

# Outer Dowsing Offshore Wind

## (Draft) Statement of Common Ground with Natural England

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## Acronyms & Definitions

### Abbreviations / Acronyms

Abbreviation / Acronym	Description
<b>AfL</b>	Agreement for Lease
<b>DCO</b>	Development Consent Order
<b>dML</b>	deemed Marine Licence
<b>ECC</b>	Export Cable Corridor
<b>FFC</b>	Flamborough and Filey Coast
<b>GT R4 Limited</b>	GT R4 or GT R4 Limited, the incorporated joint venture development Co.
<b>GW</b>	Gigawatt
<b>IDRBNR SAC</b>	Inner Dowsing Race Bank and North Ridge SAC
<b>MHWS</b>	Mean High Water Springs
<b>ODOW</b>	Outer Dowsing Offshore Wind, trading name of GT R4 Limited
<b>OLEMS</b>	Outline Landscape and Environmental Management Strategy
<b>ONS</b>	Onshore Substation
<b>OSS</b>	Offshore Substation
<b>RIAA</b>	Report to Inform Appropriate Assessment
<b>SAC</b>	Special Area of Conservation
<b>SoCG</b>	Statement of Common Ground

### Terminology

Term	Definition
<b>The Applicant</b>	GTR4 Limited (a joint venture between Corio Generation (and its affiliates), TotalEnergies and Gulf Energy Development), trading as Outer Dowsing Offshore Wind
<b>Array Area</b>	The area offshore within which the generating stations (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling are positioned, including the ORBA.
<b>Development Consent Order (DCO)</b>	The area offshore within which the generating stations (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling are positioned.
<b>deemed Marine Licence</b>	A marine licence set out in a Schedule to the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
<b>Environmental Statement</b>	The suite of documents that detail the processes and results of the EIA.
<b>Offshore Export Cable Corridor (ECC)</b>	The Offshore Export Cable Corridor (Offshore ECC) is the area within the Order Limits within which the export cable running from the array to landfall will be situated.
<b>Outer Dowsing Offshore Wind (ODOW)</b>	The Project
<b>The Project</b>	Outer Dowsing Offshore Wind, an offshore wind generating station together with associated onshore and offshore infrastructure.

## Reference Documentation

ODOW Application Document Reference	Application Document
3.1	Draft DCO
6.1.7	Marine Physical Processes
6.1.9	Benthic and Intertidal Ecology
6.1.11	Marine Mammals
6.1.12	Offshore and Intertidal Ornithology
6.1.22	Onshore Ornithology
6.1.21	Onshore Ecology
6.3.3.1	Cable Burial Risk Assessment [CONFIDENTIAL]
15.13	ENVISION Outer Dowsing Export Cable Corridor Sabellaria Review- Review and Interpretation of Survey Data
7.1	Report to Inform Appropriate Assessment
7.1	Report to Inform Appropriate Assessment [CONFIDENTIAL]
7.6.1	Without Prejudice Sandbank Compensation Plan
7.6.1.1	Sandbank Compensation Implementation and Monitoring Plan
7.6.3	Without Prejudice Benthic Compensation Evidence Base and Road Map
8.5	Outline Cable Specification and Installation Plan
8.7	In Principle Southern North Sea Special Area of Conservation Site Integrity Plan
8.21	Outline Scour and Cable Protection Management Plan

# 1 Introduction

## 1.1 Outer Dowsing Offshore Wind (ODOW)

1. Outer Dowsing Offshore Wind ('the Project') is a proposed offshore windfarm comprising both offshore and onshore infrastructure, including an offshore generation station (windfarm), with an Array Area located approximately 54km from the Lincolnshire coastline, export cables to landfall, onshore cables, connection to the electricity transmission network and ancillary and associated development.
2. The Project will have a total installed capacity of 1.5GW which is roughly equivalent to the annual electricity consumption of over 1.6million UK households.

