



Application by Five Estuaries Offshore Wind Farm Limited for the Five Estuaries Wind Farm

The Examining Authority's written questions and requests for information

Issued on 3 February 2025

The following table sets out the Examining Authority's (ExA's) questions and requests for information and constitutes the ExA's third Written Questions (ExQ3).

Responses to the questions and requests for information included in ExQ3 must be submitted at Deadline 7 (3 March 2025), in line with the Examination Timetable included in Annex A of the ExA's Rule 8 letter issued on 25 September 2024 [[PD-009](#)], as amended by [[PD-021](#)] and [[PD-025](#)].

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 20 August 2024 [[PD-007](#)]. Questions have been added to the issue-based framework as they have arisen from representations and to address the assessment of the Application against relevant legislative provisions and 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 topic prefix identifier (capital letters), a reference number which starts with 3 (denoting that it is from the third round of written questions) and then a question number. For example, the first question on Navigation and Shipping issues is identified as NS.3.01. When you are answering a question, please start your answer by quoting the unique reference number.

An editable version of this table in Microsoft Word is available on request from the case team: please contact fiveestuaries@planninginspectorate.gov.uk and include Five Estuaries Wind Farm in the subject line of your email.



Abbreviations used:

CA	Compulsory Acquisition
CoCP	Code of Construction Practice
dDCO	Draft Development Consent Order
DML	Deemed Marine Licence
DWR	Deep Water Routes
EIA	Environmental Impact Assessment
EM	Explanatory Memorandum
ES	Environmental Statement
ECC	Export Cable Corridor
ExA	Examining Authority
ExQ	Examining Authority's written questions
FLCP	Fisheries Liaison and Co-existence Plan
GELNRS	Greater Essex Local Nature Recovery Strategy
GI	Green Infrastructure
HE	Historic England
HHA	Harwich Haven Authority
HRA	Habitats Regulations Assessment
IP	Interested Party
ISH	Issue Specific Hearing
LPA	Local Planning Authority



MCA	Maritime and Coastguard Agency
MMO	Marine Management Organisation
NE	Natural England
NFOWFL	North Falls Offshore Wind Farm Limited
NGET	National Grid Electricity Transmission Plc
NH	National Highways
NIP	Navigation and Installation Plan
NSIP	Nationally Significant Infrastructure Project
OCSIP	Outline Cable Specification and Installation Plan
OLEMP	Outline Landscape and Ecological Management Plan
OWF	Offshore wind farm
PA2008	The Planning Act 2008
PLA	Port of London Authority
Proposed Development	The proposed Five Estuaries Offshore Wind Farm
RR	Relevant Representation
SAC	Special Area of Conservation
SHA	Statutory Harbour Authority
SoCG	Statement of Common Ground
SoR	Statement of Reasons
SoS	Secretary of State
SPA	Special Protection Area
TP	Temporary Possession



TPO	Tree Preservation Order
WR	Written Representation

The Examination Library

References in these questions set out in square brackets (eg [APP-001, PD-001 etc]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [EN010115-000464-Five Estuaries OWF Exam Library.pdf](#) ([planninginspectorate.gov.uk](#)). It will be updated as the Examination progresses.



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ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
General and Cross-topic questions (GC)		
GC.3.01	Applicant, Essex Wildlife Trust, Harwich Harbour Fishermen's Association/ Commercial Fisheries Working Group, Historic England, Port of Tilbury London Limited, Suffolk and Essex Coast and Heaths National Landscape Partnership and United Kingdom Chamber of Shipping	Submission of Signed and Final Statements of Common Ground (SoCG) You are reminded that all completed and signed SoCGs were to be submitted by Examination Deadline 5 (10 January 2025). Your completed and signed SoCGs were not submitted at the previously mentioned Examination Deadline and your SoCG MUST now be submitted no later than Deadline 7 (3 March 2025).
Climate Change (CC)		
No questions at this time		
Note All references to the numbering of Articles and Schedules (including Requirements) refer to those used in the version of the dDCO submitted at Deadline 5 [REP5-007]		
DCO.3.01	Applicant	Preamble – Page 6 The dDCO states “The Secretary of State, in exercise of the powers conferred by sections [114, 115, 120, 132, 140 and 149A and schedule 5] to the 2008 Act, makes the following Order:”. Review the sections and schedules cited to ensure that all relevant sections and schedules have been listed. It should be noted that where Compulsory Acquisition forms a part of a DCO section 122 of the 2008 Act is commonly referenced.
DCO.3.02	Applicant	Schedule of Mitigation - Routemap

