Application by GT R4 Limited (trading as Outer Dowsing Offshore Wind for the Outer Dowsing Offshore Wind project The Examining Authority's further written questions and requests for information (ExQ2) Issued on 13 January 2025

The following table sets out the Examining Authority's (ExA's) further written questions and requests for information – ExQ2.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of 4 September 2024. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with Q2 (indicating that it is from ExQ2) and then has an issue short code and a question number. For example, the first question on general and cross topic questions is identified as Q2 GC 1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact outerdowsingoffshorewind@planninginspectorate.gov.uk and include 'Outer Dowsing Offshore Wind' in the subject line of your email.

#### **The Examination Library**

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library can be obtained from the following link:

Examination Library It will be updated as the Examination progresses.

#### **Citation of Questions**

Questions in this table should be cited as follows:

Issue reference: topic reference: question number, e.g. Q2 GC 1.1 – refers to question 1 in this table (the first question in the 'General and cross topic Questions' category). Each topic has a short code for reference; these codes are given before each topic item in the table of contents below:

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ExQ2: Monday 13 January

ExQ2	Question to:	Question:	
GC General	GC General and Cross-topic Questions		
1. De	esign, parameters and o	ther details of the Proposed Development	
Q2 GC 1.1	The applicant	Environment Act 2021 targets  Paragraph 4.3.20 of National Policy Statement (NPS) EN-1 requires the Secretary of State to have regard to the achievement of the statutory targets set under the Environment Act 2021. The applicant's response to this in its Policy Compliance Document [AS-012] does not directly address the targets individually and it is not clear where they are addressed in the relevant chapters of the Environmental Statement (ES) as suggested.  Please provide details of how the project may contribute to the targets or signpost to where such detail is already provided.	
Q2 GC 1.2	The applicant interested parties Environment Agency (EA)	National Planning Policy Framework and Legislation  The applicant and interested parties are requested to provide comments on any updates or changes to UK Government legislation, policy, or guidance relevant to the determination of this application that have been issued since the submission of the application.  To the applicant and interested parties: Please include a summary of the implications, if any, for this Examination.  To the applicant and the Environment Agency (EA) Paragraphs 173 to 175 of the revised National Planning Policy Framework 2024 outline a sequential, risk-based approach for individual applications in areas currently or potentially at risk from any form of flooding. Provide a summary of implications, if any, for this Examination with respect to Climate Change, Flooding and Coastal Change.  Note: Such updates should include, but need not be limited to, the National Planning Policy Framework published on 12 December 2024, the Clean Power 2030 Action Plan published on 13 December 2024, and other recently published Ministerial statements and policy papers.	

ExQ2	Question to:	Question:
Q2 GC 1.3	The applicant Relevant interested parties	Operational lifetime The applicant's response to ExQ1 DCO 1.9 [REP2-051] sets out that the applicant's assessments have assumed long-term impacts from the proposed development during its operational phase and that therefore its conclusions would apply for an operational lifetime that exceeds 35 years.  In this response the applicant also provided a high-level summary of the position for each of the assessments it has carried out.  The applicant's Environmental Impact Assessment Methodology [APP-060, paragraphs 50 and 51] determines the time period within which the ES has assessed that a given impact may be experienced. This methodology established that the operation period has been assessed as being up to 35 years.  The ExA notes that the applicant states in its response that it is not seeking a time-limited consent and the applicant's statement that it cannot precisely define the lifetime of the proposed development at this time. Nevertheless, the ExA requires clarity to establish what operational time period the applicant has assessed in its ES. For each of the topic areas listed in the applicant's response to ExQ1 DCO 1.9 [REP2-051] (as well as any others that may be relevant), provide signposting which indicates where an operational lifetime in excess of 35 years has been assessed in the ES and where the methodology for such an assessment is set out.
		Relevant interested parties are also invited to comment on this matter, if appropriate.
2. Env	vironmental Statement an	d In-Principle Monitoring Plan (General)
Q2GC21	The applicant	Cumulative effects updates Provide updates, as appropriate, to the assessment of cumulative effects in the ES, having regard to any progress and new details submitted in relation to other projects. This should include details of the review of offshore projects as identified in the applicant's response to ExQ1 GC 2.1 [REP2-051].

ExQ2	Question to:	Question:
Q2 GC 2.2	The applicant	Offshore In-Principle Monitoring Plan (Offshore IPMP)
		In paragraph 5 of Appendix L of its deadline 3 response [REP3-075] NE has set out what it considers are a number of overarching concerns with the Offshore IPMP [APP-276] in terms of details that should be provided.
		Comment on NE's concerns, detail which of the measures referenced by NE, the Applicant intends to address in an updated version of the Offshore IPMP and provide a timetable for the submission of this updated Offshore IPMP.
		If the applicant does not intend to update the Offshore IPMP to reflect any of NE's concerns, then it should set out its reasoning.
		In addition, the applicant is requested to explain how the ExA can have confidence that the Offshore IPMP would provide a sufficiently robust document with appropriate safeguards to respond to any subsequent post-examination amendments that may be required as a result of future discussions and monitoring results taking place.
BE Benthic E	cology, Intertidal, Subtid	al and Coastal Effects
Q2BE1.1	The applicant	Risk and issues log unresolved issues
		Please provide a response to each unresolved marine and coastal processes (tab B), benthic and intertidal ecology (tab C) and benthic compensation (tab D) issue listed in Natural England's (NE) Risk and Issues Log [REP3-074] and associated appendices [REP3-067] and REP3-068] submitted at deadline 3 (D3) clarifying:
		what action, if any, has been taken by the applicant to seek to address the issue to date
		<ul> <li>what actions are planned to be taken to address outstanding issues and by when. This should include details of any plans and documents to be updated and confirmation of the means by which they are secured in the dDCO.</li> </ul>
		issues upon which the applicant disagrees with NE's position and where this is likely to remain the case at the close of the examination. In such cases, please provide justification

ExQ2	Question to:	Question:
		for not adhering to NE's advice having regard to relevant policy, legislation, guidance and evidence.
Q2 BE 1.2	Natural England (NE)	Updated reports
		The applicant has updated Chapter 9 Appendix 2 Benthic Ecology Technical Report [REP3-018] and the Offshore Export Cable Corridor (ECC) Sabellaria spinulosa Reanalysis Report [REP3-035] at D3 to address the request from NE in Appendix C of its Deadline 1 submission [REP1-059]. Provide a response and detail any implications arising from the consideration of these reports.
Q2 BE 1.3	Natural England (NE)	Sandwave Levelling Study
		Provide a response to the applicant's Sandwave Study [REP3-047] and detail any implications arising from the consideration of this report.
Q2 BE 1.4	Natural England (NE)	Applicant's responses to NE
		The applicant's comments on ExQ1 responses [REP3-054] Table 1.2 signposts a number of documents where the applicant believes they have provided a response to NE's concerns.
		For example, "Point 4 of Tab B of the Risks and Issues log refers to the Maximum Design Scenario (MDS) seabed disturbance parameters for boulder clearance, pre-lay grapnel run, and UXO clearance. The applicant has responded to this point within Response B10 of Table 1.45.3.2 within PD1-071."
		<ul> <li>Comment on whether the responses the applicant refers to in Table 1.2 satisfy your concerns, and if not please detail specifically what is required.</li> </ul>
		• In the next iteration of the Risk and Issues Log, please can NE elaborate on the commentary for unresolved issues where "no change" is cited for progression, having regard to the applicant's responses, where given? Please specify where remedy required by the applicant would go beyond NE's general advice that where the applicant considers issues to be resolved "an amendment or commitment will need to be included within the relevant secured named technical document or plan and reviewed within the wider context of the Application".

ExQ2	Question to:	Question:
Q2 BE 1.5	The applicant	Marine Net Gain
		The applicant's Biodiversity Net Gain (BNG) report [APP-302] refers only to onshore net gain.
		<ul> <li>How has the applicant sought opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity and the wider environment where possible offshore in line with National Policy Statement (NPS) EN1 para 4.6.6?</li> </ul>
		<ul> <li>ES Chapter 7 Marine Physical Processes [APP-062] states that consideration of Marine Net Gain is presented in Supplementary Document 8.3. This document does not appear to have been submitted. Submit this document if you are citing its contents as evidence in the application and signpost where in the document marine net gain is considered.</li> </ul>
CM Civil and	d Military Aviation and Co	mmunication
Q2 CM 1.1	Defence Infrastructure	Mitigation for Primary Surveillance Radar (PSR) Neatishead and Staxton Wold
	Organisation (DIO)	The applicant's response to ExQ1 CM 1.1 [REP2-051] states that it is confident that the necessary mitigation for Neatishead and Staxton Wold will be in place by 2030 and therefore before the project is operational. The ExA also notes from the applicant's ExQ1 responses that it commits to provide an update on discussion with the DIO at deadline 4, including the proposal of a potential new requirement to address PSR mitigation.
		Please confirm if the DIO is also confident that the necessary mitigation will be place prior to the operation of the project and provide preferred drafting of a new requirement to secure this.
Q2 CM 1.2	NATS En Route Ltd	Mitigation for PSR Cromer and Claxby
		Please confirm if the latest drafting of requirement 32 of the draft Development Consent Order (dDCO) [REP3-007] as submitted at deadline 3 adequately secures the necessary mitigation. If not, please provide alternative preferred drafting.
Q2 CM 1.3	Defence Infrastructure	Physical obstruction
	Organisation (DIO)	The applicant's response to the DIO's answer to ExQ1 CM 1.2 [REP3-054] states that "Conditions providing for 'Aviation safety' have been added as Part 2, Condition 10 of the deemed marine licences contained in Schedules 12, 13, 14 and 15, as requested by the MoD"
		Please confirm if the DIO is satisfied with the dDCO in this regard. If not, please provide alternative drafting.