## 1.2 Purpose of this Statement of Common Ground (SoCG)

3. Natural England are the government's advisor for the natural environment in England with the aim to conserve, enhance and manage the natural environment for the benefit of present and future generations, thereby contributing to sustainable development.
4. This SoCG has been prepared by ODOW ('the Applicant') [and Natural England<sup>1</sup>] to identify topics that are relevant to Natural England's statutory role and state whether relevant matters are agreed, not agreed or still in discussion. If relevant, where matters are not agreed, an explanation is provided as to whether these matters are of consequence or not.
5. This SoCG has been prepared with due regard to the Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects (Ministry of Housing, Communities and Local Government and Department for Communities and Local Government (DCLG), 2024).

## 1.3 Consultation

6. The Applicant has engaged with Natural England during the pre-application process, through statutory consultation carried out under section 42 of the Planning Act 2008, bilateral engagement and participation in the Evidence Plan Process (EPP).
7. During the Phase 2 consultation held by the Applicant in June/July 2023 the MMO provided comments on the Preliminary Environmental Information Report (PEIR).
8. Additionally, as part of the Applicant's participation in the NSIP Reform Early Adopters Programme (EAP) Natural England submitted a Principal Areas of Disagreement Summary Statement (PADSS) which has formed the basis for this SoCG.

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<sup>1</sup> Natural England have advised the Applicant that they will not review a draft Statement of Common Ground until later in Examination. The Applicant will continue to engage with Natural England with a view to seeking their input into this Statement of Common Ground.

## 1.4 Topics addressed in this Statement of Common Ground

9. Table 1 sets out the topics addressed in this SoCG. The topics referred to are referenced against the relevant chapter of the Environmental Statement (ES) or other DCO application plans and documents.

Table 1: Topics Included in this SoCG

Topic	Application Documents and references	EPP (Yes/No)
Marine Physical Processes and Benthic Ecology	Marine Physical Processes (APP-076) Benthic and Intertidal Ecology (APP-064)	Yes
Marine Mammals	Marine Mammals (APP-066)	Yes
Ornithology	Offshore and Intertidal Ornithology (AS1-040) Onshore Ornithology (APP-077)	Yes
Onshore Ecology	Onshore Ecology (APP-076)	Yes
DCO/DML conditions	Draft DCO (REP1-006)	No

## 1.5 Identification of items agreed/not agreed/in discussion

10. This SoCG sets out the relevant topics and identifies them as agreed, not agreed or in discussion using a colour coding system. The colour coding system used throughout the document is summarised in Table 2.

Table 2: Colour coding system

Classification	Meaning
Agreed	Agreement has been reached between the parties
Agreed in principle	The Applicant understands agreement has been reached but this has not yet been confirmed by Natural England
In discussion	This matter has not been 'agreed' or is 'not agreed' but discussions are continuing; or information is to will be provided with the intention of reaching agreement
Not agreed (No material impact)	This matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact.
Not Agreed	This matter has not been agreed and discussions are not currently on-going

## 1.6 Status Update of items agreed/not agreed/in discussion

11. Table 3 to Table 10 sets out a status update of items agreed throughout the examination process to identify where agreement has been reached between the parties for the topics highlighted.



## 2 Statement of Common Ground

### 2.1 Marine Physical Processes and Benthic Ecology

12. The Applicant has considered the potential impacts of the Project seaward of Mean High Water Springs (MHWS) and on specific receptors above MHWS on marine physical processes, and on benthic ecology receptors, during the construction, operation and maintenance and decommissioning phases as set out in Chapter 7 Marine Physical Processes (APP-062), Chapter 9 Benthic and Intertidal Ecology (APP-064) and the Report to Inform Appropriate Assessment (AS1-095).
13. Marine Physical Processes and Benthic Ecology were included within the Marine Ecology, Coastal Processes and Compensation & Derogation panel as part of the EPP. Minutes of the meetings held as part of the EPP can be found in Appendix 5.1.15 of the Consultation Report submitted as part of the Project's application for development consent (APP-052).
14. Table 3 sets out areas of agreement (common ground), areas where discussions are ongoing and areas where it has not been possible to reach agreement and discussions are no longer being pursued relating to Marine Physical Processes and Benthic Ecology.

