on the marine historic environment, for example through improved access or the contribution to new knowledge that arises from investigation.”</i></p>	<p>Potential beneficial effects on marine archaeological and cultural heritage receptors as a result of the Project activities are discussed in Chapter 13 (document reference 6.1.13) and will ensure data and information collected is assessed for archaeological potential and significance and reported, which will enhance our understanding by gathering, researching and presenting new information and will lead to a publication.</p>
<p>Paragraph 2.8.177</p>	<p>Paragraph 2.8.177 states:</p> <p><i>“Where elements of a proposed project (whether offshore or onshore) may interact with historic environment features that are located onshore, the effects should be assessed in accordance with the policy at Section 5.9 in EN-1.”</i></p>	<p>The onshore and offshore archaeological resources have been cross-referenced and technical reports have been shared between archaeological contractors. Relevant sections of 5.9 from EN-1 are included in this table.</p>
<p>Paragraph 2.8.252</p>	<p>Paragraph 2.8.252 states:</p> <p><i>“The avoidance of important heritage assets to ensure their protection in situ, is the most effective form of protection.”</i></p>	<p>AEZs as per Chapter 13 (document reference 6.1.13) have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data. The embedded mitigations are further detailed in Chapter 13 (document reference 6.1.13).</p>
<p>Paragraph 2.8.253</p>	<p>Paragraph 2.8.253 states:</p> <p><i>“This can be achieved through the implementation of exclusion zones around known and potential heritage assets which preclude development activities within their boundaries.”</i></p>	<p>AEZs as per Chapter 13 (document reference 6.1.13) have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data. The embedded mitigations are further detailed in Chapter 13 (document reference 6.1.13).</p>

Policy	Summary	Where is this addressed?
		Further to the above an Outline Marine WSI (document reference 8.8) has been produced to accompany the ES to outline defined mitigation measures necessary for this stage and further archaeological campaigns for the Project which builds on the baseline characterisation completed to date for the entire proposed development.
Paragraph 2.8.254	Paragraph 2.8.254 states:  <i>“These boundaries can be drawn around either discrete sites or more extensive areas identified in the Environmental Statement produced to support an application for consent.”</i>	AEZs as per Chapter 13 (document reference 6.1.13) have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data. The embedded mitigations are further detailed Chapter 13 (document reference 6.1.13).
Paragraph 2.8.255	Paragraph 2.8.255 states:  <i>“The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology. “</i>	Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Chapter 13 (document reference 6.1.13).
Paragraph 2.8.256	Paragraph 2.8.256 states:  <i>“Where requested by the applicant, the Secretary of State should consider granting consents which allow for micrositing/microrouting (see paragraphs 2.8.76 following above) within a specified tolerance..”</i>	Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Chapter 13 (document reference 6.1.13).
Paragraph 2.8.258	Paragraph 2.8.258 states:  <i>“This allows changes to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains.”</i>	Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Chapter 13 (document reference 6.1.13).
Paragraph 2.8.325	Paragraph 2.8.325 states:  <i>“The Secretary of State should be satisfied that any proposed offshore</i>	Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) presents and

Policy	Summary	Where is this addressed?
	<i>wind farm project has appropriately considered and mitigated for any impacts to the historic environment, including both known heritage assets, and discoveries that may be made during the course of development.”</i>	details the archaeological DBA and the archaeological assessment of geophysical data collected to date. The results are further summarised in Chapter 13 (document reference 6.1.13). AEZs have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data, as outlined Section 13.5. The embedded mitigations are further detailed in Chapter 13 (document reference 6.1.13).

### 6.13.3 National Policy Statement: NPS EN-5

248. No relevant policy requirements for Marine and Intertidal Archaeology have been identified in EN-5.

### 6.13.4 Other Policy Considerations

249. Table 6-31 sets out other policy considerations related to Marine and Intertidal Archaeology and provides detail as to where they are addressed by the Project.

Table 6-31: Other Policy Considerations related to Marine and Intertidal Archaeology

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 2.6.6.1 and 2.6.6.2	Paragraph 2.6.6.1 and 2.6.6.2 states: <i>“the historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried, or submerged. Those elements of the historic environment – buildings, monuments, sites, or landscapes – that have been positively identified as holding a degree of significance meriting consideration are called heritage assets.”</i> <i>The historic environment of coastal and offshore zones represent a unique aspect of our cultural heritage. In addition to its cultural value, it is an asset of social, economic, and environmental value. It can be a powerful driver for</i>	The mitigation measures outlined in Chapter 13 (document reference 6.1.13) have been designed to protect any marine archaeological receptors of interest. AEZs are recommended around known features of anthropogenic origin of archaeological interest and historic records of archaeological material. Any discoveries of unexpected material will be reported through the Offshore Renewables Protocol for Archaeological Discoveries and reported to the Receiver of Wreck. See Chapter 13 (document reference 6.1.13) for further commentary.

Policy	Summary	Where is this addressed?
	<p><i>economic growth, attracting investment and tourism and sustaining enjoyable and successful places in which to live and work. However, heritage assets are a finite and often irreplaceable resources and can be vulnerable to a wide range of human activities and natural processes.”</i></p>	
<p>East Inshore and East Offshore Marine Plans (2014)</p>	<p>Objective 5 states:</p> <p><i>“To conserve heritage assets, nationally protected landscapes and ensure that decisions consider the seascape of the local area.”</i></p> <p>Policy SOC2:</p> <ul style="list-style-type: none"> <li>a) <i>“Proposals that may affect heritage assets should demonstrate, in order of preference:</i></li> <li>b) <i>that they will not compromise or harm elements which contribute to the significance of the heritage asset</i></li> <li>c) <i>how, if there is compromise or harm to a heritage asset, this will be minimised</i></li> <li>d) <i>how, where compromise or harm to a heritage asset cannot be minimised, it will be mitigated against or</i></li> <li>e) <i>the public benefits for proceeding with the proposal if it is no possible to minimise or mitigate compromise or harm to the heritage asset”.</i></li> </ul> <p>Policy SOC3:</p> <ul style="list-style-type: none"> <li>a) <i>“Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference:</i></li> </ul>	<p>All known and unknown Historic Environment receptors within the marine archaeology study area that may be affected by the Project and their archaeological significance has been described in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report(document reference 6.3.13.1) and summarised in Section 13.4. Potential impacts on Historic Environment receptors are discussed in Section 13.7 and Section 13.9. Mitigation to avoid or offset any impacts as a result of the Project is detailed in Volume 3, Chapter 13 Marine and Intertidal Archaeology, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (document reference 6.3.13.1) and Table 13.9.</p>

Policy	Summary	Where is this addressed?
	<p>b) that they will not adversely impact the terrestrial and marine character of an area</p> <p>c) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them</p> <p>d) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised, they will be mitigated against</p> <p>e) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</p>	

### 6.13.5 Considerations for the SoS

250. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

251. Part 5.9 of NPS EN-1 sets out matters relevant to the Historic Environment at national level. It is recognised that:

*‘The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment’.*

252. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large scale projects.

253. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters relevant to the Historic Environment are taken into account when considering any proposed development:

*“Potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy”*

254. Paragraph 4.1.6 of NPS EN-1 states that, in reaching a decision, the SoS should have regard to

*“Environmental, social and economic benefits and adverse impacts, at national, regional and local levels”.*

255. NPS EN-1 paragraphs 5.9.22-5.9.36 set out matters the SoS should have regard to in reaching a decision, including proposed mitigation, specifically in respect of matters relating to the Historic Environment. It is confirmed that the SoS should seek to identify and assess the particular significance of any heritage asset that may be affected by the Project, including by development affecting the setting of a heritage asset taking account, including
- Any designation records;
  - Historic landscape and character records
  - the relevant Historic Environment Record(s), and similar sources of information
  - representations made by interested parties during the examination process
  - expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it
256. Specifically, with regard to Offshore Archaeology and Cultural Heritage, NPS EN-3 requires that the SoS should be satisfied that the Project has appropriately considered and mitigated for any impacts to the historic environment, including both known heritage assets, and discoveries that may be made during the course of development. (2.8.325 of EN-3).
257. Chapter 13 (document reference 6.1.13) provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&M phase, and decommissioning phase.
258. The assessment of Chapter 13 (document reference 6.1.13) has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and been carried out in accordance with those requirements.
259. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.
260. The ES prepared for the Project indicates that there are no anticipated significant adverse effects on offshore archaeology.
261. Overall, the project is compliant with the NPSs with respect to policy relating to marine and intertidal archaeology.

## **6.14 Commercial Fisheries**

262. This topic is assessed in full in Chapter 14 (document reference 6.1.14).

### **6.14.1 National Policy Statement: NPS EN-1**

263. No relevant policy requirements for commercial fisheries have been identified in NPS EN-1.

### **6.14.2 National Policy Statement: NPS EN-3**

264. Table 6-32 sets out the relevant National Policy Statements from NPS EN-3 related commercial fisheries and provides detail as to where they are addressed by the Project.

Table 6-32: NPS EN-3 related to Commercial Fisheries

Policy	Summary	Where is this addressed?
Paragraph 2.8.154	Paragraph 2.8.154 states: <i>“Applicants should undertake early consultation with a cross-section of the fishing industry, as well as MMO, SNCBs, Defra and Welsh Government, to identify impacts, and actively encourage input from active fishermen to provide evidence of their use of the area to support the impact assessments.”</i>	Consultation with representatives of the fishing industry has commenced and is ongoing. Engagement is summarised in Chapter 14 (document reference 6.1.14).
Paragraph 2.8.155	Paragraph 2.8.155 states: <i>“Where any part of a proposal involves a grid connection to shore, appropriate inshore fisheries groups should also be consulted.”</i>	Consultation with representatives of the fishing industry has commenced and is ongoing. Engagement is summarised in Chapter 14 (document reference 6.1.14).
Paragraph 2.8.157	Paragraph 2.8.157 states: <i>“Applicant assessments should include robust baseline data and detailed surveys of the effects on fish stocks of commercial interest and any potential reduction in such stocks, as well as any likely constraints on fishing activity within the project’s boundaries.”</i>	Relevant surveys and data are detailed in Chapter 10 (document reference 6.1.10). The Project assessment has considered the effects on commercial fish stocks (see Chapter 10 (document reference 6.1.10)).
Paragraph 2.8.158	Paragraph 2.8.158 states: <i>“Applicants will be expected to undertake dialogue with the fishing industry during the planning and design of individual offshore wind farm proposals to maximise the potential for co-existence/co-location and reduce potential displacement.”</i>	Consultation with representatives of the fishing industry has commenced and is ongoing. Engagement is summarised in Chapter 14 (document reference 6.1.14).
Paragraph 2.8.159	Paragraph 2.8.159 states: <i>“Applicants should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community.”</i>	The commercial fisheries impact assessment take account of relevant guidance in Chapter 14 (document reference 6.1.14).



Policy	Summary	Where is this addressed?
Paragraph 2.8.160	<p>Paragraph 2.8.160 states:</p> <p><i>“In some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal States may fish in waters within which offshore wind farms are sited. Applicants should seek advice from Defra in such circumstances.”</i></p>	<p>Transboundary commercial fisheries issues are assessed within Chapter 14 (document reference 6.1.14). The potential transboundary impact of constraints on foreign commercial fishing activities is concluded to be of minor significance and is therefore considered to be not significant in EIA terms.</p>
Paragraphs 2.8.191-2.8.194	<p>Paragraphs 2.8.191-2.8.184 state:</p> <p><i>“In some circumstances, applicants may seek declaration of safety zones around wind turbines and other infrastructure. Although these might not be applied until after consent to the wind farm has been granted.</i></p> <p><i>The declaration of a safety zone excludes or restricts activities within the defined sea areas including commercial fishing.</i></p> <p><i>Where there is a possibility that safety zones will be sought applicant assessments should include potential effects on commercial fishing.</i></p> <p><i>Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA) as part of this process.”</i></p>	<p>The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described in both the MDS and embedded environmental measures presented in Chapter 14 (document reference 6.1.14).</p> <p>The need for safety zones has been considered by the NRA completed for the Project. The risk assessment results have been taken into account within the commercial fisheries assessment. Consultation has also been undertaken with the MCA (see Volume 1, Chapter 15: Shipping and Navigation (document reference 6.1.15)).</p>
Paragraphs 2.8. 250 - 2.8. 251	<p>Paragraphs 2.8. 250 - 2.8. 251 state:</p> <p><i>“Any mitigation proposals should result from the applicant having detailed consultation with relevant representatives of the fishing industry, the MMO and the relevant Defra policy team in England and NRW and the relevant Welsh Government policy team in Wales.</i></p>	<p>A range of commitments are presented within Chapter 14: (document reference 6.1.14), including development of an Outline Fisheries Liaison and Co-existence Plan (FLCP), which it is intended will be developed in collaboration with the local fishing industry and other relevant parties.</p>

Policy	Summary	Where is this addressed?
	<p>Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment.”</p>	
<p>Paragraph 2.8.318</p>	<p>Paragraph 2.8.318 states:</p> <p>“The Secretary of State should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself.”</p>	<p>The site selection process is fully described in Chapter 4 (document reference 6.1.4). The effects arising from the Project have been and will be discussed with statutory bodies during pre- and post-application consultation. The Applicant is taking steps, and will continue to do so, to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Commitments related to commercial fisheries and adopted as part of the Project are provided in Chapter 14 (document reference 6.1.14); these include a reduction in project design.</p>
<p>Paragraphs 2.8.319 - 2.8.320</p>	<p>Paragraphs 2.8.319 - 2.8.320 state:</p> <p>“The Secretary of State should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities.</p> <p>Where the Secretary of State considers the wind farm would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be attributed a correspondingly significant weight.”</p>	<p>The extent to which the Project impacts on recognised and important fishing grounds has been considered, and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken and results of the commercial fisheries assessment are presented in Chapter 14 (document reference 6.1.14)</p>
<p><u>Paragraph 2.8.321</u></p>	<p><u>Paragraph 2.8.321 states:</u></p> <p><u>“The Secretary of State should consider adverse or beneficial impacts on different types of</u></p>	<p><u>The assessment outputs presented in Chapter 14 (document reference 6.1.14) are intended to support this consideration.</u></p>

Policy	Summary	Where is this addressed?
	<u>commercial fishing on a case-by-case basis.”</u>	
<u>Paragraph 2.8.322</u>	<u>Paragraph 2.8.322 states:</u>  <u>“The Secretary of State should be satisfied that the applicant has sought to design the proposal having consulted the MMO or NRW in Wales, Defra or Welsh Government in Wales and representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise, with the intention of allowing the two industries to co-exist successfully.”</u>	Consultation with the MMO and representatives of the fishing industry has commenced and is ongoing. Engagement is summarised in Chapter 14 (document reference 6.1.14). Existing guidance regarding liaison is noted and is being applied by the Applicant.
<u>Paragraph 2.8.323</u>	<u>Paragraph 2.8.323 states:</u>  <u>“The Secretary of State will need to consider the extent to which disruption to the fishing industry, whether short term during preconstruction (e.g. surveying) or construction or long term over the operational period, including that caused by the future implementation of any safety zones, has been mitigated where reasonably possible.”</u>	The extent to which the Project may cause disruption to the fishing industry has been considered and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken. The results of the commercial fisheries assessment and a range of commitments to minimise and mitigate adverse impacts are presented within Chapter 14 (document reference 6.1.14).
<u>Paragraph 2.8.324</u>	<u>Paragraph 2.8.324 states:</u>  <u>“Where an offshore wind farm or offshore transmission could affect a species of fish that is of commercial interest, but is also of ecological value, the Secretary of State should refer to Section 2.8.147 following of this NPS with regard to the latter.”</u>	The Project assessment has considered the effects on commercial fish stocks (see Chapter 10 (document reference 6.1.10)).

### 6.14.3 National Policy Statement: NPS EN-5

265. No relevant policy requirements for commercial fisheries have been identified in EN-5.

#### 6.14.4 Other Policy Considerations

266. Table 6-33 sets out other policy considerations related commercial fisheries and provides detail as to where they are addressed by the Project.

Table 6-33: Other Policy Considerations related to Commercial Fisheries

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraphs 2.2.1, 3.8.10 and 2.3.1.5	<p>The UK MPS explicitly expresses support for the fishing sector, and with regard to displacement, advocates 'seeking solutions such as co-location of activity wherever possible'.</p> <p>MPS paragraphs 2.2.1, 3.8.10 and 2.3.1.5 stipulate that the process of marine planning should '<i>enable the co-existence of compatible activities wherever possible</i>' and supports the reduction of real and potential conflict as well as maximising compatibility and encouraging co-existence of activities.</p>	<p>A range of commitments are presented within Section 14.5 of Chapter 14 (document reference 6.1.14).</p> <p>The Applicant is committed to ongoing liaison with fishermen throughout all stages of the project, based upon Fisheries Liaison with Offshore Wind and Wet Renewables (FLOWW) (2014, 2015) guidance and the following:</p> <ul style="list-style-type: none"> <li>Appointment of a company Fisheries Liaison Officer (FLO) to maintain effective communications between the project and fishermen (a company FLO is already appointed and active);</li> <li>Appropriate liaison with relevant fishing interests to ensure that they are fully informed of development planning and any offshore activities and works;</li> <li>Timely issue of notifications including Notice to Mariners (NtMs), Kingfisher Bulletin notifications and other navigational warnings to the fishing community to provide advance warning of project activities and associated Safety Zones and advisory safety distances; and</li> <li>Development, prior to construction, of a Fisheries Liaison and Co-existence Plan (FLCP), setting out in detail the planned approach to fisheries liaison and means of delivering any other relevant mitigation measures. A draft of this plan is available in document reference: 8.22.</li> </ul>

Policy	Summary	Where is this addressed?
East Inshore and East Offshore Marine Plan (Defra, 2014) Policy FISH1	<p>Policy FISH1 states:</p> <p>Within areas of fishing activity, proposals should demonstrate in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will not prevent fishing activities on, or access to, fishing grounds.</li> <li>b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them.</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated.</li> <li>d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts.</li> </ul>	<p>The extent to which the Project impacts on recognised and important fishing grounds has been considered and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken. The results of the assessment and a range of commitments to mitigation are presented within Chapter 14 (document reference 6.1.14).</p>

#### 6.14.5 Considerations for the SoS

267. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

268. Paragraphs 2.6.132 and 2.6.133 of NPS EN-3 sets out the policy for the SoS’s decision making in relation to Commercial Fisheries.

269. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large scale projects.

270. Part 4 of NPS EN-1 sets out a series of general principles that will be taken in account when reaching a decision. Paragraph 4.1.3 requires that:

*“The [SoS] should start with a presumption in favour of granting consent to applications for energy NSIPs”.*

271. Paragraph 4.1.6 of NPS EN-1 states that, in reaching a decision, the SoS should have regard to

*“Environmental, social and economic benefits and adverse impacts, at national, regional and local levels”.*

272. Paragraphs 2.8.318-2.8.139 of NPS EN-3 relates to the SoS’s decision making, and sets out that:

*“The Secretary of State should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself.*

*The Secretary of State should consider the extent to which the proposed development occupies any recognised important fishing grounds, and whether the project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities.”*

273. Paragraph 2.8.322 of NPS EN-3 states that:

*“The Secretary of State should be satisfied that the applicant has sought to design the proposal having consulted the MMO or NRW in Wales, Defra or Welsh Government in Wales and representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests.”*

274. The effects arising from the Project have been discussed with statutory bodies during pre- and post-application consultation. The Project is taking, and will continue to take, steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Designed-in measures related to commercial fisheries will be adopted as part of the Project are provided in Chapter 14 (document reference 6.1.14).

275. Chapter 14 (document reference 6.1.14) also provides a summary of the potential environmental effects during the construction phase, O&M phase, and decommissioning phase.

276. The assessment of Commercial Fisheries has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and been carried out in accordance with those requirements.

277. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters. The environmental information and assessment carried out for the Project demonstrate that there is no conflict with any of the conditions set out by the NPSs which would lead to a refusal of development consent on commercial fisheries grounds.

278. The ES prepared for the Project indicates that there are no anticipated significant effects with regards to the EIA Regulations.

279. Whilst isolated moderate significance impacts on the potting fleet have been identified, this effect will be mitigated through the agreed fisheries coexistence and liaison plan, which it is concluded will reduce the impact to minor and not significant with regards the EIA Regulations.

280. Overall, the project is compliant with the NPSs with respect to policy relating to commercial fisheries.

## **6.15 Shipping and Navigation**

281. This topic is assessed in Chapter 15 (document reference 6.1.15).

### **6.15.1 National Policy Statement: NPS EN-1**

282. No specific policy requirements for shipping and navigation have been identified in NPS EN-1.

## 6.15.2 National Policy Statement: NPS EN-3

283. Table 6-34 sets out the relevant National Policy Statements from NPS EN-3 related to shipping and navigation and provides detail as to where they are addressed by the Project.

Table 6-34: NPS EN-3 related to Shipping and Navigation

Policy	Summary	Where is this addressed?
Paragraphs 2.8.178-2.8.179	<p>Paragraphs 2.8.178-2.8.179 state:</p> <p><i>“Offshore wind farms and offshore transmission will occupy an area of the sea or sea bed. For offshore wind farms in particular it is inevitable that there will be an impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore wind farm and/or offshore transmission.</i></p> <p><i>To ensure safety of shipping, applicants should reduce risks to navigational safety to as low as reasonably practicable (ALARP).”</i></p>	<p>The IMO Formal Safety Assessment (FSA) methodology (IMO, 2018) has been applied for assessing effects on shipping and navigation receptors including application of the As Low As Reasonably Practicable (ALARP) principle to ensure risks are within tolerable levels. The methodology for assessment is provided in Chapter 15 (document reference 6.1.15).</p>
Paragraphs 2.8.184-2.8.185	<p>Paragraphs 2.8.184-2.8.185 state:</p> <p><i>“Applicants should engage with interested parties in the navigation sector early in the pre-application phase of the proposed offshore wind farm to help identify mitigation measures, including alterations to navigation routes, to facilitate proposed offshore wind development. This includes the MMO or NRW in Wales, MCA, the relevant General Lighthouse Authority, such as Trinity House, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. This should continue throughout the life of the development including during the construction, operation, and decommissioning phases.</i></p>	<p>Stakeholder engagement is considered a key input to the shipping and navigation baseline and impact assessment. Consultation undertaken is outlined in Chapter 15 (document reference 6.1.15).</p>

Policy	Summary	Where is this addressed?
	<p><i>Engagement should seek solutions that allow offshore wind farms to successfully co-exist with navigation and shipping uses of the sea.”</i></p>	
Paragraph 2.8.186	<p>Paragraph 2.8.186 states:</p> <p><i>“The presence of the wind turbines can also have impacts on communication and shipborne and shore-based radar systems. See section 5.5 in EN-1 for further guidance.”</i></p>	<p>Impacts on navigation, communications and position fixing equipment has been assessed in Volume 3, Chapter 15 Shipping and Navigation, Appendix 15.1: Navigational Risk Assessment (document reference 6.3.15.1).</p>
Paragraphs 2.8.187-2.8.188	<p>Paragraphs 2.8.187-2.8.188 state:</p> <p><i>“Prior to undertaking assessments applicants should consider information on internationally recognised sea lanes, which is publicly available.</i></p> <p><i>Applicants should refer in assessments to any relevant, publicly available data available on the Maritime Database.”</i></p>	<p>Internationally recognised sea lanes, other identified routes and navigational features such as IMO routing measures are considered a key element of the shipping and navigation baseline. It is noted that no IMO routing measures are in proximity to the array area. The methodology for baseline data gathering and baseline conditions are outlined in Chapter 15 (document reference 6.1.15).</p>
Paragraphs 2.8.189-2.8.190	<p>Paragraphs 2.8.189-2.8.190 state:</p> <p><i>“Applicants should undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above.</i></p> <p><i>The navigation risk assessment will for example necessitate:</i></p> <ul style="list-style-type: none"> <li>▪ <i>A survey of vessel traffic in the vicinity of the proposed wind farm;</i></li> <li>▪ <i>a full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and</i></li> <li>▪ <i>Cumulative and in-combination risks associated with the development and other developments (including other</i></li> </ul>	<p>The NRA is considered a key input to the shipping and navigation impact assessment including compliance with MCA guidance documents. The NRA is provided in Volume 3, Chapter 15 Shipping and Navigation, Appendix 15.1: Navigational Risk Assessment (document reference 6.3.15.1) and its methodology was agreed during consultation with the MCA and Trinity House (see Chapter 15 (document reference 6.1.15)).</p>



Policy	Summary	Where is this addressed?
Paragraphs 2.8.191 - 2.8.194	<p><i>wind farms) in the same area of sea.”</i></p> <p>Paragraphs 2.8.191 - 2.8.194 state:</p> <p><i>“In some circumstances applicants may seek declaration of a safety zone around wind turbines and other infrastructure. Although these might not be applied until after consent to the wind farm has been granted.</i></p> <p><i>The declaration of a safety zone excludes or restricts activities within the defined sea areas including navigation and shipping.</i></p> <p><i>Where there is a possibility that safety zones will be sought, applicant assessments should include potential effects on navigation and shipping.</i></p> <p><i>Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the MCA for advice on maritime safety, and refer to the government guidance on safety zones as a part of this process..”</i></p>	Impacts associated with safety zones are assessed and assumptions on safety zone dimensions are provided in Chapter 15 (document reference 6.1.15).
Paragraph 2.8.195	<p>Paragraph 2.8.195 states:</p> <p><i>“Applicants should undertake a detailed Navigational Risk Assessment, which includes Search and Rescue Response Assessment and emergency response assessment prior to applying for consent. The specific Search and Rescue requirements will then be discussed and agreed post-consent..”</i></p>	Impacts on SAR have been assessed and full compliance to MGN 654 are provided in Chapter 15 (document reference 6.1.15).
Paragraph 2.8.260	<p>Paragraph 2.8.260 states:</p> <p><i>“In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration (between the applicant and third parties) as a means of resolving how adverse</i></p>	The draft DCO provides for disputes to be settled by arbitration, unless otherwise expressly stated.

Policy	Summary	Where is this addressed?
	<i>impacts on other commercial activities will be addressed."</i>	
Paragraphs 28.326 - 2.8.330	<p>Paragraphs 28.326 - 2.8.330 state:</p> <p><i>"The use of recognised sea lanes essential to international navigation means:</i></p> <p><i>a) anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; and</i></p> <p><i>b) any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a REZ.</i></p> <p><i>The Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries and recreational users of the sea.</i></p> <p><i>Where after carrying out a site selection, a proposed development is likely to adversely affect major commercial navigation routes, for instance by causing appreciably longer transit times, the Secretary of State should give these adverse effects substantial weight in its decision making.</i></p> <p><i>Where a proposed offshore wind farm is likely to affect less strategically important shipping routes<sup>70</sup>, the Secretary of State should take a pragmatic approach to considering proposals to minimise negative impacts."</i></p>	<p>Main commercial routes – which are international in nature – have been identified and assessed in Chapter 15 (document reference 6.1.15). There are no IMO routing measures in proximity to the array area.</p> <p>Further details of site selection are provided in Chapter 4 (document reference 6.1.4).</p>
Paragraph 2.8.331	Paragraph 2.8.331 states:	ALARP principles have been applied to the impact assessment methodology in line

Policy	Summary	Where is this addressed?
	<i>“The Secretary of State should be satisfied that risk to navigational safety is as low as reasonably practicable (ALARP). It is government policy that wind farms and all types of offshore transmission should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted.”</i>	with the FSA process prescribed in MGN 654, as outline in Chapter 15 (document reference 6.1.15)
Paragraph 2.8.332	Paragraph 2.8.332 states:  <i>“The Secretary of State should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes.”</i>	Impacts on recreational vessels have been assessed in Chapter 15 (document reference 6.1.15).
Paragraph 2.8.335	Paragraph 2.8.335 states:  <i>“The Secretary of State should have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development in determining whether to grant consent for the construction, or extension, of an offshore wind farm, and what requirements to include in such a consent.”</i>	Associated impacts have been assessed in Chapter 15 (document reference 6.1.15)

### 6.15.3 National Policy Statement: NPS EN-5

284. No relevant policy requirements for shipping and navigation have been identified in EN-5.

### 6.15.4 Other Policy Considerations

Table 6-35: Other Policy Considerations related to Shipping and Navigation

285. sets out other policy considerations related to shipping and navigation and provides detail as to where they are addressed by the Project.