### Responses due by Deadline 4: Monday 03 February 2025

ExQ2	Question to:	Question:
Q2 CM 1.4	The applicant Defence Infrastructure	Holbeach Air Weapons Ranges
	Organisation (DIO)	To the applicant and DIO:
		The applicant and the DIO are invited to provide an update on discussions to confirm the spatial extent of the safeguarding zones associated with Holbeach Air Weapons Range, to identify any necessary mitigation and the means by which this would be secured.
		To the applicant:
		Given that Section 16.5.1.2 of the Environmental Statement (ES) [AS1-042] confirms that potential impacts on the Air Weapons Range have been scoped out, please can the applicant clarify any implications for the ES.
Q2 CM 1.5	Defence Infrastructure	Wide Area Multilateral (WAM) network
	Organisation (DIO)	Please confirm if the DIO is satisfied with the applicant's response to ExQ1 CM 1.8 [REP2-051] as well as its feedback [REP3-054] on the DIO's own response to that question. If not, please specify necessary actions.
Q2 CM 1.6	The applicant	Aviation and navigation lighting attracting birds
	Natural England (NE)	The ExA notes the respective responses to ExQ1 CM 1.11 from the applicant [REP2-051] and NE [REP2-074]. The applicant refers to the "Use of white or green lights where possible" as mitigation. In contrast, NE state that "studies suggest that blue, green, and other "cool" colour temperature light may be more disruptive to seabirds than "warm' yellow, or red lights."
		The applicant's response [REP3-054] to NE's advice does not address this apparent conflict.
		To the applicant:
		<ul> <li>The applicant is invited to provide further comments on this matter and put forward revised mitigation, if appropriate.</li> </ul>
		To NE:
		NE is invited to comment on the applicant's position.

## **CC Climate Change**

The ExA has no further questions on this topic at this time.

ExQ2: Monday 13 January
Responses due by Deadline 4: Monday 03 February 2025

ExQ2	Question to:	Question:	
CF Commercia	CF Commercial Fisheries and Fishing		
Q2 CF 1.1	The applicant	Assumptions regarding the continuation of fishing activities  The ExA is aware of the applicant's response to ExQ1 CF1.1 in [REP2-051]. However, on the basis that skippers of fishing vessels will make their own decisions on whether or not to resume fishing activities within the array area once operational, it would not appear to be entirely unrealistic to assess the possibility that no fishing activities would take place. Indeed, in Table 14.2 of ES Chapter 14 [APP-069] the National Federation of Fishermen's Organisations comments that:  "We disagree with the assumption that potting effort can continue in the site postconstruction This is not known, as many factors influence whether potting can continue to take place in offshore windfarm sites."  As such the ExA does not consider that a possible worst-case scenario (ie of no fishing activities at all being undertaken within the operational area) has been assessed in ES Chapter 14: Commercial Fisheries [APP-069] as this considers that some commercial fishing, primarily potting activities, would be able to take place within the array area. Taking this into account, justify the conclusions reached in ES Chapter 14 if, for Impact 6, it was assumed that no fishing activities whatsoever could take place within the array area once operational?	
Q2 CF 12	Eastern Inshore Fisheries and Conservation Authority (EIFCA)	Assessment of effects on commercial fishing activities  The ExA notes that the Eastern Inshore Fisheries and Conservation Authority (EIFCA) has been consulted by the Applicant, as recorded in Table 14.2 of ES Chapter 14 [APP-069]. Does EIFCA have any outstanding concerns regarding either the Applicant's assessment of effects on commercial fishing activities or the mitigation measures that the Applicant has proposed?	

ExQ2	Question to:	Question:	
CA Compul	CA Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations		
Q2 CA 1.1	Affected persons/relevant interested parties	Known inaccuracies  Are any Affected Persons or relevant Interested Parties aware of any inaccuracies in the BoR [REP3-011], SoR [REP3-014] or Land Plans [REP3-004] and [REP3-005]?  This question is repeated, with updated examination library references, in the absence of responses from any affected persons or relevant interested parties at deadline 2	
DCO Draft E	Development Consent Or	der (dDCO)	
Q2 DCO 1.1	Lincolnshire County Council (LCC) The applicant	Part 3, Article 15 To LCC: In its response to ExQ1 DCO 1.6the applicant [REP2-051] set out its view that the power to alter the layout of any street is reasonable and necessary and provides sufficient flexibility to the applicant without providing a disproportionate amount of discretion to it. Does LCC agree? If not, why not?  To the applicant:  Provide examples of scenarios specific to the proposed development which would result in the applicant altering the layout of a street beyond the order limits in support of the inclusion of these powers within the dDCO. Since the ExA is concerned with the powers sought as they relate to the application before it, further reference to other consented orders is not requested, nor would such further reference be considered helpful to the examination	
Q2 DCO 1.2	Lincolnshire County Council (LCC)	<ul> <li>Schedule 1, part 3. Requirement (R) 9</li> <li>R9 of the dDCO [REP3-006] establishes that the onshore substation works must be carried out in accordance with the details set out in requirement R9(1), which in turn must be in accordance with the Design Principles Statement [APP-293]. Is the local authority satisfied that the level of detail submitted within the Design Principles Statement [APP-293] is sufficient for it to assess whether details submitted under R9(1) would be in accordance with it?</li> <li>Should an independent design review process also be secured under R9? If not, why not? (applicant is also welcome to respond to this question).</li> </ul>	

ExQ2: Monday 13 January

ExQ2	Question to:	Question:	
FSE Fish an	FSE Fish and Shellfish Ecology		
Q2FSE1.1	Cefas	Response to Natural England's concerns regarding herring and sandeel  Natural England (NE) in its RR, page 13 of [RR-045], has raised concerns about herring spawning grounds and preferential habitat for sandeel. However, NE defers to the technical expertise of Cefas. As no response was received to ExQ1 FSE 1.2 the ExA is asking again as to whether Cefas has any comments regarding the potential impacts of the Proposed Development on herring and sandeel that NE has identified? Please submit any comments you may wish to make by no later than Deadline 4.	
Q2FSE12	The applicant	Temporal restriction on piling activities  In its response to ExQ1 FSE 1.3 [REP2-092] the MMO has stated that it did not consider that temporal piling restrictions to mitigate for impacts on herring spawning would necessarily need to be enacted across the entire array and offshore ECC area. However, the MMO considered that it would be for the applicant to provide the information to inform this.  Has this assessment work been done? If it has not yet been undertaken, is this something the applicant proposes to do (and if so, set out when this information will be provided). If not, then the applicant is requested to justify its reasoning for not undertaking this assessment.	
Q2FSE1.3	The applicant	Information relating to the application of a 135 decibels Single Strike Sound Exposure threshold  In its most recent submission in annex 7 of [REP3-077] the MMO has maintained its position regarding the need for assessment of a 135 decibel threshold impact range for behavioural effects on herring using the Hawkins et al (2014) study methodology. In its relevant representation [RR-042] the MMO notes the limitations of the Hawkins et al study but also considers that it represents: "the best current scientific evidence from which a quantitative threshold can be derived for the purposes of modelling behavioural responses in herring."  The ExA notes that the applicant has set out its argument in response to this matter in The Applicant's Responses to Relevant Representations [PD1-071].	