Table 3: Marine physical processes

Ref	Applicant Position	Stakeholder Position	Status
	<b>Study Area</b> The Applicant considers an appropriate study area has been included in the assessment.		
	<b>Baseline Data</b> The Applicant considers they have used relevant and appropriate desk based data and project specific survey data to inform a robust and appropriate baseline characterisation for Marine Physical Processes.		
	<b>Assessment Methodology</b> The Applicant considers that an appropriate assessment has been used for the basis of the assessment.		
	<b>Maximum Design Scenario/ Worst Case Scenario</b> The Applicant considers that a realistic MDS and WCS has been established for the impact assessments.		

Table 4 Benthic ecology

Ref	Current Position	Stakeholder Position	Status
	<p><b>Study Area</b></p> <p>The Applicant considers an appropriate study area has been included in the assessment. Agreed at PEIR.</p>		
	<p><b>Baseline Data</b></p> <p>The Applicant considers they have used relevant and appropriate desk based data and project specific survey data to inform a robust and appropriate baseline characterisation for Marine Physical Processes.</p>		
	<p><b>Assessment Methodology</b></p> <p>The Applicant considers that an appropriate assessment methodology has been used for the basis of the assessments.</p>		
	<p><b>Maximum Design Scenario/ Worst Case Scenario</b></p> <p>The Applicant considers that a realistic MDS and WCS has been established for the impact assessments.</p>		
PADS NE3	<p><b>Adverse effect on integrity to features within the Inner Dowsing Race Bank and North Ridge (IDRBNR): SAC Annex I Sandbank</b></p> <p>The Applicant considers that the Project will not have an AEoI of the IDRBNR SAC, with the commitment to cable burial as the primary cable protection method and, where cable protection is necessary, only removable cable protection will be used on sandbanks (see ref. 3, Schedule of Mitigation (PD1-058)).</p>		

Ref	Current Position	Stakeholder Position	Status
PADS NE4	<p><b>Adverse effect on integrity to features within the Inner Dowsing Race Bank and North Ridge (IDRBNR) SAC: Annex I ‘reefs’ (Sabellaria spinulosa)</b></p> <p>The Applicant considers that the Project will not have an AEoI of the IDRBNR SAC, with the commitment to cable burial as the primary cable protection method and only removable cable protection will be used on sandbanks (see ref. 3, Schedule of Mitigation (PD1-058)). The Applicant remains confident that, based on all data submitted at Application, and confirmed through additional studies (PD1-098), the absence of any qualifying Annex I reef features within the offshore ECC, plus additional mitigation to avoid any reef which may consequently form, the potential for an AEoI on this feature of the IDRBNR SAC can be excluded beyond reasonable scientific doubt.</p>		
PADS NE5	<p><b>The Crown Estate Agreement for Lease</b></p> <p>The Applicant notes that paragraph 6.1.2 of The Crown Estate’s Appropriate Assessment (TCE, 2022) concluded that it was not possible to undertake a reasonable and meaningful assessment of cable route impacts at plan-level. Paragraph 6.2.4 goes on to state that the Export Cable Region Assessment (ECRA) is a high-level risk-based analysis that does not replace or prejudice project level assessments and conclusions. “The ECRA has been used to evaluate the overall risk of an AEOSI from each Export Cable Region (and the Export Cable Regions</p>		

Ref	Current Position	Stakeholder Position	Status
	collectively), alone and in-combination with other plans and projects. The assessment does not replace the information requirements of project level HRAs and does not attempt to pre-empt their conclusions.”		
PADS NE6 and NE7	<p><b>“Without Prejudice” Compensation Measures</b></p> <p>The Applicant considers that these measures retain value as potential without-prejudice compensation measures. The Applicant refers the ExA to the detailed responses to the concerns raised regarding these measures in response to Annex D of REP-045.</p> <p>The Applicant will update the Examining Authority on the progress of the development of the various without prejudice compensation options as appropriate throughout the Examination. The Applicant refers the ExA to the detailed responses regarding these measures in response to Annex D of REP-045 and in Q1 BE 2.1 of The Applicant’s Responses to The ExA’s First Written Questions (ExQ1) (Document reference 19.2)</p>		