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
		Advise as to whether the “ <i>Schedule of Mitigation – Routemap</i> ” [REP5-041] is fully up to date or whether it requires any updating. Should the Routemap be out of date identify in what respects that is the case and advise on when an updated routemap document will be submitted.
DCO.3.03	Marine Management Organisation (MMO)	<p>Articles 5 (Deemed marine licences) and 7 (Benefit of the Order)</p> <p>Further to:</p> <ol style="list-style-type: none"> 1) Your response to ExQ2 DCO.02.03 in [REP4-052]; and 2) The Applicant’s response to ExQ2 DCO.2.02 in [REP4-039], which cites the provisions of multiple recently made DCOs that include deemed Marine Licences and articles giving the Secretary of State the authority to transfer the benefit of those made orders from one party to another, explain why you consider your continued objection to Article 7’s inclusion of a power for the Secretary of State to transfer the benefit of deemed Marine Licences included in Schedules 10 and 11 remains tenable.
DCO.3.04	Applicant	<p>Article 7 (Benefit of the Order) – changes to the benefit of the Order not requiring the Secretary of State’s consent</p> <p>Under paragraph 8(a) of Article 7 explain why for any transfer of a made Order’s benefits to “... <i>a holder of a licence under section 6 (licences authorising supply, etc) of the 1989 Act</i>” should not require the prior granting of consent by the Secretary of State. In asking this question the ExA is mindful of the explanation for paragraph 8(a) included in paragraph 4.22 of the Explanatory Memorandum [REP3-008]. However, the Explanatory Memorandum only refers to licence holders having been “... <i>determined to be fit to operate such facilities</i>” and there is no reference to licence holders having the ability and/or finance to construct and/or decommission generating and transmission infrastructure.</p>
DCO.3.05	Applicant	<p>Schedule 1 (Authorised Development)</p> <p>Work Nos. 13 (Bentley Road) and 13A (junction at Bentley Road and the A120) – why have these works not been allocated a single works number or been numbered 13 and 14, given both sets of works essentially relate to Bentley Road. Would it not be simpler to combine Work Nos. 13 and 13A?</p>
DCO.3.06	Applicant	<p>Requirement 9 (Onshore archaeology)</p> <p>In responding to Essex County Council’s and Tendring District Council’s Deadline 4 submissions reference is made in [REP5-073] to an overarching onshore Archaeological Mitigation Strategy</p>

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
		being prepared and submitted at Deadline 6. How does the Applicant intend that compliance with the Archaeological Mitigation Strategy would be secured, ie either incorporation into Requirement 9 or via a standalone Requirement?
DCO.3.07	Applicant, Tendring District Council and Essex County Council	<p>Onshore collaboration with the Undertaker for the proposed North Falls Offshore Wind Farm</p> <p>a) Is there a need for a requirement, along the lines of Requirement 33 of the made DCO for Sheringham Shoal and Dudgeon Offshore Wind Farm extensions [section 8 (e-page1,885) in REP4-044] obliging the undertakers for the Proposed Development and the proposed North Falls Offshore Wind Farm to have collaborated with one another prior to their plans or documents being submitted to the relevant local planning authority for approval pursuant to relevant requirements?</p> <p>b) For Applicant – Submit, on a without prejudice basis, appropriate wording for a project collaboration requirement.</p>
DCO.3.08	Applicant	<p>Paragraph numbering throughout Schedule 9 (Protective Provisions)</p> <p>In line with paragraph 4.4 of the Planning Inspectorate's Advice Note Fifteen (Drafting Development Consent Orders) a schedule containing multiple sets of Protective Provisions should use sequential paragraph numbering throughout, rather than restarting at '1' at the beginning of each set of Protective Provisions. The Applicant must therefore redraft Schedule 9 so that consecutive paragraph numbering is applied throughout it.</p>
DCO.3.09	Affinity Water Limited, Cadent Gas Limited, Environment Agency, Essex County Council, London Gateway Port Limited, National Highways, Network Rail, North Falls Offshore Wind Farm Limited and Port of London Authority	<p>Protective Provisions</p> <p>With respect to negotiating Protective Provisions, advise on what the current position is with respect to agreeing a set of Protective Provisions in your favour with the Applicant. Where there is disagreement with the Applicant explain why that is the case and where any disagreement relates to matters of detailed drafting submit the version of your preferred text.</p>