ExQ2	Question to:	Question:
		Notwithstanding the applicant's stated views on this, the applicant is nevertheless requested to provide the information sought by the MMO on this matter on a 'without prejudice' basis.
DES Good	Design	
Q2 DES 1.1	Lincolnshire County	Progress of the design process post-submission
	Council (LCC)	In its response to ExQ1 DES 1.1 [REP2-051] the applicant noted that it had concluded that further substation visualisations would not be necessary. Do you agree?
Q2 DES 1.2	The applicant	Design Principles, key aspects
		In its response to ExQ1 DES 1.3 [REP2-051] the applicant notes that in its view design options can only be developed in detail once a decision has been made between the Air Insulated Switchgear (AIS) and Gas Insulated Switchgear (GIS) options it currently has for the onshore substation.
		In response to questioning during Issue Specific Hearing 3 [EV7-002] the applicant reiterated its approach and further clarified that its AIS option would not result in a large substation building within the landscape.
		The ExA notes that it is not uncommon for early stage design exploration to take place for most building typologies in advance of an application for consent, particularly those which would have a significant impact on their context and setting. The existence of options at an early design stage is neither unusual, nor would this be a factor which in itself precludes the exploration of design approaches for these options. In this case the applicant is clear that only its GIS option would result in it imposing larger sized buildings within the landscape and that this option would require greater consideration in terms of the design of a larger increased building mass, including elements such as roof design, choice of cladding material, and application of colour. Since there is only one 'building' option, the ExA reiterates it's request for the applicant to set out the factors which prevent it from developing early stage design studies for:
		the design of the built form, including the roofscape
		cladding material(s)
		cladding colour

ExQ2	Question to:	Question:
		finishes for external fittings including doors, rainwater goods and external ironmongery
		as they would relate to this building option for the onshore substation.
Q2 DES 1.3	The applicant	Effectiveness of mitigation
		In its response to ExQ1 DES 1.4 [REP2-051] the applicant relies on the effectiveness of new planting to mitigate the landscape and visual effects of the proposed substation structures, noting that its priority would be to implement effective mitigation in the shortest practicable timeframe. Notwithstanding this, the applicant notes that its proposed planting would not mitigate significant effects until a period sometime between 5 and 15 years after it is put in place.
		Explain with reasons why the applicant believes that the development of an integrated, site-specific, co-ordinated design solution for the substation structures is viewed as a less effective and timeframe efficient approach to minimising the adverse effects of the proposed substation structures than a planting strategy with its associated multi-year timescale.
HOE Habita	its and Onshore Ecology,	including Onshore Ornithology
Q2 HOE 1.1	The applicant	Outstanding matters identified on Natural England's Risk and Issues Log
		Please provide a response to each unresolved onshore ecology (tab H) and onshore ornithology (tab I) issue listed in Natural England's (NE) Risk and Issues Log [REP3-074] and associated appendices [REP3-072] and REP3-073] submitted at deadline 3 clarifying:
		<ul> <li>what action, if any, has been taken by the applicant to seek to address the issue to date</li> </ul>
		<ul> <li>what actions are planned to be taken to address outstanding issues and by when. This should include details of any plans and documents to be updated and confirmation of the means by which they are secured in the dDCO</li> </ul>
		<ul> <li>issues upon which the applicant disagrees with NE's position and where this is likely to remain the case at the close of the examination. In such cases, please provide justification for not adhering to NE's advice having regard to relevant policy, legislation, guidance and evidence.</li> </ul>
Q2 HOE 1.2	Natural England (NE)	Outstanding matters identified on NE's Risk and Issues Log
		The ExA notes NE's advice outlined in its covering letter to its deadline 3 submissions [REP3-066] that "Where the Applicant considers their response to be sufficient, we reiterate that for issues to be considered resolved, an amendment or commitment will need to be included within

ExQ2	Question to:	Question:
		the relevant secured named technical document or plan and reviewed within the wider context of the Application."
		The ExA also note that the applicant has provided responses to matters raised by NE, including in its response to NE's relevant representation [PD1-071], responses to ExQ1 [REP2-051] and in its comments on deadline 1 submissions [REP2-053]. However, it is not always clear how NE has considered the applicant's position when it comes to update its Risk and Issues Log. For example, the applicant has provided a detailed explanation of its position in relation to NE's advice on the use of a 200m buffer to assess impacts from construction dust where the onshore order limits pass close to a designated site (NE reference H1). However, the corresponding row on NE's Risk and Issues Log [REP3-074] merely states "no change" across each deadline to date.
		In response to ExQ1 LU 1.23 [REP2-074], NE did address the applicant's response to issues H19 and H22 from NE's Risk and Issues log appearing to indicate that it had no further concerns. However, the latest version of the Risk and Issues Log submitted at deadline 3 still show both issues as amber with "no change" recorded against progress.
		Please provide clarification on the above
		<ul> <li>In the next iteration of the Risk and Issues Log, please elaborate on the commentary for unresolved issues where "no change" is cited for progression, having regard to the applicant's responses, where given. Please specify where remedy required by the applicant would go beyond NE's general advice that where the applicant considers issues to be resolved "an amendment or commitment will need to be included within the relevant secured named technical document or plan and reviewed within the wider context of the Application"</li> </ul>
		<ul> <li>Please confirm the extent to which the Outline Landscape and Ecological Strategy (OLEMS)     [REP3-028] as updated at deadline 3 resolves outstanding concerns.</li> </ul>

ExQ2	Question to:	Question:
Q2 HOE 1.3	The applicant	OLEMS - bat mitigation
		The applicant's response to NE's deadline 1 submission [REP2-053] regarding bat mitigation (H1, paragraph 9) noted that "The timings stated within the OLEMS (PD1-057) and the Schedule of Mitigation (V3 submitted as part of Deadline 2) relating to the provision of artificial flightlines will be updated to reflect the recommendations i.e. these will be provided throughout the year where required. An updated OLEMS will be submitted at Deadline 3".
		However, it is not clear from the OLEMS submitted at deadline 3 if these changes have been made.
		Please provide clarification and make any necessary updates to the OLEMS.
Q2 HOE 1.4	Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC) Lincolnshire Wildlife Trust (LWT)	Hedgerow related amendments to the draft Development Consent Order (dDCO) Provide comments on the applicant's proposed amendments to the dDCO as outlined in its change notification [REP3-050] dated 13 December 2024 on: amendments to the dDCO (Document 3.1) (dDCO) based on the Applicant's review of The Management of Hedgerows (England) Regulations 2024; and amendment to the dDCO to include within Schedule 17, Part 2 a further important hedgerow under the Hedgerow Regulations 1997 which may be required to be removed. The ExA confirmed on 20 December that the amendments were not substantial changes that would warrant a formal change request [PD-019].
Q2 HOE 1.5	The applicant	Arable field margins  The applicant provides clarification [REP3-053] regarding the status and purpose of arable field margins as referenced in the OLEMS in its deadline 3 submission [REP3-028]. The updated OLEMS also reflects the intended focus on ecological field margins. However, paragraph 240 of the OLEMS still states "Information regarding the types of arable field margins that could be sown are available from Natural England (Website)."  • Please elaborate on the type of margins that might be sown and update the OLEMS, if appropriate  • If paragraph 240 is intended to direct the reader to the relevant NE website with the necessary information, please specify which website and provide a link to it

ExQ2: Monday 13 January
Responses due by Deadline 4: Monday 03 February 2025

ExQ2	Question to:	Question:
Q2 HOE 1.6	Lincolnshire County Council (LCC)	Local Impact Report (LIR) - Overall impact of the development on biodiversity and ecology Paragraph 8.31 of the LCC's LIR [REP1-053] concludes that "If the mitigation measures including the establishment of an ecological steering group are secured and delivered as proposed the Council considers that the development would have a minor negative impact on onshore ecology" If the establishment of an ecological steering group is not secured, what would LCC's position be on the overall impact on ecology?
Q2 HOE 1.7	Lincolnshire Wildlife Trust (LWT)	Onshore cable routing and grid infrastructure  Please confirm if the applicant has sufficiently addressed matters raised by LWT in response to its relevant representation [PD1-071] and in response to ExQ1 HOE 1.6 [REP3-054].
Q2 HOE 1.8	The applicant Lincolnshire County Council (LCC)	<ul> <li>Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund</li> <li>Please provide an update on any negotiations regarding the Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund.</li> <li>LCC is invited to share details of any other Nationally Significant Infrastructure Projects in Lincolnshire where an Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund have been sought and if they have been secured.</li> </ul>
Q2HOE 1.9	Natural England (NE) Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC) Lincolnshire Wildlife Trust (LWT)	Monitoring, aftercare and compliance audits  Please provide comments on the applicant's response to ExQ1 HOE 1.14 [REP2-051], its feedback on other responses to ExQ1 HOE 1.14 [REP3-054], as well as the related updates to the OLEMS [REP3-028].

ExQ2: Monday 13 January
Responses due by Deadline 4: Monday 03 February 2025

ExQ2	Question to:	Question:
Q2 HOE 1.10	The applicant Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC) Lincolnshire Wildlife	Compensatory habitat for skylark and yellow wagtail  The applicant's response to ExQ1 HOE 1.11 [REP2-051] refers to the use of severed agricultural land to provide compensatory habitat for skylarks and yellow wagtail. It states "The mitigation on severed land is not included in the Order Limits and therefore not secured in the dDCO however the Applicant has agreed voluntary Heads of Terms with 94% of landowners along the ECC route and these agreements contain provisions for severed land. The Applicant is therefore confident that the mitigation measures are secured and can be implemented".  • Can the applicant please clarify if details of compensatory habitats will be subject to consultation and approval with relevant stakeholders? If not, why not? If so, how is this secured?  • NE, LCC, ELDC, BBC, SHDC and LWT are invited to comment on the applicant's approach
Q2 HOE 1.11	Trust (LWT)  The applicant	Boston Alternative Energy facility compensation site  The applicant's response to ExQ1 HOE 1.12 [REP2-051] states that it is expected that the Wyberton Roads South compensation site will be delivered in advance of the applicant's construction phase and that the applicant will continue to liaise with Boston Alternative Energy Facility (BAEF) to ensure synergy between the two projects.  • Should section 3.7.5.3 of the OLEMS [REP3-028] include reference to the need for continued engagement with BAEF?  • Please provide details of any feedback from BAEF in relation to the applicant's proposed mitigation for the compensation site.
Q2 HOE 1.12	The applicant The Royal Society for the Protection of Birds (RSPB)	Impacts on the RSPB's Frampton Marsh and Freiston Shore reserves  Please provide an update on the RSPB's intention [REP1-047] to provide the applicant with a plan of the water supply pipeline and the applicant's commitment in response [REP3-038] to update the crossing plan and schedule in order to avoid any damage to the pipeline as a result of the Proposed Development.