## 2.2 Marine Mammals

15. The Applicant has considered the potential impacts of the Project seaward of MHWS on marine mammals during the construction, operation and maintenance and decommissioning phases as set out in Chapter 11 Marine Mammals (APP-066) and the Report to Inform Appropriate Assessment (AS1-095).
16. A Marine Mammal panel was convened as part of the EPP. Minutes of the meetings held as part of the EPP can be found in Appendix 5.1.15 of the Consultation Report submitted as part of the Project’s application for development consent (AS1-034).

17. Table 6 sets out areas of agreement (common ground), areas where discussions are ongoing and areas where it has not been possible to reach agreement and discussions are no longer being pursued relating to Marine Mammals.

Table 5: Marine mammals

Ref	Current Position	Stakeholder Position	Status
	<b>Study Area</b> The Applicant considers an appropriate study area has been included in the assessments.		
	<b>Baseline Data</b> The Applicant considers they have used relevant and appropriate desk based data and project specific survey data to inform a robust and appropriate baseline characterisation for Marine Physical Processes.		
	<b>Assessment Methodology</b> The Applicant considers that an appropriate assessment methodology has been used for the basis of the assessments.		
	<b>Maximum Design Scenario/ Worst Case Scenario</b> The Applicant considers that a realistic MDS and WCS has been established for the impact assessments.		
PADS NE8	<b>Southern North Sea SAC: effectiveness of the Site Integrity Plan (SIP) process</b>		

	<p>The Applicant considers that the SIP process remains the most effective method by which to manage the in-combination effects on the Southern North Sea SAC from multiple noise generating activities. Within the Outline Site Integrity Plan (PD1-048) the Applicant notes that the use of Noise Abatement Systems (NAS) is a mitigation option which may be used to avoid the thresholds being exceeded, however, the most appropriate measures will be identified prior to construction when further details as to the activities that will overlap with the construction of the Project are known. Therefore, the Applicant does not consider it appropriate to commit to NAS at this stage, when the need for this is not yet established.</p>		
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### 2.3 Offshore and Intertidal Ornithology

18. The Applicant has considered the potential impacts of the Project seaward of MHWS on intertidal and offshore ornithology during the construction, operation and maintenance and decommissioning phases as outlined in Chapter 12 Offshore and Intertidal Ornithology (AS1-040) and the Report to Inform Appropriate Assessment (AS1-095).
19. An Offshore Ornithology and Derogation & Compensation panel was convened as part of the EPP. Minutes of the meetings held as part of the EPP can be found in Appendix 5.1.15 of the Consultation Report submitted as part of the Project’s application for development consent (AS1-034).
20. These impacts have been quantified and impacts assessed within the Report to Inform Appropriate Assessment (AS1-095) submitted as part of the DCO application.

Table 6: Offshore ornithology

Ref	Current Position	Stakeholder Position	Status
	<p><b>Study Area</b> The Applicant considers an appropriate study area has been included in the assessment.</p>		
	<p><b>Baseline Data</b></p>		

	<p>The Applicant considers they have used relevant and appropriate desk based data and project specific survey data to inform a robust and appropriate baseline characterisation for Marine Physical Processes.</p>		
	<p><b>Assessment Methodology</b></p> <p>The Applicant considers that an appropriate assessment has been used for the basis of the assessments. The Applicant presented its understanding of the “Natural England” approach within the DCO Application alongside the Applicant’s preferred approach. The Applicant has provided updated assessments using the latest advice from Natural England and aligning with the recently published JNCC guidance (JNCC, August 2024) within the Environmental Report for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor (PD1-081) and associated appendices (PD1-086 to PD1-090) and the Habitats Regulations Assessment for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor (PD1-091 and PD1-092).</p>		
	<p><b>Maximum Design Scenario/ Worst Case Scenario</b></p> <p>The Applicant considers that a realistic MDS and WCS has been established for the impact assessments.</p>		
PADS NE10	<p><b>Impacts on and proposed compensation for Flamborough and Filey Coast Special Protection Area (FFC SPA) Guillemot and Razorbill</b></p>		

