



FIVE ESTUARIES OFFSHORE WIND FARM

STATEMENT OF COMMON GROUND

10.10.10 ESSEX WILDLIFE TRUST
(Revision B)

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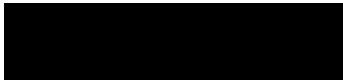
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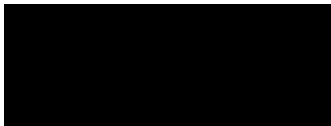
In preparation of this document Five Estuaries Wind Farm Ltd has made reasonable efforts to ensure that the content is accurate, up to date and complete for purpose.

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CONTENTS

1	Introduction	6
1.1	Background	6
1.2	Approach to SoCG	6
1.3	The Proposed Development	6
2	Essex Wildlife Trust remit.....	7
2.1	Overview	7
2.2	Consultation Summary	7
3	Agreements Log.....	8

TABLES

Table 3.1: Position Status key	8
Table 3.2: Status of discussions	9



DEFINITION OF ACRONYMS

Term	Definition
BNG	Biodiversity Net Gain
CIEEM	Chartered Institute of Ecology and Environmental Management
DCO	Development Consent Order
EPSL	European Protected Species License
ETG	Expert Topic Group
EWT	Essex Wildlife Trust
HDD	Horizontal Directional Drilling
HRA	Habitats Regulation Assessment
NSIP	Nationally Significant Infrastructure Project
OLEMP	Outline Landscape and Ecological Management Plan
SAC	Special Area of Conservation
SNH	Scottish Natural Heritage
SPA	Special Protection Area
SoCG	Statement of Common Ground
SSSI	Site of Special Scientific Interest
VE	Five Estuaries
VEOWF	Five Estuaries Offshore Wind Farm



1 INTRODUCTION

1.1 BACKGROUND

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared between Five Estuaries Offshore Wind Farm Limited (hereafter referred to as ‘the Applicant’) and Essex Wildlife Trust (EWT) to set out the areas of agreement and disagreement between the two parties in relation to the proposed Development Consent Order (DCO) application for the Five Estuaries Offshore Wind Farm (hereafter referred to as “VEOWF”).
- 1.1.2 It is the intention that this document provides the Planning Inspectorate with a clear overview of the level of common ground between both parties. This document will be updated if any additional points are identified or any positions change during the Examination.

1.2 APPROACH TO SOCG

- 1.2.1 This document sets out the topic, a brief summary of the issue or matter subject to disagreement or agreement, the position of the Applicant and that of EWT, and a colour coding to illustrate the level of agreement and/or materiality.
- 1.2.2 A full description of the approach adopted is set out in 9.33 Approach to Statements of Common Ground [APP-266] submitted as part of the DCO application.

1.3 THE PROPOSED DEVELOPMENT

- 1.3.1 VEOWF is the proposed extension to the operational Galloper Offshore Wind Farm. The project includes provision for the construction, operation, maintenance and decommissioning of an offshore wind farm located approximately 37 kilometres off the coast of Suffolk at its closest point in the southern North Sea; including up to 79 wind turbine generators and associated infrastructure making landfall at Sandy Point between Frinton-on-Sea and Holland-on-Sea, the installation of underground cables, and the construction of an electrical substation and associated infrastructure near to the existing Lawford Substation to the west of Little Bromley in order to connect the development to National Grid’s proposed East Anglia Connection Node substation, which would be located nearby.
- 1.3.2 All onshore connection infrastructure would be located in the administrative area of Tendring District Council, within Essex County Council. VEOWF will have an overall capacity of greater than 100 Megawatts (MW) and therefore constitutes a Nationally Significant Infrastructure Project (NSIP) under the Section 15 (3) of the Planning Act 2008.
- 1.3.3 A full Project description is included in the Environmental Statement, in particular 6.2.1 Offshore Project Description [APP-069] and 6.3.1 Onshore Project Description [APP-083].