ExQ2	Question to:	Question:
Q2 HOE 1.13	The Royal Society for the Protection of Birds (RSPB)	Lincolnshire Wash Landscape Recovery Project  Please provide the RSPB's review of the applicant's OLEMS [REP3-028] in relation to alignment with the Landscape Recovery Project as indicated in the RSPB's Written Representation [REP1-047].
	eneral Questions	
Q2 HRA 1.1	The applicant	Updates to the Report to Inform Appropriate Assessment (RIAA)  As per the advice from Natural England (NE) in Appendix I2 of its deadline 3 submission [REP3-073], please update the Report to Inform Appropriate Assessment (RIAA) [AS1-095] to consider the second year of onshore bird data and NE's advice provided at deadline 1 [REP1-066] and deadline 3 [REP3-073] in relation to potential impacts and the need for further mitigation measures to remove the risk of an Adverse Effect on Integrity (AEoI) on the Wash Special Protection Area (SPA).  Also, the offshore restricted build area (ORBA), that has now been accepted into the examination, has resulted in different predicted mortality predictions for a number of species such as guillemot, razorbill and kittiwake. The ExA is aware that action point 4 from ISH 2 [EV6-004] requires the applicant at deadline 4 to update the HRA and compensation documents to reflect the changes to figures as a result of the ORBA introduction and to ensure consistency of presentation for any updated figures with explanations where necessary.  In addition to this, for ease of comparison, the ExA requests that the applicant submits a summary document that contains all the appropriate figures that have been amended due to the introduction of the ORBA and a summary of the changes made to the assessments. This should include the predicted offshore and intertidal ornithological mortalities and any associated compensation requirements that have been amended to account for this.

ExQ2	Question to:	Question:
Q2HRA12	The applicant	Potential for Adverse Effect on Integrity on The Wash SPA  Notwithstanding the above, the ExA notes that NE still identifies a risk of an AEoI on the Wash SPA as reiterated in Appendix I2 of its deadline 3 submission [REP3-073].  In order to take account of the potential situation whereby AEoI on the Wash SPA cannot be ruled out, please provide the necessary information for a derogation case on a 'without prejudice' basis.
Q2 HRA 1.3	The applicant and Natural England (NE), The Marine Management Organisation (MMO) and The Royal Society for the Protection of Birds (RSPB)	The Applicant's Mid Examination Principal Issues Tracker  The applicant's deadline 3 Mid Examination Principal Issues Tracker [REP3-052] would seem to be at odds with the position of NE in its latest Risk and Issues Log Deadline 3 [REP3-074] in that in [REP3-052] there are no matters that are colour coded as red (ie the interested party / parties and the applicant are unable to align their positions) whereas in [REP3-074] there are a number of issues that are still colour coded as red, particularly in relation to offshore ornithology compensation.
		The ExA notes that the criteria for a colour coding of red varies between that applied by NE and that used by the applicant. NE uses a red colour coding where it considers that it is not possible to ascertain beyond reasonable doubt that there would not be an effect on the integrity of an SAC/SPA/Ramsar site or to highlight where there is a significant risk that an issue will not be sufficiently addressed within the examination timescales. However, the applicant's definition of a red colour coding in [REP3-052] is that "The Interested Party / Parties are unable to align their positions." Whilst an amber colour coding is where "The Interested Party / Parties are in discussions to discern whether positions can be aligned."
		<b>To applicant:</b> To what degree is there consistency between the colour coding system that has been applied respectively in, for example, [REP3-074] and [REP3-052] and if there is inconsistency then how can the ExA or any interested parties usefully compare between the two sets of documents?
		To the applicant, NE, RSPB and MMO: Based on the colour codings used and their definitions, is the applicant painting an overly-optimistic picture in [REP3-052] in regard to the outstanding

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ExQ2	Question to:	Question:
		disagreements with organisations such as NE, RSPB and the MMO and the likelihood of these matters being resolved during the remaining course of the Examination? If not, then please explain why?
Q2 HRA 1.4	The applicant	Updated in-combination assessment
		In response to ExQ1 HRA 1.2 the applicant in [REP2-051] has stated that it will be undertaking an updated in-combination assessment to include revised data from other projects where the status has changed since the start of this examination. Please advise when this updated in-combination assessment will be submitted and whether the results will be presented to NE prior to submission of any update.
2 Derog	gation Case and Compens	ation Measures
Q2 HRA 2.1	Natural England (NE)	Assessment of the amount of guillemot and razorbill compensation
	The Royal Society for the Protection of Birds (RSPB)	In its deadline 3 submission Guillemot and Razorbill: Compensation Quanta [REP3-049] the applicant has expressed serious concerns about the multiplier effects that would give rise to what it considers to be a significant degree of over-precaution. In the Executive Summary of [REP3-049] the applicant contends that using NE's preferred approach would require the delivery of compensation for guillemot " at a scale in line with 17% of the English breeding population and to deliver compensation for razorbill at a scale in line with the global population" and that "a compensation calculation method that returns requirements at this scale cannot be considered fit for purpose and does not align with the appropriate use of the precautionary principle."
		requirements in this context.
Q2HRA22	The applicant	Updated information on compensation measures for razorbill and guillemot
		In Risk and Issues Log Deadline 3 submission [REP3-074] NE has maintained a number of overarching concerns (colour coded as red) about the Applicant's approach to the formulation of its proposed compensation measures and the amount of information that has been provided for kittiwake, guillemot and razorbill.

ExQ2	Question to:	Question:
		The ExA notes that for a number of these 'red' issues NE's position at deadline 3 is that it has not responded to the tracked version of the Predator Control Evidence Base and Roadmap [REP2-026] and will respond at deadline 4. Notwithstanding this, please comment on the current situation regarding the concerns raised by NE in [REP3-074] regarding compensation measures and for each of the matters that are colour coded as red specify whether the applicant is intending to submit any additional information to address the concerns that have currently been raised by NE. If not, then the applicant is requested to explain why.
Q2 HRA 2.3	Natural England	Non-material change to the Order regarding lead-in time for Offshore ANS for kittiwakes
	Royal Society for the Protection of Birds	On 27 November 2024 the applicant indicated in [REP2-064] that it would seek to reduce the lead-in time for the provision of the proposed offshore artificial nesting structures (ANSs) from 3 years down to 2 years. The applicant has provided its Lead-in periods for kittiwake breeding on Artificial Nesting Structures [REP2-060] to provide justification for its proposal.
		Comment on the acceptability of this proposed reduction and whether, in your view, this would affect in any way the methodology regarding the calculation of the proposed compensation measures for the kittiwake feature of the FFC SPA. If so, then please stipulate what updates to the assessment methodology you would wish the applicant to undertake and which of the submitted examination documents would require updating as a result.
Q2 HRA 2.4	The applicant	Commencement of work at the Plémont Seabird Reserve
		In response to ExQ1 HRA 2.7 the applicant has stated in [REP2-051] that work funded by the applicant will be undertaken at the site from 2025. Having regard to this:
		<ul> <li>Will details of any such work at the Plémont Seabird Reserve be provided before the close of the examination that is scheduled for April 2025?;</li> </ul>
		<ul> <li>When and how is the success or not of this work to be monitored to inform other potential compensation measures?</li> </ul>
Q2 HRA 2.5	The applicant	Auk and kittiwake compensation on artificial nesting structures (ANS)
		In response to ExQ1 HRA 2.3 the applicant stated in [REP2-051] that: "An ANS concept study (commercially sensitive) is being undertaken by the Applicant. The design of the ANS will incorporate nesting spaces specifically tailored to accommodate guillemot, and razorbill in addition to kittiwake."