	<p>As a result of continuing engagement with stakeholders, and enabled by progress on engineering design, the area within which the Wind Turbine Generators (WTGs) and Offshore Platforms (OPs), up to four offshore substations and one accommodation platform, will be positioned has been refined as set out in the Environmental Report for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor (PD1-081).</p> <p>The ORBA has been introduced to reduce the impact from the presence of the WTGs (and offshore platforms) on auk species (specifically common guillemot and razorbill), informed by a consideration of geophysical and geotechnical data. This has reduced the impact to guillemot by approximately 15% from that presented in the Report to Inform Appropriate Assessment (AS1-095) at DCO Application.</p> <p>The Applicant is continuing to further develop the proposed without prejudice compensation measures for guillemot and razorbill, including having undertaken survey work of the identified sites to provide information on both colony counts as well as disturbance events, reactions of birds to the disturbance and impacts on productivity since the DCO Application was submitted to inform the Additional Measures for Guillemot and Razorbill (as detailed within APP-259). Where appropriate, updates on the progress of these without-prejudice measures will be provided throughout the Examination phase.</p>		
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<p>PADS NE12</p>	<p><b>Impacts on and proposed compensation for Flamborough and Filey Coast Special Protection Area (FFC SPA) Kittiwake</b></p> <p>The Applicant has provided updated assessment values for kittiwake within the Environmental Report for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor (PD1-081) and the Habitats Regulations Assessment for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor (PD1-091).</p>		
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## 2.4 Onshore Ornithology

21. The Applicant has considered the potential impacts of the Project landward of Mean High Water Springs (MHWS) on onshore ornithology during the construction, operation and maintenance and decommissioning phases as outlined in Chapter 22 Onshore Ornithology (APP-067).

Table 7: Onshore ornithology

Ref	Current Position	Stakeholder Position	Status
<p>NE13, I1</p>	<p><b>Baseline Characterisation – Overwintering bird species</b></p> <p>The Applicant submitted season two wintering bird survey addendum (AS1-108), which documents the methods and results from the second season of wintering and passage bird surveys, covering the period from September 2023 to April 2024. The impact assessment and mitigation measures documented in the EIA (APP-077) and RIAA have been reviewed and amendments have been presented in the Addendum (AS1-108) and RIAA (AS1-097).</p>		

	Therefore, the Applicant considers that sufficient data have been presented to inform robust impact assessment.		
12	<p><b>Impact assessment – Functionally Linked Land – Crop rotation and land use</b></p> <p>The Applicant completed analyses of crop utilisation by the key species using FLL against availability and rotation of crops within Order Limits plus 400m.</p> <p>Crop types utilised by the key qualifying features within the survey area are presented in season two wintering bird survey addendum (AS1-108).</p> <p>Further information on land use within the Order Limits and a sample three-year crop retention pattern in a wider area are documented in a clarification note 15.11: Additional clarifications relating to Natural England’s Relevant Representations (Appendix I Onshore Ornithology) (PD1-093).</p> <p>Therefore, the Applicant considers that sufficient information was provided to assess suitability of mitigation measures for the key species using FLL.</p>		
13	<p><b>Impact assessment – Functionally Linked Land – Pink-footed geese of the Wash SPA</b></p> <p>The season two winter bird survey addendum (AS1-108) provides details of the distribution and abundance surveys for pink-footed goose, including a review of any changes required to the assessment or mitigation measures for this species.</p>		