Table 6-35: Other Policy Considerations related to Shipping and Navigation

Policy	Summary	Where is this addressed?
<p>UK Marine Policy Statement (2011) Paragraphs 3.2.4 – 3.2.5</p>	<p>Paragraphs 3.2.4 – 3.2.5 states:</p> <p>“Defence activities that utilise the marine environment, directly or indirectly, in support of operational capability are diverse but include operational vessels and aircraft, HM Naval bases, surface and sub-surface navigational interests, underwater acoustic ranges, maritime exercises, amphibious exercises, coastal training ranges and coastal test and evaluation ranges.</p> <p>It is recognised that there are risks to the marine environment through the maintenance and deployment of operational capability. The MoD is committed to the protection of the natural and historic environment. It will therefore not seek to be exempt from environmental legislation unless such legislation restricts essential operational capability. Where derogations or exemptions are sought to maintain operational capability, the MoD will ensure that internal management arrangements and mitigation measures minimise environmental impact so far as reasonably practicable. The MoD has undertaken to minimise the impact of its activities on the environment and pays due regard to such impacts as part of its decision making process, in line with the Secretary of State for Defence’s statement on Safety, Health Environmental Protection and Sustainable Development in the MoD.”</p>	<p>The NRA is provided in Volume 3, Chapter 15 Shipping and Navigation, Appendix 15.1: Navigational Risk Assessment (document reference 6.3.15.1). The NRA includes a survey of vessels; the likely impact of the wind farm on navigation; and a cumulative and in combination assessment. The methodology was agreed with the MCA as discussed in Chapter 15 (document reference 6.1.15).</p>
<p>UK Marine Policy Statement (2011) Paragraph 3.4.7</p>	<p>Paragraph 3.4.7 states:</p> <p>“Increased competition for marine resources may affect the sea space available for the safe navigation of ships. Marine plan authorities and</p>	<p>The NRA is provided in Volume 3, Chapter 15 Shipping and Navigation, Appendix 15.1: Navigational Risk Assessment (document reference 6.3.15.1). The NRA includes a survey of vessels; the likely impact of the wind farm on navigation;</p>

Policy	Summary	Where is this addressed?
	<p>decision makers should take into account and seek to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety and ensure that their decisions are in compliance with international maritime law. Marine Plan development and individual decisions should also take account of environmental, social and economic effects and be in compliance with international maritime law. Marine plan authorities will also need to take account of the need to protect the efficiency and resilience of continuing port operations, as well as further port development.”</p>	<p>and a cumulative and in combination assessment. The methodology was agreed with the MCA as discussed in Chapter 15(document reference 6.1.15).</p>
<p>East Marine Plan (2014) Policy DEF1</p>	<p>Policy DEF1 states: “Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.”</p>	<p>Consultation undertaken is outlined in Chapter 15 (document reference 6.1.15). The MMO has been consulted and confirmed that Ministry of Defence Danger and Exercise Areas will not be affected.</p>
<p>East Marine Plan (2014) Policy PS1</p>	<p>Policy PS1 states: “Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes.”</p>	<p>Chapter 15 (document reference 6.1.15) considers this issue and has concluded that there are no effects.</p>

### 6.15.5 Considerations for the SoS

286. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

287. Whilst there is no specific policy assessment within EN-1 relating to shipping and navigation, Paragraph 4.1.7 of EN-1 advises that:

*“Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weigh those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable*

*habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.”*

288. An impact assessment has been undertaken as part of Volume 6, Part 2, Chapter 9: Shipping and Navigation and it is confirmed that there are no residual impacts.
289. NPS EN-3 contains more specific guidance, relevant to the SoS’s decision-making process with regard to shipping and navigation.
290. Chapter 15 (document reference 6.1.15) provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&M phase, and decommissioning phase.
291. The assessment of Shipping and Navigation has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and been carried out in accordance with those requirements.
292. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.
293. The ES prepared for the Project indicates that there are no anticipated significant effects with regards to the EIA Regulations, therefore effects on shipping and navigation should not weigh against the substantial benefits of the Project when considering the planning balance.

## 6.16 Aviation, Radar, and Military and Communication

294. This topic is assessed in detail in Volume 1, Chapter 16: Aviation, Radar, and Military and Communication (document reference 6.1.16).

### 6.16.1 National Policy Statement: NPS EN-1

295. Table 6-36 sets out the relevant National Policy Statements from NPS EN-1 related to Aviation, Radar, and Military and Communication and provides detail as to where they are addressed by the Project.

Table 6-36: NPS EN-1 related to Aviation, Radar and Military and Communication.

Policy	Summary	Where is this addressed?
Paragraph 5.5.37	Paragraph 5.5.37 states:  <i>“Where the proposed development may affect the performance of civil or military aviation [communications, navigations, and surveillance] CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).”</i>	Potential effects are set out in Chapter 16 (document reference 6.1.16).
Paragraph 5.5.39	Paragraph 5.5.39 states:  <i>“The applicant should consult the MOD, Met Office, Civil Aviation</i>	Consultation undertaken with relevant civil and military aviation stakeholders is detailed in Chapter 16 (document reference 6.1.16).

Policy	Summary	Where is this addressed?
	<i>Authority (CAA), NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.”</i>	
Paragraph 5.5.40	Paragraph 5.5.40 states:  <i>“Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects<sup>199</sup> of the project with other relevant projects in relation to aviation, meteorological and defence.”</i>	Effects on civil and military aviation during the Project phases are assessed in Chapter 16 (document reference 6.1.16) Cumulative impacts are assessed in Section Chapter 16 (document reference 6.1.16)

## 6.16.2 National Policy Statement: NPS EN-3

296. Table 6-37 sets out the relevant National Policy Statements from NPS EN-3 related to Aviation, Radar, and Military and Communication and provides detail as to where they are addressed by the Project.

Table 6-37: NPS EN-3 related to Aviation, Radar and Military and Communication

Policy	Summary	Where is this addressed?
Paragraphs 2.8.261-2.8.262	Paragraphs 2.8.261-2.8.262 state:  <i>“Detailed discussions between the applicant and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application. As such, appropriate mitigation should be included in any application, and ideally agreed between relevant parties.</i>	Engagement with NATS, the MOD and other relevant aviation stakeholders has taken place throughout the EIA process in order to agree appropriate mitigations prior to application submission.

Policy	Summary	Where is this addressed?
	<p><i>In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed."</i></p>	
<p>Paragraphs 2.8.342-2.8.344</p>	<p>Paragraphs 2.8.342-2.8.344 state:</p> <p><i>"Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the Secretary of State.</i></p> <p><i>Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy.</i></p> <p><i>In such circumstances, the Secretary of State should expect the applicant to work with the impacted sector to minimise negative impacts and reduce risks to as low as reasonably practicable."</i></p>	<p>Potential effects during the various phases are assessed in Chapter 16 (document reference 6.1.16).</p> <p>Negative impacts will be minimised and risks reduced through the embedded mitigation measures outlined in Chapter 16 (document reference 6.1.16) and by continuing engagement with relevant stakeholders to agree any appropriate additional mitigation measures.</p>
<p>Paragraphs 2.8.345-2.8.346</p>	<p>Paragraphs 2.8.345-2.8.346 state:</p> <p><i>"The Secretary of State should be satisfied that the site selection and design of the wind farm has avoided or minimised disruption or economic loss or any adverse effects on safety to other offshore industries. Applicants will be required to demonstrate that risks to safety will be reduced to as low as reasonably practicable.</i></p> <p><i>The Secretary of State should not consent applications which pose intolerable risks to safety after mitigation measures have been considered."</i></p>	<p>Potential effects on offshore helicopter operations are assessed in Chapter 16 (document reference 6.1.16).</p>



Policy	Summary	Where is this addressed?
Paragraph 2.8.348	Paragraph 2.8.348 states:  <i>“Providing schemes have been carefully designed and the necessary consultation has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on other offshore infrastructure to a level sufficient to enable the Secretary of State to grant consent.”</i>	Embedded mitigation measures outlined in Chapter 16 (document reference 6.1.16) and along with further mitigation measures.

### 6.16.3 National Policy Statement: NPS EN-5

297. No relevant policy requirements for Aviation, Radar, and Military and Communication have been identified in EN-5.

### 6.16.4 Other Policy Considerations

298. Table 6-38 sets out other policy considerations related to Aviation, Radar, and Military and Communication and provides detail as to where they are addressed by the Project.

Table 6-38: Other Policy Considerations related to Aviation, Radar, and Military and Communication

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraphs 3.2.4 – 3.2.5	Paragraphs 3.2.4 – 3.2.5 states:  “Defence activities that utilise the marine environment, directly or indirectly, in support of operational capability are diverse but include operational vessels and aircraft, HM Naval bases, surface and sub-surface navigational interests, underwater acoustic ranges, maritime exercises, amphibious exercises, coastal training ranges and coastal test and evaluation ranges.  It is recognised that there are risks to the marine environment through the maintenance and deployment of operational capability. The MoD is committed to the protection of the natural and historic environment. It will therefore not seek to be exempt from environmental legislation unless such legislation restricts essential	Potential effects during the various phases are assessed in Chapter 16 (document reference 6.1.16).  Negative impacts will be minimised, and risks reduced through the embedded mitigation measures outlined in Chapter 16 (document reference 6.1.16) and by continuing engagement with relevant stakeholders to agree any appropriate additional mitigation measures. Further engagement with NATS, the MOD and other relevant aviation stakeholders will continue throughout the EIA process in order to agree appropriate mitigations prior to application submission.

Policy	Summary	Where is this addressed?
	operational capability. Where derogations or exemptions are sought to maintain operational capability, the MoD will ensure that internal management arrangements and mitigation measures minimise environmental impact so far as reasonably practicable. The MoD has undertaken to minimise the impact of its activities on the environment and pays due regard to such impacts as part of its decision making process, in line with the Secretary of State for Defence’s statement on Safety, Health Environmental Protection and Sustainable Development in the MoD.”	
East Marine Plan (2014) Objective 10	Objective 10 states: “To ensure integration with other plans, and in the regulation and management of key activities and issues, in the East marine plans, and adjacent areas.”	Section 16.2 of Chapter 16 (document reference 6.1.16) outlines the relevant guidance and legislation that the Project will adhere to.
East Marine Plan (2014) Policy DEF1	Policy DEF1 states: “Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.”	As outlined within Chapter 16 (document reference 6.1.16), the Project does not fall within any defence danger or exercise areas and therefore has been scoped out of the assessment.

### 6.16.5 Considerations for the SoS

299. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
300. Paragraphs 5.5.49 to 5.5.60 of EN-1 set out matters the SoS will need to be satisfied that the effects on civil and military aerodromes, aviation technical sites and other defence interests have been addressed by the applicant and any necessary assessment of the proposal on aviation or defence interests is carried out, along with any relevant mitigation.
301. The Applicant has consulted all relevant aviation and communications stakeholders as part of the EIA process and taken those responses into consideration in preparation of the application, along with all relevant legislation and guidance.

302. Aviation lighting requirements are outlined in Chapter 3 (document reference 6.1.3) as well as in Chapter 17 (document reference 6.1.17) Impact Assessment. Lighting requirements will satisfy the requirements of CAP 393 (Article 223).
303. Paragraph 5.5.59 of NPS EN-1 requires that:
304. Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the [SoS] considers whether:
- *“development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs*
  - *it would cause harm to aerodromes’ training or emergency service needs*
  - *the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training*
  - *the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure*
  - *the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UK’s flood agencies.”*
305. The Project is being sited to minimise conflicts with aviation, military and communication receptors. In cases where conflict is being highlighted by early consultation, the Applicant has, where appropriate, proposed mitigation measures to reduce or negate impacts. Embedded and additional mitigation measures for aviation, military and communication receptors are presented in Chapter 16 (document reference 6.1.16).
306. NPS EN-1 paragraph 5.5.58 states that:
- “Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of ‘Grampian conditions’205, or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.”*
307. For CNS infrastructure, the UK military Low Flying system (including Tactical Training Areas and designated air traffic routes), mitigation may also include:
- Lighting;
  - Operational airspace changes; and
  - Upgrading of existing CNS infrastructure.
308. The assessment of aviation and radar has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and has been carried out in accordance with those requirements.

309. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters. The ES prepared for the Project demonstrates that there is no anticipated conflict with any of the conditions set out by the NPSs.
310. The ES also indicates that radar impacts can be successfully mitigated and as such should not weigh against the substantial benefits of the Project.
311. Overall, the project is compliant with the NPSs with respect to policy relating to civil and military aerodromes.

## 6.17 Seascape, Landscape and Visual Impact Assessment (SLVIA)

312. This topic is assessed in detail in Chapter 17 (document reference 6.1.17).

### 6.17.1 National Policy Statement: NPS EN-1

313. Table 6-39 sets out the relevant National Policy Statements from NPS EN-1 related to Seascape, Landscape and Visual Impact Assessment (SLVIA) and provides detail as to where they are addressed by the Project.

Table 6-39: EN-1 related to Seascape, Landscape and Visual Impact Assessment (SLVIA)

Policy	Summary	Where is this addressed?
Paragraphs 4.7.1 - 4.7.2	<p>Paragraphs 4.7.1 - 4.7.2 state:</p> <p><i>“The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object - be it a building or other type of infrastructure - including fitness for purpose and sustainability, is equally important.</i></p> <p><i>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.”</i></p>	<p>The Project has been designed to address potential seascape, landscape, and visual effects. Embedded environmental measures that address seascape, landscape and visual effects are presented in Chapter 17 (document reference 6.1.17) Impact Assessment.</p> <p>Design principles, particularly in relation to the ORCPs will be considered through the design process as part of the preparation of the ES.</p>
Paragraph 5.10.12	<p>Paragraph 5.10.12 states:</p>	<p>A review of local development documents</p>

Policy	Summary	Where is this addressed?
	<p><i>“Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.”</i></p>	<p>policies based on landscape or waterscape character assessment have been paid attention in Table 6.32 – 6.34 below.</p>
<p>Paragraphs 5.10.16 – 5.10.18</p>	<p>Paragraphs 5.10.16 – 5.10.18 state:</p> <p><i>“The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.2). Several guides have been produced to assist in addressing landscape issues.</i></p> <p><i>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</i></p> <p><i>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.”</i></p>	<p>The Guidelines for Landscape and Visual Impact Assessment (GLVIA) (2002, 2nd edition) have been superseded by GLVIA Version 3 (GLVIA3). The SLVIA is being prepared following the more recent GLVIA3 as described in Chapter 17 (document reference 6.1.17) and Volume 3, Chapter 17: Seascape, Landscape and Visual, Appendix 17.1: SLVIA Methodology (document reference 6.3.17.1). Landscape Character Assessment guidance (2002) has also been superseded by Natural England (2014) guidance ‘An Approach to Landscape Character Assessment’.</p> <p>Chapter 4 (document reference 6.1.4) sets out the iterative process that has influenced the design of the Project. The mitigation of seascape, landscape and visual and cumulative effects have been carefully considered in the SLVIA in Chapter 17 (document reference 6.1.17), to minimise ‘harm</p>

Policy	Summary	Where is this addressed?
		<p>to the landscape' where possible.</p> <p>The SLVIA has been carried out with reference to published LCAs. LCAs and local plan policies for the study area are referred to in Chapter 17 (document reference 6.1.17).</p>
Paragraph 5.10.21	<p>Paragraph 5.10.21 states:</p> <p><i>“The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.”</i></p>	<p>The visual effects of the Project during construction and O&amp;M are assessed in Chapter 17 (document reference 6.1.17). The Chapter also considers light pollution.</p>
Paragraph 5.10.24	<p>Paragraph 5.10.24 states:</p> <p><i>“Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.”</i></p>	<p>The quality, value, and capacity of the landscape to accommodate change are considerations of the landscape assessment. The design of the Project is considering the potential impact on seascape, landscape and visual receptors, in order to minimise harm by mitigation of landscape effects as presented in Chapter 17 (document reference 6.1.17). Adverse landscape and visual effects would be minimised through embedded environmental measures.</p>
Paragraph 5.10.26	<p>Paragraph 5.10.26 states:</p> <p><i>“Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project</i></p>	<p>The iterative design process will ultimately reduce the offshore array from 500 to 300km<sup>2</sup>.</p>

Policy	Summary	Where is this addressed?
	<p><i>may result in a significant operational constraint and reduction in function - for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.”</i></p>	<p>Chapter 4 (document reference 6.1.4) of the ES sets out the iterative process that has influenced, and will continue to influence, the design of the Project. The mitigation of landscape and visual effects is being carefully considered in the SLVIA, to minimise ‘harm to the landscape’ or seascape where possible. Whilst it is not possible to reduce individual WTG parameters, or to entirely avoid landscape impacts, the impacts have been minimised as far as practicable whilst maintaining an economically viable project, and providing meaningful contribution to the UK climate targets and the associated benefits which are imperative.</p>
<p>Paragraphs 5.10.27 – 5.10.28</p>	<p>Paragraphs 5.10.27 – 5.10.28 state:</p> <p><i>Within a defined site, adverse landscape and visual Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.</i></p> <p><i>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.’</i></p>	<p>The quality, value and capacity of the landscape to accommodate change are considerations of the landscape assessment.</p> <p>The SoS is aware that virtually all nationally significant energy infrastructure projects will have effects on the landscape. However, the project has been designed carefully, taking account of the potential impact on the landscape. The design has had regard to siting,</p>

Policy	Summary	Where is this addressed?
		<p>operational and other relevant constraints with the aim of minimising harm to the landscape and providing reasonable mitigation where possible and appropriate.</p> <p>The design of the Project is considering the potential impact on seascape, landscape and visual receptors, in order to minimise harm by mitigation of landscape effects as presented in Chapter 17 (document reference 6.1.17). Adverse landscape and visual effects would be minimised through embedded environmental measures.</p>
<p>Paragraphs 5.10.32 – 5.10.35</p>	<p>Paragraphs 5.10.32 – 5.10.35 state:</p> <p><i>“When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty of the landscape and countryside should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas.</i></p> <p><i>The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</i></p> <ul style="list-style-type: none"> <li>▪ <i>the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;</i></li> <li>▪ <i>the cost of, and scope for, developing all or part of the development elsewhere outside the</i></li> </ul>	<p>The potential for the offshore elements of the Project to affect the Lincolnshire Wolds AONB, Norfolk Coast AONB and RPG, has been considered in Chapter 17 (document reference 6.1.17).</p>



Policy	Summary	Where is this addressed?
	<p><i>designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.2; and</i></p> <ul style="list-style-type: none"> <li>▪ <i>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</i></li> </ul> <p>For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.</p> <p>The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.</p> <p>The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.”</p>	
Paragraph 5.10.36	<p>Paragraph 5.10.36 states:</p> <p><i>“In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.”</i></p>	<p>The value of the local landscape is a consideration within the SLVIA and is informed by local landscape designations identified in local development plan documents. Effects on</p>

Policy	Summary	Where is this addressed?
		landscape character are addressed in Chapter 17 (document reference 6.1.17).
Paragraphs 5.10.37 - 5.10.38	<p>Paragraphs 5.10.37 - 5.10.38 state:</p> <p><i>“The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.</i></p> <p><i>The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.”</i></p>	Chapter 4 (document reference 6.1.4) of the ES sets out the iterative process that has influenced, and will continue to influence, the design of the Project. The mitigation of landscape and visual effects has been carefully considered in the SLVIA, to minimise ‘harm to the landscape’ or seascape where possible. Whilst it is not possible to reduce individual WTG parameters, or to entirely avoid landscape impacts, the impacts have been minimised as far as practicable whilst maintaining an economically viable project, and providing meaningful contribution to the UK climate targets and the associated benefits which are imperative.

## 6.17.2 National Policy Statement: NPS EN-3

314. Table 6-40 sets out the relevant National Policy Statements from NPS EN-3 related to Seascape, Landscape and Visual Impact Assessment (SLVIA) and provides detail as to where they are addressed by the Project.

Table 6-40: NPS EN-3 related to Seascape, Landscape and Visual Impact Assessment (SLVIA)

Policy	Summary	Where is this addressed?
Paragraphs 2.8.205-2.8.207	<p>Paragraphs 2.8.205-2.8.207 state:</p> <p><i>“Seascape is an additional issue for consideration given that it is an important environmental, cultural,</i></p>	The effect of the Project on seascape character is assessed in Chapter 17 (document reference 6.1.17). The definitions of seascape have been more recently defined in Seascape Character

Policy	Summary	Where is this addressed?
	<p><i>and economic asset. This is especially so where seascape provides the setting for a nationally designated landscape (National Park, The Broads or AONB) and supports the delivery of the designated area’s statutory purpose; and for stretches of coastline identified as Heritage Coasts, which are associated with a largely undeveloped coastal character.</i></p> <p><i>Seascape is a discrete area, with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical, and archaeological links with each other.</i></p> <p><i>Applicants should follow relevant guidance including, but not limited to seascape character assessments and marine plan seascape character assessments (e.g., NRW Marine Character Areas (with associated guidance) England’s marine plans).”</i></p>	<p>Assessment guidance published by Natural England (Natural England, 2012).</p>
<p>Paragraph 2.8.208-</p>	<p>Paragraph: 2.8.208-states:</p> <p><i>“Where a proposed offshore wind farm will be visible from the shore and would be within the setting of a nationally designated landscape with potential effects on the area’s statutory purpose, a seascape, landscape, and visual impact assessment (SLVIA) should be undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report. The SLVIA should be proportionate to the scale of the potential impacts. This will always</i></p>	<p>The visibility of the Project from the shore and impacts on seascape are addressed in Chapter 17 (document reference 6.1.17). The scope of the SLVIA assessment, MDSs, and preferred boundary for assessment was determined in consultation with the SLVIA technical group as part of the EPP. This assessment has been undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report.</p> <p>The effect of the Project on statutory landscape designations such as AONBs and conservation areas more broadly is</p>

Policy	Summary	Where is this addressed?
	<p><i>be the case where a coastal National Park, the Broads or AONB, or a Heritage Coast or their setting is potentially affected.”</i></p>	<p>assessed in Chapter 17 (document reference 6.1.17).</p>
<p>Paragraph 2.8.209</p>	<p>Paragraph 2.8.209 states:</p> <p><i>“Where necessary, assessment of the seascape should include an assessment of four principal considerations on the likely effect of offshore wind farms on the coast: the limit of visual perception from the coast under poor, good, and best lightening conditions; the effects of navigation and hazard prevention lighting on dark night skies; individual landscape and visual characteristics of the coast and the special qualities of designated landscapes, such as World Heritage Sites, which limits the coasts capacity to absorb a development; and how people perceive and interact with the coast and natural seascape.”</i></p>	<p>The effect of the Project on seascape character, including the four principal considerations outlined in this paragraph, assessed in Chapter 17 (document reference 6.1.17).</p>
<p>Paragraph 2.8.210</p>	<p>Paragraph 2.8.210 states:</p> <p><i>“As part of the SLVIA, photomontages<sup>65</sup> will be required. Viewpoints to be used for the SLVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage.”</i></p>	<p>Photomontages and wirelines of the Project are provided in Volume 2, Chapter 17: Seascape, Landscape and Visual, Figure 17.2: SLVIA Study Area (document reference 6.2.17.2). Viewpoints are being agreed in consultation with statutory consultees as described in Chapter 17 (document reference 6.1.17). Wireline visualisations are included in Volume 2, Chapter 17: Seascape, Landscape and Visual, Figure 17.2: SLVIA Study Area (document reference 6.2.17.2). Requirements for photomontages will be discussed and agreed with statutory consultees as part of future consultation.</p>

Policy	Summary	Where is this addressed?
Paragraphs 2.8.211-2.8.212	<p>Paragraphs 2.8.211-2.8.212 state:</p> <p><i>“Applicants should assess the magnitude and significance of change to both the identified seascape receptors (such as seascape and landscape units, visual receptors and the special qualities of designated landscapes) in accordance with the standard methodology for SLVIA.</i></p> <p><i>Where appropriate, cumulative SLVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 5.10.16-17 of EN-1.”</i></p>	The methodology for the assessment of magnitude of change to seascape receptors, designated landscapes and visual receptors is set out in Chapter 17 (document reference 6.1.17).

### 6.17.3 National Policy Statement: NPS EN-5

315. No relevant policy requirements for Seascape, Landscape and Visual Impact Assessment (SLVIA) have been identified in EN-5.

### 6.17.4 Other Policy Considerations

316. Table 6-41 sets out other policy considerations related to Seascape, Landscape and Visual Impact Assessment (SLVIA) and provides detail as to where they are addressed by the Project.

Table 6-41: Other Policy Considerations related to Seascape, Landscape and Visual Impact Assessment (SLVIA)

Policy	Summary	Where is this addressed?
UK Marine Planning Policy Statement (2011)	<p>Provides the UK’s framework for preparing marine plans.</p> <p>UK MPS Paragraph 2.6.5.3</p> <p><i>“In considering the impact of an activity or development on seascape, the marine plan authority should take into account existing character and quality, how highly it is valued and its capacity to accommodate change specific to any development. Landscape Character assessment methodology may be an aid to this process.”</i></p>	These aspects of the seascape, landscape and visual resource are considered in the assessment of the impacts in Chapter 17 (document reference 6.1.17).
U Marine Policy	Paragraphs 2.6.5.2 - 2.6.5.4 state:	These aspects of the seascape, landscape and visual resource are

Policy	Summary	Where is this addressed?
Statement (2011) Paragraphs 2.6.5.2 - 2.6.5.4	<p><i>“When developing Marine Plans, marine plan authorities should consider at a strategic level visual, cultural, historical and archaeological impacts not just for those coastal areas that are particularly important for seascape, but for all coastal areas, liaising with terrestrial planning authorities as necessary. In addition, any wider social and economic impacts of a development or activity on coastal landscapes and seascapes should be considered.</i></p> <p><i>In considering the impact of an activity or development on seascape, the marine plan authority should take into account existing character and quality, how highly it is valued and its capacity to accommodate change specific to any development. Landscape Character Assessment methodology may be an aid to this process.</i></p> <p><i>For any development proposed within or relatively close to nationally designated areas the marine plan authority should have regard to the specific statutory purposes of the designated areas. The design of a development should be taken into account as an aid to mitigation.”</i></p>	considered in the assessment of the impacts in Chapter 17 (document reference 6.1.17).
East Marine Plan (2014) Objective 8	<p>Objective 8 states:</p> <p><i>“To support the objectives of Marine Protected Areas (and other designated sites around the coast that overlap, or are adjacent to the East marine plan areas), individually and as part of an ecologically coherent network.”</i></p>	In relation to seascape, the potential for the Project to impact upon the nationally designated areas has been considered in Section 17.7 of Chapter 17 (document reference 6.1.17). Regard has been paid to the purpose and special qualities of these nationally designated landscapes.
East Marine Plan (2014) Policy SOC3	<p>Policy SOC3 states:</p> <p><i>“Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference: a) that they will not adversely impact the terrestrial and marine character of an area b) how, if there are adverse impacts on the</i></p>	The siting of the offshore infrastructure has been informed by the site’s iterative selection process (see Chapter 4 (document reference 6.1.4)) which included consultation with several statutory and non-

Policy	Summary	Where is this addressed?
	<p><i>terrestrial and marine character of an area, they will minimise them c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</i></p>	<p>statutory consultees like the Environmental Agency and Natural England who had an input on the site’s location and design. This was part of an approach to avoid areas that are most sensitive including designated areas.</p> <p>In relation to seascape, the potential for the Project to impact upon the nationally designated areas has been considered in Section 17.7 of Chapter 17(document reference 6.1.17). Regard has been paid to the purpose and special qualities of these nationally designated landscapes.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 23 (SP23) – Landscape</p>	<p>Strategic Policy 23 (SP23) sets out provision for the protection, enhancement, use and management of the landscape within the District. It identifies that development will be guided by the District’s Landscape Character Assessment and places an emphasis on landscapes that are considered to be highly sensitive.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p> <p>The Lincolnshire Wolds AONB is a statutorily protected landscape, recognised by Government to be of the highest value. The offshore elements of the Project will be visible within the setting of the LWAONB and may influence its distinctive character. The likely impacts of the Project on the perceived landscape and seascape character, and special qualities of the Lincolnshire Wolds, are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>Strategic Policy 27 (SP27) Renewable and Low Carbon Energy</p>	<p>Strategic Policy 27 establishes support for large scale renewable and low carbon energy development, providing the individual or cumulative impacts of such development are considered acceptable (weighted against the benefits) in relation to [inter alia] “the surrounding landscape,</p>	<p>The potential effects of the Project on landscape character are addressed in in section 27.8 of Chapter 28 (document reference 6.1.28).</p>

Policy	Summary	Where is this addressed?
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Policy EC5 - Supporting the Energy Sector</p>	<p>townscape and historic landscape character, and visual qualities”.</p> <p>Policy EC5 states:</p> <p><i>“Supporting the Energy Sector’ sets out criteria applicable to new energy related development. It identifies that new development should be acceptable in terms of [inter alia] cumulative effects with other developments, the character and sensitivity of landscapes to accommodate such development, with particular emphasis placed on identified Important Landscape Areas, and visual impacts. Relevant to the Project, Important Landscape Areas include the Heritage Coast at Spurn Head.”</i></p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Policy ENV1: Integrating High Quality Design</p>	<p>Policy ENV1 states:</p> <p><i>“Integrating High Quality Design’ sets out criteria for the design of new development. Whilst this policy is focussed on proposals such as residential development, elements of Part A are applicable to the Project:</i></p> <ol style="list-style-type: none"> <li data-bbox="384 1160 951 1350">1. <i>Contribute to safeguarding and respecting the diverse character and appearance of the area through their design, layout, construction, and use; and</i></li> <li data-bbox="384 1368 951 1518">2. <i>Seek to reduce carbon emissions and make prudent and efficient use of natural resources, particularly land, energy and water.”</i></li> </ol>	<p>Chapter 3 (document reference 6.1.3) and Chapter 4 (document reference 6.1.4) set out how the project addresses climate change, benefits to society and solves multiple design/environmental factors to secure environmental and socio-economic benefits. Design principles, particularly in relation to the Offshore Reactive Compensation Platforms has been considered through the design process as part of the preparation of the ES.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Policy ENV2: Promoting a high-quality landscape</p>	<p>Policy ENV2 states that:</p> <p><i>“Development proposals should be sensitively integrated into the existing landscape, demonstrate an understanding of the intrinsic qualities of the landscape setting and, where possible, seek to make the most of the opportunities to protect and enhance landscape characteristics and features.”</i></p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>