ExQ2	Question to:	Question:
		When will this study be completed and if this is during the course of this examination will all, or at least some, elements of this study be submitted into the examination? If it is ready but not submitted then explain why.
Q2HRA26	The applicant	The provision of adaptive management and / or additional compensation measures In relation to ExQ1 HRA 2.8 in the Applicant's Responses to the ExA's First Written Questions [REP2-051] the applicant has stated that:  "In the event that The Secretary of State deems that compensation beyond that which could be provided by the Plémont Seabird Reserve is necessary then the Additional Measures across the sites in South West England and the use of ANS which will be designed to accommodate both auk species are secondary and tertiary measures to enable any necessary compensation quantum to be met. Should the Secretary of State agree that the Plémont Seabird Reserve provides sufficient compensation for the project, then the Additional Measures across the suite of sites in the South West of England and the use of ANS could represent adaptive management measures."
		The ExA infers from the above statement that these additional measures would only be undertaken prior to / at the start of the proposed development if the applicant is required to do so by the Secretary of State. However, if not required to do so by the Secretary of State, these could represent adaptive management practices in the future if required.
		In the event of the latter approach:
		<ul> <li>how can the ExA be confident that a commitment to these as adaptive management measures is adequately secured in the dDCO?</li> </ul>
		<ul> <li>what would be the monitoring and assessment process that would trigger the implementation of the additional adaptive management measures that have been referenced in response to ExQ1 HRA 2.8 in [REP2-051]?</li> </ul>
		<ul> <li>within what timescale would the monitoring to inform the above assessment be undertaken and how would this be consulted upon?</li> </ul>

ExQ2	Question to:	Question:
		<ul> <li>how would the adaptive management practices be prioritised for implementation, for example would ANS for auks or further measures at the Plémont Seabird Reserve take precedence over the potential management measures at the South West sites?</li> </ul>
Q2 HRA 2.7	The applicant	Additional measures in the Without Prejudice Guillemot and Razorbill Compensation Strategies
		In response to ExQ1 HRA 2.9 and HRA 2.10 the applicant has stated in [REP2-051] that: "Compensation potential has been calculated using published regional productivity rates (Horswill and Robinson 2015) as 'expected productivity' and recent historic peak counts as a proxy for maximum colony size. The potential for compensation is the difference between the outputs of the colony at the maximum size with the expected productivity, compared to the current outputs."  The applicant is requested to either submit these calculations into the examination, or if these
		have already been provided to and agreed with NE, to provide evidence of such agreement.
Q2 HRA 2.8	The applicant	Calculations on compensation requirements for kittiwake
		In its deadline 3 submission Appendix G1 [REP3-071] NE has set out its reasoning for its preference for the use of the 'Hornsea 3, stage 2' calculation method for calculating the compensation requirement for kittiwake of the FFC SPA.
		The ExA is aware of the applicant's stated preference for applying the 'Hornsea Four' method, however, please comment on the argument that has been put forward by NE in this regard.
Q2HRA2.9	The applicant	The application of a modified Hornsea Four compensation requirement calculation method for razorbill and guillemot
		In its deadline 3 submission Appendix G1 [REP3-071] NE has set out its reasoning for its preference for the use of the 'Hornsea 3, Stage 2' calculation method for calculating the compensation requirement for guillemot and razorbill of the FFC SPA and the applicant has reported on this matter in its Guillemot and Razorbill Compensation Quanta [REP3-049].
		The ExA is aware of the applicant's views on the compensation requirement calculations as, for example, expressed in the Guillemot and Razorbill Compensation Quanta [REP3-049]. The ExA

ExQ2	Question to:	notes that NE has put forward the argument in Appendix G1 Natural England's Advice on Seabird Compensation Calculations [REP3-071] that: "Where it is not possible to adequately populate the Hornsea 3 stage 2 method due to limited demographic information regarding the species under consideration, the Hornsea 4 method could be used, provided that the calculations are updated using philopatry data to account for the need for the colony to sustain itself."  The applicant is requested to comment on this and to provide, on a 'without prejudice' basis, a calculation for the compensation requirement quanta for guillemot and razorbill of the FFC SPA based on this modified Hornsea Four approach to allow for a comparison with the 'standard' Hornsea Four approach that has been set out in [REP3-049].
HE Historic	Environment	
Q2HE1.1	The applicant	Archaeological Surveys  Confirm the extent of trial trenching that has taken place to date and whether you are confident that the extent of additional survey work including arial photography and trial trenching will meet the Lincolnshire County Council (LCC) target of 2% of the site with a 2% contingency mentioned in Issue Specific Hearing 3 (ISH3) and noted in LCC Post-hearing submissions including written summaries of oral case at ISH1 and ISH3 [REP3-057].
Q2HE12	The applicant Lincolnshire County Council (LCC) Historic England (HE)	Requirement 17 and Onshore Outline Written Scheme of Investigation (OWSI) for Archaeological Works  Further to satisfying Issue Specific Hearing 3 (ISH3) Action Point 4 [EV7-010], where disagreement remains, all parties to set out their preferred wording of Requirement 17 with reasons.  Furthermore, all parties to provide a detailed update on the OWSI, including any outstanding disagreements on the contents and the likelihood of these being resolved within the timescales of the examination.
Q2HE 1.3	Lincolnshire County Council (LCC) Historic England (HE)	Grouping of non-designated farmhouses  In its relevant representation [RR-004] and Local Impact Report [REP1-053] LCC requests that the impact on non-designated farmsteads is set out in greater detail for each asset rather than in groups. The applicant's response to the relevant representation [PD1-071] states:

ExQ2	Question to:	Question:
		"Historic England's Good Practice Advice Planning Note 3 (The Setting of Heritage Assets) references that assessment of impact through setting change needs to be proportionate to the significance of the heritage asset and proportionate to the degree of change. The grouping of non-designated farmhouses within the vicinity of the cable route, reflects the grouping of assets of low importance where potential impacts will be temporary. This level of assessment is in accordance with best practice and avoids unnecessary repetition. It is not anticipated that differential proximity to the cable route would alter conclusions around the potential harm through setting change. In no instance would it be anticipated that farmhouses within the vicinity of the cable route would experience an impact of greater than minor adverse effect. There is no potential for significant effects. The assessment of farmhouses within the vicinity of the cable route is considered sufficient on these grounds."
		<ul> <li>In light of this response, do HE and LCC consider that the grouping of non-designated farmsteads for assessment provides sufficient information for the Secretary of State to have confidence on the effects on the significance of individual heritage assets when these have not been assessed individually? If not, why not? If not, please set out what you would require to satisfy yourselves within the timescales of the examination.</li> </ul>
Q2 HE 1.4	East Lindsey District	Middlecott Almshouses
	Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	In light of [RR-084] Anthony Kindred and [RR-085] Lisa Kindred and the Applicant's response to Relevant Representations [PD1-071], Historic England [REP2-068] and Lincolnshire County Council's responses to ExQ1 [REP2-069] and the applicant's comments on ExQ1 responses [REP3-054] clarify, with reasons, whether you consider the applicant's conclusions in relation to the impact of vibration, noise and dust upon Middlecott Almshouses and its approach to the Noise and Vibration Management Plan (NVMP) to be satisfactory.
HH Human He	ealth	
The ExA has n	o further questions on this	topic at this time.
LU Land Use,	<b>Geology and Ground Co</b>	nditions
Q2LU1.1	The applicant T.H. Clements & Son Ltd	Onshore Export Cable Corridor (ECC) alternatives - Agricultural Land Classification (ALC) In response to ExQ1 LU 1.2 [REP2-051], the applicant provided appendix 1.14 which provides a plan of route options and a table of predicted ALC grades. In addition, the weighting of the

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ExQ2	Question to:	Question:
		options is also presented in response to matters raised in T.H. Clements & Son Ltd's Relevant Representation [RR-067].
		<ul> <li>Can the applicant clarify why table 1.14 shows both option 2a and option 2A?</li> </ul>
		T.H. Clements & Son Ltd is invited to respond to the information presented by the applicant.
Q2LU12	Natural England (NE) Lincolnshire County Council (LCC)	Agricultural Land Classification (ALC) survey  The applicant's response to ExQ1 LU 1.7 [REP2-051], identifies examples of other Nationally Significant Infrastructure Projects (NSIPs) being approved by the Secretary of State (SoS) prior to ALC surveys being undertaken. In the case of the Hornsea Four Offshore Wind Farm, the applicant also points to the advice given by NE at the time which, whilst expressing a preference for pre-consent ALC surveys, accepted that the matter could be addressed via a planning condition.  NE and LCC are invited to comment on whether the approach taken on other NSIPs in terms of
		the timing of ALC surveys has any implications for their respective positions on this matter.
Q2LU 1.3	T.H. Clements & Son	ECC "working width" during construction
	Ltd	Please provide comments on the applicant's Clarification Note: Land Take, Soil calculation and Storage Bunds [REP3-056].
Q2LU 1.4	The applicant	Severance of agricultural land during construction
	Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis	In response to ExQ1 LU 1.5 [REP2-051], the applicant provided further clarification in relation to its approach to severed land. This includes proposals as set out in Section 5.14 of the Outline Code of Construction Practice (oCoCP) [REP3-021] for the production of management plans for individual affected persons following liaison with them. The matter was also discussed at Issue Specific Hearing 3 on 5 December 2024. The ExA understands that T. H. Clements [REP3-060] intends to liaise with the applicant on the wording of the oCoCP to address its outstanding concerns.
		To Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis:
		<ul> <li>Please provide comments on the applicant's proposed approach to working with affected persons to identify and manage severed land.</li> </ul>