2 ESSEX WILDLIFE TRUST REMIT

2.1 OVERVIEW

- 2.1.1 Essex Wildlife Trust (EWT) protects wildlife through landscape conservation, education and campaigning. It is a local wildlife charity supported by over 1900 volunteers and over 38,000 members. EWT protects over 8,400 acres of land across 88 sites in Essex and manages a number of nature reserves in the county, bordering and within the following statutory designated sites, all of which have undergone an assessment of Likely Significant Effects as part of the HRA process. These include:
- > Essex Estuaries Special Area of Conservation (SAC)
 - > Outer Thames Estuary Special Protection Area (SPA)
 - > Colne Estuary SPA/Ramsar
 - > Hamford Water SAC/SPA/Ramsar
 - > Abberton Reservoir SPA/Ramsar
 - > Stour and Orwell Estuaries SPA/Ramsar
 - > Blackwater Estuary SPA/Ramsar
- 2.1.2 The following application documents have informed discussions with EWT and address the elements of VE that may affect the interests of the interested party:
- > 6.6.1.1 Onshore Cable Route Obstacle Crossing Register [APP-129]
 - > 6.6.4.18 Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report [APP-149]
 - > 9.22 Outline Landscape and Ecological Management Plan [APP-254]
- 2.1.3 The main areas of interest raised by Essex Wildlife Trust are:
- > Onshore Biodiversity Net Gain (BNG) Proposals
 - > Onshore Ecology
 - > Committed Trenchless Crossings

2.2 CONSULTATION SUMMARY

- 2.2.1 Since 2019, the project has been engaging with relevant stakeholders through different levels of activity. The project has undertaken the necessary consultations before submitting the application and has held Expert Topic Groups (ETGs) on a number of specific topics, as well as bilateral meetings with key stakeholders. EWT responded to Stage 1 and Stage 2 consultations. The comments received and the meetings between the project and the interested party have informed the basis for this SoCG.



3 AGREEMENTS LOG

- 3.1.1 The following sections of this SoCG set out the level of agreement between the Applicant and EWT for each relevant component of the Application identified in paragraph 2.1.3. The tables below detail the positions of the Applicant alongside those of EWT and whether the matter is agreed or not agreed.
- 3.1.2 In order to easily identify whether a matter is 'agreed', 'not agreed' or an 'ongoing point of discussion', the agreements logs in the tables below are colour coded to represent the status of the position according to the criteria in Table 3.1 below. Colours were chosen in order to ensure inclusivity for the visibility of data.

Table 3.1: Position Status key

POSITION STATUS	COLOUR CODE
The matter is considered to be agreed between the parties.	Agreed
The matter is neither 'agreed' or 'not agreed' and is a matter where further discussion is required between the parties, for example where relevant documents are being prepared or reviewed.	Ongoing point of discussion
The matter is not agreed between the parties.	Not agreed