Policy	Summary	Where is this addressed?
	<p>The policy includes a number of criteria to achieve this, the most relevant to the Project being:</p> <ol style="list-style-type: none"> <li>1. Protect and enhance views across valued landscape features, including flood meadows, chalk grassland, lowland heath, mudflats and salt marsh, sand dunes and chalk cliffs; and</li> <li>2. Protect and enhance the undeveloped coast.</li> </ol> <p>The policy goes on to state that <i>“Proposals should protect and enhance existing landscape character as described in the East Riding Landscape Character Assessment”</i>.</p> <p>It places an emphasis on the Important Landscape Areas as shown on the Policies Map, which include the Heritage Coast designation Spurn Head.</p>	
<p>North Norfolk Local Development Framework, Core Strategy, Adopted Sept 2008</p> <p>Core Aim 3</p>	<p>Core Aim 3 defines the need to “protect the built and natural environment and local distinctive identity of North Norfolk and enable people’s enjoyment of this resource”.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Development Framework, Core Strategy, Adopted Sept 2008</p> <p>Policy SS 4 Environment</p>	<p>Policy SS 4 sets out that “renewable energy proposals will be supported where impacts on amenity, wildlife and landscape are acceptable”.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Development Framework, Core Strategy,</p>	<p>Policy EN 1 sets out that the individual and cumulative effects of the development proposals will be carefully assessed. It places a clear emphasis on protecting the AONB and its special qualities.</p>	<p>The Norfolk Coast AONB is a statutorily protected landscape, recognised by Government to be of the highest value. The offshore elements of the Project will be</p>

Policy	Summary	Where is this addressed?
<p>Adopted Sept 2008</p> <p>Policy EN 1 Norfolk Coast AONB and The Broads</p>		<p>visible within the setting of the Norfolk Coast AONB and may influence its distinctive character. The likely impacts of the Project on the perceived landscape and seascape character, and special qualities of the Norfolk Coast, are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Development Framework, Core Strategy, Adopted Sept 2008</p> <p>Policy EN 2 Protection and Enhancement of Landscape and Settlement Character</p>	<p>Policy EN 2 provides broader protection of the landscape, identifying the need to take account of the North Norfolk Landscape Character Assessment.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Development Framework, Core Strategy, Adopted Sept 2008</p> <p>Policy EN 4 Design</p>	<p>Policy EN 4 sets out a number of criteria associated with the design of the Project. Whilst this policy is focussed on terrestrial development, the overarching principles relating to local distinctiveness and the protection of the character and quality of an area are broadly applicable.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Development Framework, Core Strategy, Adopted Sept 2008</p> <p>Policy EN 7 Renewable Energy</p>	<p>Policy EN 7 includes points that are specific to potential landscape and visual effects. It also sets out that large scale renewable energy proposals would not be permitted in areas of national importance, unless it can be demonstrated that that objectives of the designation are not compromised.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>

Policy	Summary	Where is this addressed?
<p>North Norfolk Local Plan 2016 - 2036 Proposed Submission Version (Regulation 19 Publication) Local Plan, January 2022</p> <p>Objective 2</p>	<p>Objective 2 includes reference to the protection, conservation and enhancement of the natural environment. It also sets out the need to protect, enhance and maintain the unique qualities and character of the District.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Plan 2016 - 2036 Proposed Submission Version (Regulation 19 Publication) Local Plan, January 2022</p> <p>Policy CC 1</p>	<p>Policy CC 1 sets out broad criteria for sustainable development with part 1, point h specifically relating to the conservation and enhancement of landscape character.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>North Norfolk Local Plan 2016 - 2036 Proposed Submission Version (Regulation 19 Publication) Local Plan, January 2022</p> <p>Policy CC2</p>	<p>Policy CC2 is specific to the terrestrial elements of renewable energy development, including the landward infrastructure for offshore developments. The criteria set out in this policy include consideration of the potential landscape and visual effects of such developments.</p>	<p>The potential effects of the Project on landscape character are addressed in Chapter 28 (document reference 6.1.28).</p>
<p>Policies ENV 1 Norfolk Coast AONB and The Broads, ENV 2 Protection and Enhancement of Landscape and Settlement</p>	<p>These policies largely reflect the corresponding policies in the Adopted Local Plan, placing an emphasis on the protection, conservation and enhancement of the landscape. The policies include references to the qualities and characteristics of the landscape and the published landscape character assessment.</p>	<p>The Norfolk Coast AONB is a statutorily protected landscape, recognised by Government to be of the highest value. The offshore elements of the Project will be visible within the setting of the Norfolk Coast AONB and may influence its distinctive character. The likely impacts of the Project</p>

Policy	Summary	Where is this addressed?
Character and ENV 3 Heritage & Undeveloped Coast		on the perceived landscape and seascape character, and special qualities of the Norfolk Coast AONB, are addressed in Chapter 28 (document reference 6.1.28).

### 6.17.5 Considerations for the SoS

317. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

318. Paragraphs 5.10.29 to 5.10.38 of NPS EN-1 sets out a series of principles that will be taken into account when reaching a decision. Paragraphs 5.10.4 – 5.10.6 of NPS EN- 1 advises:

*“Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.*

*Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.*

*Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”*

319. Chapter 28 (document reference 6.1.28) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project, and summarises embedded mitigation. The cumulative effects assessment is also presented in this Chapter.

320. The design of the offshore WTG array will take into account the potential impact on the landscape in order to minimise harm by mitigation of landscape effects. During development, the Project will seek to refine the array area to reduce the westerly spread of the Project in views from coastline.

321. The SLVIA has found that the introduction of the array to the seascape/ landscape would not result in the key characteristics of the surrounding area being affected to such a degree that it would become a 'windfarm seascape' (in addition to or in combination with other operational or consented windfarms). This is an important distinction as it implies that the carrying capacity - as defined by its inherent landscape character - would not be exceeded by the array (in combination with other operational or consented OWFs).

322. NPS EN-1 (Paragraph 5.10.32) considers the potential effects of development on nationally designated landscapes, such as AONBs, National Parks and the Broads.

323. NPS EN-1 recognises that each of these designated landscape types have a specific statutory purpose, and that the SoS should have regard to that in decision making. In such areas, NPS EN-1 requires that the conservation of the natural beauty of the landscape and countryside should be given substantial weight by the SoS in deciding on applications for development consent. The Project is being assessed as having no significant SLVIA effects on designated landscapes, and that the SoS should have regard to that in decision making.
324. NPS EN-1 notes that Projects should be designed carefully, taking account of environmental effects on the landscape and siting, O&M and maintenance and other relevant constraints, to minimise the harm to the landscape by reasonable mitigation (5.10.37). Chapter 28 (document reference 6.1.28) outlines how the Project complies with this requirement. As stated above, design changes will be undertaken to minimise the effects of the Project.
325. NPS EN-1 (5.10.13) states that all proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The SoS will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the Project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.
326. In response to this, the potential effects of the temporary and permanent elements of the Project on the Landscape and Seascape are assessed within the ES. No significant effects have been identified in the context of a seascape characterised in part by existing offshore wind infrastructure, and in a region in which consultation has not demonstrated there to be significant concern or opposition amongst residential receptors.
327. NPS EN-3 requires applicants to undertake a SLVIA if the OWF will be visible from the shore. The SLVIA considers the effects of the offshore components of the Project as a result of changes to the seascape/ landscape as an environmental resource in its own right, as well as on people's views and visual amenity. The assessment considers potential effects within a 60km radius study area (the area that the tips of the WTGs are theoretically visible from) and uses a combination of seascape/ landscape character assessment, and computerised visual representations from a variety of sensitive viewpoints within the ZTV through a site-specific survey to assess the potential effects. A full description of the assessment can be found within Chapter 28 (document reference 6.1.28).
328. The cumulative impact upon seascape character, historic seascape character and visual receptors during the construction, O&M, and decommissioning phases of the Project is presented in Chapter 28 (document reference 6.1.28). The assessment identified that the visual effects arising from additional cumulative changes, as a result of the array in combination with the cumulative projects will not be significant.
329. The assessment of Landscape and Seascape effects has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 NPSs and been carried out in accordance with those requirements.

330. The assessment has had regard to, and is in accordance with, the relevant policies identified regarding landscape and seascape construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters. The ES prepared for the Project demonstrates that whilst significant effects are anticipated there is some scope for these to be accommodated within the seascape, landscape character and in visual terms.

331. Overall, the project is compliant with the NPSs and other relevant policy relating to Seascape, Landscape and Visual Impact Assessment.

## 6.18 Infrastructure and Other Marine Users

332. This topic is assessed in detail in Chapter 18 (document reference 6.1.18).

### 6.18.1 National Policy Statement: NPS EN-1

333. Table 6-42 sets out the relevant National Policy Statements from NPS EN-1 related to Infrastructure and Other Marine Users and provides detail as to where they are addressed by the Project. It should be noted that there is no separate Chapter or Applicant Assessment for this topic, however there is reference throughout which is largely applicable to socio-economic and tourism.

Table 6-42: NPS EN-1 related to Infrastructure and Other Marine Users

Policy	Summary	Where is this addressed?
Paragraph 5.13.4	Paragraph 5.13.4 (bullet 5) states:  <i>“The applicant’s assessment should consider all relevant socio-economic impacts, which may include:</i>  <ul style="list-style-type: none"> <li>- <i>effects (positive and negative) on tourism and other users of the area impacted.”</i></li> </ul>	Chapter 29 (document reference 6.1.29), has considered other marine users, such as tourists. The Project employs several mitigation measures to ensure there are no significant impacts.

### 6.18.2 National Policy Statement: NPS EN-3

Table 6-43: NPS EN-3 related to Infrastructure and Other Marine Users

334. sets out the relevant National Policy Statements from NPS EN-3 related to Infrastructure and Other Marine Users and provides detail as to where they are addressed by the Project.

Table 6-43: NPS EN-3 related to Infrastructure and Other Marine Users

Policy	Summary	Where is this addressed?
Paragraph 2.8.44	<p>Paragraph 2.8.44 states:</p> <p><i>“There may be constraints imposed on the siting or design of offshore windfarms because of the presence of other offshore infrastructure, such as co-existence/co-location, oil and gas, Carbon Capture, Usage and Storage (CCUS), co-location of electrolyzers for hydrogen production, marine aggregate dredging, telecommunications, or activities, such as aviation and recreation.”</i></p>	<p>Site selection has been undertaken with due consideration to the presence of current or proposed activities and infrastructure and is addressed in Chapter 4 (document reference 6.1.4). Relevant embedded mitigation measures are set out in Chapter 18 (document reference 6.1.18).</p>
Paragraph 2.8.46	<p>Paragraph 2.8.46 states:</p> <p><i>“Applicants should consult the Government’s Marine Plans which are a useful information source of existing activities and infrastructure.”</i></p>	<p>The Government’s Marine Plans have been considered within the establishment of the baseline environment, set out in Chapter 18 (document reference 6.1.18). These Marine Plans are also considered in the ‘other policy considerations’ section below.</p>
Paragraph 2.8.47	<p>Paragraph 2.8.47 states:</p> <p><i>“Prior to the submission of an application involving the development of the seabed, applicants should engage with key stakeholders, such as The Crown Estate and statutory bodies to ensure they are aware of any current or emerging interests on or underneath the seabed which might give rise to a conflict with a specific application. This will ensure adequate opportunity to reduce potential conflicts and increase time to find a resolution.”</i></p>	<p>The Project have engaged with TCE throughout the project design and site selection process (see Chapter 4 (document reference 6.1.4)) process, through the Round Four leasing process and via the application for an Agreement for Lease for the export cable corridor, to ensure efficient use of the seabed and co-existence with other users.</p>
Paragraph 2.8.48	<p>Paragraph 2.8.48 states:</p> <p><i>“Applicants are encouraged to work collaboratively with those other developers and sea users on co-existence/co-location opportunities, shared mitigation, compensation and</i></p>	<p>Consultation with potentially affected stakeholders has been carried out from the early stages of the project and throughout the pre-application consultation process. Details of the consultation are summarised in Chapter 18 (document reference 6.1.18), with</p>

Policy	Summary	Where is this addressed?
	<p><i>monitoring where appropriate. Where applicable, the creation of statements of common ground between developers is recommended. Work is ongoing between government and industry to support effective collaboration and find solutions to facilitate to greater co-existence/co-location.”</i></p>	<p>further information on the Project consultation process in Chapter 6 (document reference 6.1.6).</p>
<p>Paragraphs 2.8.197-2.8.199</p>	<p>Paragraphs 2.8.197-2.8.199 state:</p> <p><i>“Where a potential offshore windfarm is proposed close to existing operational offshore infrastructure or has the potential to affect activities for which a licence has been issued by government, the applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities.</i></p> <p><i>The assessment should be undertaken for all stages of the lifespan of the proposed windfarm in accordance with the appropriate policy and guidance for offshore windfarm EIAs.</i></p> <p><i>Applicants should use marine plans in considering which activities may be most affected by their proposal and thus where to target their assessment.”</i></p>	<p>Chapter 18 (document reference 6.1.18) considers the potential effects on existing infrastructure and activities considering each phase of the development process.</p> <p>The Government’s Marine Plans have been considered within the establishment of the baseline environment and are discussed in more detail within the ‘other policy considerations’ section for this topic.</p>
<p>Paragraphs 2.8.200-2.8.203</p>	<p>Paragraphs 2.8.200-2.8.203 state:</p> <p><i>“Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application. (see paragraphs 2.8.56 and 2.8.273/4 and 2.8.267 of this NPS for further guidance).</i></p> <p><i>Such stakeholder engagement should continue throughout the life of the</i></p>	<p>Consultation with potentially affected stakeholders has been carried out from the early stages of the project and throughout the pre-application phase. Details of the consultation are summarised in Chapter 18 (document reference 6.1.18), with further information on the Project consultation process in Chapter 6 (document reference 6.1.6).</p>



Policy	Summary	Where is this addressed?
	<p><i>development including construction, operation and decommissioning phases where necessary.</i></p> <p><i>As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary.</i></p> <p><i>Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to co-exist successfully.”</i></p>	
<p>Paragraph 2.8.261</p>	<p>Paragraph 2.8.261 states:</p> <p><i>“Detailed discussions between the applicant for the offshore windfarm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application. As such, appropriate mitigation should be included in any application, and ideally agreed between relevant parties.”</i></p>	<p>The Project have undertaken consultation with relevant interest parties, which is detailed in Chapter 18 (document reference 6.1.18). The Applicant has worked with the relevant interested parties to seek agreement on appropriate controls and mitigations where appropriate; the status of these and the mitigation options being proposed are detailed in Chapter 18 (document reference 6.1.18).</p>
<p>Paragraphs 2.8.341-2.8.342</p>	<p>Paragraphs 2.8.341-2.8.342 state:</p> <p><i>“There are statutory requirements concerning automatic establishment of navigational safety zones relating to offshore petroleum developments.</i></p> <p><i>Where a proposed offshore windfarm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the Secretary of State.”</i></p>	<p>The Project has been sited to minimise, as far as possible, disruption to other offshore infrastructure or activities. Further information is provided in Chapter 3 (document reference 6.1.3). Additionally, embedded mitigation measures are set out in Chapter 15 (document reference 6.1.15 and the safety zone statement (document reference 9.3).</p>
<p>Paragraphs 2.8.344 – 2.8.346</p>	<p>Paragraphs 2.8.344 – 2.8.346 state:</p> <p><i>“In such circumstances, the Secretary of State should expect the applicant to work with the impacted sector to minimise negative impacts and reduce risks to as low as reasonably practicable.</i></p>	<p>Site selection is addressed in Chapter 4 (document reference 6.1.4).</p> <p>The order limit has been refined since scoping with consideration given to minimising disruption, economic loss or any adverse effect on safety. In cases where potential disruption has been identified, the Applicant has, in</p>

Policy	Summary	Where is this addressed?
	<p><i>As such, the Secretary of State should be satisfied that the site selection and site design of the proposed offshore windfarm has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. Applicants will be required to demonstrate that risks to safety will be reduced to as low as reasonably practicable.</i></p> <p><i>The Secretary of State should not consent applications which pose intolerable risks to safety after mitigation measures have been considered.”</i></p>	<p>consultation with relevant operators and where appropriate and feasible, provided mitigation measures to reduce the significance of effects arising. This is discussed further within Chapter 15 (document reference 6.1.15), Chapter 18 (document reference 6.1.18), with additional embedded mitigation measures. ALARP principles have been applied to the impact assessment methodology for the above chapters.</p>
<p>Paragraph 2.8.347</p>	<p>Paragraph 2.8.347 states:</p> <p><i>“Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the Secretary of State should give these adverse effects substantial weight in its decision-making.”</i></p>	<p>Chapter 18 (document reference 6.1.18) considers the potential effects on existing or approved/licensed offshore infrastructure and activities. The assessment demonstrates that there will be no significant effects on viability or safety associated with existing or approved/licensed assets following the implementation of the proposed mitigation.</p>
<p>Paragraph 2.8.348</p>	<p>Paragraph 2.8.348 states:</p> <p><i>“Providing proposed schemes have been carefully designed, and that the necessary consultation with relevant bodies and stakeholders has been undertaken at an early stage, mitigation measures may be possible to negate or reduce effects on other offshore infrastructure or operations to a level sufficient to enable the Secretary of State to grant consent.”</i></p>	<p>Site selection is addressed in Chapter 4 (document reference 6.1.4). The order limits have been refined since scoping with consideration given to minimising disruption, economic loss or any adverse effect on safety. In cases where potential disruption has been identified, the Applicant has, in consultation with relevant operators, provided appropriate controls to minimise the significance of any effects. Additionally, embedded mitigation measures are also proposed and set out in Chapter 18 (document reference 6.1.18)</p>

### 6.18.3 National Policy Statement: NPS EN-5

335. No relevant policy requirements for Infrastructure and Other Marine Users have been identified in EN-5.

### 6.18.4 Other Policy Considerations

Table 6-44: Other Policy related to Infrastructure and Other Marine Users

336. sets out other policy considerations related to Infrastructure and Other Marine Users and provides detail as to where they are addressed by the Project.

Table 6-44: Other Policy related to Infrastructure and Other Marine Users

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) , Paragraph 3.2.9	Paragraph 3.2.9 states:  <i>“The construction and operation of offshore marine infrastructure, as well as policies on conservation designations and the health of the wider environment may impact on defence interests in certain areas. Marine plan authorities and decision makers should take full account of the individual and cumulative effects of marine infrastructure on both marine and land-based MoD interests. Marine plan authorities, decision makers and developers should consult the MoD in all circumstances to verify whether defence interests will be affected”.</i>	As described in the baseline environment in Chapter 18 (document reference 6.1.18), there is no military activity within the area. Further information is provided in Chapter 15 (document reference 6.1.15) and Chapter 16 (document reference 6.1.16).  An assessment of potential impacts to radar systems including mitigation measures is provided in Chapter 16 (document reference 6.1.16). The Applicant will also continue to engage with Ørsted.
East Marine Plans (EMP) (DEFRA, 2014) Policy AGG1	Policy AGG1 states:  <i>“Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless there are exceptional circumstances.”</i>	Marine aggregate sites have been identified within the existing environment section of Chapter 18 (document reference 6.1.18). All active or proposed aggregate licence areas have been avoided as part of the site section process.
East Marine Plans (EMP) (DEFRA, 2014) Policy AGG3	Policy AGG3 states:  <i>“Within defined areas of high potential aggregate resources, proposals should demonstrate in order of preference:</i>	Marine aggregate sites have been considered within section of Chapter 18 (document reference 6.1.18). This chapter identifies that the Project will not impact on defined areas of high potential aggregate resources.

Policy	Summary	Where is this addressed?
	<p>a) That they will not prevent aggregate extraction;</p> <p>b) How, if there are adverse impacts on aggregate extraction, they will minimise these;</p> <p>c) How, if the adverse impacts cannot be minimised, they will be mitigated;</p> <p><i>The case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts.”</i></p>	
<p>East Marine Plans (EMP) (DEFRA, 2014)</p> <p>Policy DD1</p>	<p>Policy DD1 states:</p> <p><i>“Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference:</i></p> <p>a) <i>That they will not adversely impact dredging and disposal activities;</i></p> <p>b) <i>How, if there are adverse impacts on dredging and disposal, they will minimise these;</i></p> <p>c) <i>How, if the adverse impacts cannot be minimised, they will be mitigated;</i></p> <p><i>The case for proceeding with the proposal if it is not possible to minimise or mitigate the proposed impacts.”</i></p>	<p>Marine dredging and disposal sites have been identified within the existing environment section of Chapter 17 (document reference 6.1.17). This chapter identifies all licensed and proposed dredging and disposal areas and have been avoided during site selection as per Chapter 4 (document reference 6.1.4).</p>
<p>East Marine Plans (EMP) (DEFRA, 2014)</p> <p>Policy OG1</p>	<p>Policy OG1 states:</p> <p><i>“Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated.”</i></p>	<p>Consultation in relation to oil and gas production is presented in Section 18.3 of Chapter 18 (document reference 6.1.18).</p> <p>Consultation has been undertaken through the scoping process, statutory pre-application requirements and the EIA Evidence Plan process; an overview is provided in the Consultation Report (document reference 5.1).</p>

Policy	Summary	Where is this addressed?
		<p>Regarding Policy OG1, there have been no objection from oil and gas operators to the siting/development, subject to mitigation on existing operations.</p> <p>Regarding the decommissioning of gas assets, as per Section 18.4 of Chapter 18 (document reference 6.1.18), the Applicant has been advised by the relevant asset owners that all oil and gas assets that are subject to decommissioning are anticipated to be fully removed prior to construction activities in the array area and as such, this impact is scoped out of the EIA process.</p>

### 6.18.5 Considerations for the SoS

337. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

338. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large-scale projects.

339. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. Paragraph 4.1.3 requires that:

*“The [SoS] should start with a presumption in favour of granting consent to applications for energy NSIPs.”*

340. Paragraph 4.1.6 of NPS EN-1 states that, in reaching a decision, the SoS should have regard to:

*“Environmental, social and economic benefits and adverse impacts, at national, regional and local levels”.*

341. Paragraph 2.8.342-2.8.343 of EN-3 relates to the SoS's decision making, and sets out that:

*Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the Secretary of State.*

*Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy.*

342. Paragraph 2.8.345 of EN-3 then states that:

*“As such, the [SoS] should be satisfied that the site selection and site design of the proposed offshore windfarm has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. The [SoS] should not consent applications which pose unacceptable risks to safety after mitigation measures have been considered.”*

343. Chapter 18 (document reference 6.1.18) of the ES provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&M phase, and decommissioning phase.
344. The assessment of infrastructure and other users of the marine environment has had regard to the relevant requirements for assessment set out in NPS EN-1 and NPS EN-3 and been carried out in accordance with those requirements.
345. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.
346. Overall, the project is compliant with the NPSs and other policies with respect to infrastructure and other marine users.

## 6.19 Air Quality

347. This topic is assessed in Volume 1, Chapter 19: Onshore Air Quality (document reference 6.1.19).

### 6.19.1 National Policy Statement: NPS EN-1

348. Table 6-45 sets out the relevant National Policy Statements from NPS EN-1 related to Air Quality and provides detail to where they are addressed by the project.

Table 6-45: NPS EN-1 related to Air Quality

Policy	Summary	Where is this addressed?
Paragraphs 5.2.8–5.2.9	<p>Paragraphs 5.2.8– 5.2.9 state:</p> <p><i>“Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.</i></p> <p><i>The ES should describe:</i></p> <ul style="list-style-type: none"> <li><i>• existing air quality levels and the relative change in air quality from existing levels;</i></li> <li><i>• any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project;</i></li> <li><i>• the predicted absolute emission levels of the proposed project, after mitigation methods have been applied; and</i></li> <li><i>• any potential eutrophication impacts.”</i></li> </ul>	This assessment of any significant air emissions is set out in Chapter 19 (document reference 6.1.19).
Paragraph 5.2.10 – 5.2.11	Paragraphs 5.2.10-5.2.11 state:	The assessment of air emissions is set out in Chapter 19 (document reference

Policy	Summary	Where is this addressed?
	<p><i>“In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</i></p> <p><i>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and the applicant should ensure these are current at the point of an application. The applicant’s assessment should be consistent with this but may include more detailed modelling and evaluation to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the Examining Authority along with the source.”</i></p>	<p>6.1.19). The Chapter considers the Environment Targets and associated Defra guidance. In addition, the assessment is consistent with Defra’s future national projections.</p>
<p>Paragraph 5.2.12</p>	<p>Paragraph 5.2.12 states:</p> <p><i>“Where a proposed development is likely to lead to a breach of the air quality thresholds or affect the ability of a non-compliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan at the time of the decision, the applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those thresholds are not breached.”</i></p>	<p>This assessment of any significant air emissions is set out in Chapter 19 (document reference 6.1.19).</p> <p>Consultation regarding Onshore Air Quality has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings;</li> <li>▪ EIA scoping process</li> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation</li> </ul>

Policy	Summary	Where is this addressed?
		and the Targeted Winter Consultation). Mitigation in respect to air quality is outlined within Chapter 19 (document reference 6.1.19) and the Outline Air Quality Management Plan (document reference 8.1.2).

### 6.19.2 National Policy Statement: NPS EN-3

349. No relevant policy requirements for air quality have been identified in EN-3.

### 6.19.3 National Policy Statement: NPS EN-5

350. No relevant policy requirements for air quality have been identified in EN-5.

### 6.19.4 Other Policy Considerations

351. Table 6-46 sets out other relevant policy considerations related to Air Quality and provides detail as to where they are addressed by the Project.

Table 6-46: Other Policy related to considerations related to Air Quality

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 2.3.2.2	Paragraph 2.3.2.2 states:  <i>“activities and developments in the marine and coastal area can have adverse effects on air quality at various stages. The construction, operation and decommissioning phases of projects can involve emissions to air which could leave to adverse impacts on human health, biodiversity, or on the wider environment. Other key sources that impact air quality include emissions from shipping. When developing Marine Plans, marine plan authorities should be satisfied that air quality impacts have been taken into account. They should also liaise with terrestrial authorities to consider how air quality may be improved, particularly within, or adjacent to, Air Quality</i>	Chapter 19 (document reference 6.1.19) has assessed the Projects impact on air quality. The Chapter confirms that there will be no residual impacts from the construction, operation and decommissioning phases of the Project to air which could leave to adverse impacts on human health, biodiversity, or on the wider environment.



Policy	Summary	Where is this addressed?
	<p><i>Management Areas (AQMA) in all cases, the marine plan authority should take account of any relevant statutory air quality limits.”</i></p>	
<p>East Marine Plan (2014)</p> <p>Policy SOC1</p>	<p>Policy SOC1 states:</p> <p>“Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.”</p>	<p>Alongside the mitigation proposed including the outline Air Quality Management Plan (Appendix 1.2, document reference 8.1.2), Volume 1, Chapter 30: Human Health (document reference 6.1.30) outlines that the project will have long-term positive effects within respect to air quality; the project will support national efforts to reduce greenhouse gas emissions, which are harmful to health and well-being.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 27 (SP27)- Renewable and Low Carbon Energy</p>	<p>Policy SP27states:</p> <p>“Large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to:</p> <p>residential amenity; surrounding landscape, townscape and historic landscape character, and visual qualities; the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site or other heritage asset; sites or features of biodiversity or geodiversity importance, or protected species; the local economy; highway safety; and</p>	<p>Chapter 19 (document reference 6.1.19) concludes that the Project will not result in any significant effects with respect to air quality.</p> <p>This is as a consequence of the proposed mitigation including the Outline Code of Construction Practice (CoCP) (document reference 8.1) which will ensure workers follow best practice and include measures relating to dust control and NRMM emissions.</p>

Policy	Summary	Where is this addressed?
	water environment and water quality.”	
South East Lincolnshire Local Plan 2011-2036  Policy 30- Pollution	Policy 30 states:  “Development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon: 1. health and safety of the public; 2. the amenities of the area; or 3. the natural, historic and built environment; by way of: 4. air quality, including fumes and odour; 5. noise including vibration; 6. light levels; 7. land quality and condition; or 8. surface and groundwater quality.”	Chapter 19 (document reference 6.1.19) concludes that the Project will not result in any significant effects with respect to air quality.  This is as a consequence of the proposed mitigation including the Outline Code of Construction Practice (CoCP) (document reference 8.1) which will ensure workers follow best practice and include measures relating to dust control and NRMM emissions.