ExQ2	Question to:	Question:
		Concerns are raised by T. H. Clements regarding the implications of the potential scenario whereby agreement is not reached between the applicant and affected persons as envisaged in section 5.14 of the oCoCP [REP3-065]. However, the ExA also notes that section 5.14 states that the applicant "will liaise with landowners and tenants to agree a management plan…" amongst other apparent commitments to reach agreement.
		To the applicant:
		<ul> <li>Does section 5.14 of the oCoCP provide a commitment for the applicant to agree areas of severed land, related management plans and access arrangements? If so, should this commitment be made clearer in the oCoCP and/or the draft Development Consent Order (dDCO) [REP3-006]? If not, what mechanism is in place to resolve disagreements, should they arise?</li> </ul>
Q2LU 1.5	The applicant	Peat identification and management
	Natural England (NE)	The ExA notes that the applicant accepts that the information provided by NE in response to ExQ1 LU 1.9 "may indicate that peat may be present in the area of the Order Limits ECC Section 6 crossing into Section 7" but that the presence of peat would be confirmed in the preconstruction soil surveys [REP3-054]. In response to NE's ExQ1 LU 1.9 submission, the applicant states that if peat is identified, mitigation measures be included within the final SMP or a separate Peat Management Plan, if required. In its own response to ExQ1 LU 1.9 [REP2-051], the applicant also refers to the oCoCP being updated to include a commitment for a peat management plan should peat be identified, post consent. However, as peat is not mentioned at all in the current oCoCP [REP3-021], outline Soil Management Plan (oSMP) [REP3-023] or dDCO [REP3-007], it is not clear how the commitment to provide mitigation, if necessary, is secured. Should the oCoCP, dDCO and/or the oSMP be updated now to ensure that mitigation is secured, should the need arise? If not, why not?
Q2LU 1.6	The applicant	Dust contamination
	T. H. Clements & Son Ltd Interested Parties (IPs) represented by Brown &	The ExA notes from the applicant's response to T.H. Clements & Son Ltd Written Representation [REP3-038] that a meeting was scheduled to take place on 8 January 2025 to discuss respective positions in relation to dust dispersion as well as other matters.

ExQ2	Question to:	Question:
	Co Property and	To the applicant and T.H. Clements & Son Ltd:
	Business Consultants LLP	<ul> <li>Please provide an update on discussions between the two parties in relation to the dust dispersion modelling [REP1-050]. This should clearly identify matters upon which there is agreement or disagreement in terms of methodology and outcomes. Where disagreement is identified, please specify if this is likely to remain at the close of the examination or if further action is being pursued to resolve the matter.</li> </ul>
		To IPs represented by Brown & Co Property and Business Consultants LLP:
		Please confirm if you have any further comments to make on dust contamination further to matters raised in respective relevant representations.
Q2LU 1.7	The applicant	Soil restoration
		Section 5.10 of the oSMP [REP3-023] identifies that a main objective for reinstatement of the land will be to "restore it to its pre-development quality as far as is reasonably practicable, as determined by the information obtained from the pre-construction soils survey", However, it does not explicitly commit to restoring land to the current ALC grade along the onshore Export Cable Corridor (ECC) and the 400KV Cable Corridor following construction.  Please confirm if the oSMP is intended to commit to restoring land to the current ALC grade along the onshore Export Cable Corridor (ECC) and the 400KV Cable Corridor. If so, please update the
		oSMP to make this clear. If not, why not?
Q2LU 1.8	The applicant	Cable burial depth and potential implications
	T.H. Clements & Son Ltd	The ExA notes the engagement between the two parties since Issue Specific Hearing 3 [REP3-038]. This includes a review of relevant drafting of restrictive covenant wording to give the consent the same that is being offered in voluntary agreements with the potential for subsequent revisions to the dDCO. The ExA is due to issue its preferred dDCO, proposed schedule of changes, or commentary on the dDCO (if required) on 17 February 2025.

ExQ2	Question to:	Question:
		To the applicant and T.H. Clements & Son Ltd:
		<ul> <li>Please provide an update on any discussions regarding cable burial depth clearly identifying matters upon which there is agreement or outstanding disagreement between the two parties.</li> </ul>
		If available, please provide suggested revisions to the dDCO.
		To the applicant:
		Provide an update on any discussions with other IPs on this matter.
Q2LU1.9	Lincolnshire County Council (LCC) T.H. Clements & Son Ltd IPs represented by Fraser Dawbarns LLP IPs represented by Brown & Co Property and Business Consultants LLP IPs represented by Hub Rural Ltd Fred Grant Co Savills (UK) Limited William Barker Woodlands Farm (Kirton) Ltd	In response to ExQ1 LU 1.18 [REP2-051], at deadline 3, the applicant updated section 5.15 (Agricultural Drainage and Irrigation) of the oCoCP [REP3-021] to detail arrangements for consultation with landowners regarding pre-construction and post-construction drainage works. The document also now states that "The cable shall be installed 300mm below any current drainage system where practical".  Does the revised oCoCP address outstanding concerns regarding drainage as identified in respective relevant representations? If not, please specify further measures that should be included.
Q2LU 1.10	The applicant	Outline Organic Land Protocol (oOLP)  The ExA notes the content of the oOLP [REP3-024] as well as feedback on a draft of the document from Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis [REP2-087].

ExQ2	Question to:	Question:
	Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis A E Lenton Ltd Christopher William Edwards & Jane Edwards & John Frank Edwards & Robert John Edwards George Henry Danby & John Arthur Danby	<ul> <li>To the applicant:         <ul> <li>Please clarify the extent to which the applicant considers it has addressed feedback on the draft oOLP from Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis as well as any feedback from other Affected Persons. If the applicant has chosen not to incorporate feedback, please provide reasoning.</li> </ul> </li> <li>To Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis and other affected persons:         <ul> <li>Please provide comments on the oOLP as submitted by the applicant at deadline 3 [REP3-024] detailing any suggested amendments with supporting justification.</li> </ul> </li> </ul>
Q2LU 1.11	The applicant Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	Relationship between the oCoCP, oSMP, oOLP and dDCO  Requirement 18 of the dDCO [REP3-007] makes provision for the preparation of the Code of Construction Practice (CoCP) that must be substantially in accordance with the oCoCP [REP3-021]. It must be submitted to and approved by the relevant local planning authority following consultation with named bodies, including LCC, the Environment Agency (EA) and the relevant statutory nature conservation body. It must include an Organic Land Protocol.  Following revisions made by the applicant, requirement 31 now separately secures the preparation of the SMP to be approved by the relevant local planning authority following consultation with LCC only. The ExA understands that the applicant's intention is that the SMP will no longer form part of the CoCP as originally proposed. However, the oCoCP appears to contradict this, including reference to the SMP within table 1.1 of the oCoCP.  The ExA also notes comments from NE [REP3-066] and the EA [REP3-064] requesting amendments to the dDCO to ensure that they are consulted prior to approval of the SMP.  To the applicant:
		<ul> <li>Given the inter-relationship between the oSMP and oOLP, please explain the rationale behind the separate requirements and associated consultees for the approval of the SMP and OLP.</li> <li>Submit revisions to the documents, as appropriate, to provide clarity and consistency.</li> </ul>

ExQ2	Question to:	Question:
		To LCC and the local planning authorities:
		Please provide comments on the above as necessary.
Q2LU 1.12	Environment Agency	Climate change, increased rainfall and soil impacts
	(EA)Lincolnshire County Council (LCC)	At Issue Specific Hearing 3 [REP3-051], the ExA sought clarification from the applicant regarding the possible effects of increased peak rain fall intensity due to climate change on earth movement and subsidence. In response the applicant has provided a clarification note regarding Climate Change, Increased Rainfall & Soil Impacts [REP3-055].
		Please provide comments on the assumptions and conclusions made in the clarification note.
LV Landsca	pe and Visual Effects	
Q2LV 1.1	The applicant	Landscape mitigation during the construction phase
	Lincolnshire County Council (LCC)	The applicant's mid examination principal issues progress tracker [REP3-052] states that "the applicant has updated the Outline Code of Construction Practice (CoCP) for Deadline 3, to include mitigation measures that could be applied in respect of the small number of residential properties with potential to be affected." The ExA notes paragraph 46 of the CoCP deals with temporary construction compounds, however, this is not highlighted as a change in the tracked document [REP3-021].
		To the applicant:
		<ul> <li>Confirm the updated mitigation measures and highlight any errors in the tracked document [REP3-021].</li> </ul>
		To LCC:
		<ul> <li>Provide comment on the mitigation outlined in paragraph 46 of the CoCP [REP3-021].</li> </ul>
Q2LV12	The applicant	Landscape impact of construction traffic
		Respond in detail to each aspect of LCC concerns raised in response to Q1LV1.2 [REP2-069] including the soft verge character of the relatively narrow network of roads; the landscape impact of large vehicle movements on the local road network and wider highways work.
MM Marine I	Mammals	
Q2 MM 1.1	The applicant	Cumulative Interim Population Consequences of Disturbance