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
DCO.3.10	Harwich Haven Authority (HHA)	<p>Protective Provisions sought by the Harwich Haven Authority</p> <p>The ExA notes that in [REP5-073] the Applicant has submitted in response to the HHA's submissions in [AS-069] that Protective Provisions in favour of the HHA would be unnecessary, with the Applicant contending works within the HHA's jurisdiction would need to be authorised under licence. Explain why the HHA considers Protective Provisions in its favour would be necessary and provide text for the Protective Provisions that are being sought.</p>
DCO.3.11	Applicant	<p>Schedule 7 (Land in which only new rights etc. may be acquired)</p> <p>The consistency between the extant version of the Land Plans [AS-019] and the provisions of Schedule 7 should be reviewed and any errors must be rectified so that there is no inconsistency between what is stated in Schedule 7 and shown on the Land Plans. For example, in connection with the rights sought for the compensatory works at Orford Ness reference is made to rights being sought in respect of Land Plot 20-004, while no Land Plot with that number is shown on extant version of the Land Plans, with it appearing that Land Plot 20-003 (as shown on the extant Land Plans) should have been identified within Schedule 7.</p>
DCO.3.12	Applicant and MMO	<p>Schedule 10 (Deemed marine licence – Generation Assets)</p> <ol style="list-style-type: none"> 1) Subparagraph (1) of Condition 14 (Site Integrity Plan) needs to be sense checked and corrected, with the second stating of "... which accords with the principles set out in the ..." in the third line appearing to be superfluous and/or incomplete. 2) Are subparagraphs (4) and (5) of Condition 14 sufficiently precise, most particularly is the inclusion of "satisfied" sufficiently precise? Would wording as follows be more appropriate? <p><i>"(4) In approving the SIP the MMO must determine whether the authorised scheme at the preconstruction stage, in-combination with other plans and projects, would be in line with the JNCC Guidance."</i></p> <p><i>"(5) The approved SIP may be amended with the prior written approval of the MMO, in consultation with the relevant statutory nature conservation body, where the MMO determines that the authorised development, in-combination with other plans or projects at the pre-construction stage, would be in line with the JNCC Guidance."</i></p>

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
		<p>3) Is subparagraph (2) of Condition 19 (Marine Mammal condition) sufficiently precise, most particularly is the inclusion of “... <i>reasonable opinion of the MMO</i> ...”? Would wording as follows be more appropriate?</p> <p><i>“... If the MMO, in consultation with the statutory nature conservation body, determines the assessment shows impacts significantly in excess to those assessed in the environmental statement ...”</i></p>
DCO.3.13	MMO	<p>Condition 6(16) (Notifications and inspections) of Part 2 of Schedule 10 (Deemed marine licence – Generation Assets)</p> <p>What type of materially false or misleading information is being referred to in subparagraph (16) of condition of the Deemed Marine Licence for the generation assets?</p>
DCO.3.14	Applicant, MMO, Maritime and Coastguard Agency, HHA, London Gateway Port Limited and Port of London Authority	<p>Condition 4 (Maintenance of the authorised development) of Schedule 11 (Deemed marine licence – Transmission Assets)</p> <p>Further to the ExA’s request for further information sought in [PD-024] and in the event of a minimum dredging depth parameter for the Deep Water Routes (DWRs) being incorporated into any made DCO, comment on any changes for the drafting of Condition 4 of Schedule 11, most particularly in respect of subsection (3), that might be necessary to ensure there would be no inconsistency between the water depths required in the DWRs and the parts of the authorised development that would be outside the DWRs.</p>
DCO.3.15	Applicant and MMO	<p>Schedule 11 (Deemed marine licence – Transmission Assets)</p> <p>1) Subparagraph (1) of Condition 15 (Site Integrity Plan) needs to be sense checked and corrected, with the second stating of “... <i>which accords with the principles set out in the ...</i>” in the third line appearing to be superfluous and/or incomplete.</p> <p>2) Are subparagraphs (4) and (5) of Condition 15 sufficiently precise, most particularly is the inclusion of “satisfied” sufficiently precise? Would wording as follows be more appropriate?</p>