### 6.19.5 Considerations for the SoS

352. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

353. Part 5.2 of NPS EN-1 sets out matters relevant to Air Quality at a national level. It is recognised that in order to produce the energy required by the UK, significant infrastructure will be required, including large scale projects.

354. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters relevant to Air Quality are taken into account when considering any proposed development:

*“Long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy.”*

355. Paragraph 4.1.6 of NPS EN-1 states that in reaching a decision, the SoS should have regard to ‘environmental, social and economic benefits and adverse impacts at national, regional and local levels’.

356. NPS EN-1 paragraphs 5.2.15 to 5.2.19 set out matters the SoS should have regard to in reaching a decision, including proposed mitigation, specifically in respect of Air Quality matters. It is confirmed that the SoS should:

*“Give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat.*

*Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the Secretary of State should refuse consent.*

*In all cases, the Secretary of State must take account of any relevant statutory air quality limits, objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the Secretary of State should refuse consent.”*

357. Table 1.14 of Chapter 19 (document reference 6.1.19) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project, as well as additional proposed mitigation measures. Embedded mitigation measures are described in Table 10. The Project will not lead to non-compliance with a statutory limit.

358. The assessment of Air Quality has regard to the relevant requirements for assessment set out in EN-1 and EN-3 and is being carried out in accordance with those requirements.

359. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.

360. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to air quality impacts and the Project will not lead to non-compliance with a statutory limit. Accordingly, effects on air quality should not weigh against the substantial benefits of the Project.

361. Overall, the project is compliant with the NPSs with respect to policy relating to Air Quality.

## 6.20 Onshore Archaeology and Cultural Heritage

362. This topic is assessed in Chapter 20 (document reference 6.1.20). References to sections and tables within Section 6.20 refer to Chapter 20 (document reference 6.1.20).References to sections and tables within Section 6.20 refer to Chapter 20 (document reference 6.1.20).

### 6.20.1 National Policy Statement: NPS EN-1

363. Table 6-47 sets out the relevant National Policy Statements from NPS EN-1 related to Onshore Archaeology and Cultural Heritage and provides detail to where they are addressed by the project.

Table 6-47: NPS EN-1 related to Onshore Archaeology and Cultural Heritage

Policy	Summary	Where is this addressed?
Paragraph 5.9.10	Paragraph 5.9.10 states:	Effects on designated and non-designated heritage assets have been considered at

Policy	Summary	Where is this addressed?
	<p><i>“As part of the ES the applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development’s impact.”</i></p>	<p>section 20.7 (Chapter 20 (document reference 6.1.20)).</p> <p>The assessment presented in Chapter 20 (document reference 6.1.20) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.</p> <p>Consultation regarding Onshore Archaeology and Cultural Heritage has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and,</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul>
<p>Paragraph 5.9.11</p>	<p>Paragraph 5.9.11 states:</p> <p><i>“Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.”</i></p>	<p>The assessment presented in Chapter 20 (document reference 6.1.20) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Field based surveys and desk based research have been undertaken to inform the assessment.</p>
<p>Paragraph 5.9.12</p>	<p>Paragraph 5.9.12 states:</p>	<p>The assessment presented in Chapter 20 (document reference 6.1.20) has regard to the significance of heritage assets.</p>

Policy	Summary	Where is this addressed?
	<p><i>“The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.”</i></p>	<p>Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.</p>
<p>Paragraph 5.9.13</p>	<p>Paragraph 5.9.13 states:</p> <p><i>“The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</i></p> <ul style="list-style-type: none"> <li>▪ <i>enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</i></li> <li>▪ <i>considering where required the development of archive capacity which could deliver significant public benefits;</i></li> <li>▪ <i>considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme”</i></li> </ul>	<p>The assessment presented in Chapter 20 (document reference 6.1.20) has regard to heritage assets.</p> <p>Mitigation is also proposed to secured positive benefits and enhance the setting of heritage assets. This includes the OLEMS (document reference 8.10) that sets out a number high quality design measures which includes mitigation planting.</p>
<p>Paragraph 5.9.14</p>	<p>Paragraph 5.9.14 states:</p> <p><i>“Careful consideration in preparing the scheme will be required on</i></p>	<p>The assessment presented in Chapter 20 (document reference 6.1.20) has regard to the significance of heritage assets. Particularly, the assessment identifies and</p>

Policy	Summary	Where is this addressed?
	<i>whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.”</i>	assesses the significance of the heritage assets themselves.  No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.
Paragraph 5.9.15	Paragraph 5.9.15 states:  <i>“Applicants should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.”</i>	No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise (Chapter 20 (document reference 6.1.20)).

### 6.20.2 National Policy Statement: NPS EN-3

364. NPS EN-3 contains no specific policy on onshore historic environment remains, referring back to the generic policies in NPS EN-1, and specifically refers back to NPS EN-1 for the consideration of elements of the marine historic environment which are located onshore (NPS EN-3 2.6.143). The approach taken and assessment presented in the Chapter follows the provisions within NPS EN-1.

### 6.20.3 National Policy Statement: NPS EN-5

365. Table 6-48 sets out the relevant National Policy Statements from NPS EN-5 related to Onshore Archaeology and Cultural Heritage and provides detail to where they are addressed by the project.

Table 6-48: NPS EN-5 related to Onshore Archaeology and Cultural Heritage

Policy	Summary	Where is this addressed?
Paragraphs 2.2.10 – 2.2.11	Paragraphs 2.2.10 – 2.2.11 state:  <i>“As well as having duties under Section 9 of the Electricity Act 1989, (in relation to developing and maintaining an economical and efficient network), applicants must take into account Schedule 9 to the Electricity Act 1989, which</i>	The approach taken and assessment presented in Chapter 20 (document reference 6.1.20)

Policy	Summary	Where is this addressed?
	<p><i>places a duty on all transmission and distribution licence holders, in formulating proposals for new electricity networks infrastructure, to “have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and ...do what [they] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.</i></p> <p><i>Depending on the location of the proposed development, statutory duties under Section 85 of the Countryside and Rights of Way Act 2000, Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended by Section 62 of the Environment Act 1995), and Section 17A of the Norfolk and Suffolk Broads Act 1988 may be relevant. “</i></p>	<p>follows the provisions within NPS EN-1.</p>

#### 6.20.4 Other Policy Considerations

366. Table 6-49 sets out other relevant policy considerations related to Onshore Archaeology and Cultural Heritage and provides detail as to where they are addressed by the Project.

Table 6-49: Other Policy Considerations related to Onshore Archaeology and Cultural Heritage.

Policy	Summary	Where is this addressed?
<p>National Marine Statement (2011)</p>	<p>Paragraph 2.6.6.1 states:</p> <p><i>“The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried, or submerged. Those elements of the historic environment – buildings, monuments, sites, or landscapes – that have been positively identified as holding a degree of significance meriting consideration are called heritage assets.”</i></p>	<p>The assessment considers the negative effects on setting to be limited spatially both geographically and in the context of individual assets including Conservation Areas and World Heritage sites. In addition, the temporal scale of effects has been considered in terms of impacts being either be direct or indirect, temporary, or permanent (Chapter 20 (document reference 6.1.20)).</p> <p>No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>

Policy	Summary	Where is this addressed?
East Inshore and East Offshore Marine Plans (2014)	Objective 5 states:  <i>“To conserve heritage assets, nationally protected landscapes and ensure that decisions consider the seascape of the local area.”</i>	Whilst this objective is associated within offshore matters, Chapter 20 (document reference 6.1.20) outlines how the project has been carefully designed and incorporates mitigation to preserve heritage assets.
East Lindsey Local Plan Core Strategy 2016-2031  Strategic Policy 11 (SP11)- Historic Environment	Policy SP11 states:  <i>“1. The Council will support proposals that secure the continued protection and enhancement of heritage assets in East Lindsey, contribute to the wider vitality and regeneration of the areas in which they are located and reinforce a strong sense of place.</i> <i>2. Proposals will be supported where they:</i> <ul style="list-style-type: none"> <li>▪ Preserve or enhance heritage assets and their setting;</li> <li>▪ Preserve or enhance the special character, appearance and setting of the District’s Conservation Areas. Proposals should take into account the significance of Conservation Areas including spaces, street patterns, views vistas and natural features, and reflect this in their layout, scale, design, detailing, and materials;</li> <li>▪ Have particular regard to the special architectural or historic interest and setting of the District’s Listed Buildings. Proposals will be expected to demonstrate that they are compatible with the significance of a listed building</li> </ul>	As part of the projects iterative site selection process see Chapter 4 (document reference 6.1.4) areas most sensitive for their heritage value have been avoided. This is supported with the conclusions of Chapter 20: Onshore Archaeology and Cultural Heritage which considers heritage assets within East Lindsey and concludes that following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant in direct impacts have been identified to heritage assets or non-designated heritage assets.  The mitigation set out with the chapter which ensures the project both preserve and enhances the value of heritage assets. This includes proposed planting that would substantially screen the proposals and remove any operational impact.



Policy	Summary	Where is this addressed?
	<p>including fabric, form, setting and use;</p> <ul style="list-style-type: none"> <li>▪ Do not harm the site or setting of a Scheduled Monument; any unscheduled nationally important or locally significant archaeological site. Appropriate evaluation, recording or preservation in situ is required and should be undertaken by a suitably qualified party;</li> <li>▪ Preserve or enhance the quality and experience of the historic landscapes and woodland of the District and their setting;</li> <li>▪ Are compatible with the significance of non-designated heritage assets in East Lindsey;</li> <li>▪ Do not have a harmful cumulative impact on heritage assets;</li> <li>▪ Promote a sustainable and viable use which is compatible with the fabric, interior, surroundings and setting of the heritage asset, and;</li> <li>▪ Conserve heritage assets identified as being at risk, ensuring the optimum viable use of an asset is secured where it is consistent with the significance of the heritage asset.”</li> </ul>	

Policy	Summary	Where is this addressed?
South East Lincolnshire Local Plan 2011-2036  Policy 29-The Historic Environment	Policy 29 states:  “Distinctive elements of the Southeast Lincolnshire historic environment will be conserved and, where appropriate, enhanced. Opportunities to identify a heritage asset’s contribution to the economy, tourism, education and the local community will be utilised including: <ul style="list-style-type: none"> <li>▪ The historic archaeological and drainage landscape of the Fens;</li> <li>▪ The distinctive character of South East Lincolnshire market towns and villages;</li> <li>▪ The dominance within the landscape of church towers, spires and historic windmills”.</li> </ul>	As part of the projects iterative site selection process Chapter 4 (document reference 6.1.4) areas most sensitive for their heritage value have been avoided. This is supported with the conclusions of Chapter 20: Onshore Archaeology and Cultural Heritage which considers heritage assets within East Lindsey and concludes that following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant in direct impacts have been identified to heritage assets or non-designated heritage assets.  The mitigation set out with the chapter which ensures the project both preserve and enhances the value of heritage assets. This includes proposed planting that would substantially screen the proposals and remove any operational impact.

### 6.20.5 Considerations for the SoS

367. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

368. Part 5.9 of NPS EN-1 set out matters relevant to the Historic Environment at national level. It is recognised that:

*“The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.”*

369. It is recognised in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large-scale projects. Paragraph 5.9.26 of NPS EN-1 also recognises that new development can make a positive contribution to the character and local distinctiveness of the historic environment. Part 4 of NPS EN-1 sets out a series of general principles that will be taken in account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters relevant to the historic environment are taken in account when considering any proposed development:

*“Potential adverse impacts, including long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts”.*

370. Paragraph 4.1.6 of NPS EN-1 states that, in reaching a decision, the SoS should have regard to:

*"Environmental, social and economic benefits and adverse impacts, at national, regional and local levels".*

371. NPS EN-1 paragraphs 5.9.22-5.9.36 set out matters the SoS should have regard to in reaching a decision, including proposed mitigation, specifically in respect of matters relating to the Historic Environment. It is confirmed that the SoS should seek to identify and assess the particular significance of any heritage asset that may be affected by the Project, including by development affecting the setting of a heritage asset taking account, including

- Any designation records;
- Historic landscape and character records
- the relevant Historic Environment Record(s), and similar sources of information
- representations made by interested parties during the examination process
- expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.

372. The assessment of the Historic Environment has had regard to the relevant requirements for assessment set out in EN-1 and been carried out in accordance with those requirements. Table 20.9-20.35 of Chapter 20 (document reference 6.1.20) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project, with embedded mitigation summarised in Table 20.4.

373. Paragraph 5.9.28 states that

*"The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification."*

374. Paragraph 5.9.33 further states that:

*"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. 5.9.33 further advise that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance."*

375. No residual effects considered significant for purposes of the EIA and Habitat regulations have been identified, notwithstanding some changes in setting arising from the presence of the Project. The assessment concluded that assuming the avoidance of all Scheduled Monuments, no potentially significant direct or in-direct impacts have been identified for designated heritage assets. In terms of non-designated assets, potentially significant direct and indirect impacts have been identified, however suitable mitigation is available.

376. The construction, O&M and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.

377. The ES prepared for the Project indicates that there are no anticipated significant effects on onshore designated historic environment. Whilst there are potentially significant effects on non-designated assets, archaeological recording is provided as a mitigation measure to offset this effect. As such, the effect on onshore historic environment is not significant in EIA terms.
378. Overall, the project is compliant with the NPSs with respect to policy relating to Onshore Archaeology and Cultural Heritage.

## 6.21 Onshore Ecology and Ornithology

379. These topics are assessed in Volume 1, Chapter 21: Onshore Ecology (document reference 6.1.21) and Volume 1, Chapter 22: Onshore Ornithology (document reference 6.1.22). References to sections and tables within Section 0 refer to Chapter 21 (document reference 6.1.21) and Chapter 22 (document reference 6.1.22).

### 6.21.1 National Policy Statement: NPS EN-1

380. Table 6-50 sets out the relevant National Policy Statements from the NPS EN-1 related Onshore Ecology and Ornithology and provides detail to where they are addressed by the project.

Table 6-50 : NPS EN-1 related to Onshore Ecology and Ornithology

Policy	Summary	Where is this addressed?
Paragraphs 5.4.33 – 5.4.34	<p>Paragraphs 5.4.33 – 5.4.34 state:</p> <p><i>“Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6.</i></p> <p><i>Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.”</i></p>	<p>OLEMS (document reference 8.10) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project. OLEMS (Document reference 8.110) therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1.</p> <p>As demonstrated throughout the EIA and RIAA (document reference 9.3), the Applicant has shown how any likely significant negative effects</p>

Policy	Summary	Where is this addressed?
Paragraph 5.4.35	<p>Paragraph 5.4.35 states:</p> <p><i>“Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:</i></p> <ul style="list-style-type: none"> <li>▪ <i>during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works</i></li> <li>▪ <i>the timing of construction has been planned to avoid or limit disturbance</i></li> <li>▪ <i>during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements</i></li> <li>▪ <i>habitats will, where practicable, be restored after construction works have finished</i></li> <li>▪ <i>opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement, the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised.</i></li> <li>▪ <i>mitigations required as a result of legal protection of habitats or species will be complied with.”</i></li> </ul>	<p>would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p> <p>OLEMS (document reference 8.10) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project. Document reference 8.10 therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1.</p> <p>As demonstrated throughout the EIA and RIAA (document reference 9.3), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
Paragraph 5.4.36	<p>Paragraph 5.4.36 states:</p> <p><i>“Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include</i></p>	<p>OLEMS (document reference 8.10) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for</p>

Policy	Summary	Where is this addressed?
	<i>provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.”</i>	potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project. OLEMS (document reference 8.10) therefore operates as the Biodiversity Management Strategy referenced by NPS EN-1.

### 6.21.2 National Policy Statement: NPS EN-3

381. NPS EN-3 contains no specific policy on onshore ecology and ornithology, referring back to the generic policies in NPS EN-1 Section 5. EN-3 is largely concerned with the offshore ecology and ornithology environment which has been covered within the offshore ecology and ornithology section of this Planning Statement.

### 6.21.3 National Policy Statement: NPS EN-5

382. Table 6-51 sets out the relevant National Policy Statements from NPS EN-5 related Onshore Ecology and Ornithology and provides detail to where they are addressed by the project.

Table 6-51: NPS EN-5 related to Onshore Ecology and Ornithology

Policy	Summary	Where is this addressed?
Paragraph 2.5.1	<p>Paragraph 2.5.1 states:</p> <p><i>“When planning and evaluating the proposed development’s contribution to environmental and biodiversity net gain, it will be important – for both the applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.5) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to:</i></p> <ul style="list-style-type: none"> <li><i>i. reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or</i></li> <li><i>ii. connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements.”</i></li> </ul>	<p>The approach taken and assessment presented in Chapter 21 (document reference 6.1.21) and Chapter 22 (document reference 6.1.22) follows the provisions within NPS EN-1.</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (document reference 8.10).</p>

Policy	Summary	Where is this addressed?
		<p>OLEMS (document reference 8.10) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project. OLEMS (document reference 8.10) therefore operates as the Biodiversity Management Strategy referenced by NPS EN-1.</p>

#### 6.21.4 Other Policy Considerations

383. Table 6-52 sets out other policy considerations related to Onshore Ecology and Ornithology and provides detail as to where they are addressed by the Project.

Table 6-52: Other Policy Considerations related to Onshore Ecology and Ornithology

Policy	Summary	Where is this addressed?
<p>East Marine Plan (2014) Policy GOV1</p>	<p>Policy GOV1 states:  <i>“Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.”</i></p>	<p>Development onshore is required to support offshore marine activities and is therefore supported by this policy.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031  Strategic Policy 24 (SP24)- Biodiversity and Geodiversity</p>	<p>Several criteria in relation to Biodiversity and Geodiversity is set out within Policy SP24, which includes:</p> <ul style="list-style-type: none"> <li>▪ Development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings, and minimise fragmentation and maximise opportunities for connection between natural habitats.</li> <li>▪ The Council will protect sites designated internationally, nationally or locally for their</li> </ul>	<p>The Project has committed to a plethora of measures to deliver biodiversity and geodiversity enhancements. This includes the OLEMS (document reference 8.10) that sets out a number of high quality design measures that will also deliver biodiversity enhancements at the same time.</p> <p>In addition, the project is committed to deliver benefits to the natural and</p>

Policy	Summary	Where is this addressed?
	<p>biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan and the Natural Environment and Rural Communities (NERC) Act 2006.</p> <ul style="list-style-type: none"> <li>▪ Planning permission will only be granted for development which directly or indirectly leads to loss or harm to ancient woodland or aged or veteran trees, in exceptional circumstances, where the developer can demonstrate that the wider benefits of that loss clearly outweigh the protection of the trees.</li> </ul>	<p>local environment which is realised within the Biodiversity and Marine Net Gain Principles and Approach (document reference 8.17).</p> <p>Chapter 21 (document reference 6.1.21) also outlines how the project has considered specific policy relating to biodiversity and designated sites.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 25 (SP25)- Green Infrastructure</p>	<p>Several criteria in relation to Green Infrastructure Policy SP25, which includes:</p> <ul style="list-style-type: none"> <li>▪ Protecting and safeguarding all greenspace identified through the Settlement Proposals DPD so that there is no net loss;</li> <li>▪ Maximising opportunities for new and enhanced green infrastructure and publicly accessible open spaces in and around all communities;</li> <li>▪ Seek opportunities to connect existing green infrastructure to improve the network of spaces and accessibility for both the local population and wildlife.</li> </ul>	<p>The Project is giving great value to green infrastructure networks, which guided the site selection process (document reference 6.1.4); the green infrastructure in a meaningful, specifically coastal access routes and public rights of way are to be managed through the implementation of the Public Access Management Plan (PAMP) (document reference 8.1.9).</p> <p>The applicant has also produced an OLEMS (document reference 8.10) that sets out a number high quality design measures that will also deliver biodiversity enhancements at the same time.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p>	<p>Policy 28 states:</p>	<p>As part of the embedded mitigation within Chapter 21 (document reference 6.1.21)</p>



Policy	Summary	Where is this addressed?
<p>Policy 28- The Natural Environment</p>	<p>A high quality, comprehensive ecological network of interconnected designated sites, sites of nature conservation importance and wildlife-friendly greenspace will be achieved by protecting, enhancing and managing natural assets:</p> <ul style="list-style-type: none"> <li>▪ Internationally designated sites, on land or at sea;</li> <li>▪ Nationally or locally designated sites and protected or priority habitats and species;</li> <li>▪ Addressing gaps in the ecological network.</li> </ul>	<p>the siting of the landfall, onshore ECC and design of key crossing points has avoided direct impacts to designated sites, including SSSIs, LWSs and LWT reserves. This is part of the overall project design and site selection process which has been iterative as a way to limit harm to environment and local communities</p> <p>The applicant has also committed to a plethora of measures to deliver biodiversity and geodiversity enhancements. This includes the OLEMS (document reference 8.10) that sets out a number high quality design measures that will also deliver biodiversity enhancements at the same time. Examples include the production of a biodiversity strategy which includes mitigation planting. In addition, the application is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity and Marine Net Gain Principles and Approach (document reference 9.5) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 30- Pollution</p>	<p>Policy 30 states:</p> <p>“Development proposals will not be permitted where, taking account of any proposed mitigation measures they</p>	<p>All of the points outlined within Policy 30 have been addressed within the ES, such that there would no impact on the health and safety of the public, amenities of the</p>

Policy	Summary	Where is this addressed?
	<p>would lead to unacceptable adverse impacts upon:</p> <ol style="list-style-type: none"> <li>1. health and safety of the public;</li> <li>2. the amenities of the area; or</li> <li>3. the natural, historic and built environment;</li> </ol> <p>by way of:</p> <ol style="list-style-type: none"> <li>4. air quality, including fumes and odour;</li> <li>5. noise including vibration;</li> <li>6. light levels;</li> <li>7. land quality and condition; or</li> <li>8. surface and groundwater quality.</li> </ol> <p>Planning applications, except for development within the curtilage of a dwelling house as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:</p> <ol style="list-style-type: none"> <li>9. impact on the proposed development from poor air quality from identified sources;</li> <li>10. impact on air quality from the proposed development; and</li> <li>11. impact on amenity from existing uses.”</li> </ol>	<p>area and the natural, historic and built environment. This has been most notably achieved via the design and site selection process (see Chapter 4 (document reference 6.1.4)) of the scheme which has been iterative as a way to avoid areas that are most sensitive.</p>

### 6.21.5 Considerations for the SoS

384. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

385. Part 5.4 of NPS EN-1 set out matters relevant to Ecology and Nature Conservation at national level. It is recognised that ‘Biodiversity is the variety of life in all its forms and encompasses all species of plants and animals and the complex ecosystems of which they are a part’. It is recognised in EN-1 that in order to produce the energy required by the UK, significant infrastructure will be required, including large scale projects.

386. It is also emphasised that the government’s policy for biodiversity in England supports the overall aim to halt overall biodiversity loss, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people (Paragraph 5.4.2).

387. Part 4 of NPS EN-1 sets out a series of general principles that will be taken in account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters relevant to Ecology and Nature Conservation are taken into account when considering any proposed development:

- its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits
- its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy

388. Paragraph 4.1.6 of NPS EN-1 states that, in reaching a decision, the SoS should have regard to:

*“Environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations”).*

389. NPS EN-1 paragraphs 5.4.39 to 5.4.55 set out matters the SoS should have regard to in determining an application for development consent. This includes, inter alia, the following:

- The government’s 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government’s Environmental Improvement Plan 2023, and in Wales the objectives of the Nature Recovery Plan, and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere; and
- The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in cases where it can be demonstrated.

390. The Government must also take into account the challenge and urgency of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity (EN-1 paragraph 5.4.2).

391. The assessment of Ecology and Nature Conservation has had regard to the relevant requirements for assessment set out in EN-1 and been carried out in accordance with those requirements. Table 21.12 of Chapter 21 (document reference 6.1.21) and Table 22.1 Chapter 22 (document reference 6.1.22) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project, with embedded mitigation summarised in Section 21.5 and Section 22.5.

392. In the absence of mitigation, a significant effect is possible on some ecological receptors. The construction of the Project could result in some temporary significant effects during construction, in advance of the proposed mitigation measures being sufficiently mature. Residual effects following the implementation of the proposed mitigation measures, if required, would not be significant.

393. As a result of disturbance to some habitats during the construction period, and loss of some habitats as a result of the construction of the OnSS, potentially significant effects are offset with compensatory habitats; this includes compensatory planting of new hedgerow. The Project will seek opportunities to provide replacement and enhancement of habitat for great crested newt (GCN) where possible to help toward restoring the favourable conservation status in the medium term. Residual effects from permanent loss of habitat from the OnSS will be offset via compensatory measures including habitat enhancement described in document reference 8.10
394. Following the implementation of the agreed mitigation measures, compensatory measures, and enhancement measures no significant effects are anticipated in relation to any onshore biodiversity receptors during either the construction, O&M or decommissioning phases. No significant cumulative effects are predicted with other developments.
395. The mitigation measures for onshore ecology are presented in Table 21.12 Chapter 21 (document reference 6.1.21) including the consideration of cable routing, reinstatement and restoration of habitats and the use of a qualified Ecological Clerk of Works.
396. The construction, O&M, and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.
397. The ES and draft RIAA (document reference 7.1) prepared for the Project concludes that there are no anticipated significant effects with regards the EIA Regulations and Habitat Regulations and therefore effects on onshore biodiversity should not weigh against the substantial benefits of the Project when considering the planning balance.
398. Overall, the project is compliant with the NPSs, HRA and other policy relating to Onshore Ecology and Ornithology.

## 6.22 Ground Conditions and Land Use

399. These topics are assessed in Volume 1, Chapter 23: Geology and Ground Conditions (document reference 6.1.23) and Volume 1, Chapter 25: Land Use (document reference 6.1.25).

### 6.22.1 National Policy Statement: NPS EN-1

400. Table 6-53 sets out the relevant National Policy Statements from NPS EN-1 related to Ground Conditions and Land Use and provides detail to where they are addressed by the project.

Table 6-53: NPS EN-1 related to Ground Conditions and Land Use

Policy	Summary	Where is this addressed?
Paragraphs 5.4.17 – 5.4.18	Paragraphs 5.4.17 – 5.4.18 state:  <i>“Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on</i>	The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 (document reference 6.1.23) of the ES Chapter. This Chapter covers all of the points made in Paragraph EN-1 5.4.17 – 5.4.18 of NPS EN-1.

Policy	Summary	Where is this addressed?
	<p><i>protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</i></p> <p><i>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project.”</i></p>	
<p>Paragraphs 5.4.19 – 5.4.21</p>	<p>Paragraphs 5.4.19 – 5.4.21 state:</p> <p><i>“The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.</i></p> <p><i>Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures.</i></p> <p><i>As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.6 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project.”</i></p>	<p>The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 (document reference 6.1.23).</p> <p>The approach taken and assessment presented in Chapter 21 (document reference 6.1.21) and Chapter 22 (document reference 6.1.22) follows the provisions within NPS EN-1.</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (document reference 8.10).</p> <p>OLEMS (document reference 8.10) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity</p>

Policy	Summary	Where is this addressed?
		enhancements due to the onshore elements of the Project. OLEMS (document reference 8.10) therefore operates as the Biodiversity Management Strategy referenced by NPS EN-1.
Paragraphs 5.11.12-5.11.13	<p>Paragraphs 5.11.12-5.11.13 state:</p> <p><i>“Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).</i></p> <p><i>Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed”.</i></p>	Chapter 4 (document reference 6.1.4) considered several options to mitigate potential impacts on Best and Most Versatile Agricultural Land. The effects of onshore infrastructure associated with the Project on agricultural land and soil quality are considered in Chapter 25 (document reference 6.1.25).
Paragraphs 5.11.17 – 5.11.18	<p>Paragraphs 5.11.17 – 5.11.18 state:</p> <p><i>“Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.</i></p> <p><i>For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.”</i></p>	Routing and siting considerations that are discussed in Chapter 4 (document reference 6.1.4). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 (document reference 6.1.23).

## 6.22.2 National Policy Statement: NPS EN-3

401. There are no relevant paragraphs within NPS EN-3 related to Ground Conditions and Land Use.

### 6.22.3 National Policy Statement: NPS EN-5

402. Table 6-54 Table 6-54 sets out the relevant National Policy Statements from NPS EN-5 related to Ground Conditions and Land Use and provides detail to where they are addressed by the project.