ExQ2	Question to:	Question:
		In the Mid-Examination Principal Issues Progress Tracker [REP3-052] the applicant notes that whilst a project alone Interim Population Consequences of Disturbance (iPCoD) has been provided, discussions with NE were ongoing regarding the cumulative iPCoD. Please provide an update on any discussions that have taken place and provide an indication of when the cumulative iPCoD will be submitted into the examination.
Q2 MM 1.2	The applicant	Interim Population Consequences of Disturbance Modelling Report
		In its response to ExQ1 MM1.5 NE has stated in [REP2-074] that "further discussions
		on the impact of disturbance on harbour porpoise and bottlenose dolphin, and other species that show a decline once the inputs and outputs have been reviewed, are needed."
		Have these discussions with NE now taken place and does the applicant intend to present the median population size and the 95% confidence intervals data as recommended by NE in [REP2-074]. If so, please set out when this information will be provided and if not, then explain why.
Q2 MM 1.3	The applicant	Use of Noise Abatement Systems
		In its deadline 3 Risk and Issues Log [REP3-074] NE has maintained its view that a commitment should be made to the use of noise abatement systems (NAS) as a potential mitigation measure and that an adverse effect on integrity (AEoI) cannot be ruled out should such a commitment not be made.
		The applicant in its Mid Examination Principal Issues Progress tracker [REP3-052] has stated that "The Outline SIP (PD1-048) was updated to reference the potential use of Noise Abatement Systems as a secondary mitigation option." However, it would appear to the ExA that the wording in regard to the use of NAS is exactly the same in [PD1-048] as it was in the originally submitted In-Principle Southern North Sea Special Area of Conservation Site Integrity Plan [APP-281].
		Notwithstanding the comments in [REP2-051] in response to ExQ1 MM1.6. the applicant is requested to explain its current position on this issue and state whether, in light of NE's position in [REP3-074], it is your intention to provide a stronger commitment to the use of NAS in an updated In-Principle SNS SAC Site Integrity Plan or an updated Marine Mammal Mitigation Protocol. If not,

ExQ2	Question to:	Question:
		then explain how the ExA can be confident that an AEoI on the Southern North Sea SAC can be ruled out for both the project alone and in-combination?
Q2 MM 1.4	The Marine Management Organisation (MMO)	Use of Noise Abatement Systems In its deadline 3 Risk and Issues Log [REP3-074] NE has maintained its view that a commitment should be made to the use of noise abatement systems (NAS) as a potential mitigation measure and that an adverse effect on integrity (AEoI) of the Southern North Sea SAC cannot be ruled out should such a commitment not be made. This is still marked with a red colour coding in [REP3-074].
		In its response to ExQ1 MM 1.6 [REP2-051] the applicant has stated that: "The MMMP for piling activities will be submitted to the MMO for approval prior to construction, to allow for the most appropriate and best available technologies at the point of construction to be applied."
		In its deadline 2 response in relation to ExQ2 MM 1.6 [REP2-092] the MMO has stated that it will " keep a watching brief on this response." Furthermore, in [REP3-078] the MMO has noted that " it is in the Applicant's interest to plan for noise abatement measures at the earliest opportunity and to incorporate such measures into relevant mitigation plans."
		Given the contrasting positions between NE and the applicant on the level of commitment needed to the use of NAS at this stage, provide further clarification as to what the MMO's views currently are on this matter and whether the MMO considers that this commitment has been adequately secured in the dDCO?
NV Noise and	Vibration	
Q2 NV 1.1	East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	Noise and Vibration effects on Property  In its response to Q1 NV 1.1 [REP2-069] Lincolnshire County Council (LCC) defers its response regarding concerns over the potential effects on property due to noise and vibration to East Lindsey District Council, Boston Borough Council and South Holland District Council as the relevant pollution control authorities. Therefore, considering the applicant's response to RRs [PD1-071], are the applicant's conclusions in relation to the impact of noise and vibration on the

ExQ2	Question to:	Question:
		property mentioned in the RR submitted by Barry Cooper [RR-080] satisfactory? If not, explain your position with evidence to support your view.
Q2 NV 1.2	The applicant	Noise Bund Assessment
		With reference to Q1 NV 1.3, the Environment Agency (EA) response [REP2-067] and the applicant's response [REP3-054], the applicant mentioned that it is working to address the EA's concerns.
		Provide an update on the progress made in addressing the EA's concerns by Deadline 4 and the possibility of a technical solution to address these concerns within this Examination.
		What would be the implications in terms of noise if the bund had to be either reduced in size or not constructed at all?
Q2 NV 1.3	The applicant	Noise Bund Hydraulic Modelling Report
		With reference to Q1 NV 1.4, the EA response [REP2-067] and the applicant's response [REP3-054] about addressing the comments of the EA.
		Provide an update by Deadline 4.
Q2 NV 1.4	East Lindsey District	Vibration effects
	Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	In its response to Q1 NV 1.5 [REP2-069] LCC defers its response regarding the concerns about structural damage to the cottage due to vibrations from heavy vehicles to East Lindsey District Council, Boston Borough Council and South Holland District Council as the relevant pollution control authorities. With reference to the RR submitted by Nicola Ann Pearson [RR-091] and the Applicant's response [PD1-071], do you find the Applicant's conclusions regarding noise and vibration on the Cottage during construction satisfactory? If it is not satisfactory, explain your position with evidence to support your view.
OR Offshor	re and Intertidal Ornithology	
Q2 OR 1.1	The applicant	Outstanding areas of disagreement regarding assessment methodology
		In Annex 1 of Appendix F2 of its deadline 3 response [REP3-070] Natural England (NE) has provided an update to its Summary of Disagreements for Offshore Ornithology Assessment

ExQ2	Question to:	Question:
		Methodology. Whilst this indicates that some disagreements between NE and the applicant have now been resolved, nevertheless by deadline 3 there are still a number of methodological issues that have not yet been resolved that relate to both environmental impact assessment and Habitats Regulations Assessment considerations.
		These include, but are not limited to, the apportioning of razorbill to the Flamborough and Filey Coast SPA, the nocturnal activity factor used for collision risk modelling for common tern and little gull, and the approach to assessing impacts on red-throated diver in the operation and maintenance phase due to the presence of offshore reactive compensation platform(s) and ongoing vessel movements.
		Is it the applicant's intention to provide updated assessments based on NE's preferred methodology, even if it considers this to be on a 'without prejudice' basis? If so, set out when, and in relation to which outstanding areas of methodological disagreement, this work will be submitted into the examination.  If not, then provide a justification for the applicant's approach in respect of each aspect of methodology that is still not agreed.
Q2 OR 1.2	Natural England (NE)	Over-precaution and the application of the precautionary principle in relation to the
	and The Royal Society	assessment of collision and displacement effects
	for the Protection of Birds (RSPB)	In its deadline 2 submission 'Levels of precaution in the assessment and compensation calculations for offshore ornithology' [REP2-057] and also in sections 3 and 4 of the Guillemot and Razorbill: Compensation Quanta [REP3-049] the applicant has set out what it considers to be a number of elements of methodological precaution. Whilst the applicant accepts the need for a precautionary approach, it contends that when taken together these layers of precaution would result in assessment outputs that are "unrealistic compared to the environmental risk in question" and which are "likely to result in a requirement for considerable over-compensation" due to the compounding of multiple precautions. "
		Please comment on the applicant's argument that has been set out in [REP2-057], and in particular justify the position that all the elements of precaution are required to be considered

ExQ2	Question to:	Question:
		together in the assessment of potential impacts. Highlight any available evidence to support the view that all of these levels of precaution are reasonably likely to be applicable at the same time?
		Furthermore, in section 2 of [REP3-049] the applicant has provided its interpretation of how the precautionary principle should be applied. Comment on this.
OG Oil, Gas	s and Other Offshore Infras	tructure
Q2 OG 1.1	Ørsted Interested Parties (IPs)	Potential monitoring implications of cumulative ecological and ornithological effects  Please confirm if the Ørsted IPs are satisfied with the applicant's response to its answer to ExQ1  OG 1.4 [REP3-054] in which it confirms that the Lincs Offshore Wind Farm is included in the ornithological cumulative effect assessment set out in ES Chapter 12 Offshore and Intertidal Ornithology [AS1-040]?
Q2 OG 1.2	IOG North Sea Limited	Status in the examination
		The applicant's response to ExQ1 OG 1.12 [REP2-051] stated the following:  "The Applicant can confirm that on 15th November 2024 the North Sea Transition Authority (NSTA) confirmed to IOG North Sea Limited that P2348 production licence will cease on December 31 2024. Furthermore, IOG North Sea Limited have confirmed to the Applicant that if it would be helpful to the Examining Authority they would withdraw their Interested Party status should this be helpful to the Examination process."  Please can IOG North Sea Limited confirm if production licence P2348 ceased on 31 December 2024 and if it wishes to withdraw its representations?
Q2 OG 1.3	The applicant	Existing environment - subsea cables  The applicant's response to ExQ1 OG 1.20 [REP2-051] states that it will review the scoping opinion for the Eastern Green Link 3 and 4 projects and provide an update in "due course".  Please provide this update at deadline 4.