	Question to:	Question
		<p><i>“(4) In approving the SIP the MMO must determine whether the authorised scheme at the preconstruction stage, in-combination with other plans and projects, would be in line with the JNCC Guidance.”</i></p> <p><i>“(5) The approved SIP may be amended with the prior written approval of the MMO, in consultation with the relevant statutory nature conservation body, where the MMO determines that the authorised development, in-combination with other plans or projects at the pre-construction stage, would be in line with the JNCC Guidance.</i></p> <p>3) Is subparagraph (2) of Condition 20 (Marine Mammal condition) sufficiently precise, most particularly is the inclusion of “... <i>reasonable opinion of the MMO</i> ...”? Would wording as follows be more appropriate?</p> <p><i>“... If the MMO, in consultation with the statutory nature conservation body, determines the assessment shows impacts significantly in excess to those assessed in the environmental statement ...”</i></p>
DCO.3.16	MMO	<p>Consultation with the Port of London Authority when discharging conditions of the DML for the Transmission Assets (Schedule 11)</p> <p>The Port of London Authority has submitted (including during the course of Issue Specific Hearing 7 held on 23 January 2025) that it wishes to be a consultee of the MMO when relevant conditions of the DML for the Transmission Assets were being discharged. Would the MMO be agreeable to the Port of London being a consultee when relevant conditions in Schedule 11 were being discharged? If the MMO is not be agreeable to that, explain why that is the case.</p>
DCO.3.17	Port of London Authority (PLA)	<p>Approval of the Navigation and Installation Plan (NIP) as part of the DMLs</p> <p>In paragraph 2.5 of REP3-035] you have provided examples of made DCOs for projects on the river Thames where Protective Provisions in favour of the Port of London have been included enabling you, as well as the MMO via DMLs included in those made DCOs, to approve NIPs.</p> <p>a) Is the PLA’s relationship with the made DCOs for projects on the river Thames directly comparable with those for the Proposed Development, given: (1) for the river Thames the PLA is the Statutory Harbour Authority (SHA) and the Order Limits for the made DCOs on</p>

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
		<p>the river Thames are wholly within the SHA's area of jurisdiction; and (2) the PLA's jurisdiction does not include the Order Limits for the Proposed Development?</p> <p>b) Submit any made DCOs for projects with Order Limits beyond the PLA's area of jurisdiction that have included mechanisms for the PLA to issue approvals.</p>
DCO.3.18	Tendring District Council	<p>Schedule 12 Part 1 (Tree Preservation Orders [TPO])</p> <p>Section 5 of the Arboricultural Report [APP-255] identifies trees T1, T2 and G2 subject of TPO 23/00005/TPO (between Stones Green Road and operational and maintenance access routes) as requiring mitigation. With no potential impacts for the other trees subject to TPO 23/00005/TPO on or the trees subject to TPO 21/00009/TPO.</p> <p>However, Part 1 of Schedule 12 of the dDCO seeks to extend the potential for impacting on all of the trees subject of TPO 23/00005/TPO and TPO 21/00009/TPO.</p> <p>Advise whether you are content with extending the potential for impacts on all trees subject of both TPO's cited in Part 1 of Schedule 12?</p>
DCO.3.19	Applicant	<p>The “without prejudice” additional parts for Schedule 13 (Compensation) included in [REP5-090]</p> <p>a) For both Kittiwake and Guillemot and Razorbill – Paragraph 1 for each interpretation paragraph in defining the Marine recovery Fund refers to Offshore Wind Environmental Improvement Package of the British Energy Security Strategy (April 2022), is the reference to the April 2022 Strategy appropriate as it could be replaced by another strategy or policy document and/or legislation? Should wording be included to cover the eventuality of the April 2022 Strategy being replaced?</p> <p>b) For Kittiwake, which authority would be the “<i>relevant planning authority</i>” to be consulted and why would it be necessary to consult that authority?</p> <p>c) For Guillemot and Razorbill, which authority would be the “<i>relevant planning authority</i>” to be consulted and why would it be necessary to consult that authority? With respect to formatting within paragraph 4, should there be subparagraph (1) followed by (2) or is (2) intended to be a new paragraph or is there some missing text?</p>