	<p>The season two results show that between zero and three flocks of pink-footed goose were recorded per visit across the approximately 70km long onshore survey area. Flocks typically moved location between visits. Flocks were recorded feeding and loafing in fields with bare soil, cereal and stubble. Based on a small number of flocks, moving around between fields and utilising common field types, the Applicant considers that localised working restriction remains a suitable mitigation measure.</p> <p>The Applicant notes that Natural England’s guidance on mitigation for pink-footed goose is tailored to situations where the species is primarily feeding on sugar beet, which is not the case within the survey area. A sample study of over 2,000 ha of land within the onshore Order Limits (Dalcour Maclaren) which was undertaken in 2023 recorded only ~2% sugar beet (See 15.11 Additional clarifications relating to Natural England’s Relevant Representations (Appendix I Onshore Ornithology)) (PD1-093). The season two wintering bird surveys recorded pink-footed geese utilising bare ground, cereals and stubble rather than sugar beet. Therefore, the suggested mitigation strategy is not applicable to the Project.</p> <p>Therefore, the Applicant considers a separate Mitigation Strategy for pink-footed geese and other Annex I species unnecessary.</p>		
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<p>14</p>	<p><b>Impact Assessment – Functionally Linked Land – Noise disturbance upon ecological receptors</b></p> <p>Potential for impacts on ecological receptors have been considered in line with the Air Quality Technical Advisory Group (AGTAG) 09 guidance. This guidance recommends absolute noise limits and therefore baseline sound surveys at the ecological receptors were not undertaken. It is the Applicant’s understanding that impact risk zones (IRZs) identify buffers from a SSSI boundary within which certain types of development may have an impact on the designated site. They do not give details of areas of known FLL.</p> <p>With regards to the FLL, Section 22.8.1.3 of ES Chapter 22 (APP-077) considers disturbance of protected and priority bird species, including those utilising FLL, drawing on evidence from a report by The Institute of Estuarine and Coastal Studies (IECS) (Cutts et al., 2009). This report provides a review of the evidence relating to construction disturbance impacts on non-breeding waterfowl and was used to develop a Waterbird Disturbance Mitigation Toolkit (Cutts et al., 2013). The Toolkit provides evidence relating to waterbird disturbance levels and sensitivity and was used to inform the impact assessment for each relevant species.</p>		
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	<p>Furthermore, the assessment set out survey buffers determined through the consultation process these were 400m for wintering waterbirds and 100m for breeding priority species. These are considered reasonable distances up to which target bird species may be disturbed by the planned construction works.</p>		
15	<p><b>Mitigation – Localised Working</b></p> <p>The Applicant considers that designated species distribution patterns have been reflected in the design of the mitigation, as evidenced by the targeted measures included in specific locations to address ‘hotspot’ areas, including the seasonal restriction at and around the “The Haven” crossing and the screening and noise attenuation bund at the Landfall to protect birds within the coastal nature reserves.</p> <p>The season two wintering bird survey addendum (AS1-108) provides additional information on the preferred foraging habitat within the survey area and the mitigation measures were reviewed to account for this, with amendments provided in the addendum. Mitigation measures have been amended following review of the season two data, specifically to extend the seasonal restriction around The Haven to include a soft start to works in April in order to minimise disturbance to dark-bellied brent geese.</p>		

	<p>For other species utilising potential FLL, which have a widespread distribution and move between fields between visits, the localised working restriction is appropriate, as explained in Section 22.8.1.3 of APP-077 (e.g. for lapwing).</p> <p>As stated above (NEI4 - Noise), the disturbance assessment, and therefore mitigation requirements, have taken account of species-specific disturbance distances, as detailed for individual species in Section 22.8.1.3 of APP-077.</p>		
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## 2.5 Onshore Ecology

22. The Applicant has considered the potential impacts of the Project from the MLWS along the Onshore Export Cable Corridor (ECC) and the Onshore Substation (OnSS) on onshore ecological receptors during the construction, operation and maintenance and decommissioning phases as outlined in Chapter 21 Onshore Ecology (APP-076).