Table 6-54 NPS EN-5 related to Ground Conditions and Land Use

Policy	Summary	Where is this addressed?
Paragraph 2.9.25	<p>Paragraph 2.9.25 states:</p> <p>“In such cases the Secretary of State should only grant development consent for underground or subsea sections of a proposed line over an overhead alternative if it is satisfied that the benefits accruing from the former proposal clearly outweigh any extra economic, social, or environmental impacts that it presents, and that any technical obstacles associated with it are surmountable. In this context it should consider:</p> <ul style="list-style-type: none"> <li>▪ the landscape and visual baseline characteristics of the setting of the proposed route, in particular, the impact on high sensitivity visual receptors (as defined in the current edition of the Landscape Institute’s Guidelines for Landscape and Visual Impact Assessment), residential areas, designated landscapes, designated heritage assets and Heritage Coasts (including, where relevant, impacts on the setting of designated features and areas);</li> <li>▪ the additional cost of the proposed underground or sub-sea alternatives, including their significantly higher lifetime cost of repair and later uprating;</li> <li>▪ the potentially very disruptive effects of undergrounding on local communities, habitats, archaeological and heritage sites, soil, geology, and, for a substantial time after construction, landscape and visual amenity.</li> </ul>	<p>The evolution of the design is set out Chapter 3 (document reference 6.1.3) and Chapter 4: Site Selection and Alternatives (document reference 6.1.4) and Chapter 3 (document reference 6.1.3).</p> <p>The effects of onshore infrastructure associated with the Project on geology and ground conditions are considered in Chapter 23 (document reference 6.1.23).</p> <p>The effects of onshore infrastructure associated with the Project on best and most versatile (BMV) agricultural land is considered within Chapter 25 (document reference 6.1.25).</p>

Policy	Summary	Where is this addressed?
	<p>(Undergrounding an overhead line will mean digging a trench along the length of the route, and so such works will often be disruptive – albeit temporarily – to the receptors listed above than would an overhead line of equivalent rating);</p> <ul style="list-style-type: none"> <li>▪ the potentially very disruptive effects of subsea cables on the seabed and the species that live in and on it, including physical damage to and full loss of seabed habitats. Cable protection can also be required where cables cross each other, or where they cannot be buried deep enough to protect them from becoming exposed. Such protection causes additional impacts that are often greater than those of the cable itself due to the large areas covered. There can also be issues where subsea cables make landfall, as much coastal land is protected habitat and landfall connections could cause additional disruption to coastal communities.</li> <li>▪ the applicant’s commitment, as set out in their ES, to mitigate the potential detrimental effects of undergrounding works on any relevant agricultural land and soils, particularly regarding Best and Most Versatile land. Such a commitment must guarantee appropriate handling of soil, backfilling, and return of the land to the baseline Agricultural Land Classification (ALC), thus ensuring no loss or degradation of agricultural land. Such a commitment should be based on soil and ALC surveys in line with the 1988 ALC criteria and due consideration of the Defra construction Code.</li> </ul>	



## 6.22.4 Other Policy Considerations

Table 6-55: Other Policy Considerations related to Ground Conditions and Land Use

403. sets out other policy considerations related Ground Conditions and Land Use and provides detail as to where they are addressed by the Project.

Table 6-55: Other Policy Considerations related to Ground Conditions and Land Use

Policy	Summary	Where is this addressed?
Lincolnshire Minerals and Waste Local Plan - Core Strategy and Development Policies (adopted June 2016)	Policy M11 Mineral Safeguarding Areas set out areas where potential mineral resources are considered to be of current or future economic importance that should be protected from permanent sterilisation by non-minerals developments. The policy requires that 'applications for non-minerals development in a minerals safeguarding area must be accompanied by a Minerals Assessment .' (paragraph 5.94)	The Project does not overlie an MSA. The identification of the baseline is presented in Section 23.4.3 of Chapter 23 (document reference 6.1.23).
East Lindsey Local Plan Core Strategy 2016-2031  Strategic Policy 24 (SP24)- Biodiversity and Geodiversity	Several criteria in relation to Biodiversity and Geodiversity is set out within Policy SP24, which includes: <ul style="list-style-type: none"> <li>▪ Development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings and minimise fragmentation and maximise opportunities for connection between natural habitats.</li> <li>▪ The Council will protect sites designated internationally, nationally or locally for their biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan and the Natural Environment and Rural Communities (NERC) Act 2006.</li> <li>▪ Planning permission will only be granted for development which directly or indirectly leads to loss or harm to ancient woodland or aged or veteran trees, in exceptional circumstances, where the developer can demonstrate that the wider benefits of that loss clearly</li> </ul>	The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Section 23.7.1.4 of Chapter 23 (document reference 6.1.23).

Policy	Summary	Where is this addressed?
South East Lincolnshire Local Plan 2011-2036  Policy 2- Development Management	<p>outweigh the protection of the trees.</p> <p>Policy 2 states: “Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to 1. ... 3. maximising the use of sustainable materials and resources; 9. ...impact on the potential loss of sand and gravel mineral resources.”</p>	<p>The identification of potential mineral resources is presented in Section 23.4.3 of Chapter 23 (document reference 6.1.23).</p>
South East Lincolnshire Local Plan 2011-2036 Policy 28- The Natural Environment	<p>Policy 28 States: “3. iv. Conserving or enhancing biodiversity or geodiversity conservation features that will provide new habitat and help wildlife to adapt to climate change, and if the development is within a Nature Improvement Area (NIA), contributing to the aims and objectives of the NIA.”</p>	<p>The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Section 23.7.1.4 of Chapter 23 (document reference 6.1.23).</p>
South East Lincolnshire Local Plan 2011-2036 Policy 30- Pollution	<p>Policy 30 states: “Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:</p> <ul style="list-style-type: none"> <li>▪ health and safety of the public;</li> <li>▪ the amenities of the area; or</li> <li>▪ the natural, historic and built environment;</li> </ul> <p>by way of:</p> <ul style="list-style-type: none"> <li>▪ air quality, including fumes and odour;</li> <li>▪ noise including vibration;</li> <li>▪ light levels;</li> <li>▪ land quality and condition; or</li> <li>▪ surface and groundwater quality.</li> </ul> <p>Planning applications, except for development within the curtilage of a dwelling house as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:</p>	<p>The effects of onshore infrastructure associated with the Project on natural environment and land quality are considered in Section 23.7 of Chapter 23 (document reference 6.1.23).</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ impact on the proposed development from poor air quality from identified sources;</li> <li>▪ impact on air quality from the proposed development</li> </ul>	

### 6.22.5 Considerations for the SoS

404. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

405. The onshore ECC is predominantly within agricultural (greenfield) land, however, the majority of below ground infrastructure does not preclude land remaining 'greenfield'.

406. Part 5 of NPS EN-1 sets out matters relevant to biodiversity and geological conservation effects at a national level. It is recognised that:

*"Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance".*

407. It is accepted in NPS EN-1 that in order to produce the energy required by the UK, significant infrastructure will be required, including large-scale projects.

408. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters are taken into account regarding geology and ground conditions:

- its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits; and
- its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy

409. NPS EN-1 paragraphs 5.4.39 to 5.4.55 set out matters the SoS should have regard to in reaching a decision, including proposed mitigation, specifically in respect of geology matters. It is confirmed that the development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives.

410. In taking decisions, the SoS should ensure appropriate weight is attached to designated sites of international, national and local importance. These are identified and considered in Chapter 23 (document reference 6.1.23).

411. The assessment of impacts to Ground Conditions and Land Use had regard to the relevant requirements for assessment set out in NPS EN-1 and is carried out in accordance with those requirements.

412. Paragraphs 4.1.13-4.1.14 of EN-1 set out a series of principles that will be taken into account when reaching a decision regarding land use. NPS EN-1 (paragraph 5.10.13) requires that where a project conflicts with a proposal in a development plan, account should be had to the stage the development plan has reached when considering what weight to give it in the decision-making process.
413. The assessment of Ground Conditions and Land Use has therefore had regard to the relevant requirements for assessment set out in NPS EN-1 and is being carried out in accordance with those requirements.
414. Table 23.29 of Chapter 23 (document reference 6.1.23) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project. Table 23.5 of Chapter 23 (document reference 6.1.23) provides a summary of the approach to embedded mitigation.
415. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.
416. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to the EIA and Habitat Regulations and as such effects on ground conditions and land use should not weigh against the substantial benefits of the Project.
417. Overall, the project is compliant with the NPS with respect to policy relating to Ground Conditions and Land Use.

### 6.23 Hydrology, Hydrogeology and Flood Risk

418. This topic is assessed in Volume 1, Chapter 24: Hydrology, Hydrogeology and Flood Risk (document reference 6.1.24). References to sections and tables within Section 6.23 refer to Chapter 24 (document reference 6.1.24).

#### 6.23.1 National Policy Statement: NPS EN-1

Table 6-56: NPS EN-1 related to Hydrology, Hydrogeology and Flood Risk

419. sets out the relevant National Policy Statements from NPS EN-1 related to Hydrology, Hydrogeology and Flood Risk and provides detail to where they are addressed by the project.

Table 6-56: NPS EN-1 related to Hydrology, Hydrogeology and Flood Risk

Policy	Summary	Where is this addressed?
Paragraph 4.10.3	Paragraph 4.10.3 states:  <i>“To support planning decisions, the government produces a set of UK Climate Projections and has developed a statutory National Adaptation Programme. In addition, the government’s Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess</i>	The characterisation of the flood risk baseline and future baseline is being established using the Environment Agency’s Development Advice Map and data from recent hydraulic models, which take into account climate change effects. Flood risk has been considered for the life of the development in

Policy	Summary	Where is this addressed?
	<p><i>the risks to their organisation presented by climate change.”</i></p>	<p>Chapter 24 (document reference 6.1.24) and was considered during the site selection process.</p>
<p>Paragraphs 5.8.13 – 5.8.15</p>	<p><i>Paragraphs 5.8.13 – 5.8.15 state:</i></p> <p><i>“A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</i></p> <ul style="list-style-type: none"> <li>▪ <i>sites of 1 hectare or more;</i></li> <li>▪ <i>land which has been identified by the EA or NRW as having critical drainage problems;</i></li> <li>▪ <i>land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future;</i></li> <li>▪ <i>land that may be subject to other sources of flooding (for example surface water);</i></li> <li>▪ <i>where the EA or NRW, LLFA, IDB or other body have indicated that there may be drainage problems.</i></li> </ul> <p><i>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</i></p> <p><i>The minimum requirements for Flood Risk Assessments (FRA) are that they should:</i></p> <ul style="list-style-type: none"> <li>▪ <i>be proportionate to the risk and appropriate to the scale, nature and location of the project;</i></li> <li>▪ <i>consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</i></li> <li>▪ <i>take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;</i></li> </ul>	<p>Flood Risk Assessments (FRAs) have been prepared for the proposed and informed the design details of the project The FRA meets the minimum requirements for Flood Risk Assessments as outlined in Paragraph 5.8.15.</p> <p>The FRAs Prepared are as follows:</p> <ul style="list-style-type: none"> <li>▪ Volume 3, Chapter 24 Hydrology, Hydrogeology and Flood Risk, Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV Cable Corridor (document reference 6.3.24.2)</li> <li>▪ Volume 3, Chapter 24 Hydrology, Hydrogeology and Flood Risk, Appendix 24.2: Flood Risk Assessment: Onshore Substation (Document Reference 6.3.24.3)</li> </ul> <p>In addition, The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings, as outlined in Chapter 4 (document reference 6.1.4).</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>be undertaken by competent people, as early as possible in the process of preparing the proposal;</i></li> <li>▪ <i>consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</i></li> <li>▪ <i>consider the vulnerability of those using the site, including arrangements for safe access and escape;</i></li> <li>▪ <i>consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration;</i></li> <li>▪ <i>identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</i></li> <li>▪ <i>consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</i></li> <li>▪ <i>include the assessment of the remaining (known as ‘residual’) risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;”</i></li> </ul>	
Paragraphs 5.8.18 – 5.8.20	Paragraphs 5.8.18 – 5.8.20 states:  <i>“Applicants for projects which may be affected by, or may add to, flood risk should arrange</i>	Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP), Expert

Policy	Summary	Where is this addressed?
	<p><i>pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.</i></p> <p><i>Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</i></p> <p><i>If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the authority's concerns."</i></p>	<p>Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022), and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Chapter 6 (document reference 6.1.6) and wider consultation is presented in the Consultation Report (document reference 5.1).</p> <p>Consultation with Environment Agency was undertaken as part of the EPP, as set out in Chapter 24 (document reference 6.1.24).</p>
<p>Paragraphs 5.8.21 – 5.8.22</p>	<p>Paragraphs 5.8.21 – 5.8.22 state:</p> <p><i>"The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</i></p> <p><i>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development</i></p>	<p>Details of flood risk including the sequential site selection is presented in Chapter 4 (document reference 6.1.4). Details of the potential effects of flooding are presented in Chapter 24 (document reference 6.1.24).</p> <p>The FRAs which have informed the final ECC and OnSS are as follows:</p> <ul style="list-style-type: none"> <li>▪ Volume 3, Chapter 24 Hydrology, Hydrogeology and Flood Risk, Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV Cable Corridor (document reference 6.3.24.2)</li> </ul>

Policy	Summary	Where is this addressed?
	<p><i>plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.”</i></p>	<ul style="list-style-type: none"> <li>▪ Volume 3, Chapter 24 Hydrology, Hydrogeology and Flood Risk, Appendix 24.2: Flood Risk Assessment: Onshore Substation (Document Reference 6.3.24.3)</li> </ul>
<p>Paragraphs 5.8.24 – 5.8.25</p>	<p>Paragraphs 5.8.24 – 5.8.25 state:</p> <p><i>“To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</i></p> <p><i>In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</i></p> <ul style="list-style-type: none"> <li>▪ <i>source control measures including rainwater recycling and drainage;</i></li> <li>▪ <i>infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</i></li> <li>▪ <i>filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</i></li> <li>▪ <i>filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</i></li> <li>▪ <i>basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding;</i></li> <li>▪ <i>flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.”</i></li> </ul>	<p>Details of the potential effects of flooding are presented in Chapter 24 (document reference 6.1.24). Full details of surface water drainage management is discussed within the Chapter.</p>
<p>Paragraph 5.16.3</p>	<p>Paragraph 5.16.3 states:</p>	<p>The baseline environment (Chapter 24 (document reference 6.1.24)) is described for the hydrology,</p>



Policy	Summary	Where is this addressed?
	<p><i>“Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).”</i></p>	<p>hydrogeology and flood risk study area. An assessment of the impacts on water quality, resources and physical characteristics is provided in Section 24.7 of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Section 24.4 and Table 24.21).</p> <ul style="list-style-type: none"> <li>▪ The following figures, appendices, and annexes are also relevant to this section: Onshore ECC Indicative Route Segments (document reference 6.2.24.1);</li> <li>▪ Watercourses and Flood Zones (Split by Segment) (document reference 6.2.24.2);</li> <li>▪ Surface Water Operational Catchments (document reference 6.2.24.3);</li> <li>▪ Internal Drainage Board Districts (document reference 6.2.24.4);</li> <li>▪ Aquifer Designations and Source Protection Zones (Split by Segment) (document reference 6.2.24.5);</li> <li>▪ Hydrology Hydrogeology and Flood Risk Study Area (document reference 6.2.24.6);</li> <li>▪ Bedrock Geology and Source Protection Zones (document reference 6.2.24.7);</li> <li>▪ Groundwater Risk Assessment (document reference 6.3.24.1);</li> <li>▪ Flood Risk Assessment: Onshore ECC (document reference 6.3.24.2);</li> </ul>

Policy	Summary	Where is this addressed?
		<ul style="list-style-type: none"> <li>▪ Flood Risk Assessment: Onshore Substation (document reference 6.3.24.3);</li> <li>▪ River Welland Breach Modelling Report (annex to the above)</li> </ul>
Paragraph 5.16.7	<p><i>Paragraph 5.16.7 states:</i></p> <p><i>“The ES should in particular describe:</i></p> <ul style="list-style-type: none"> <li>▪ <i>the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</i></li> <li>▪ <i>existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</i></li> <li>▪ <i>existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</i></li> <li>▪ <i>any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (WFD) (England and Wales) Regulations 2017 and source protection zones</i></li> </ul>	<p>The baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) is provided in Chapter 24 (document reference 6.1.24): Environmental assessment during construction, O&amp;M, and decommissioning phase; and Embedded mitigation.</p> <p>In addition, the Chapter considers:</p> <ul style="list-style-type: none"> <li>▪ the potential environmental effects on hydrology, hydrogeology and flood risk arising from the Project, based on the information gathered and the analysis and assessments undertaken to date and assess whether they are significant (in EIA terms);</li> <li>▪ any assumptions and limitations encountered in compiling the environmental information; and</li> <li>▪ any necessary monitoring and/or mitigation measures which could prevent, minimise, reduce, or offset the possible environmental effects identified at the relevant stage in the EIA process.</li> <li>▪ Cumulative effects.</li> </ul>

Policy	Summary	Where is this addressed?
	<p><i>(SPZs) around potable groundwater abstractions;</i></p> <ul style="list-style-type: none"> <li>▪ <i>how climate change could impact any of the above in the future;</i></li> <li>▪ <i>any cumulative effects.”</i></li> </ul>	
<p>Paragraphs 5.16.14 – 5.16.15</p>	<p>Paragraphs 5.16.14 – 5.16.15 state:</p> <p><i>“The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.</i></p> <p><i>The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.”</i></p>	<p>WFD classifications and objectives are taken into account within Chapter 24 (document reference 6.1.24). The WFD water bodies are considered receptors and are assessed against: Existing environment and Environmental assessment during construction, O&amp;M, and decommissioning phase. A WFD Assessment is presented in Volume 3, Chapter 8 Marine Water and Sediment Quality, Appendix 8.1: Water Framework Directive (document reference 6.3.8.1).</p>

### 6.23.2 National Policy Statement: NPS EN-3

420. No relevant policy requirements for Hydrology, Hydrogeology and Flood Risk have been identified in NPS EN-3.

### 6.23.3 National Policy Statement: NPS EN-5

421. No relevant policy requirements for Hydrology, Hydrogeology and Flood Risk have been identified in NPS EN-5.

## 6.23.4 Other Policy Considerations

Table 6-57: Other Policy Considerations related to Hydrology, Hydrogeology and Flood Risk.

422. sets out other policy considerations related to Hydrology, Hydrogeology and Flood Risk and provides detail as to where they are addressed by the Project.

Table 6-57: Other Policy Considerations related to Hydrology, Hydrogeology and Flood Risk.

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraphs 2.6.8.1-2.6.8.3	<p>Paragraphs 2.6.8.1-2.6.8.3 states:</p> <p><i>“Coastal change and coastal flooding are likely to be exacerbated by climate change, with implications for activities and development on the coast. These risks are a major consideration in ensuring that proposed new developments are resilient to climate change over their lifetime.</i></p> <p><i>Activities on the coast which may be relevant to marine planning include, for example, dredging, dredged material deposition, cooling water culvert construction, marine landing facility construction, land reclamation and flood and coastal erosion risk management. Any of these could, if not managed properly, result in direct effects on the coastline, seabed marine ecology, heritage assets and biodiversity.</i></p> <p><i>Indirect changes to the coastline and seabed might also arise as a result in response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges. Interruption or changes to the supply of sediment due to infrastructure has the potential to affect physical habitats along the coast or in estuaries.”</i></p>	<p>The project, as stated within Chapter 31 (document reference 6.1.31) has accounted for future climate change scenarios projections and future rates of coastal erosion.</p> <p>The characterisation of flood risk within Chapter 24 (document reference 6.1.24) used the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments, and data from hydraulic models, which take into account climate change effects and has informed the embedded mitigation to ensure no significant effects materialise.</p>
East Marine Plan (2014) Policy CC1	<p>Policy CC1 states:</p> <p><i>“Proposals should take account of:</i></p>	<p>The project, as stated within Chapter 31 (document reference 6.1.31) has</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>how they may be impacted upon by, and respond to, climate change over their lifetime and</i></li> <li>▪ <i>how they may impact upon any climate change adaptation measures elsewhere during their lifetime.</i></li> </ul> <p><i>Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.”</i></p>	<p>accounted for future climate change scenarios projections and future rates of coastal erosion.</p> <p>The characterisation of flood risk within Chapter 24 (document reference 6.1.24) used the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments, and data from hydraulic models, which take into account climate change effects and has informed the embedded mitigation to ensure no significant effects materialise.</p>
Shoreline Management Plans	Shoreline Management Plans (SMP) outline strategy for managing flood and erosion risk along the coastline, over short, medium and long-term periods. SMP3 has been prepared by the Humber Estuary Coastal Authorities Group and covers the east coast of England from Flamborough Head to Gibraltar Point. SMP4 has been prepared by the East Anglia Coastal Group and covers the coastline from Gibraltar Point to Old Hunstanton.	Shoreline Management plans have been considered within the Project (see Chapter 24 (document reference 6.1.24))
East Lindsey Local Plan Core Strategy 2016-2031  Strategic Policy 16 (SP16)- Inland Flood Risk	Several criteria in relation to inland flood risk is set out within Policy SP16, which includes: <ul style="list-style-type: none"> <li>▪ The Council will support development for business, leisure and commercial uses in areas of inland flood risk where it can be demonstrated that accommodating the development on a sequentially safer site would undermine the overall commercial integrity of the existing area. Such developments must incorporate flood mitigation measures in their design.</li> </ul>	As outlined within in Chapter 24(document reference 6.1.24) the applicant has proposed several measures that mean that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant wunder the EIA Regulations.

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ The Council will support development that demonstrates an integrated approach to sustainable drainage that has positive gains to the natural environment.</li> <li>▪ The Council will not support development in identified flood storage areas.</li> </ul>	<p>Key to limiting the flood risk is the project design and site selection process (Chapter 4 (document reference 6.1.4)) via the careful routing of the onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 16 (SP17)- Coastal East Lindsey</p>	<p>Policy SP17 states:</p> <p>“1. The Council will give a high priority to development that extends and diversifies all-year round employment opportunities, contributes directly to the local economy, infrastructure or extends and diversifies the tourism market.</p> <p>2. The Council will support improvements to the existing flood defences, the creation of new flood defences and infrastructure associated with emergency planning.</p> <p>3. New and replacement community buildings will be supported, providing they are located within or adjoining an existing settlement. 89 Adopted July 2018</p> <p>4. Development will need to demonstrate that it satisfies the Sequential and Exception Test as set out in Annex 2 of this Plan.</p> <p>5. All relevant development will need to provide adequate flood mitigation.”</p>	<p>Further detail is provided within Chapter 24 (document reference 6.1.24). However, in short, the project effect on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant under the EIA Regulations. This is due to the overall design of the Project which has avoided key areas of sensitivity and the proposed mitigation measures included in the CoCP.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 4- Approach to Flood Risk</p>	<p>Policy 4 states:</p> <p><i>“Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency’s flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted, where:</i></p>	<p>As outlined within Chapter 24 (document reference 6.1.24) flood risk throughout the construction, operation and decommissioning of the Project is not significant under the EIA Regulations. This is due to the overall design of the project which has avoided key areas of sensitivity and the</p>

Policy	Summary	Where is this addressed?
	<ol style="list-style-type: none"> <li>1. <i>It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e., that the sequential test is passed).</i></li> <li>2. <i>It can be demonstrated that essential infrastructure in FZ3a &amp; FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk.</i></li> <li>3. <i>The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which:</i> <ol style="list-style-type: none"> <li>a. <i>demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</i></li> <li>b. <i>identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</i></li> <li>c. <i>propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</i></li> <li>d. <i>include appropriate flood warning and evacuation procedures where necessary (referring to the County's evacuation routes plan), which have been undertaken in consultation with the authority's emergency planning staff;</i></li> </ol> </li> </ol>	<p>proposed measures include those set out in the CoCP. It should be noted that the characterisation for flood risk and future baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments, and data from hydraulic models, which take into account climate change effects. Future climate change projections are also presented within Chapter 31 (document reference 6.1.31).</p> <p>The applicant has also undertaken FRA reporting within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Volume 3, Chapter 24 Hydrology, Hydrogeology and Flood Risk, Appendix 24.2 Flood Risk Assessment: Onshore ECC and 400kV Cable Corridor (document reference 6.3.24.2)</li> <li>▪ Volume 3, Chapter 24 Hydrology, Hydrogeology and Flood Risk, Appendix 24.2: Flood Risk Assessment: Onshore Substation (Document Reference 6.3.24.3)</li> </ul> <p>The above FRAs have identified appropriate mitigation measures to ensure that the flooding is minimised to an acceptable level. For example, the outline surface water</p>

Policy	Summary	Where is this addressed?
	<p>e. <i>incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</i></p> <p>f. <i>demonstrates that the proposal will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</i></p> <p>g. <i>demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</i></p> <p>h. <i>ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.(...)"</i></p>	<p>drainage strategy (document reference 8.1.5) has been provided as part of the OnSS FRA. Surface water drainage measures would be implemented to ensure that runoff from the site is managed and restricted to rates agreed with relevant IDB, thereby not increasing surface water flood risk. A range of feasible Su</p> <p>DS techniques could be used to achieve this, e.g. infiltration features or surface water detention areas.</p>

### 6.23.5 Considerations for the SoS

423. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

424. Part 5.8 of NPS EN-1 sets out matters relevant to hydrology and flood risk. It is recognised that:

*“The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management”*



425. It is accepted in NPS EN-1 that producing the energy required by the UK, significant infrastructure will be required, including large-scale projects.
426. In taking decisions, the SoS should ensure appropriate weight is attached to designated sites of international, national, and local importance. These are identified and considered in, Chapter 24 (document reference 6.1.24).
427. Paragraphs 5.8.36 to 5.8.42 set out matters the SoS should have regard to in determining an application for development consent regarding hydrology and flood risk. These include:
- *the application is supported by an appropriate FRA*
  - *the Sequential Test has been applied and satisfied as part of site selection*
  - *a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk*
  - *the proposal is in line with any relevant national and local flood risk management strategy*
  - *SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate*
  - *in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42)*
  - *the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development*
  - *land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance*
428. The assessment of impacts to Hydrology, Hydrogeology, and Flood Risk has had regard to the relevant requirements for assessment set out in EN- 1 and is being carried out in accordance with those requirements, including the production of an FRA which will be submitted with the DCO application.
429. Table 24.31 of Chapter 24 (document reference 6.1.24) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project. Table 24.25, Chapter 24 (document reference 6.1.24) provides a summary of the approach to embedded mitigation.
430. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.
431. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to the EIA and Habitat regulations and as such effects on Hydrology, Hydrogeology and Flood Risk should not weigh against the substantial benefits of the Project. The evidence of how the project has followed the requirements of the sequential and exception tests will be presented in the FRA, to be submitted with the DCO application.

432. Overall, the project is compliant with the NPSs with respect to policy relating to Hydrology, Hydrogeology and Flood Risk

## 6.24 Noise and Vibration

433. This topic is assessed in Chapter 26 (document reference 6.1.26). References to sections and tables within Section 432 refer to Chapter 26 (document reference 6.1.26).

### 6.24.1 National Policy Statement: NPS EN-1

434. Table 6-58 sets out the relevant National Policy Statements from NPS EN-1 related to Noise and Vibration and provides detail to where they are addressed by the project.

Table 6-58: NPS EN-1 related to Noise and Vibration

Policy	Summary	Where is this addressed?
Paragraphs 5.12.1 – 5.12.2	<p>Paragraphs 5.12.1 – 5.12.2 state:</p> <p><i>“Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance), the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.</i></p> <p><i>The Government’s policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration.”</i></p>	Chapter 26 (document reference 6.1.26) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which is referenced here. No significant impacts in terms of noise have been assessed.
Paragraphs 5.12.6 – 5.12.7	<p>Paragraphs 5.12.6 – 5.12.7 state:</p> <p><i>“Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment:</i></p> <ul style="list-style-type: none"> <li>▪ <i>a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise</i></li> </ul>	Chapter 26 (document reference 6.1.26) includes all criteria referred to in paragraph 5.12.6 to assess the impact of noise and vibration. The assessment is proportionate to the likely noise impact.