	Question to:	Question
Historic Environment including Marine Archaeology (HE)		
HE.3.01	Historic England	<p>Impacts on Sediments and Geoarchaeological Potential</p> <p>Item HE04 in the 'draft/unsigned' Statement of Common (SoCG) between yourself and the Applicant [REP5-058] indicates that you consider there is potential for significant impacts on preserved paleochannels and deposits with high geoarchaeological potential? During Issue Specific Hearing 6 (ISH6) the Applicant advised that the surveys done to date are engineering investigations and not pre-construction surveys. With this in mind, what further investigations and evaluation do you consider necessary and proportionate at this stage?</p>
HE.3.02	Historic England	<p>Geoarchaeological Cores</p> <p>Item HE05 in the 'draft/unsigned' SoCG [REP5-058] indicates that you consider nine geoarchaeological cores are insufficient in relation to the size and complexity of the project. Similarly, as above the Applicant, in ISH6, indicated that these were engineering surveys rather than wider archaeological surveys. What further information/investigation do you consider is required and at what stage?</p>
HE.3.03	Applicant and Historic England	<p>Draft Development Consent Order</p> <p>Items HE02 and HE09 of the 'draft/unsigned' SoCG [REP5-058] indicate ongoing discussions between the Applicant and Historic England in relation to the wording for Condition 13(2) of Part 2 of Schedule 11 and Requirement 9(1) of the draft Development Consent Order. Advise on whether any progress is being made to agree wording within the dDCO and the likelihood of the matters that were unresolved at Deadline 5 being resolved before the Examination's close.</p>

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
Land Rights (Compulsory Acquisition (CA) and Temporary Possession (TP) etc) (LR)		
LR.3.01	Applicant and TC Gunfleet Sands OFTO Limited	Effects for the operation of the Gunfleet Sands offshore wind farm Further to the written submission made by TC Gunfleet Sands OFTO Limited [REP5-109] and the question the ExA raised with the Applicant during the course of Compulsory Acquisition Hearing 3, has there been any discussion between the parties concerning any implications the Proposed Development may have for the operation of the Gunfleet Sands offshore wind farm? If so, what was the outcome of those discussions and if not when are discussions likely to take place and when can the ExA expect to be updated?
Marine Ecology (ME)		
Aquatic Ecology		
ME.3.01	Applicant	MMO – Additional submission The MMO submitted a letter supplementing its Deadline 5 submissions, which the ExA has accepted as an additional submission [AS-074]. In response to the receipt of [AS-074] can the Applicant signpost the MMO to any of its own Deadline 5 submissions that address the matters raised by the MMO.
ME.3.02	Applicant MMO	On-going discussions Can the parties advise the ExA when they expect to conclude their discussions with respect to the drafting of Schedules 10 and 11 (the DMLs) within the dDCO?
Protected Species - Bats		
ME.3.03	Natural England (NE)	Migratory bats Can you advise as to whether or not a license would be required in relation to any disturbance or harm to migratory bats that might be associated with the Proposed Development. If a licence would be required, would such a license be likely to be issue?
Ecology Onshore (EO)		
EO.3.01	Applicant Natural England	Habitat Classification “Obstacle OOX-31” has been classified as a “ <i>Lowland Meadow Habitat</i> ”, a Section 41 habitat of “ <i>principal importance</i> ” in the Technical Note [REP4-036] and during ISH6 the ExA’s attention was drawn to section 3.1.2 of the PEIR [APP-156] which identifies the habitat of Obstacle OOX-31 as

