



The Planning Act 2008

East Anglia One North (EA1N) and East Anglia Two (EA2) Offshore Wind Farms

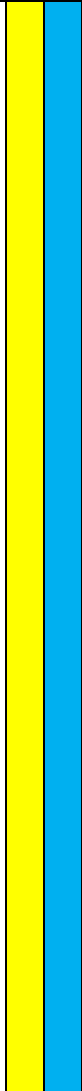
Planning Inspectorate Reference: EA1N – EN010077 & EA2 – EN010078

Deadline 8 – 25 March 2021

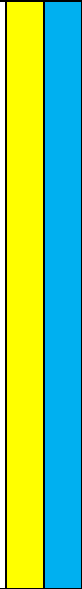
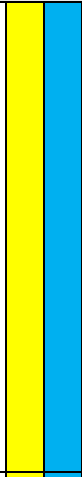
East Suffolk Council's Summary of Oral Case – Issue Specific Hearing 14 (Day 2)

Issue Specific Hearing 14 (17 March 2021) – Biodiversity and Habitats Regulations Assessment (HRA) – DAY 2

Examining Authority's Question		East Suffolk Council's Summary of Oral Case	References
Agenda Item 10 – Welcome and introductions			
		ESC did not attend day 1 of ISH14. Day 1 however dealt with offshore matters which ESC defers to Natural England and the Marine Management Organisation.	
Agenda Item 11 – Marine Mammals			
<p>Marine mammals</p> <p>a) Harbour porpoise of the Southern North Sea SAC: project alone effects</p> <p>i. Update on the positions of NE and MMO.</p> <p>ii. DCO/DML security, with reference to [REP7-007 and REP7-008], including:</p> <ul style="list-style-type: none"> • updated condition 16 of Schedule 13 and condition 12 of Schedule 14 ('UXO Clearance'), including provision for 'close out report'; and, • new condition 27 of Schedule 13 and condition 23 of Schedule 14 ('Control of piling and UXO detonations'). <p>iii. Inclusion of Unexploded Ordnance (UXO) clearance activities within the DMLs: latest position of the MMO (with reference to [REP7-068]).</p>		ESC has no comments and defers to the Marine Management Organisation and Natural England.	

<p>b) Harbour porpoise of the Southern North Sea SAC: in-combination effects</p> <ol style="list-style-type: none"> i. Update on positions of NE and MMO. ii. In-Principle Site Integrity Plans version 3 [REP7-032]: scope and content. iii. In-Principle Site Integrity Plans [REP7-032]: DCO/DML security, with reference to [REP7-007 and REP7-008], including: <ul style="list-style-type: none"> • new condition 26 of Schedule 13 and condition 22 of Schedule 14 ('Southern North Sea Special Area of Conservation Site Integrity Plan'). <p>c) Draft Marine Mammal Mitigation Protocols version 3 [REP7-029]</p> <ol style="list-style-type: none"> i. Content. ii. DCO/DML security [REP7-007]. <p>d) Offshore In-Principle Monitoring Plan version 3 [REP6-016]</p> <ol style="list-style-type: none"> i. Underwater noise monitoring provisions. <p>e) DCO/DML matters [REP7-007]</p> <ol style="list-style-type: none"> i. Timescales for discharge of documents relating to UXO clearance activities: condition 16(3) of Schedule 13 and condition 12(3) of Schedule 14. 			
---	--	--	--

<p>ii. 'Co-operation' condition: updated condition 25 of Schedule 13 and condition 21 Schedule 14</p> <p>iii. Construction monitoring - cessation of piling: updated wording of condition 21(3) of Schedule 13 and condition 17(3) of Schedule 14.</p> <ul style="list-style-type: none"> • Views of MMO (with reference to [REP7-068]) and NE (with reference to para. 7 of [REP7-074]). <p>f) Any other marine mammal matters</p> <p>The Applicants, NE, MMO, TWTs, WDC and any other relevant participants will be invited to comment.</p>			
Agenda Item 12 – Terrestrial ecology			
<p>Nightjar and Woodlark of the Sandlings SPA</p> <p>a) The Applicant and Natural England to provide an update on the status of outstanding areas of disagreement in relation to the Sandlings SPA crossing and the Applicant's D6 Outline Crossing Method Statement [REP6-036] and to provide an understanding of positions on this matter.</p> <p>b) Update on the status of outstanding areas of disagreement in relation to the crossing</p>		<p>Sandlings SPA Crossing</p> <p>a) ESC has no further comments to make in relation to Nightjar and Woodlark of the Sandlings SPA Crossing.</p> <p>Hundred River Crossing</p> <p>b) Whilst ESC welcomes the further reduction in the Hundred River crossing width for each project (to 34m per project), as set out in our previous responses (including most recently our Deadline 7 response - REP7-063) the Council considers that it remains unclear why a doubled crossing width is required for two projects when a reduced width for both projects has been achieved in other sensitive locations.</p>	<p>ESC D7 Response REP7-063</p>

<p>of the Hundred River and the Applicant’s D6 Outline Watercourse Method Statement [REP6-041] and to provide an understanding of positions on this matter, including with reference to section 1.3 of [REP7-042].</p> <p>The Applicants, SCC, ESC and any other relevant participants will be invited to comment.</p>		<p>The Applicants’ explanation for the need for this greater width provided at ISH14 (day 2) is noted. The commitment made at ISH14 to including reference within the Outline Watercourse Crossing Method Statement (OWCMS – REP6-041) for the need for the habitat loss within the crossing area to be minimised as part of the detailed project design is welcomed.</p> <p>A comment was made during the hearing by SEAS regarding the categorisation of the woodland between the Hundred River and the Aldringham Road. ESC’s comments on this matter were provided as part of the Council’s Oral Summary of Case for ISH7 (REP6-075).</p>	
<p>Agenda Item 13 – Any other business relevant to the Agenda</p>			
<p>The ExAs may raise any other topics bearing on biodiversity and HRA as is expedient, having regard to the readiness of the persons present to address such matters.</p> <p>The ExAs may extend an opportunity for participants to raise matters relevant to the topic of these hearings that they consider should be examined by the ExAs.</p> <p>If necessary, the Applicants will be provided with a right of reply.</p>		<p>A comment was made during the hearing by SASES regarding the potential for ecological impacts at the substation site arising from increases in high frequency noise levels. As most recently set out in ESC’s Oral Summary of Case for ISH7 (REP6-075) and the Council’s Deadline 7 response (REP7-063) this remains an area of concern.</p>	

Agenda Item 14 - Procedural decisions, review of actions and next steps		
<p>The ExAs will review whether there is any need for procedural decisions about additional information or any other matter arising from Agenda items 2 to 13.</p> <p>To the extent that matters arise that are not addressed in any procedural decisions, the ExAs will address how any actions placed on the Applicants, Interested Parties or Other Persons are to be met and consider the approaches to be taken in further hearings, in the light of issues raised in these hearings. A written action list will be published if required.</p>		
Agenda Item 15 – Closure of hearings		