Policy	Summary	Where is this addressed?
	<p><i>contains particular high or low frequency content or any temporal characteristics of the noise</i></p> <ul style="list-style-type: none"> <li>▪ <i>identification of noise sensitive receptors and noise sensitive areas that may be affected</i> <ul style="list-style-type: none"> <li>▪ <i>the characteristics of the existing noise environment</i></li> <li>▪ <i>a prediction of how the noise environment will change with the proposed development</i> <ul style="list-style-type: none"> <li>▪ <i>in the shorter term, such as during the construction period</i></li> <li>▪ <i>in the longer term, during the operating life of the infrastructure</i></li> <li>▪ <i>at particular times of the day, evening and night (and weekends) as appropriate, and at different times of year</i></li> </ul> </li> </ul> </li> <li>▪ <i>an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life / well-being where appropriate, particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas</i></li> <li>▪ <i>if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise</i></li> <li>▪ <i>all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life</i></li> </ul>	

Policy	Summary	Where is this addressed?
	<i>The nature and extent of the noise assessment should be proportionate to the likely noise impact."</i>	
Paragraph 5.12.8	Paragraph 5.12.8 states:  <i>"Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation."</i>	A Construction Traffic Noise Assessment in relation to the local road network is included within Chapter 26 (document reference 6.1.26).
Paragraph 5.12.9	Paragraph 5.12.9 states:  <i>"Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies."</i>	Chapter 26 (document reference 6.1.26) describes how these standards have been used to assess the impact of noise and vibration.
Paragraph 5.12.10	Paragraph 5.12.10 states:  <i>"Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e., physical design and location of development). The applicant should consult EA and/or the SNCB, as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered."</i>	With reference to Chapter 21 (document reference 6.1.21) and Chapter 22 (document reference 6.1.22) it is considered that the identified Internationally and Nationally Designated Sites which have the potential to be impacted from Noise from the Project are as follows: <ul style="list-style-type: none"> <li>▪ The Chapel Point to Wolla Bank SSSI;</li> <li>▪ The Greater Wash SPA;</li> <li>▪ The Gibraltar Point National Nature Reserve (NNR);</li> <li>▪ The Gibraltar Point SSSI;</li> </ul>

Policy	Summary	Where is this addressed?
		<ul style="list-style-type: none"> <li>▪ The Gibraltar Point Site Ramsar;</li> <li>▪ The Gibraltar Point SPA;</li> <li>▪ The Wash Ramsar; and</li> <li>▪ The Wash SSSI.</li> </ul> <p>In addition, the Anderby Marsh Nature Reserve has been considered separately due to its proximity to the landfall area and its sensitive nature regarding breeding birds.</p> <p>Chapter 26 considers the impacts of the Project on the above receptors. Cumulative impacts are also included. The results of any noise surveys and predictions have been used to inform the ecological assessments and the RIAA which has concluded that onshore noise is not significant on onshore ecological receptors.</p> <p>Consultation regarding Onshore Noise and Vibration has been conducted through the Evidence Plan Process (EPP), Expert Topic Group (ETG) meetings, the EIA scoping process (ODOW, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project’s consultation process is presented within Chapter 6 (document reference 6.1.6).</p> <p>Consultation with Natural England was undertaken as part of the EPP, as set out in Chapter 26 (document reference 6.1.26).</p>
Paragraph 5.12.12	Paragraph 5.12.12 states:  <i>“Applicants should submit a detailed impact assessment and mitigation plan as</i>	Mitigation for reducing noise and vibration is described in Chapter 26 (document reference 6.1.26). Additional mitigation may be

Policy	Summary	Where is this addressed?
	<i>part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.”</i>	required, subject to the final design, as described in document reference: 8.1.1. Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible.
Paragraph 5.12.13	Paragraph 5.12.13 states:  <i>“The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and Planning Practice Guidance on Noise.”</i>	Mitigation for reducing noise and vibration is described in Chapter 26 (document reference 6.1.26). Additional mitigation may be required, subject to the final design, as described in Outline Noise and Vibration Management Plan (document reference 8.1.1). Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible.
Paragraph 5.12.15	Paragraph 5.12.15 states:  <i>“The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g., on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).”</i>	Mitigation for reducing noise and vibration is described in Chapter 26 (document reference 6.1.26). Additional mitigation may be required, subject to the final design, as described in document reference: 8.1.1. Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible.
Paragraph 5.12.16	Paragraph 5.12.16 states:  <i>“A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government’s associated planning guidance on noise. In Wales the relevant policy will be PPW and the TANs, as well</i>	Chapter 26 (document reference 6.1.26) describes how a set of assessment criteria have been developed. Due regard is being given to the relevant sections of the NPSE, the NPPF, and the government’s associated planning guidance on noise.

Policy	Summary	Where is this addressed?
	<i>as the Welsh Government’s Noise and Soundscape Action Plan.”</i>	
Paragraph 5.12.17	<p>Paragraph 5.12.17 states:</p> <p><i>“The [SoS] should not grant development consent unless it is satisfied that the proposals will meet the following aims:</i></p> <ul style="list-style-type: none"> <li>▪ <i>avoid significant adverse impacts on health and quality of life from noise;</i></li> <li>▪ <i>mitigate and minimise other adverse impacts on health and quality of life from noise; and</i></li> <li>▪ <i>where possible, contribute to improvements to health and quality of life through the effective management and control of noise.”</i></li> </ul>	Chapter 26 (document reference 6.1.26) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which are in accordance with the three aims set out in paragraph 5.12.17 of NPS EN-1.

## 6.24.2 National Policy Statement: NPS EN-3

435. Table 6-59 sets out the relevant National Policy Statements from NPS EN-3 related to Noise and Vibration and provides detail to where they are addressed by the project.

Table 6-59: NPS EN-3 related to Noise and Vibration

Policy	Summary	Where is this addressed?
Paragraphs 2.8.213 - 2.8.217	<p>Paragraphs 2.8.213 - 2.8.217 state:</p> <p><i>“Applicants must always employ the mitigation hierarchy, in particular to avoid as far as is possible the need to find compensatory measures for coastal, inshore and offshore developments affecting SACs SPAs, and Ramsar sites and/or MCZs. It is essential that applicants involve SNCBs, other statutory environmental bodies (e.g. Historic England) and Defra, in conjunction with the relevant regulators, as early as possible in the planning process to enable discussions of what is and isn’t a significant and/or adverse effect, subsequent implications, and, if required, mitigation and/or compensation.</i></p>	<p>With reference to Chapter 21 (document reference 6.1.21) and Chapter 22 (document reference 6.1.22) it is considered that the identified Internationally and Nationally Designated Sites which have the potential to be impacted from Noise from the Project are as follows:</p> <ul style="list-style-type: none"> <li>▪ The Chapel Point to Wolla Bank SSSI;</li> <li>▪ The Greater Wash SPA;</li> <li>▪ The Gibraltar Point National Nature Reserve (NNR);</li> <li>▪ The Gibraltar Point SSSI;</li> </ul>

Policy	Summary	Where is this addressed?
	<p><i>At the earliest possible stage, alternative ways of working and use of technology should be employed to avoid environmental impacts. For example, construction vessels may be rerouted to avoid disturbing seabirds. Where impacts cannot be avoided, measures to reduce and mitigate impacts should be employed, for example using trenching techniques or noise abatement technology”.</i></p> <p><i>Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors.</i></p> <p><i>Only once all feasible avoidance, reduction and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.</i></p> <p><i>Where several developers are likely to have cumulative impacts on the same species or feature it may be appropriate to collaborate on mitigation and compensation measures (see paragraphs 2.8.273 and following below for further guidance on compensation).”</i></p>	<ul style="list-style-type: none"> <li>▪ The Gibraltar Point Site Ramsar;</li> <li>▪ The Gibraltar Point SPA;</li> <li>▪ The Wash Ramsar; and</li> <li>▪ The Wash SSSI.</li> </ul> <p>In addition, the Anderby Marsh Nature Reserve has been considered separately due to its proximity to the landfall area and its sensitive nature regarding breeding birds.</p> <p>Chapter 26 (document reference 6.1.26) considers the impacts of the Project on the above receptors. Cumulative impacts are also included. The results of any noise surveys and predictions have been used to inform the ecological assessments and the RIAA which has concluded that onshore noise is not significant on onshore ecological receptors.</p> <p>Embedded mitigation for reducing noise and vibration is described in Chapter 26 (document reference 6.1.26). No additional mitigation is required. The mitigation measures set out will be specified so that the noise levels do not exceed any limits specified in the DCO.</p> <p>The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites have also need to be taken into account. The assessment of noise impacts on ecological receptors is provided in Chapter 21 (document reference 6.1.21) and Chapter 22 (document reference 6.1.22).</p> <p>Consultation with Natural England is being undertaken as part of the EPP,</p>



Policy	Summary	Where is this addressed?
		<p>as set out in Chapter 26 (document reference 6.1.26).</p> <p>The results of any noise surveys and predictions have been used to inform the ecological assessments and the RIAA which has concluded that onshore noise is not significant on onshore ecological receptors or features of designated sites.</p>

### 6.24.3 National Policy Statement: NPS EN-5

436. Table 6-60 sets out the relevant National Policy Statements from NPS EN-5 related to Noise and Vibration and provides detail to where they are addressed by the project.

Table 6-60: NPS EN-5 related to Noise and Vibration

Policy	Summary	Where is this addressed?
Paragraphs 2.9.38 – 2.9.43	<p>Paragraphs 2.9.38 – 2.9.43 state:</p> <p><i>“Transformers are installed at many substations and generate low frequency hum. Whether the noise can be heard outside a substation depends on a number of factors, including transformer type and the level of noise attenuation present (either engineered intentionally or provided by other structures).</i></p> <p><i>For the assessment of noise from substations, standard methods of assessment and interpretation using the principles of the relevant British Standards<sup>25</sup> are satisfactory.</i></p> <p><i>For the assessment of noise from overhead lines, the applicant must use an appropriate method to determine the sound level produced by the line in both dry and wet weather conditions, in addition to assessing the impact on noise-sensitive receptors.</i></p> <p><i>For instance, the applicant may use an appropriate noise modelling tool or tools for the prediction of overhead line noise and its propagation over distance, such as an ISO 9613-2 or Technical Report TR(T)94.</i></p>	<p>Embedded mitigation for reducing noise and vibration is described in Chapter 26 (document reference 6.1.26). Standard methods of assessment and interpretation using the principles of the relevant British Standard have been considered throughout the assessment. There are no overhead lines proposed by the Project.</p>

Policy	Summary	Where is this addressed?
	<p><i>When assessing the impact of noise generated by overhead lines in wet weather relative to existing background sound levels, the applicant should consider the effect of varying background sound levels due to rainfall.</i></p> <p><i>The Secretary of State is likely to regard it as acceptable for the applicant to use a methodology that demonstrably addresses these criteria.”</i></p>	

#### 6.24.4 Other Policy Considerations

437. Table 6-61 sets out other policy considerations related to Noise and Vibration and provides detail as to where they are addressed by the Project.

Table 6-61: Other Policy Considerations related to Noise and Vibration

Policy	Summary	Where is this addressed?
South East Lincolnshire Local Plan 2011-2036  Policy 30- Noise	<p>Policy 30 states:</p> <p>“Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:</p> <ol style="list-style-type: none"> <li>1. Health and safety of the public;</li> <li>2. The amenities of the area; or</li> <li>3. The natural, historic and built environment;</li> <li>4. by way of:</li> <li>5. Air quality, including fumes and odour;</li> <li>6. Noise including vibration;</li> <li>7. Light levels;</li> <li>8. Land quality and condition; or</li> <li>9. Surface and groundwater quality.</li> </ol> <p>Planning applications, except for development within the curtilage of a dwelling house as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:</p> <ul style="list-style-type: none"> <li>▪ impact on the proposed development from poor air quality from identified sources;</li> </ul>	<p>All of the points outlined within Policy 30 have been addressed within the ES, such that there would not be no impact on the health and safety of the public, amenities of the area and the natural, historic and built environment. This has been achieved via the design and site selection process (see Chapter 4 (document reference 6.1.4)) which has been iterative as a way to avoid areas that are most sensitive.</p> <p>Mitigation for noise and vibration is outlined in Section 26.5.3 of Chapter 26 (document reference 6.1.26), and secured via the Noise and Vibration Management Plan (Document Reference 8.1.1).</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ impact on air quality from the proposed development; and</li> <li>▪ impact on amenity from existing uses.”</li> </ul>	

#### 6.24.5 Considerations for the SoS

438. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

439. Part 5.12 of NPS EN-1 sets out matters relevant to Noise and Vibration at a national level. It is recognised that 'excessive noise can have wide- ranging impacts on the quality of human life, health and use and enjoyment of areas of value such as quiet places and areas with high landscape quality'. It is recognised in NPS EN-1 that producing the energy required by the UK requires significant infrastructure, including large- scale projects.

440. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters relevant to Noise and Vibration are taken into account when considering any proposed development:

*"Potential adverse impacts, including long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts".*

441. Paragraph 4.1.6 of NPS EN-1 states that in reaching a decision, the SoS should have regard to:

*"Environmental, social and economic benefits and adverse impacts at national, regional and local levels".*

442. NPS EN-1 paragraphs 5.12.17 to 5.12.18 set out matters the SoS should have regard to in reaching a decision, including proposed mitigation, specifically in respect of Noise and Vibration matters. It is confirmed that the SoS should not grant development consent unless it is satisfied that the proposals that the proposals will meet the following aims, through the effective management and control of noise:

- avoid significant adverse impacts on health and quality of life from noise
- mitigate and minimise other adverse impacts on health and quality of life from noise
- where possible, contribute to improvements to health and quality of life through the effective management and control of noise

443. With regards to EN-3 matters for the SoS to have regard to in relation to noise and vibration are discussed within Paragraph 2.8.302, which states that:

*"The Secretary of State should consider the effects of a proposed development on marine ecology and biodiversity, considering all relevant information made available by the applicant."*

444. EN-5 Paragraph 2.11.1, re-emphasises the importance of biodiversity impacts being considered by the SoS. It states that:

*“the Secretary of State should be satisfied that all feasible options for mitigation have been considered and evaluated appropriately”.*

445. Table 7.77 of Chapter 26 (document reference 6.1.26) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project, as well as additional proposed mitigation measures. Embedded mitigation measures are described in Table 7.41, Chapter 26 (document reference 6.1.26).
446. The assessment of Noise and Vibration has had regard to the relevant requirements for assessment set out in EN-1 and EN-5 and is carried out in accordance with those requirements.
447. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.
448. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to the noise and vibration and therefore these effects should not weigh against the substantial benefits of the Project when considering the planning balance.
449. Overall, the project is compliant with the NPSs with respect to policy relating to Noise and Vibration

## 6.25 Traffic and Transport

450. This topic is assessed in Volume 1, Chapter 27: Traffic and Transport (document reference 6.1.27). References to sections and tables within Section 6.25 refer to Chapter 27 (document reference 6.1.27).

### 6.25.1 National Policy Statement: NPS EN-1

451. Table 6-62 sets out the relevant National Policy Statements from NPS EN-1 related to Traffic and Transport and provides detail to where they are addressed by the project.

Table 6-62: NPS EN-1 related to Traffic and Transport

Policy	Summary	Where is this addressed?
Paragraphs 5.14.1 – 5.14.4	<p>Paragraphs 5.14.1 – 5.14.4 state:</p> <p><i>“The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social, and environmental effects.</i></p> <p><i>Environmental impacts may result particularly from trips generated on roads which may increase noise and air</i></p>	<p>Consideration of the construction, O&amp;M and decommissioning phases of the Project are set out in Chapter 27 (document reference 6.1.27). The mitigation section sets out the embedded and applied mitigation that will be required as part of the Project. Outline Construction Traffic Management Plan (OCTMP) (document reference 8.15) and OTP (document reference 8.16) provide details on how traffic would be managed.</p>

Policy	Summary	Where is this addressed?
	<p><i>pollution as well as greenhouse gas emissions.</i></p> <p><i>Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.</i></p> <p><i>The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS.”</i></p>	<p>Mitigation measures proposed in the Chapter will manage routing and timing of Heavy Goods Vehicle (HGV) and staff movements.</p>
<p>Paragraphs 5.14.5 – 5.14.8</p>	<p>Paragraphs 5.14.5 – 5.14.8 state:</p> <p><i>“If a project is likely to have significant transport implications, the applicant’s ES (see Section 4.3) should include a transport appraisal. The DfT’s Transport Analysis Guidance (TAG)266 and Welsh Governments WelTAG267 provides guidance on modelling and assessing the impacts of transport schemes.</i></p> <p><i>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. Applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</i></p> <p><i>The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by active, public and shared transport to:</i></p> <ul style="list-style-type: none"> <li>▪ <i>reduce the need for parking associated with the proposal</i></li> </ul>	<p>Consideration of the construction, O&amp;M and decommissioning phases of the Project are set out in Chapter 27 (document reference 6.1.27). The mitigation section sets out the embedded and applied mitigation that will be required as part of the Project. OCTMP (document reference 8.15) and OTP (document reference 8.16) provide details on how traffic would be managed.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p> <p>Consultation regarding Traffic and Transport has been conducted through the EPP Expert and ETG meetings, the EIA scoping process (ODOW, 2022), bilateral consultation and that undertaken as part of the public consultation events. An overview of the Project’s technical consultation process is presented within Chapter 6 (document reference 6.1.6), which details consultation National Highways and Highways Authorities as appropriate on the assessment and mitigation</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>contribute to decarbonisation of the transport network</i></li> <li>▪ <i>improve user travel options by offering genuine modal choice</i></li> </ul> <p><i>The assessment should also consider any possible disruption to services and infrastructure (such as road, rail and airports)."</i></p>	
Paragraph 5.14.11	<p>Paragraph 5.14.11 states:</p> <p><i>"Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</i></p> <ul style="list-style-type: none"> <li>• <i>reduce the need to travel by consolidating trips,</i></li> <li>• <i>locate development in areas already accessible by active travel and public transport,</i></li> <li>• <i>provide opportunities for shared mobility,</i></li> <li>• <i>re-mode by shifting travel to a sustainable mode that is more beneficial to the network,</i></li> <li>• <i>retime travel outside of the known peak times,</i></li> <li>• <i>reroute to use parts of the network that are less busy."</i> </li></ul>	<p>Chapter 27 (document reference 6.1.27) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project. The Outline Travel Plan (OTP) (document reference 8.16) will include demand management measures to be adopted.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p>
Paragraph 5.14.14	<p>Paragraph 5.14.14 states:</p> <p><i>"The [SoS] may attach requirements to a consent where there is likely to be substantial HGV traffic that:</i></p> <ul style="list-style-type: none"> <li>▪ <i>control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements</i></li> <li>▪ <i>make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid 'overspill' parking</i></li> </ul>	<p>Routing for HGV movements is being identified, as well as proposed working hours, to minimise the impact of the Project on the surrounding highway network as per Chapter 27, (document reference 6.1.27) and the construction travel management plan (document reference 8.1.5)</p> <p>The need for any permits from relevant road and bridge authorities in relation to the transportation of AILs will be obtained in advance of construction, following assessment of routes.</p>

Policy	Summary	Where is this addressed?
	<p><i>on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions;</i></p> <ul style="list-style-type: none"> <li>▪ <i>ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.”</i></li> </ul>	
Paragraph 5.14.21	<p>Paragraph 5.14.21 states:</p> <p><i>“The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.”</i></p>	Chapter 27 (document reference 6.1.27) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project. The OTP (document reference 8.16) will include demand management measures to be adopted. The assessment concludes that there would not be an unacceptable impact on the highway.

#### 6.25.2 National Policy Statement: NPS EN-3

No relevant policy requirements for onshore Traffic and Transport have been identified in NPS EN-3.

#### 6.25.3 National Policy Statement: NPS EN-5

452. No relevant policy requirements for Traffic and Transport have been identified in NPS EN-5.

#### 6.25.4 Other Policy Considerations

453. Table 6-63 sets out other policy considerations related to Traffic and Transport and provides detail as to where they are addressed by the Project.

Table 6-63: Other Policy Considerations related to Traffic and Transport

Policy	Summary	Where is this addressed?
Lincolnshire Network Management Plan  April 2018	<p><i>“Key Aims to facilitate the objectives of the Network Management Plan are:</i></p> <p><i>Safeguarding the quality and effectiveness of highways as the major transport network;</i></p> <p><i>Developing a consistent and appropriate implantation of regulations. Fairly balancing the legitimate needs of road users and works promoters of all types;</i></p>	Section 27.6.4 of Chapter 27 (document reference 6.1.27) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline Transport Plan (document reference 8.16), which will include demand

Policy	Summary	Where is this addressed?
	<p><i>Identifying and promoting good practice to all aspects of traffic and works co-ordination;</i></p> <p><i>Maintaining an attitude of co-operation and pursuit of efficiency of operation of works, whilst remaining mindful of regulatory responsibilities;</i></p> <p><i>Managing the road network and maintaining quality with reduced budgets through use of innovative partnerships;</i></p> <p><i>Contribute to minimising carbon emissions from transport across the county; and</i></p> <p><i>Investing in Infrastructure and Provision of Services.”</i></p>	<p>management measures to be adopted.</p>
<p>Boston Transport Strategy 2016 – 2036</p> <p>Published 2016</p>	<p>The aims of the Boston Transport Strategy considered pertinent to the Project are to:</p> <p>Reduce car usage for journeys wholly within Boston;</p> <p>Reduce delays for traffic on the A52/A16 corridor with safe facilities for vulnerable users;</p> <p>Improve public transport provision;</p> <p>Improve road safety for pedestrians and cyclists, especially near schools;</p> <p>Improve air quality in the designated AQMA; and</p> <p>Improve cycling and pedestrian management in the town centre.</p>	<p>Section 27.6.4 of Chapter 27 (document reference 6.1.27) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline Travel Plan (Document Reference 8.16), which will include demand management measures to be adopted.</p> <p>Any impacts of increases in HGVs are reduced by the types of traffic management measures that would be implemented as set out in the OCTMP (Document Reference 8.15)</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 22 (SP22)- Transport and Accessibility</p>	<p>Policy SP22 states:</p> <p><i>“The Council will support accessibility and seek to reduce isolation in the District. This will be achieved by several criteria including:</i></p> <ul style="list-style-type: none"> <li>▪ <i>Supporting development which is shown to link with the existing road and public transport systems operating within the District.</i></li> <li>▪ <i>Supporting development that gives pedestrian and cycle movements priority.</i></li> </ul>	<p>As outlined within Chapter 27 (document reference 6.1.27) the Project strongly supports high levels of accessibility, most pertinently via the following documents:</p> <ul style="list-style-type: none"> <li>▪ OCTMP (document reference 8.1.7) which sets out the key principles and types of measures to be implemented during</li> </ul>



Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ <i>Supporting development that has been shown to be planned taking into account disabled users and parents/carers with buggies and young children."</i></li> </ul>	<p>construction of the Project.;</p> <ul style="list-style-type: none"> <li>▪ Outline TP (Document Reference 8.16) that includes a range of demand management measures including a target car share ratio. The Outline TP (document reference 8.16) also provides details of how compliance with targets will be measured, monitored and reported upon;</li> <li>▪ Outline PAMP (document reference 8.17) that has been prepared alongside the ES and will form part of the Outline CoCP, which sets out the anticipated mechanisms for managing the use of PRow; and</li> </ul> <p>A strategy for access which has selected routes that where possible, seek to reduce the impact of traffic upon local communities.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 33- Delivering a More Sustainable Transport Network</p>	<p>Policy 33 states:</p> <p><i>"The Local Planning Authorities will work with partners to make the best use of, and seek improvements to, existing transport infrastructure and services within, and connecting to South East Lincolnshire, having considered first solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel."</i></p>	<p>The project has considered the impacts upon existing transport infrastructure and has sought to employ initiatives to advocate sustainable modes of travel. These include:</p> <ul style="list-style-type: none"> <li>▪ An OPAMP which sets out the approach to manage public access to PRow and recreational routes</li> </ul>

Policy	Summary	Where is this addressed?
		<p>(document reference 8.17)</p> <ul style="list-style-type: none"> <li>▪ An Outline Travel Plan (document reference 8.16) which includes a range of measures to ensure transport movements are done in the most sustainable manner including target car share ratios and compliance targets that will be measured and reported upon.</li> <li>▪ A Code of Construction Practice (CoCP) which will limit the impacts of construction. This includes setting out measures to limit noise and vibration through noise barrier (document reference 8.1)</li> <li>▪ An OCTMP that sets out a range of methods to control traffic and ensure pedestrian safety, particularly for those who are most vulnerable. (document reference 8.15)</li> </ul> <p>A strategy for access which has selected transport routes has also been prepared to ensure access points have the least amount of impact on local communities.</p>

### 6.25.5 Considerations for the SoS

454. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

455. Part 5.14 of EN-1 sets out matters relevant to Traffic and Access at a national level. It is recognised that:

*“The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects. It is recognised in NPS EN-1 that producing the energy required by the UK will require significant infrastructure, including large-scale projects.”*

456. Part 4 of NPS EN-1 sets out a series of general principles that will be taken in account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the following matters relevant to traffic and transport are taken into account when considering any proposed development:

- its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits
- its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy

457. Paragraph 4.1.6 of NPS EN-1 states that in reaching a decision, the SoS should have regard to:

*“Environmental, social and economic, social and economic benefits and adverse impacts at national, regional and local levels”.*

458. NPS EN-1 paragraphs 5.14.8 and 5.14.21 set out matters the SoS should have regard to in determining an application for development consent, including:

- A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.
- Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. The greatest number of vehicle movements will be generated in the construction phase, with O&M traffic flows negligible by comparison. Fewer vehicle movements will be required during decommissioning than construction.

459. Table 27.89 of Chapter 27 (document reference 6.1.27) provides a summary of the potential effects during the construction and decommissioning phases of the Project, as well as additional proposed mitigation measures. Embedded mitigation measures are described in Section 8.5.

460. The assessment of traffic and access has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and is being carried out in accordance with those requirements.

461. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.

462. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to traffic. Effects from traffic should therefore not weigh against the substantial benefits of the Project.
463. Overall, the project is compliant with the NPSs with respect to policy relating to traffic and transport.

## 6.26 Landscape and Visual Impact Assessment

464. This topic is assessed in Chapter 28 (document reference 6.1.28). References to sections and tables within Section 6.26 refer to Chapter 28 (document reference 6.1.28).

### 6.26.1 National Policy Statement: NPS EN-1

465. Landscape and Visual matters, including the assessment of seascape effects, are considered within NPS EN-1. Table 6-64 sets out the relevant National Policy Statements from NPS EN-1 related to Landscape and Visual Impacts and provides detail to where they are addressed by the project.

Table 6-64: NPS EN-1 related to Landscape and Visual Impact Assessment

Policy	Summary	Where is this addressed?
Paragraphs 5.10.16 - 5.10.18	<p>Paragraphs 5.10.16 -5.10.18 states:</p> <p><i>“The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.2). Several guides have been produced to assist in addressing landscape issues.</i></p> <p><i>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</i></p> <p><i>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.”</i></p>	<p>NPS EN-1 is considered to be the primary policy with respect to the approach to the assessment of potential effects on Landscape, and the Applicant has carried out an assessment that follows this approach.</p> <p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the Project throughout the pre-application process and will continue to be applied.</p> <p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been undertaken for both seascapes, with regards the offshore WTGs and other infrastructure (see Chapter 17 (document reference 6.1.17)) and landscape with regards the OnSS (see Chapter 28 (document reference 6.1.28)).</p>

Policy	Summary	Where is this addressed?
		<p>With regards to careful project design, the OnSS has been sited outside any areas of designation. This will be sited within a National Grid substation. The process to site the National Grid connection has been driven by National Grid and the Offshore Transmission Network Review.</p> <p>The sensitivity of the landscape and visual receptors in the landscape study area is a key consideration in the siting and design of the onshore infrastructure. A detailed consideration and assessment of the capacity of the landscape to accommodate the onshore infrastructure in relation to the screening afforded by the existing landforms, trees and hedgerows between sensitive receptors and the Project infrastructure is undertaken in Chapter 28 (document reference 6.1.28).</p> <p>Additional landscape mitigation measures for the OnSS are described in Chapter 28 (document reference 6.1.28) and in OLEMS (document reference 8.10). The extent of mitigation planting incorporated into the design is illustrated in document reference 8.10.</p>
Paragraphs 5.10.19 - 5.10.22	Paragraphs 5.10.19 -5.10.22 state:  <i>“The applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised and incorporated into the design, delivery and operation of the scheme.</i>	<p>The assessment has characterised the relevant landscape baselines, drawing on relevant national and local planning policy, landscape character areas and physical landscape features. This is supplemented through consultation with local planning authorities. Further information, including photomontages, is being obtained through field work. The methodology used to inform the baseline is set out in more detail in Chapter 28 (document reference 6.1.28) Assessment.</p> <p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise</p>

Policy	Summary	Where is this addressed?
	<p><i>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas’.</i></p> <p><i>The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on dark skies, local amenity, and nature conservation.</i></p> <p><i>The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.”</i></p>	<p>harm/ change to the receiving environment, and this is reflected in the iterative process that is being applied to the Project throughout the pre-application process and will continue to be applied.</p> <p>The sensitivity of the landscape and visual receptors in the landscape study area is a key consideration in the siting and design of the onshore infrastructure. A detailed consideration and assessment of the capacity of the landscape to accommodate the onshore infrastructure in relation to the screening afforded by the existing landforms, trees and hedgerows between sensitive receptors and the Project infrastructure is undertaken in Chapter 28 (document reference 6.1.28).</p> <p>Additional landscape mitigation measures for the OnSS are described in Chapter 28 (document reference 6.1.28) and in OLEMS (document reference 8.10). The extent of mitigation planting incorporated into the design is illustrated in document OLEMS (reference 8.10).</p>
Paragraph 5.10.24	<p>Paragraph 5.10.24 states:</p> <p><i>“Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.”</i></p>	<p>The assessment has characterised the relevant landscape baselines, drawing on relevant national and local planning policy, landscape character areas and physical landscape features. This is supplemented through consultation with local planning authorities. Further information, including photomontages, is being obtained through field work. The methodology used to inform the baseline is set out in more detail in Chapter 28 (document reference 6.1.28).</p>
Paragraph 5.10.25	<p>Paragraph 5.10.25 states:</p> <p><i>“In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing</i></p>	<p>In line with this guidance therefore, the objective of the cumulative assessment is different from the assessment of effects of the Project alone. In the cumulative assessment the intention is to establish whether or not the addition of the Project, in combination with other relevant</p>

Policy	Summary	Where is this addressed?
	<i>permitted infrastructure they are aware of with a similar magnitude of impact on equally sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development."</i>	consented or proposed developments, may lead to a significant cumulative landscape or visual effect. The cumulative assessment is provided within Chapter 28 (document reference 6.1.28).