Table 8: Onshore ecology

Ref	Current Position	Stakeholder Position	Status
NE14	<p><b>Horizontal Directional Drilling at landfall</b></p> <p>The Applicant continues to engage with Triton Knoll to benefit from lessons learned from any impacts or complications experienced at the landfall location as a result of horizontal direction drilling (HDD) operations.</p>		
NE15	<p><b>Sea Bank Clay Pits SSSI</b></p>		

	<p>NE request that further site specific data on the hydrographic conditions which maintain designated features at Sea Bank Clay Pits SSSI be provided. The results of this survey should be used to provide a detailed method statement to show how adverse impacts to the SSSI can be avoided/reduced.</p> <p>An updated version of the OCoCP (document 8.1 (Version 2)) has been submitted, securing construction stage water monitoring through committing to a pre-construction 'Water Quality Monitoring and Mitigation Plan' that would describe the regime for pre-construction and construction monitoring of private water supplies and other locations (including Sea Bank Clay Pits SSSI).</p> <p>This plan will also detail mitigation measures in the event of any impacts being identified during construction. The draft DCO has been updated (3.1 Draft Development Consent Order (Version 3)) to secure that a Water Quality Monitoring and Mitigation Plan forms a part of the Code of Construction Practice to be submitted for approval pursuant to DCO Requirement 18.</p>		
NE17	<p><b>Letters of No Impediment</b></p> <p>The Applicant has drafted licence applications in respect of great crested newt (GCN) and water vole, which have been submitted to Natural England with the aim of obtaining LoNIs prior to the examination. Post-submission of the licence applications, the Applicant has been in discussions with Natural England and has been informed that an Annex 2 LoNI will be achievable for both water vole and GCN.</p>		

	Based on the current information, it is the applicant's assessment that the Project will not lead to any licensable impacts on any other species. An updated version of the OLEMS (version 3) (PD1-054) has been submitted with detailed annexes to provide the rationale for this.		
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## 2.6 DCO and dML conditions

23. Table 9 refers to the draft DCO requirements and dML conditions which are set out within the draft DCO (REP1-006) submitted as part of the Project's DCO application.

Table 9: DCO and dML conditions

Ref	Current Position	Stakeholder Position	Status
NE18	Updated DCO requirements and dML conditions were included in the draft DCO (REP1-006) and ODOW application.		
PADS NE18	<p><b>Marine Recovery Fund</b></p> <p>The Applicant refers to its detailed comments in row A1 of Table 1.45.2.1 of The Applicant's Responses to Relevant Representations (PD1-071).</p>		
PADS NE19	<p><b>Compensation Schedules</b></p> <p>The Applicant refers to its detailed comments in row A2 of Table 1.45.2.1 of The Applicant's Responses to Relevant Representations (PD1-071).</p>		



## 2.7 Pre-Application actions

24. The following actions relate to pre-application advice and comments Natural England issued to the Applicant as part of their participation in the Expert Topic Group (ETGs) convened as part of the EPP and the PADSS.
25. Due to the considerable overlaps between topic covered in the ETGs and the issue trackers developed through the ETGs specific stakeholders, including Natural England, were invited to participate in the PADSS trial, which the Applicant has been engaging with as part of the NSIP Early Adopters Programme launched by the Planning Inspectorate to trial potential components of a future enhanced pre-application service.
26. A copy of the ETG issues logs and the PADSS submitted by Natural England were included as appendices to the Consultation Report (AS1-034)

Table 10: Pre application items highlighted by Natural England

Ref	Current Position	Stakeholder Position	Status
NE19	<p><b>Evidence Plan Process</b></p> <p>The Project's application has been accepted by the Planning Inspectorate and deemed complete and robust. The Applicant will continue to engage with stakeholders in respect of any issues raised during the EPP and identified from the suite of application documents.</p>		
NE20	<p><b>Evidence Plan Process</b></p> <p>The Applicant has submitted assessments based on the required 24 months of data for marine mammals, offshore and onshore ornithology and <i>Sabellaria</i> assessments for Natural England's review. The Applicant will continue to engage with Natural England to reach agreement on baseline characterisation.</p>		
NE21	<p><b>Evidence Plan Process</b></p>		

	The Applicant submitted modelling data and impact assessments as part of the application including robust site specific modelling data and empirical evidence validated from adjacent windfarm and cable developments.		
NE22	<p><b>Baseline Data</b></p> <p>A full suite of baseline data and impact assessments was submitted as part of the DCO application.</p>		