### Responses due by Deadline 4: Monday 03 February 2025

ExQ2	Question to:	Question:
Q2 OG 1.4	The applicant	Protective provisions
	Perenco	The Examining Authority (ExA) is due to publish its preferred draft Development Consent Order
	Ørsted IPs	(dDCO), proposed schedule of changes, or commentary on the dDCO (if required) on 17 February. The ExA notes that the need for, and potential drafting of protective provisions is under discussion in relation to offshore infrastructure, including with Perenco [REP2-077] and the Ørsted IPs [REP3-062]. An action point for interested parties to submit preferred wording for protective provisions by deadline 4 was set at Issue Specific Hearing 1 [EV5-008].
		<ul> <li>Please provide preferred drafting of protective provisions, if required, along with commentary to justify their inclusion in the dDCO. If there is dispute between parties, make the nature of this clear.</li> </ul>
		<ul> <li>If draft protective provisions are being discussed with other offshore parties, the applicant and relevant parties are invited to provide details as above.</li> </ul>

### **OC Onshore Construction Effects**

The ExA has no further questions on this topic at this time.

SV Seascape and Visual		
Q2 SV 1.1	The applicant	Duty to further the purposes of National Landscapes
	Natural England (NE) Lincolnshire County Council (LCC)	The ExA notes the respective responses from the applicant [REP2-051], LCC [REP2-069] and NE [REP2-074] to ExQ1 SV 1.1. On 16 December 2024, the Department for Environment Food and Rural Affairs (DEFRA) published new guidance on the duty to further the purpose of National Landscapes.  To NE and LCC:  • Please comment on whether the new DEFRA guidance has any implications for responses
		<ul> <li>to ExQ1 SV 1.1.</li> <li>To LCC: <ul> <li>Please provide comments on NE's position as set out in its response to ExQ1 SV 1.1 that the duty does not apply as the project "will not be having significant impacts on the setting of the designated landscape"?</li> </ul> </li> </ul>

ExQ2	Question to:	Question:
Q2SV12	The applicant Lincolnshire County Council (LCC)	<ul> <li>East Coast Flyway - World Heritage Site bid</li> <li>LCC's response to ExQ1 SV1.2 [REP2-069] refers to the East Coast Flyway World Heritage Site bid which is at the preliminary assessment appraisal stage.</li> <li>To LCC: <ul> <li>Please elaborate on the location of the potential site and timescale for the bid and any implications that it may have for the project.</li> </ul> </li> <li>To the applicant: <ul> <li>The applicant is invited to comment on this matter.</li> </ul> </li> </ul>
SN Shippir	ng and Navigation	
Q2 SN 1.1	Ørsted Interested Parties (IPs)	Cumulative Routeing and Navigational Risks In its response to Q1 SN 1.2 [REP2-076], the Ørsted IPs mentioned considering a review of the NRA.  The Ørsted IPs are requested to provide an update on whether the decision to review the NRA has been made? If the review has been conducted, please outline the concerns identified and how they might be addressed.
SE Socio-e	economic Effects	
Q2 SE 1.1	Relevant Interested Parties (IPs) Lincolnshire County Council (LCC) The applicant	Economic impact on agricultural operations  Explain and quantify in the context of a local, regional and national scale, the likely economic impacts on agricultural operations from the proposed development, including but not limited to, land severance, dust contamination and crop quality.
Q2 SE 12	Lincolnshire County Council (LCC) The applicant	Tourism impacts of construction traffic  Following LCC response to ExQ1 SE1.1 [REP2-069], the applicant's comments on responses to ExQ1 [REP3-054] and the conclusions of Environmental Statement (ES) Chapter 27 [AS1-052]  LCC to outline specific tourist locations where it has concerns regarding traffic congestion and how this relates to the conclusions of ES Chapter 27[AS1-052]. Also, provide evidence to demonstrate the link between traffic congestion and a resulting reduction in tourist numbers.

ExQ2	Question to:	Question:
		The applicant may also respond.
TT Transpo	ortation and Traffic	
Q2TT 1.1	The applicant	Construction traffic effects
		In its response to Q1 TT 1.4 [REP2-054] the applicant mentioned engaging in discussions about additional traffic management measures to address the concerns raised by Nicholas Alexander Sermon [REP2-075] regarding construction traffic passing by the vehicular entrance to Wyberton Road.
		<ul> <li>Please provide an update on these discussions, including a list of the committed measures and how they will be secured to address this concern.</li> </ul>
		<ul> <li>Please provide a response to the comments addressing the concerns raised regarding the use of the footpath, as mentioned in the second paragraph of the response to ExQ1 TT 1.4 by Nicholas Alexander Sermon [REP2-075].</li> </ul>
Q2TT1.2	Lincolnshire County	Public Rights of Way (PRoW)
	Council (LCC)	With reference to the applicant's written response in 1.4 of [REP3-053] to Action Point 7 from ISH3 [EV7-010] regarding the Public Rights of Way and Outline Public Access Management Plan.
		Does Lincolnshire County Council (LCC) have any concerns about the applicant's response? If so, please provide recommendations on how these concerns should be addressed.
WE Water I	Environment	
Q2WE1.1	The applicant	National assessment of flood and coastal erosion risk
	The Environment Agency (EA)	On 17 December 2024 the Environment Agency published its research and analysis of Flood Risk and Coastal Erosion in England titled 'National assessment of flood and coastal erosion risk in England 2024'. The ExA notes that there may also be further updates regarding Climate Change Scenarios, Long-Term Flood Risk checks, etc.
		To the EA:
		Please provide a timeline for when these changes will come into effect and any implications for this examination due to these changes.

ExQ2	Question to:	Question:
		To the applicant:
		What are the potential implications for this examination due to these changes, and how might they be addressed?

Abbreviations Used		
AEol	Adverse Effect on Integrity	
AQMP	Air Quality Management Plan	
AMS	Arboricultural Management Strategy	
AMSL	Above Mean Sea Level	
ANS	Artificial Nesting Structure	
Art	Article	
ALC	Agricultural Land Classification	
BAEF	Boston Alternative Energy Facility	
BBC	Boston Borough Council	
BNG	Biodiversity Net Gain	
BoR	Book of Reference	
BMV	Best and Most Versatile	
CA	Compulsory Acquisition	
CAA	Civil Aviation Authority	
CEMP	Construction Environmental Management Plan	
CIC	Cable Installation Compound	
CNP	Critical National Priority	
CoCP	Code of Construction Practice	
CoS	UK Chamber of Shipping	
DCO	Development Consent Order	
dDCO	Draft Development Consent Order	
DEFRA	Department for Environment Food and Rural Affairs	

DML	Deemed Marine Licence
DIO	Defence Infrastructure Organisation
EA	Environment Agency
ECC	Export Cable Corridor
EMP	Ecological Management Plan
EIA	Environmental Impact Assessment
EIFCA	Eastern Inshore Fisheries and Conservation Authority
EL	Examination Library
ELDC	East Lindsey District Council
ES	Environmental Statement
ExA	Examining Authority
EM	Explanatory Memorandum
GLIVIA	Guidelines for Landscape and Visual Impact Assessment
GW	Gigawatt
HGV	Heavy Goods Vehicle
HDD	Horizontal Directional Drilling
HRA	Habitats Regulations Assessment
ICNIRP	International Commission for Non-Ionizing Radiation Protection
IDB	Internal Drainage Board
IDRBNR	Inner Dowsing Race Bank North Ridge
IP	Interested Parties
iPCoD	Interim Population Consequences of Disturbance
JNCC	Joint Nature Conservation Committee

LAT	Lowest Astronomical Tide
LCA	Landscape Character Areas
LCC	Lincolnshire County Council
LMP	Landscape Management Plan
LWT	Lincolnshire Wildlife Trust
LIR	Local Impact Report
LNRS	Local Nature Recovery Strategy
LPA	Local Planning Authority
MCA	Maritime and Coastguard Agency
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
MOD	Ministry of Defence
MRF	Marine Recovery Fund
NAS	Noise Abatement Systems
NE	Natural England
NFFO	National Federation of Fishermen's Organisations
NGET	National Grid Electricity Transmission Plc
NGSS	National Grid Substation
NPS	National Policy Statement
NRA	Navigational Risk Assessment
NSIP	Nationally Significant Infrastructure Project
OCC	Onshore Cable Corridor
OLEMS	Outline Landscape and Ecological Management Strategy

OLP	Organic Land Protocol
OnSS	Onshore Substation
OP	Offshore Platforms
ORCP	Offshore Reactive Compensation Platform
OTNR	Offshore Transmission Network Review
OWF	Offshore Wind Farm
PADSS	Principal Areas of Disagreement Summary Statement
PPEIRP	Pollution Prevention and Emergency Incident Response Plan
PRoW	Public Right(s) of Way
PSR	Primary Surveillance Radar
R	Requirement
RR	Relevant Representation
RSPB	The Royal Society for the Protection of Birds
RVAA	Residential Visual Amenity Assessment
SAC	Special Areas of Conservation
SHDC	South Holland District Council
SLVIA	Seascape, Landscape and Visual Impact Assessment
SoCG	Statement of Common Ground
SoR	Statement of Reasons
SoS	Secretary of State
SoS DESNZ	Secretary of State for Energy Security and Net Zero
SMP	Soil Management Plan
SSSI	Site of Special Scientific Interest

TCC	Temporary Construction Compound
TP	Temporary Possession
UXO	Unexploded Ordnance
WAM	Wide Area Multilateral
WCS	Worst Case Scenario
WQMMP	Water Quality Management and Mitigation Plan
WMS	Written Ministerial Statement
WTG	Wind Turbine Generator