### 6.26.2 National Policy Statement: NPS EN-3

466. With regards to landscape, EN-3 largely discusses offshore landscape assessments, which have been considered separately within this Planning Statement.

### 6.26.3 National Policy Statement: NPS EN-5

467. Table 6-65 sets out the relevant National Policy Statements from NPS EN-5 related to Landscape and Visual Impact and provides detail to where they are addressed by the project.

Table 6-65: NPS EN-5 related to Landscape and Visual Impact Assessment

Policy	Summary	Where is this addressed?
Paragraphs 2.9.9 – 2.9.10	Paragraphs 2.9.9 – 2.9.10 state: <i>"New substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching, and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts.  Cumulative adverse landscape and visual impacts may arise where new overhead lines are required along with other related developments such as substations, wind farms, and/or other new sources of generation."</i>	The proposed onshore ECC is to be underground, thereby minimising landscape and visual effects. The LVIA has assessed the effects of the underground onshore ECC and OnSS in Chapter 28 (document reference 6.1.28) Assessment.
Paragraphs 2.9.11 – 2.9.12	Paragraphs 2.9.11 – 2.9.12 state: <i>"Landscape and visual benefits may arise through the reconfiguration, rationalisation, or undergrounding of existing electricity network infrastructure. Though mitigation of the landscape and visual impacts arising from overhead lines and their associated infrastructure is usually possible, it may not always be so, and the impossibility of full mitigation in these cases does not countermand the need for overhead lines. However, in nationally designated landscapes (for instance, National Parks, The Broads and Areas of</i>	The proposed onshore ECC and 400kV are to be underground. Chapter 28 (document reference 6.1.28) has assessed the effects of the underground onshore ECC and 400kV cable corridor and OnSS. Chapter 28 (document reference 6.1.28) provides detail on the embedded mitigation that is included for the Project and assesses visual impacts.

Policy	Summary	Where is this addressed?
	<i>Outstanding Natural Beauty) even residual impacts may well make an overhead line proposal unacceptable in planning terms.”</i>	
Paragraph 2.9.18	Paragraph 2.9.18 states:  <i>“The Horlock Rules – guidelines for the design and siting of substations – were established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants’ proposals for the infrastructure associated with new overhead lines.”</i>	The Horlock Rules are considered in the Design Principles Statement (document reference 8.19).

#### 6.26.4 Other Policy Considerations

468. Table 6-66 sets out other policy considerations related to Landscape and Visual Impact Assessment and provides detail as to where they are addressed by the Project.

Table 6-66: Other Policy Considerations related to Landscape and Visual Impact Assessment

Policy	Summary	Where is this addressed?
The East Marine Plan (2014)  Policy GOV1	Policy GOV1 states:  “appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.”	Development onshore is required to support offshore marine activities and is therefore supported by this policy. The most appropriate location for the OnSS and other onshore infrastructure has been chosen to cause the least disruption to landscape.
East Lindsey Local Plan Core Strategy 2016-2031  Strategic Policy 10 (SP10)- Design	The Council will support well-designed sustainable development, which maintains and enhances the character of the District’s towns, villages and countryside.  ‘Several criteria are set out to achieve this ambition, which includes:  <ul style="list-style-type: none"> <li>▪ Where possible supporting the use of brownfield land for development, unless it is of high environmental value, seeking to use areas of poorer quality agricultural land in preference to that of a higher quality.</li> <li>▪ Ensuring it is easy for everyone to get around by incorporating safe and attractive roads, cycleways and footways that enable people of all</li> </ul>	The site selection process (see document reference 6.1.4) for the project has been iterative and subject to several iterations involving early engagement with several stakeholders and community groups as a way of ensuring the project is well design and maintains the character of local areas. The site selection process considered a range of environmental and technical constraints, including avoiding landscape elements such as woodlands, trees and hedgerows. The sensitivity of the surrounding landscape and



Policy	Summary	Where is this addressed?
	<p>abilities to access shops, jobs, schools and other community facilities.</p> <ul style="list-style-type: none"> <li>▪ Providing on-site landscaping to integrate the development into its wider surroundings and make provision for open space.</li> <li>▪ Development will be supported where it can demonstrate that its design incorporates sustainable features and/or renewables and that the development could be adapted in the future for other uses in that it is development that will become a high quality integrated part of the built environment over many generations.</li> <li>▪ Supporting development that includes measures to recycle, re-use or reduce the demand for finite resources. New development should be designed to Building Regulation water consumption standard for water scarce areas, to not exceed 110 litres per day per person.</li> <li>▪ Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.’</li> </ul>	<p>of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The Project has also an Outline Landscape and Ecological Management Strategy (document reference 8.10) which includes an mitigation planting plan to ensure the development is both sympathetic to the local landscape, whilst also achieving biodiversity net gains.</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 23 (SP23)- Landscape</p>	<p>Policy 23 states:</p> <p>“1. The District’s landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District’s Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection.</p> <p>2. Development will be supported where it allows for greater public access to the countryside and naturalistic coast, supports visitors to the District and helps provide additional employment opportunities,</p>	<p>As outlined within Chapter 28 (document reference 6.1.28), the design of the project has been designed to preserve and enhance the districts landscape, whilst not limiting opportunities for interaction and access to the countryside and coast.</p> <p>In addition, the applicant has produced an Outline Landscape and Ecological Management Strategy (document reference 8.16)</p>

Policy	Summary	Where is this addressed?
	<p>provided this does not compromise landscape quality or the biodiversity objectives of the plan.</p> <p>3. The Council will ensure that the distinctive character of the District’s landscapes whether they are of cultural, natural or historic significance, will not be compromised. In particular, the highest level of protection will be given to the Lincolnshire Wolds Area of Outstanding Natural Beauty, which is designated at a national level because of its landscape quality.</p> <p>4. The Council will support development that conserves and enhances designated and historic landscapes (Winceby Battlefield, Lincolnshire Wolds, Coastal Country Park, Conservation Areas, Historic Parks and Gardens, setting of listed buildings within the landscape) as focal points for widening and improving the visitor experience.”</p>	<p>which sets out a number of measures to raise the design quality of the project, whilst also leading to biodiversity enhancements. This includes the sensitive siting of the onshore infrastructure during site selection and the production of a biodiversity strategy which includes mitigation planting.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 2- Development Management</p>	<p>Policy 2 states:</p> <p>“Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:</p> <ul style="list-style-type: none"> <li>▪ size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;</li> <li>▪ quality of design and orientation;</li> <li>▪ maximising the use of sustainable materials and resources;</li> <li>▪ access and vehicle generation levels;</li> <li>▪ the capacity of existing community services and infrastructure;</li> <li>▪ impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;</li> </ul>	<p>In relation to all the points outlined within Policy, these have all been addressed throughout the ES. Most namely design and site selection process (see Chapter 4 (document reference 6.1.4)) of the scheme which has been iterative as a way to ensure harm to, the environment and public is minimised. This addresses the criterion related to neighbouring land uses for instance, as areas most sensitive to noise, odour, disturbance and visual intrusion have been avoided.</p> <p>To give another example of how the points within Policy 2 are addressed, the applicant has produced an OPAMP (document reference 8.17) to</p>

Policy	Summary	Where is this addressed?
	<ul style="list-style-type: none"> <li>▪ sustainable drainage and flood risk;</li> <li>▪ impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and</li> <li>▪ impact on the potential loss of sand and gravel mineral resources.”</li> </ul>	<p>manage amenities like community recreational routes, PRoWs etc. to ensure impacts on the capacity on existing service and infrastructure is not compromised.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 3- Design of New Development</p>	<p>Policy 3 states:</p> <p>‘All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. The Policy outlines how the development proposals will demonstrate 15 issues will be secured.’</p>	<p>The project has been subject to an iterative design and site selection process (see Chapter 4 (document reference 6.1.4)), which has contributed to the project being appropriate to its local context, whilst maximizing opportunities for improving the local character and quality. The iterative process has comprised constraints mapping, assessment and continued consultation undertaken to identify the project design for the offshore ECC, landfall, onshore ECCs and OnSS study areas. This has been undertaken to ensure to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design.</p> <p>The sensitivity of the landscape and visual receptors in the landscape study area is a key consideration in the siting and design of the onshore infrastructure. A detailed consideration and assessment of the capacity of the landscape to accommodate the onshore infrastructure in relation to the screening</p>

Policy	Summary	Where is this addressed?
		<p>afforded by the existing landforms, trees and hedgerows between sensitive receptors and the Project infrastructure is undertaken in Chapter 28 (document reference 6.1.28).</p> <p>Additional landscape mitigation measures for the OnSS are described in Chapter 28 (document reference 6.1.28) and in document reference 8.10. The extent of mitigation planting incorporated into the design is illustrated in document reference 8.10.</p>

#### 6.26.5 Considerations for the SoS

469. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.
470. Paragraphs 5.10.29 to 5.10.38 of NPS EN-1 sets out a series of principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 5.10.6 states *“Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.”*
471. NPS EN-1 states that all proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The SoS will have to judge whether the visual effects on sensitive receptors outweigh the benefits of the Project. In response to this, the potential effects of the temporary and permanent elements of the Project on landscape and visual receptors have been assessed in the ES.
472. The Landscape and Visual Assessment draws conclusions on the effects to physical landscape, landscape character, and visual amenity. With regard to the Physical Landscape, it is concluded that the landfall and onshore ECC will not have a significant effect on the coastal land and the onshore ECC and OnSS will not have a significant effect on agricultural land and hedgerows. During the construction phase, where hedgerows are removed there will be a short-term and medium-term effect as these will be replaced post construction and will reach their original height in three to five years or five to ten years (depending on their original height). In addition, where trees and hedgerow trees are removed during construction, the effect will be significant and long-term as the replacement of tree species can only be done after decommissioning, due to restrictions on planting over the cables.

473. The assessment of Onshore Landscape and Visual Impacts has had regard to the relevant requirements for assessment set out in EN-1 and EN-3 and is carried out in accordance with those requirements. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.
474. The ES indicates that whilst the onshore elements of the Project will give rise to significant residual landscape and visual effects as a result of the proposed onshore OnSS the LVIA has assessed that there are limited residual effects to the landscape and visual resource as a result of the landfall and onshore cable ECC. It is of importance to note that all developments of this scale are likely to give rise to some effects on landscape character and visual amenity.
475. Whilst the Project may lead to temporary significant adverse effects during construction, this is balanced against the significant benefit of the Project in the delivery of renewable energy. This combined with any long-term effects being mitigated as far as reasonably practicable through planting, it is concluded that, overall, this should not be given great weight against the substantial benefit of the Project when considering the overall planning balance.
476. The construction, O&M, and decommissioning of the Project will be in accordance with the relevant NPSs and other identified material planning policy matters.
477. Overall, the project is compliant with the NPSs with respect to policy relating to landscape and visual impact assessment.

## 6.27 Socio-Economic Characteristics

478. This topic is assessed in Chapter 29 (document reference 6.1.29). References to sections and tables within Section 6.27 refer to Chapter 29 (document reference 6.1.29).

### 6.27.1 National Policy Statement: NPS EN-1

479. Table 6-67 sets out the relevant National Policy Statements from the NPS EN-1 related to Socio-Economic Characteristics and provides detail to where they are addressed by the project.

Table 6-67: NPS EN-1 related to Socio-Economic Characteristics

Policy	Summary	Where is this addressed?
Paragraphs 5.13.2 5.13.3	<p>Paragraphs 5.13.2 - 5.13.3 state:</p> <p>“Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES.</p> <p>The applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that the applicant can gain a better</p>	<p>Chapter 29 (document reference 6.1.29) considers the impacts on socio-economics and tourism from the construction, operations and decommissioning of the Project.</p> <p>The feedback from the consultation programme and members of the Expert Topic Groups, including relevant local authorities, is outlined in Section 1.3 of Chapter 29 (document reference 6.1.29).</p>

Policy	Summary	Where is this addressed?
	<p>understanding of local or regional issues and opportunities.”</p>	
<p>Paragraph 5.13.4</p>	<p>Paragraph 5.13.4 states:</p> <p>“The applicant’s assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> <li>▪ <i>the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK’s transition to Net Zero;</i></li> <li>▪ <i>the contribution to the development of low-carbon industries at the local and regional level as well as nationally;</i></li> <li>▪ <i>the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities;</i></li> <li>▪ <i>any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains;</i></li> <li>▪ <i>effects (positive and negative) on tourism and other users of the area impacted;</i></li> <li>▪ <i>the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services</i></li> </ul>	<p>Chapter 29 (document reference 6.1.29) has considered all relevant socio-economic impacts. Throughout this chapter the impacts on socio-economics and tourism from the construction, operations and decommissioning of the Project are considered. In particular, the following impacts have been considered:</p> <ul style="list-style-type: none"> <li>▪ Impacts on employment are considered in Section 1.8.</li> <li>▪ Impacts on local services and social infrastructure, such as schools and health services are considered in Section 1.8.</li> <li>▪ Sustainability of jobs is considered alongside the impact on employment from the Project in Section 1.8.</li> <li>▪ The contribution to the development of low-carbon industries in each of the study areas is considered in Section 1.8.</li> <li>▪ The impacts on Gross Value Added (GVA) and employment include indirect/supply chain impacts, as considered in Section 1.8.</li> <li>▪ Impacts on demographics from transient workers and their implications are considered in Section 1.8.</li> <li>▪ Effects on tourism are considered in Section 1.8.</li> <li>▪ Cumulative effects are considered in Section 1.9</li> </ul> <p>The Applicant has also engaged with local schools in Lincolnshire, including attendance at Careers Fair at John</p>

Policy	Summary	Where is this addressed?
	<p><i>and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.”</i></p>	<p>Spendluffe School, Lincolnshire (30th March 2023) to promote employment opportunities. Following consent, actions to ensure the skills and employment benefits that the Project can help deliver locally and nationally will be set out within the Supply Chain Plan required under the CfD supply chain process (Chapter 29 (document reference 6.1.29)).</p>
<p>Paragraph 5.13.5</p>	<p>Paragraph 5.13.5 states:</p> <p><i>“Applicants should describe the existing socio-economic conditions in the areas surrounding the Application and should also refer to how the development’s socio-economic impacts correlate with local planning policies.”</i></p>	<p>A baseline of existing socio-economic conditions and tourism activity is provided in section 1.4 of Chapter 29 (document reference 6.1.29). East Lindsey Local Plan Core Strategy is considered as part of the Strategic baseline in Section 29.4.3</p>
<p>Paragraph 5.13.6</p>	<p>Paragraph 5.13.6 states:</p> <p><i>“Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.”</i></p>	<p>Chapter 29 (document reference 6.1.29) has taken into account a number of other impacts and has been written alongside the following chapters, which are presented in Volume 1 of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14 (document reference 6.1.14);</li> <li>▪ Chapter 15 (document reference 6.1.15);</li> <li>▪ Chapter 17 (document reference 6.1.17);</li> <li>▪ Chapter 18 (document reference 6.1.18);</li> </ul>

Policy	Summary	Where is this addressed?
		<ul style="list-style-type: none"> <li>▪ Chapter 25 (document reference 6.1.25);</li> <li>▪ Chapter 26 (document reference 6.1.26);</li> <li>▪ Chapter 27 (document reference 6.1.27); and</li> <li>▪ Chapter 28 (document reference 6.1.28).</li> </ul> <p>The Applicant will develop a Procurement Strategy that will consider the role of local suppliers and contribution to skills development. This is not included in the ES.</p>
Paragraph 5.13.7	<p>Paragraph 5.13.7 states:</p> <p><i>“Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.”</i></p>	<p>Potential impacts on accommodation demand are considered in Section 1.8 during the construction phase.</p> <p>The Section concludes that the majority of the employment supported in the area will use a workforce that is based in the area and the magnitude would be negligible.</p>

## 6.27.2 National Policy Statement: NPS EN-3

480. Table 6-68 sets out the relevant National Policy Statements from the NPS EN-3 related to Socio-Economic Characteristics and provides detail to where they are addressed by the project.

Table 6-68: NPS EN-3 related to Socio-Economic Characteristics

Policy	Summary	Where is this addressed?
Paragraph 2.8.178	<p>Paragraph 2.8.178 states that:</p> <p><i>“Offshore wind farms and offshore transmission will occupy an area of the sea or sea bed. For offshore wind farms in particular it is inevitable that there will be an impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore wind farm and/or offshore transmission.”</i></p>	<p>Effects on marine recreation are considered in Chapter 29 (document reference 6.1.29).</p>



### 6.27.3 National Policy Statement: NPS EN-5

481. No relevant policy requirements for Socio-Economic Characteristics have been identified in NPS EN-5.

### 6.27.4 Other Policy Considerations

482. Table 6-69 sets out other policy considerations related to Socio-Economic Characteristics and provides detail as to where they are addressed by the Project.

Table 6-69: Other Policy Considerations related to Socio-Economic Characteristics

Policy	Summary	Where is this addressed?
UK Marine Policy Statement Paragraph 2.5.2 - 2.5.3	<p>Paragraphs 2.5.2 – 2.5.3 states:</p> <p><i>“Properly planned developments in the marine area can provide environmental and social benefits as well as drive economic development, provide opportunities for investment and generate export and tax revenues. The marine planning system will help to promote these benefits in contributing to the achievement of sustainable development. There will therefore be a presumption in favour of sustainable development in the marine planning system.</i></p> <p><i>Marine based activities can provide opportunities for employment in long established industries such as fishing, marine transport, port related storage and processing, oil and gas production and new and developing industries such as the renewable energy sector and associated offshore electricity transmission. This employment provides wide and long term benefits for both national and local economies.”</i></p>	<p>Chapter 29 (document reference 6.1.29) shows that the Project contributes to securing sustainable economic growth in regeneration areas and areas that already benefit from strong local economies through integration with terrestrial planning and engagement with coastal communities.</p> <p>The project will contribute to Education and Employment by ensuring locally and nationally skills and employment benefits are secured within the Supply Chain Plan required under the CfD supply chain process.</p>
East Marine Plan (2014)	<p>Policy EC1 states:</p> <p><i>“Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.”</i></p>	<p>Chapter 29 (document reference 6.1.29) shows that the Project contributes to securing sustainable economic growth in regeneration areas and areas that already benefit from strong local economies through integration with terrestrial planning and</p>

Policy	Summary	Where is this addressed?
		engagement with coastal communities.
East Marine Plan (2014)	<p>Policy EC2 states:</p> <p><i>“Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.”</i></p>	Chapter 29 (document reference 6.1.29) shows that the Project contributes to securing sustainable economic growth in regeneration areas and areas that already benefit from strong local economies through integration with terrestrial planning and engagement with coastal communities.
East Marine Plan (2014) Policy TR1	<p>Policy TR1 states:</p> <p><i>“Proposals for development should demonstrate that during construction and operation, in order of preference: a) they will not adversely impact tourism and recreation activities b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</i></p>	<p>Regarding tourism, the Project is sensitive to the wider region recreational base and as outlined within Chapter 29 (document reference 6.1.29), the Project employs several mitigation measures to ensure there are no significant impacts. This includes the preparation of an OPAMP (document reference 8.17) that has the key aim of having the lowest possible impact on users of recreational routes and PROWs.</p> <p>Further to the above, as part of the site selection process (see Chapter 4 (document reference 6.1.4) which was iterative and involved extensive consultation with relevant stakeholders and communities, the most sensitive locations with respect to tourism where avoid as far as practically possible.</p>
East Marine Plan (2014)	Policy TR2 states:	Chapter 15 (document reference 6.1.15) (Shipping

Policy	Summary	Where is this addressed?
Policy TR2	<p><i>“Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference: a) that they will not adversely impact on recreational boating routes b) how, if there are adverse impacts on recreational boating routes, they will minimise them c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts.”</i></p>	<p>and Navigation) considers the potential for effects on recreational boats, summarising that the Project is unlikely to result in significant adverse conditions for recreational vessels during the operational phase. For recreational vessels under sail navigating internally within the arrays, there is also potential for effects such as wind shear, masking, and turbulence to occur. From previous studies of offshore wind developments, it has been concluded that WTGs do reduce wind velocity downwind of a WTG (MCA, 2022) but that no negative effects on recreational craft have been reported on the basis of the limited spatial extent of the effect and its similarity to that experienced when passing a large vessel or close to other large structures (such as bridges) or the coastline. In addition, no practical issues have been raised by recreational receptors to date when operating in proximity to existing offshore wind developments.</p>
East Lindsey Local Plan Core Strategy 2016-2031 Vision and Objective 3	<p>Objective 3 states:</p> <p><i>“By 2031, East Lindsey will be a district with:- A growing and diversified economy that not only builds on, and extends the important agriculture and tourism base but supports the creation of all types of employment.”</i></p>	<p>The Project is supportive of growing and diversifying the economy from the local to national scales. Locally, as stated within, Chapter 29 (document reference 6.1.29) the Project will deliver positive impacts on the local economy and employment which will</p>

Policy	Summary	Where is this addressed?
		<p>support the 3,600 jobs already secured from the offshore wind sector as of 2022.</p> <p>Nationally, the delivery of up to 100 turbines as a consequence of the Project will not only support the UK's Government plans to achieve net zero but will also serve as a catalyst and promote similar schemes of similar nature to come forward. As such, the Project will contribute to the development of an economic multiplier effect and secure affordable energy supplies through the decarbonisation of the economy.</p> <p>Regarding tourism, the Project is sensitive to the wider region recreational base and as outlined within Chapter 29 (document reference 6.1.29). The Project employs several mitigation measures to ensure there are no significant impacts. This includes the preparation of an OPAMP (document reference 8.17) that has the key aim of having the lowest possible impact on users of recreational routes and PROWs.</p> <p>ES Chapter 25 Section 25.7 (document reference 6.1.25) considers the effects of the onshore infrastructure associated with the Project on agricultural land and soil quality. It should also be noted that as part of the site selection process (document reference</p>

Policy	Summary	Where is this addressed?
<p>East Lindsey Local Plan Core Strategy 2016-2031 Strategic Policy (SP13)- Inland Employment</p>	<p>Policy SP13 states:</p> <p><i>“The Council will support growth and diversification of the local economy by several approaches including:</i></p> <p><i>Supporting new employment land elsewhere where it is in or adjoining a settlement or is an extension to an existing employment use and can be easily connected to the road network and is integrated into its setting in terms of layout and landscaping.</i></p> <p><i>Supporting proposals which bring forward employment land in or adjoining the large villages across the District.</i></p> <p><i>Strengthening the rural economy by supporting in the large, medium and small villages.”</i></p>	<p>6.1.4) the best and most versatile land has been avoided as part of the Projects design.</p> <p>The project will generate significant interest in the local area through the delivery of a major renewable development that will make a substantial contribution to meeting the UKs ambition of net zero, encouraging similar schemes to come forward both locally and nationally.</p> <p>The development will also have profound benefits to the local economy, with examples provided below including the delivery of new employment opportunities, supporting the 3,600 jobs already secured in the offshore wind sector as of 2022 (see Chapter 29, document reference 6.1.29).</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 7 - Improving South East Lincolnshire’s Employment Land Portfolio</p>	<p>Policy 7states:</p> <p><i>“The South East Lincolnshire authorities will, in principle, support proposals which assist in the delivery of economic prosperity and some 17,600 jobs in the area, 3,800 in Boston Borough and 13,800 in South Holland District.”</i></p>	<p>As outlined within Chapter 29 (document reference 6.1.29), the Project will result in the creation of new employment opportunities , which is expected to peak in Q3 of 2029, when the project will support:</p> <p>850 jobs in the LEA; 1,010 jobs in the Regional Area; and 1,550 jobs across the UK.</p> <p>Moreover, the applicant has already demonstrated their commitment to providing new employment opportunities via early stage engagement with education and training</p>

Policy	Summary	Where is this addressed?
		providers to identify potential skills gaps and opportunities for collaboration. This includes engagement with local schools including attendance at Careers Fair at John Spendluffe School, Lincolnshire (30th March 2023).

### 6.27.5 Considerations for the SoS

483. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

484. The construction, operation and decommissioning of energy infrastructure may have socio-economic impacts at local and regional levels. Parts 2 and 3 of NPS EN-1 set out some of the national level socio-economic impacts. It is recognised that:

*"Given the vital role of energy to economic prosperity and social well-being, it is important that our supplies of energy remain secure, reliable and affordable."*

485. It is recognised in NPS EN-1 that producing the energy required by the UK will require significant infrastructure, including large scale projects.

486. Part 4 of NPS EN-1 sets out a series of general principles that will be taken into account when reaching a decision. NPS EN-1 paragraph 4.1.5 requires that the SoS in considering any proposed development should take the below matters into account. Particularly, when weighing its adverse impacts against its benefits:

- its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits;
- its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy.

487. Paragraph 4.1.6 of NPS EN-1 states that in reaching a decision, the SoS should have regard to:

*"Environmental, social and economic benefits and adverse impacts at national, regional and local levels".*

488. The Paragraph goes on to advise that these may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations. The Socio-Economic Assessment above has considered a range of documents, including relevant NPSs, MPSs as well as local planning policy and has demonstrated that the Project is compliant.

489. NPS EN-1 paragraphs 5.13.9 to 5.13.12 set out matters the SoS should have regard to in reaching a decision, including proposed mitigation, specifically in respect of socio-economic matters. It is confirmed that the SoS must have regard to potential socio-economic effects and give limited weight to assertions not backed up by evidence. Regard should also be had to any positive provisions proposed to make or mitigate impacts and any legacy benefits that may arise.
490. Table 29.28-29.55 of Chapter 29 (document reference 6.1.29) provides a summary of the potential effects during the construction, O&M and decommissioning phases of the Project, as well as additional proposed enhancement or mitigation measures. The conclusions of the assessment are that the worst-case long-term scenario would be a minor beneficial effect in socio-economic terms, given the provision of jobs and investment in local and UK supply chain. In the short term, there are potential limited-duration adverse effects predicted for the local tourism economy which are associated with the construction phase, and which reduce following completion of construction.
491. The assessment of Socio-Economics has had regard to the relevant requirements for assessment set out in NPS EN-1 and Marine Policy and is being carried out in accordance with those requirements.
492. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters.
493. Minor beneficial effects on socio-economics should be considered in addition to the substantial benefits of the Project as a whole. It should be also considered that these minor beneficial effects represent a worst case, and that other possible more likely scenarios, such as use of a local port (Port of Grimsby) would lead to greater beneficial effects.
494. Overall, the project is compliant with the NPSs with respect to policy relating to socio-economic characteristics.

## 6.28 Human Health

495. This topic is assessed in Chapter 30 (document reference 6.1.30). References to sections and tables within Section 6.28 refer to Chapter 30 (document reference 6.1.30).

### 6.28.1 National Policy Statement: NPS EN-1

496. Table 6-70 sets out the relevant National Policy Statements from NPS EN-1 related to Human Health and provides detail to where they are addressed by the project.

Table 6-70: NPS EN-1 related to Human Health

Policy	Summary	Where is this addressed?
Paragraphs 4.4.4– 4.4.6	Paragraphs 4.4.4– 4.4.6 state:  <i>“As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the project, identifying any potential adverse health impacts,</i>	Direct impacts to health are outlined in Chapter 30 (document reference 6.1.30).  In line with Paragraph 4.3.4 of Chapter 30

Policy	Summary	Where is this addressed?
	<p><i>and identifying measures to avoid, reduce or compensate for these impacts as appropriate.</i></p> <p><i>The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate.</i></p> <p><i>Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society as a whole.”</i></p>	<p>(document reference 6.1.30) has assessed:</p> <ul style="list-style-type: none"> <li>▪ Noise;</li> <li>▪ Air quality</li> <li>▪ Ground and/or Water Contamination</li> <li>▪ Physical activity</li> <li>▪ Journey times and reduced access</li> </ul> <p>Chapter 30 (document reference 6.1.30) considers vulnerable groups and appropriate mitigation is recommended where relevant.</p>

### 6.28.2 National Policy Statement: NPS EN-3

497. No relevant policy requirements for public health have been identified in NPS EN-3.

### 6.28.3 National Policy Statement: NPS EN-5

498. Table 6-71 sets out the relevant National Policy Statements from NPS EN-5 related to Socio-Economic Characteristics and provides detail to where they are addressed by the project.