	Question to:	Question
		<p><i>"The second lowland meadow (Photograph 3.9) species included: ... fairy flax Linum catharticum and oxeye daisy".</i> However, the ExA notes that the <i>"Aerial Photography and Limited Ground Truthing"</i> appears to be a superficial survey methodology. In section 5.1.1 of [APP-156] a link is provided to the lowland meadow habitat description in the <i>"UK Biodiversity Action Plan Priority Habitat Descriptions"</i> (UKBAP). The ExA, however, notes that the species identified as being present for obstacle OOX-31 do not appear to reflect the UKBAP description for a Section 41 habitat insofar as it does not <i>"... have a specialist group of scarce and declining plant species"</i>. The UKBAP descriptions also include an entry for <i>"Lolium perenne"</i> and <i>"Lolium – Cynosurus"</i> grasslands, which appear to more accurately reflect the habitat/species identified for Obstacle OOX-31, with the latter grassland type being described as having <i>"... few uncommon species and is generally of low botanical value"</i>.</p> <p>a) For Applicant - Has any empirical data been obtained to support the statement that Obstacle OOX-31 is <i>"a Section 41 habitat of principal importance"</i>?</p> <p>b) For Natural England – Based on the information provided by the Applicant are you satisfied that sufficient evidence has been obtained to identify Obstacle OOX-31 as <i>"a Section 41 habitat of principal importance"</i>?</p>
EO.3.02	Essex County Council And Tendring District Council	<p>Essex Green Infrastructure (GI) Strategy and Essex GI Standards</p> <p>Have the proposals as set out in the outline Landscape and Ecological Management Plan (OLEMP) [REP2-022] sufficiently demonstrated that the guiding principles set out in the Green Infrastructure Delivery Plan have been applied?</p> <p>In section 10.5 of your Local Impact Report [REP2-043] reference is made to the emerging Greater Essex Local Nature Recovery Strategy (GELNRS).</p> <p>a) When is it expected that the GELNRS will be adopted?</p> <p>b) Provide extracts of the strategic opportunity maps that are relevant to the onshore elements of the Proposed Development.</p>

ExQ3 Responses by Deadline 7 (3 March 2025)

	Question to:	Question
EO.3.03	Applicant	<p>National Habitat Networks</p> <p>The route of the onshore export cable corridor bisects or passes in close proximity to a number of “<i>Network Enhancement Zones and Network Expansion Zones</i>,” as illustrated on Drawing 6 in [APP-153].</p> <p>Given that the OLEMP focus for habitat creation in the vicinity of the onshore substation site, in a location that does not appear to provide an opportunity for enhanced connectivity to existing networks, provide an explanation as to why habitat creation in and around the network enhancement and expansion zones has not been considered.</p>
Navigation and Shipping (NS)		
NS.3.01	Applicant	<p>Figure 2.1 in the Outline Cable Specification and Installation Plan (OCSIP)</p> <p>The amended version of the OCSIP submitted at Deadline 4 [REP4-019] at various points refers to Figure 2.1. That figure is included as page 16 of the OCSIP but has not been titled as such. Commitments included in the OCSIP rely on what is shown on Figure 2.1, accordingly for the avoidance of doubt and for ease of use when the OCSIP is next updated the figure included on page 16 should be clearly titled as Figure 2.1.</p>
NS.3.02	Applicant	<p>Pre-construction activities within the Deep Water Routes (DWR)</p> <p>During Issue Specific Hearing 6, you advised that the Outline Navigation and Installation Plan [REP5-031] was not the appropriate mechanism to control pre-construction activities within DWRs, as had been requested previously by the PLA. Please explain how you intend to provide comfort to the Ports and Port Authorities that any pre-construction activities could be carried out safely and without delaying scheduled commercial vessels using the DWRs.</p>
Socio Economic Effects (SEE)		
SEE.3.01	Applicant	<p>Section 4 of the outline Fisheries Liaison and Co-existence Plan (FLCP) [REP1-037]</p> <p>Explain what, in practice, the mitigation referred to in second bullet point in paragraph 4.1.2 of the FLCP (“<i>The Applicant will implement measures to minimise and mitigate as far as practicable, potential impacts to commercial fishers during the lifetime of VE</i>”) would be likely to include.</p>