Table 3.2: Status of discussions

Area of interest	Issue (Scope of Matters to be covered)	Proposed Resolution	EWT Position	Position Status
Onshore biodiversity net gain (BNG) proposals	EWT recommends referencing the emerging <i>Greater Essex Local Nature Recovery Strategy</i> to inform offsite habitat creation. For offsite provision, reference <i>Essex nature recovery strategy</i> . EWT believes it is valuable to provide the offsite BNG in one of their areas.	The Applicant seeks to deliver as much biodiversity enhancement as possible (given other constraints such as engineering and landowners) within the Order Limits. This is described within 9.22 Outline Landscape and Ecological Management Plan (OLEMP) – Rev B [REP2-022]. The project has also committed to delivering 10% net gain, as described in 6.6.4.18 Five Estuaries Offshore Wind Farm Onshore Biodiversity Net Gain Indicative Design Stage Report [APP-149]). Any offsite enhancements necessary to meet this commitment will be delivered within Essex. The Applicant continues to progress discussions with providers to secure locations for any offsite BNG.	<i>EWT is satisfied with the response and the issue is now agreed</i>	Agreed
Onshore Ecology	EWT shares concerns with Natural England regarding protection of Hazel Dormice - in relation to assessment of duration of impacts during construction. The Applicant should consider lifespan/lifecycle of dormice. Definition of short term as <5 years should be reassessed, due to the short average life span of the dormouse.	The Applicant confirms that the assessment of impacts has been undertaken in accordance with the Chartered Institute of Ecology and Environmental Management (CIEEM) (2022): <i>'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'</i>, which includes the requirement to consider the duration of impacts in relation to ecological characteristics such as protected species lifecycles. The timeframes referenced in 6.3.4 Onshore Biodiversity and Nature Conservation [APP-086] are explicitly unrelated to protected species or habitats life cycles (and are presented as such in section 4.6.10). They are provided simply to add context for how long an effect may last, irrespective of how time relates to the ecological feature experiencing it. Following the implementation of proposed mitigation measures, no significant residual effects are predicted at any timescale (see Table 4.18 in 6.3.4 Onshore Biodiversity and Nature Conservation [APP-086]). This conclusion would not change following further consideration of the lifecycle of the species assessed and as such no amendment to the assessment is proposed.	<i>EWT is satisfied with the response and the issue is now agreed</i>	Agreed
	EWT queried why there are gaps in the onshore ecology dataset.	The details of surveys and the existing dataset are described in the Environmental Statement 6.3.4 (Onshore Biodiversity and Nature Conservation) [APP-086] – the Applicant has committed to pre-construction surveys which will be undertaken post consent. Details of these are set out in in section 7.2 of 9.22 Outline Landscape and Ecological Management Plan (OLEMP) – Rev B [REP2-022].	<i>EWT is satisfied with the response and the issue is now agreed</i>	Agreed
	EWT notes that pre-construction surveys will be undertaken to establish location of any badger setts.	This is confirmed in Table 7-1 of 9.22 Outline Landscape and Ecological Management Plan (OLEMP) – Rev B [REP2-022]. <i>“Survey area: all terrestrial habitats within 50m of the OL.</i> <i>Survey timing: 3-6 months prior to construction commencing.</i> <i>Survey methods: In accordance with good practice, e.g. Scottish Natural Heritage (SNH) (2003).”</i>	<i>EWT is satisfied with the response and the issue is now agreed</i>	Agreed

		See also the Environmental Statement 6.3.1. (Onshore Project Description) [APP-083] which confirms that ecological surveys will be undertaken before any other construction activities begin (see 1.4.5 and 1.5.23).		Agreed
	EWT notes that pre-construction surveys will be undertaken to establish location of bat roosts	This is confirmed in Table 7-1 of the OLEMP – Rev B [REP2-022]. <i>“Survey area: all trees within the OL and which are likely to be affected. Survey timing: April to September during the season prior to construction commencing. Survey methods: In accordance with good practice, currently Collins, J (ed) (2023).”</i> See also the Environmental Statement 6.3.1. (Onshore Project Description) [AS-041] which confirms that ecological surveys will be undertaken before any other construction activities begin (see 1.4.5 and 1.5.23).	<i>EWT is satisfied with the response and the issue is now agreed</i>	
	EWT welcomes the proposed use of 'dead hedges' to close temporary hedgerow gaps during the bat active season	This is confirmed in the 9.22 Outline Landscape and Ecological Management Plan (OLEMP) – Rev B[REP2-022]. – see 7.8.12 <i>“Impacts to commuting and foraging bats will be reduced by: Filling temporary hedgerow gaps overnight during construction (and thereafter) with a “dead hedge” during the bat active season (April to October) until such time as reinstated vegetation has established and is at least 1 m tall. These locations shall be identified in the Final LEMP and will be based upon pre-commencement/pre-construction survey data plus final scheme design details.”</i>	<i>EWT is satisfied with the response and the issue is now agreed</i>	
Committed Trenchless Crossings	EWT is satisfied that the use of HDD at the landfall site will avoid impacts on Holland Haven SSSI. EWT welcomes the proposed use of trenchless techniques to minimise impacts on hedgerows, trees and woodland, hazel dormice and bats.	6.6.1.1 Obstacle Crossing Register – Rev B [REP3-010] lists all hedgerows / woodland that the Applicant has committed, for environmental reasons, to cross using trenchless techniques. - This includes for the protection of dormice. It is worth noting that no European Protected Species License (EPSL) is required for dormice as a result of this commitment, and that Natural England agrees with this stance – please see Natural England’s recent risk log [REP2-058]. J30 <i>“Protected species licences and therefore Letters of No Impediment will not be required for this project”.</i>	<i>EWT is satisfied with the response and the issue is now agreed</i>	Agreed

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