Table 6-71: NPS EN-5 related to Human Health

Policy	Summary	Where is this addressed?
Paragraphs 2.9.46 – 2.9.47	<p>Paragraphs 2.9.46 – 2.9.47 state:</p> <p><i>“All overhead power lines produce EMFs. These tend to be highest directly under a line and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health, aquatic and terrestrial organisms.</i></p> <p><i>The direct effects occur in terms of impacts on the central nervous system resulting in its normal</i></p>	<p>The potential effects of EMF are described in Chapter 30 (document reference 6.1.30). All overhead power lines produce EMFs, and these tend to be highest directly under a line and decrease to the sides at increasing distance.</p> <p>The proposals are for underground cables and</p>



	<p><i>functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.”</i></p>	<p>although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. The assessment demonstrates all electrical infrastructure will remain below negligible levels in line with the ICNIRP guidelines (2020).</p>
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#### 6.28.4 Other Policy Considerations

499. Table 6-72 sets out other policy considerations related to Human Health and provides detail as to where they are addressed by the Project.

Table 6-72: Other Policy Considerations related to Human Health

Policy	Summary	Where is this addressed?
<p>The Joint Health, and Wellbeing Strategy for Lincolnshire (JHWS) (2022)</p>	<p>The JHWS outlines the following as the most important health issues facing the county:</p> <ul style="list-style-type: none"> <li>■ Mental Health &amp; Emotional Wellbeing (Children &amp; Young People);</li> <li>■ Mental Health (Adults);</li> <li>■ Carers;</li> <li>■ Physical Activity;</li> <li>■ Housing and Health;</li> <li>■ Healthy Weight; and</li> <li>■ Dementia.</li> </ul>	<p>Across the Human Health Chapter (Chapter 30 (document Reference 6.1.30), health determinants like physical activity have been assessed and no adverse impacts have been identified. Health issues have also been considered in the data collection for the Chapter 30 (document reference 6.1.30).</p>
<p>East Lindsey Local Plan Core Strategy 2016-2031</p> <p>Strategic Policy 25 (SP25)- Green Infrastructure</p>	<p>Several criteria in relation to Green Infrastructure Policy SP24, which includes:</p> <ul style="list-style-type: none"> <li>■ Protecting and safeguarding all greenspace identified through the Settlement Proposals DPD so that there is no net loss;</li> <li>■ Maximising opportunities for new and enhanced green infrastructure</li> </ul>	<p>The Project gives great value to green infrastructure networks, which guided the site selection process (Chapter 30 (document reference 6.1.4); this includes managing green infrastructure in a meaningful way, specifically</p>

Policy	Summary	Where is this addressed?
	<p>and publicly accessible open spaces in and around all communities;</p> <ul style="list-style-type: none"> <li>▪ Seek opportunities to connect existing green infrastructure to improve the network of spaces and accessibility for both the local population and wildlife.</li> </ul>	<p>coastal access routes and public rights of way are to be managed through the implementation of the PAMP (Document Reference 8.17).</p>
<p>South East Lincolnshire Local Plan 2011-2036</p> <p>Policy 30- Pollution</p>	<p>Policy 30 states:</p> <p>“Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:</p> <ol style="list-style-type: none"> <li>1. health and safety of the public;</li> <li>2. the amenities of the area; or</li> <li>3. the natural, historic and built environment;</li> </ol> <p>by way of:</p> <ol style="list-style-type: none"> <li>4. air quality, including fumes and odour;</li> <li>5. noise including vibration;</li> <li>6. light levels;</li> <li>7. land quality and condition; or</li> <li>8. surface and groundwater quality.</li> </ol> <p>Planning applications, except for development within the curtilage of a dwelling house as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:</p> <ol style="list-style-type: none"> <li>9. impact on the proposed development from poor air quality from identified sources;</li> <li>10. impact on air quality from the proposed development; and</li> <li>11. impact on amenity from existing uses.” </li></ol>	<p>All of the points outlined within Policy 30 have been addressed within the ES, such that there would not be no impact on the health and safety of the public, amenities of the area and the natural, historic and built environment. This has been most namely achieved via the design and site selection process (see Chapter 4 (document reference 6.1.4)) of the scheme which has been iterative as a way to avoid areas that are most sensitive.</p> <p>To give an example mitigation measure that have been proposed by the applicant to prevent adverse impacts, in relation to air quality (Chapter 19 (document reference 6.1.19)) measures include the CoCP (document reference 8.1) which will ensure workers follow best practice and include measures relating to dust control and NRMM emissions.</p>
<p>South East Lincolnshire Local Plan 2011-2036</p>	<p>Policy 32 states:</p> <p>“Development shall contribute to the creation of socially cohesive and inclusive communities; reducing health inequalities;</p>	<p>In terms of impacts on health, these have been considered within Chapter 30, (document reference 6.1.30) which concludes that the project will</p>

Policy	Summary	Where is this addressed?
Policy 32- Community, Health and Well- being	and improving the community’s health and well-being.”	<p>have no significance adverse effects, whilst also having the potential to have positive impacts. This includes increased employment opportunities and associated training programmes which can contribute to alleviating groups out of deprivation, as well as wider societal benefits in contributing to the reduction of Greenhouse Gas (GHG) and securing affordable energy supplies.</p> <p>It should also be noted that health impacts have been limited as a consequence of the iterative site selection process, which has meant the most sensitive receptors to health have been avoided. The Site Selection process included engagement with stakeholders like the NHS and local communities.</p>
UK Marine Policy Statement (2011) Paragraph 2.5.5	<p>Paragraph 2.5.5 states:</p> <p>“The marine plan authority should ensure, through integration with terrestrial planning, and engagement with coastal communities, that marine planning contributes to securing sustainable economic growth both in regeneration areas and areas that already benefit from strong local economies. Through well placed and well- designed development Marine Plans should promote economic growth and sustain local jobs. Examples of this could include local infrastructure development, or optimising the potential of environmental resources through eco-tourism and recreational use.</p> <p>These considerations must be integrated with social considerations on equality, community cohesion, wellbeing and health,</p>	Refer to response for Policy 32 - Community, Health and Well-being

Policy	Summary	Where is this addressed?
	as well as implications for the marine environment.”	
UK Marine Policy Statement (2011) Paragraph 2.6.2.1	Paragraph 2.6.2.1 states: “Activities and developments in the marine and coastal area can have adverse effects on air quality at various stages. The construction, operation and decommissioning phases of projects can involve emissions to air which could lead to adverse impacts on human health, biodiversity, or on the wider environment.”	Refer to response for Policy 32 - Community, Health and Well-being
UK Marine Policy Statement (2011) Paragraph 2.6.3.3	Paragraph 2.6.3.3 states: “Noise from marine activities can also affect people. An EU Directive on Environmental Noise (EU 2002/49/EC) that deals with noise impacts on people is currently under review. Excessive noise can have wide ranging impacts on the quality of human life, health, and use and enjoyment of areas, including those with high visual quality. Its impact therefore needs to be considered and managed appropriately.”	Refer to response for Policy 32 - Community, Health and Well-being.
UK Marine Policy Statement (2011) Paragraph 2.6.7.3	Paragraph 2.6.7.3 states: “Understanding the impacts and effects of climate change is key to maintaining a healthy environment.”	Refer to response for Policy 32 - Community, Health and Well-being
East Marine Plan (2014) Policy SOC1	Policy SOC1 states: “Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.”	Refer to response for Policy 32 - Community, Health and Well-being

### 6.28.5 Considerations for the SoS

500. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to ‘considerations for the SoS’.

501. Paragraph 4.4.1 of the NPS EN-1 set out matters relevant to Public Health. It is recognised that:

*"Access to energy is beneficial to society and human health as a whole".*

502. It is recognised in NPS EN-1 that producing energy required by the UK requires significant infrastructure, including large scale projects.
503. Where the proposed project has an effect on human beings, EN-1 states that the ES should assess these effects for each element of the Project, identifying any adverse health impacts, and identify measures to avoid, reduce or compensate for these impacts as appropriate.
504. Paragraph 4.4.7 and 4.4.8 of NPS EN-1 recognises that:
- "Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.*
- However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise."*
505. Where relevant, these potential effects are assessed under the relevant Chapters, such as Chapter 19 (document reference 6.1.19) and Chapter 26 (document reference 6.1.26).
506. Paragraphs 2.10.11-2.10.13 of NPS EN-5 sets out factors applicants should consider in relation to EMFs. The applicant has considered the potential for the generation of EMFs as a result of the onshore components of the Project. EMF has been scoped out of assessment following receipt of the Scoping Opinion.
507. The assessment of Health has had regard to the relevant requirements for assessment and is being carried out in accordance with those requirements.
508. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters. The environmental information and assessment carried out for the Project demonstrates that there is no conflict with any of the conditions set out by the NPSs which would lead to a refusal of development consent on the grounds of Public Health.
509. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to public health. Effects on public health should therefore not weigh against the substantial benefits of the Project when considering the planning balance of the Application.
510. Overall, the project is compliant with the NPSs with respect to policy relating to public health.

## 6.29 Climate change

511. This topic is assessed in Chapter 31 (document reference 6.1.31). References to sections and tables within Section 6.29 refer to Chapter 31 (document reference 6.1.31).

### 6.29.1 National Policy Statement: NPS EN-1

512. Table 6-73 sets out the relevant paragraphs from NPS EN-1 related to Climate Change and provides detail to where they are addressed by the project.

Table 6-73 NPS EN-1 related to Climate Change

Policy	Summary	Where is this addressed?
Paragraph 4.10.1	<p>Paragraph 4.10.1 states:</p> <p><i>“Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.”</i></p>	<p>As outlined within Chapter 31 (document reference 6.1.31), the impacts and future climate change projections have been accounted for. This is both within the climate change chapter and across each topic-specific chapter which includes a climate change section and description of the evolution of the baseline environment.</p> <p>In addition, throughout the ES, the applicant has set out mitigation measures to prevent climate change impacts give rise to any significant effects.</p>
Paragraphs 4.10.5 – 4.10.6	<p>Paragraphs 4.10.5 – 4.10.6 state:</p> <p><i>“In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps</i></p>	<p>Chapter 31 (document reference 6.1.31) concludes that the scheme will not give rise to consequential impacts in relation to climate change,</p>

Policy	Summary	Where is this addressed?
	<p><i>to maximise the use of nature-based solutions alongside other conventional techniques.</i></p> <p><i>Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.”</i></p>	<p>following the implementation of embedded and additional mitigation measures.</p> <p>Such impacts and the need for mitigation has been considered across each topic-specific chapter of the ES.</p>
<p>Paragraphs 4.10.8-4.10.11</p>	<p>Paragraphs 4.10.8-4.10.11 state:</p> <p><i>“New energy infrastructure will typically be a long-term investment and will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g., site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g., access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.</i></p> <p><i>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations. This information will be needed by the Secretary of State.</i></p> <p><i>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</i></p> <p><i>Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered</i></p>	<p>As outlined within Chapter 31 (document reference 6.1.31), the impacts and future climate change projections have been accounted for. This is both within the climate change chapter and across each topic-specific chapter which includes a climate change section and description of the evolution of the baseline environment.</p> <p>In addition, throughout the ES, the applicant has set out mitigation measures to prevent climate change impacts give rise to any significant effects.</p>

Policy	Summary	Where is this addressed?
	<p><i>alongside relevant research which is based on the climate change projections.</i></p> <p><i>Where energy infrastructure has safety critical elements, the applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation."</i></p>	

### 6.29.2 National Policy Statement: NPS EN-3

513. Table 6-74 sets out the relevant paragraphs from NPS EN-3 related to Climate Change and provides detail to where they are addressed by the project.

Table 6-74: NPS EN-3 related to Climate Change

Policy	Summary	Where is this addressed?
Paragraph 2.4.3	<p>Paragraph 2.4.3 states:</p> <p><i>"Section 4.10 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES."</i></p>	<p>As per Chapter 31 (document reference 6.1.31), each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed.</p>

### 6.29.3 National Policy Statement: NPS EN-5

514. Table 6-75 sets out the relevant paragraphs from NPS EN-5 related to Climate Change and provides detail to where they are addressed by the project.

Table 6-75: NPS EN-5 related to Climate Change

Policy	Summary	Where is this addressed?
Paragraph 2.3.2	<p>Paragraph 2.3.2 states:</p> <p><i>"As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is</i></p>	<p>As per Chapter 31 (document reference 6.1.31), each topic-specific chapter of the ES includes a climate change section and</p>



Policy	Summary	Where is this addressed?
	<p><i>underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to:</i></p> <ul style="list-style-type: none"> <li>• <i>flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change;</i></li> <li>• <i>the effects of wind and storms on overhead lines;</i></li> <li>• <i>higher average temperatures leading to increased transmission losses;</i></li> <li>• <i>earth movement or subsidence caused by flooding or drought (for underground cables); and</i></li> <li>• <i>coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.”</i></li> </ul>	<p>description of the evolution of the baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the baseline scenario can be assessed.</p>

#### 6.29.4 Other Policy Considerations

515. Table 6-76 sets out other policy considerations related to Climate Change and provides detail as to where they are addressed by the Project.

Table 6-76: Other Policy Considerations related to Climate Change

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 2.6.7.7	<p>Paragraph 2.6.7.7 states:</p> <p><i>“In marine planning and decision making consideration will need to be given to how the marine environment can adapt to the impacts of climate change. When developing Marine Plans, marine plan authorities should make an assessment of likely and potential impacts from climate change and their implications for the location or timing of development and activities over the plan period and beyond.”</i></p>	<p>Chapter 31 (document reference 6.1.30) and each topic-specific chapter of the ES includes a climate change section which assesses the operational aspects of the Project against climate change. The life impact assessment in Section 31.7 includes assessment of potential climate impacts and effects across construction, operation, and decommissioning phases.</p>
UK Marine Policy Statement (2011) Paragraph 2.6.7.8	<p>Paragraph 2.6.7.8 states:</p> <p><i>“Marine plan authorities should take account of the findings of the latest UK Climate Change Risk Assessment, relevant</i></p>	<p>The Project, as stated within Chapter 31 (document reference 6.1.31) has accounted for future climate change scenarios and</p>

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 2.6.7.9	<p><i>national adaptation programmes and the latest set of UK Climate Projections, as well as any other relevant research.</i></p> <p>Paragraph 2.6.7.9 states:</p> <p>“The assessment should be made in consultation with the relevant statutory agencies. If any adaptation measures give rise to consequential or additional impacts, such as on coastal change, as a result of protecting a development against flood risk or coastal change for example, the marine plan authority should consider their impacts in relation to the Marine Plan as a whole.”</p>	<p>projections. For instance, the characterisation of flood risk within Chapter 24 (document reference 6.1.24).</p> <p>As part of the EIA for the Project, consultation has been undertaken with various statutory and non-statutory authorities through the agreed Evidence Plan process. Following submission of the Scoping Report (Outer Dowsing Offshore Wind, 2022), a formal Scoping Opinion was sought from the relevant Secretary of State (SoS). The Scoping Opinion (Planning Inspectorate, 2022) was issued in September 2022 by Planning Inspectorate.</p> <p>Key consultees included local councils as well as wider stakeholders such as environmental non-departmental public bodies and relevant charities. Comments specific to climate change provided during the Scoping Opinion, Evidence plan phases and informal consultation are summarised in Chapter 31 (document Reference 6.1.30), which also provides a high-level response on how these comments have been addressed throughout the chapter. A full record of all consultation responses and a detailed overview of the consultation approach is provided in the consultation Report (document reference 5.1).</p>

Policy	Summary	Where is this addressed?
UK Marine Policy Statement (2011) Paragraph 2.6.8.6	<p>Paragraph 2.6.8.6 states:</p> <p><i>“Account should be taken of the impacts of climate change (consistent with the approach to adaptation outlined in section 2.6.7) throughout the operational life of a development including any decommissioning period. Marine plan authorities should not consider development which may affect areas at high risk and probability of coastal change unless the impacts upon it can be managed.”</i></p>	<p>Chapter 31 (document reference 6.1.30) and each topic-specific chapter of the ES includes a climate change section which assesses the operational aspects of the Project against climate change. The life impact assessment in Section 31.7 includes assessment of potential climate impacts and effects across construction, operation, and decommissioning phases.</p>
East Marine Plan (2014) Policy CC1	<p>Policy CC1 states:</p> <p><i>“Proposals should take account of:</i></p> <ul style="list-style-type: none"> <li>▪ • how they may be impacted upon by, and respond to, climate change over their lifetime and</li> <li>▪ • how they may impact upon any climate change adaptation measures elsewhere during their lifetime Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.” </li></ul>	<p>Chapter 31 (document reference 6.1.30) and each topic-specific chapter of the ES includes a climate change section which assesses the operational aspects of the Project against climate change. The life impact assessment in Section 31.7 includes assessment of potential climate impacts and effects across construction, operation, and decommissioning phases.</p>
East Marine Plan (2014) Policy CC2	<p>Policy CC2 states:</p> <p><i>“Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to emissions from other activities or users affected by the proposal.”</i></p>	<p>Chapter 31,(document reference 6.1.31) represents the findings of the EIA concerning the potential impacts of the Project on the climate, and the Projects resilience to changes in the climate during construction, O&amp;M, decommissioning. Where necessary, the Applicant has set out embedded and additional mitigation to prevent any significant effects arising from the scheme in relation to climate change.</p>
East Lindsey Local Plan Core	<p>The Vision and Objective 6 states:</p>	<p>The Project will make a substantial contribution in</p>

Policy	Summary	Where is this addressed?
Strategy 2016-2031 Vision and Objective 6	<p><i>“By 2031, East Lindsey will be a district with:-            A commitment to tackling the causes and effects of global climate change through local action.”</i></p>	<p>support East Lindsey in tackling climate change through the delivery of up to 100 wind turbines with a generating capacity of 1500MW that will support the UK in transitioning away from fossil fuels and consequently lower greenhouse gas emissions.</p>
East Lindsey Local Plan Core Strategy 2016-2031 Strategic Policy 27 (SP27)- Renewable and Low Carbon Energy	<p>Strategic Policy 27 (SP27)- Renewable and Low Carbon Energy states:</p> <p><i>“Large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to:</i></p> <ul style="list-style-type: none"> <li>a) residential amenity;</li> <li>b) surrounding landscape, townscape and historic landscape character, and visual qualities;</li> <li>c) the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site or other heritage asset;</li> <li>d) sites or features of biodiversity or geodiversity importance, or protected species;</li> <li>e) the local economy;</li> <li>f) highway safety; and</li> <li>g) water environment and water quality.”</li> </ul>	<p>The Project will make a substantial contribution to tackling climate change nationally through the delivery of up to 100 turbines that will support the UK in meeting net zero ambitions and support the delivery of clean and affordable energy. This is whilst being sympathetic to all the benefits and considerations listed within Policy 27, which have been managed most pertinently through the iterative site selection and design process which has ensured areas that are most sensitive and their significance have been avoided and preserved. For example, the site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding.</p>
South East Lincolnshire Local Plan 2011-2036	<p>Policy 31- Climate Change and Renewable and Low Carbon Energy states:</p> <p><i>“All development proposals will be required to demonstrate that the consequences of</i></p>	<p>The Project has accounted for future consequences of climate change, as outlined within Chapter 31 (document reference 6.1.31) which have</p>

Policy	Summary	Where is this addressed?
Policy 31- Climate Change and Renewable and Low Carbon Energy	<p><i>current climate change have been addressed, minimised and mitigated by:</i></p> <ol style="list-style-type: none"> <li><i>1. Employing a high-quality design;</i></li> <li><i>2. The adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</i></li> <li><i>3. The protection of the quality, quantity and availability of water resources, including for residential developments, complying with the Building Regulation water efficiency standard of 110 litres per person per day;</i></li> <li><i>4. Reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses;</i></li> <li><i>5. Incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity as required by Policy 28 to improve the resilience of ecosystems within and beyond the site.</i></li> </ol> <p><i>Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational. Proposals by a local community for the development of renewable and low carbon sources of energy, in scale with their community's requirements, including supporting infrastructure for renewable energy projects, will be supported and considered in the context of contributing to the achievement of sustainable development and meeting the challenge of climate change and against criteria B1-7."</i></p>	<p>then been considered through the ES. To give an example, the characterisation of flood risk within Chapter 24 (document reference 6.1.24) used the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects and has informed the embedded mitigation to ensure no significant effects materialise. The applicant is also committed to addressing climate through locational decisions; for example, the OTP (document reference 8.16) includes a range of measures to ensure transport movements are done in the most sustainable manner including target car share rations and compliance targets that will be measured and reported upon.</p> <p>In relation to post construction monitoring and decommissioning, this has been considered across all the ES chapters and proposed mitigation where necessary to ensure there are no significant impacts upon local communities and the environment.</p>

### 6.29.5 Considerations for the SoS

516. The reader should refer to the Policy Compliance Document (document reference 9.1.1) for a full discussion relating to 'considerations for the SoS'.

517. Section 2 of the NPS EN-1 recognises important role NSIP projects like that proposed under this application in terms of meeting UK climate change ambitions which is reflected in the government's policy approach to energy and energy infrastructure.

518. For example, paragraph 2.1.4 of EN-1 states:

*“The National Infrastructure Strategy (NIS)20 committed to boosting growth and productivity across the whole of the UK, levelling up and strengthening the Union through investment in rural areas, towns, and cities, from major national projects to local priorities. It also committed to government putting the UK on the path to meeting its net zero emissions target by 2050 by taking steps to decarbonise the UK’s power networks, and take steps to adapt to the risks posed by climate change.”*

519. Section 3 of NPS EN-1 recognises important role NSIP projects like ODOW play in terms of meeting UK climate change ambitions and targets whilst allowing us to adapt to future changes Paragraph 3.2.1-3.2.2 states:

*“The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and Nationally Determined Contributions.*

*We need a range of different types of energy infrastructure to deliver these objectives.”*

520. Part 4 NPS EN-1 sets out matters both the SoS and applicants should consider in relation to the impacts of climate change on large developments. In particular, there is an emphasis on accounting for future climate change predictions and scenarios, which is realised within paragraph 4.10.13 of the NPS EN-1:

*“The Secretary of State should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA’s Climate Change Allowances for Flood Risk Assessments or the Welsh Government’s Climate change allowances and flood consequence assessments<sup>153</sup>) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.”*

521. In alignment with the Institute of Environmental Management and Assessment (IEMA) EIA Guide to Climate Change Resilience and Adaptation (IEMA, 2020), and the requirements of the Infrastructure Planning Environmental Impact Assessment Regulations (2017) (Department of Communities and Local Government, 2017), the climate change assessment includes an evaluation of the following:

522. Greenhouse Gas (GHG) emissions impact assessment: a carbon assessment across the Project’s lifetime from construction through to decommissioning, including the nature and magnitude of GHG emissions and an assessment of carbon mitigation actions.

- Vulnerability to climate change: the Climate Change Resilience (CCR) assessment evaluates the potential impacts of climate change on the Project and how these impacts can be, and have been, ameliorated through the project design and planning stages.
- In-combination Climate Impact (ICCI) effects: the extent to which climate change exacerbates the effects of the Project on other environmental receptors.

- Where necessary, the Applicant has set out embedded and additional mitigation to prevent any significant effects arising from the scheme in relation to climate change.

523. For each potential impact, the sensitivity of the receptor and the magnitude of the impact. Informed by the UKCP18 projections data, as presented in Chapter 31 (document reference 6.1.31) under Future Baseline, expert judgment informed the determination of the level of sensitivity and magnitude attributable to each receptor and impact across the lifetime of the Project. Given the maximum 40-year operational lifetime of the Project, 2040 data is used to inform the CCR assessment of climate change impacts affecting the operational stage, and 2070 data is used to inform the assessment of decommissioning stage impacts.

524. Paragraph 4.10.15 of EN-1 advises that the SoS must:

*“be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.”*

525. Within Chapter 31 (document reference 6.1.31), future climate change projections have been assessed and accounted to ensure the proposed wind farm is resilient to climate change. Such projections have also been considered across all the ES chapters and appropriate mitigation has been set out where necessary. This includes measures to deal with future flooding and coastal erosion as a consequence of climate change.

526. Section 2.4 of NPS EN-3 reiterates the need for climate change to be considered within the ES, which as stated has been considered throughout relevant chapters. Therefore, the assessment of Climate Change has had regard to the relevant requirements for assessment and is being carried out in accordance with those requirements.

527. The construction, O&M and decommissioning of the Project will be carried out in accordance with the relevant NPSs and other identified material planning policy matters. The environmental information and assessment carried out for the Project demonstrates that there is no conflict with any of the conditions set out by the NPSs which would lead to a refusal of development consent on the grounds in relation to Climate Change.

528. The ES prepared for the Project indicates that there are no anticipated significant effects with regard to climate change. Effects on climate change should therefore not weigh against the substantial benefits of the Project when considering the planning balance of the Application.

529. Overall, the project is compliant with the NPSs with respect to policy relating to climate change.

## 7 Balance of Considerations and Overall Conclusions

530. This Planning Statement has been prepared to assist the Secretary of State with the determination of the DCO application for the Project.
531. The Planning Statement has detailed the planning policy context against which this DCO application should be decided. The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.
532. These paragraphs state:
533. The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure which is urgent, as described for each of them in this Part. 3.2.7 In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008. 3.2.8 The Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS.
534. The Project will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. The Needs Statement that supports this DCO application (see Chapter 2 (document reference 6.1.2)) explains in detail the UK's commitment to decarbonisation and should be read alongside this Planning Statement. The Needs Statement that supports this DCO application (see Chapter 2 (document reference 6.1.2)) explains in detail the UK's commitment to decarbonisation and should be read alongside this Planning Statement.
535. An increase in the amount of renewable energy generated by offshore wind will contribute to better energy security and the resilient network required to meet future demand.
536. The Project will be a necessary part of the future generation mix, and as such will make a valuable contribution in the direction of adopted UK Government policy and achievement of decarbonisation commitments.
537. With the energy sector contributing approximately 21% of all Greenhouse Gas in the UK<sup>5</sup> and the urgent need to replace polluting generating stations, such as coal, the Project will play a critical role in helping to reduce carbon emissions.
538. Alongside the overall environmental benefits, further development in the offshore wind sector can contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.

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<sup>5</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1051408/2020-final-greenhouse-gas-emissions-statistical-release.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1051408/2020-final-greenhouse-gas-emissions-statistical-release.pdf)



539. There is a large amount of policy support for offshore windfarms in the NPSs and also the East Inshore and East Offshore Marine Plan. The NPSs provide the basis against which the DCO application should be assessed against as stated by Section 104 of the 2008 Act.
540. It is important to note that a new policy presumption known as a critical national priority (CNP) for offshore wind, and supporting onshore and offshore network infrastructure, and related network reinforcements has been introduced to EN-1, EN-3 and EN-5. This means that these projects are viewed as being essential for achieving the UK's net zero emissions target by 2050 and should be progressed as quickly as possible.
541. This new policy means that, subject to any legal requirements, the urgent need for offshore wind to achieving our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy.
542. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. However, as has been demonstrated within the ES, there will be no residual impact in relation to these topics.
543. NPS EN-1 sets out that given the level and urgency of need for energy infrastructure, the decision maker should start with a presumption in favour of granting consent to applications for energy NSIPs unless more specific policies set out in relevant NPSs clearly indicate that consent should be refused, or the adverse impacts will outweigh the benefits. The Project has been developed to limit any adverse impacts in line with the NPSs as demonstrated in the policy analysis.
544. In addition to the NPSs, the MPS (2011) discusses the importance of offshore wind. The Marine Policy Statement (2011) highlights at Paragraph 3.3.3 that:
545. *“A significant part of the renewable energy required to meet these targets and objectives will come from marine sources. Offshore wind is expected to provide the largest single renewable electricity contribution as we move towards 2020 and beyond.”*
546. It goes on to state at 3.3.4 that:
547. *“The potential impact of inward investment in offshore wind, wave, tidal stream and tidal range energy related manufacturing and deployment activity; as well as the impact of associated employment opportunities on the regeneration of local and national economies. All of these activities support the objective of developing the UK's low carbon manufacturing capability.”*
548. Furthermore, Paragraph 3.3.40 emphasises the importance of offshore wind by stating:

549. *The UK has some of the best wind resources in the world and offshore wind will play an important and growing part in meeting our renewable energy and carbon emission targets and improving energy security by 2020, and afterwards towards 2050. Harnessing and connecting offshore wind is currently more technologically challenging and more expensive than harnessing and connecting onshore wind. However, offshore wind has a larger potential, due to a stronger and more consistent wind source at sea leading to higher power outputs. As the most mature of the offshore renewable energy technologies, it has the potential to have the biggest impact in the medium-term on security of energy supply and carbon emission reductions through its commercial scale output. Expansion of the offshore wind supply is likely to require significant investment in new high-value manufacturing capability with potential to regenerate local and national economies and provide employment.”*
550. The East Marine Plan (2014) (Policy GOV1) further advises that appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.
551. The MPSs have been considered where relevant throughout the Planning Statement and it has been demonstrated that the Project is aligned with the objectives and policies within these documents.
552. EN-1 (Paragraph 4.1.12 - 4.1.14) states that:
553. “Other matters that the Secretary of State may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.”
554. A review of both county council and local planning authority Development Plan Documents have been considered and there are no conflicts. In particular, allocations have been considered during the onshore site selection for the Project to avoid conflict with site specific planning allocations.
555. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with both National and local planning policy.

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