	Question to:	Question
Seascape, Landscape and Visual (SLV)		
SLV.3.01	Applicant, Tendring District Council, Essex County Council, North Falls Offshore Windfarm Limited (NFOWL) and National Grid Electricity Transmission (NGET)	<p>Detailed design within the onshore substation zone</p> <p>The ExA notes that under sub-paragraph 5(b) of Requirement 10 of the made DCO for the Sheringham Shoal and Dudgeon Extensions Offshore Wind Farm the detailed design for the onshore substations for that project must be subject to a design review to be undertaken by an independent design review panel prior to seeking detailed design approval from the relevant planning authority's approval [e-page 1,876 in REP4-044]. Having regard to the Applicant's, NFOWL's and NGET's intention that there would be three onshore substations in close proximity with one another:</p> <p>a) Should the detailed design for the substations within the onshore substation zone be subject to review by an independent design review panel? In answering this question if you consider there should not be an independent design review process explain why that is the case.</p> <p>b) For the Applicant – submit wording for an independent design review mechanism, for incorporation into Requirement 5 (Onshore substation works etc) of the dDCO (on a without prejudice basis should you not be agreeable to there being a design review by an independent panel).</p>
SLV.3.02	Tendring District Council and Essex County Council	<p>Visual mitigation within the substation zone</p> <p>With respect to the visual mitigation within the substation zone, most particularly the northern elevations of the proposed substations for the Proposed Development and the North Falls Offshore Wind Farm. How effective do you consider orchard planting combined with hedgerows and hedgerows with trees (shown on Drawings 2 and 3 in the OLEMP [REP2-022]) would be, having regard to the likely height of the proposed substations and their proximity to Grange Road? Would planting other than orchard planting be more effective?</p>

ExQ3 Responses by Deadline 7 (3 March 2025)

Terrestrial Transport and Traffic (TT)		
TT.3.01	Tendring District Council and Essex County Council	<p>Outline Public Access Management Plan</p> <p>The Applicant has submitted a revised Outline Public Access Management Plan (Revision B) [REP5-037] at Deadline 5. Does this address any concerns you might have regarding the interaction with Public Rights of Way during the construction of the onshore cable corridor, or are there any outstanding matters of concern?</p> <p>If there are any outstanding concerns, how might they be addressed by the Applicant?</p>
TT.3.02	National Highways, Essex County Council and Suffolk County Council	<p>Projects considered within cumulative assessment of traffic effects</p> <p>As agreed during ISH3, please confirm that the projects set out in Section 8.12 of the Traffic and Transport Chapter of the Environmental Statement (ES) (current draft version of which is found at Appendix 3 of the Applicant's response to ISH3 Action Points [REP3-023]) can be treated as a finalised list of projects scoped in or out of assessment at the close of this Examination.</p> <p>If there are any new projects not currently captured in the above, please provide sufficient detail of the project(s) such that the Applicant can consider whether or not they should be added into a finalised version of the cumulative assessment of traffic effects.</p>
	Applicant	<p>For the Applicant – please confirm that you will be submitting a final version of the ES Traffic and Transport Chapter, and any supporting documents into the Examination incorporating the changes in [REP3-023] and any further necessary amendments by no later than Deadline 8.</p>
Onshore Water, Hydrology and Flood Risk (WE)		
WE.3.01	Essex County Council (Local Lead Flood Authority)	<p>Flood Evacuation Plan</p> <p>Would the provisions within Section 4.8 of the Code of Construction Practice (CoCP) [REP5-033] accord with the provisions of Policy PPL 1 (Development and Flood Risk) of Section 2 of the Tendring District Local Plan 2013-2033 (adopted January 2022)? If you consider there would be conflict with Policy PPL 1, how might the CoCP be amended to achieve accordance with Policy PPL 1?</p>
Land Use and Agriculture (LU)		
No questions at this time		