



# FIVE ESTUARIES OFFSHORE WIND FARM

10.82 APPLICANT'S RESPONSE TO THE  
INFORMATION REQUESTS OF 21  
AUGUST 2025 AND 26 SEPTEMBER 2025

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## DEFINITION OF ACRONYMS

Term	Definition
BMV	Best and most versatile
BNG	Biodiversity Net Gain
CIV	Central Impact Value
Defra	Department for Environment, Food and Rural Affairs
DWR	Deep Water Route
ECC	Essex County Council
EIA	Environmental Impact Assessment
GRIMP	Guillemot and Razorbill Implementation and Monitoring Plan
HRA	Habitats Regulations Assessment
LIMP	Lesser Black-Backed Gull Implementation and Monitoring Plan
MMO	Marine Management Organisation
NAS	Noise Abatement System
NERC	Natural Environment and Rural Communities Act
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OLEMP	Outline Landscape and Ecological Management Plan
OWF	Offshore Wind Farm
O&M	Operations and Maintenance
RFI	Request for Information
RIAA	Report to Inform Appropriate Assessment
RTD	Red Throated Diver
SoS	Secretary of State



SPA	Special Protection Area
WTG	Wind Turbine Generator
VE	Five Estuaries



## 1. INTRODUCTION

- 1.1.1 Five Estuaries Offshore Wind Farm (VE) is a proposed extension project to the operational Galloper Offshore Wind Farm off the coast of Suffolk. The new wind farm in the southern North Sea and create enough energy each year to power hundreds of thousands of homes. VE will create job opportunities, support the UK Government's ambitions for up to 50 GW of electricity generated from offshore wind by 2030 and help meet the objectives of the UK Energy Security Strategy.
- 1.1.2 This document has been prepared by Five Estuaries Offshore Wind Farm Limited ('the Applicant'). This document provides comments to the Secretary of State (SoS) on the consultation responses from the other Interested Parties to the consultation letters dated 21 August 2025 and 26 September 2025.
- 1.1.3 This document has been drafted to align with the topics within each of the Requests for Information (RFIs) to aid comparison between the various documents.



## 2. THE APPLICANT'S RESPONSE TO SUBMISSIONS TO THE CONSULTATION LETTER DATED 21 AUGUST 2025

### 2.1 WAKE EFFECTS

- 2.1.1 The Applicant has prepared a separate submission in response to the East Anglia TWO submission [C3-003]. The Applicant's response is provided in 10.83 Applicant's response to East Anglia Two submission on wake effects dated 5 September 2025.

### 2.2 NOISE INVESTIGATION PROTOCOL

- 2.2.1 The Applicant welcomes North Falls Offshore Wind Farm [C3-004] and National Grid's [C3-002] responses that align with its proposed requirement wording. The Applicant is aware of the comments from Essex County Council and Tendering District Council on the outline protocol, noting it is a tripartite document and discussions on it will continue into the Norwich to Tilbury DCO examination. The Applicant has no further comments to make.

### 2.3 FISH AND MARINE MAMMALS

#### RESPONSE TO NATURAL ENGLAND'S SUBMISSION

- 2.3.1 The Applicant welcomes agreement from Natural England (as detailed in C3-005) that marine mammal and fish monitoring is not required for the Five Estuaries Offshore Wind Farm (OWF).
- 2.3.2 The Applicant welcomes the confirmation that Natural England agree with the commitment to "*utilise a system or method to reduce the level of noise at source should be made*" and therefore, noise abatement systems (NAS) and/or noise reduction methods would be acceptable as a commitment to achieve reduction of noise in the marine environment. The Applicant also welcomes agreement on the Best Endeavours approach being appropriate and aligned with the latest guidance.
- 2.3.3 The Applicant welcomes the proposed condition wording from Natural England [C3-005] which broadly aligns with the Applicant's wording.

#### RESPONSE TO THE MARINE MANAGEMENT ORGANISATION'S SUBMISSION

- 2.3.4 The Applicant welcomes the agreement that a commitment to a specific system of NAS is not required at this stage of the development [C2-010]. The Applicant also welcomes agreement for on-going engagement regarding suitable technologies for noise mitigation with both the Marine Management Organisation (MMO) and Natural England.
- 2.3.5 The Applicant welcomes the proposed condition wording from the MMO [C2-010] which broadly aligns with the Applicant's wording and agreement regarding the relevant reports to be submitted to the Joint Nature Conservation Committee UK Marine Noise Registry [C2-010].

### 2.4 ONSHORE ECOLOGY – ES 6.3.4 ONSHORE BIODIVERSITY AND NATURE CONSERVATION

- 2.4.1 The Applicant welcomes Natural England's response dated 10 October 2025 [C4-001] which considers this matter resolved.





## 2.5 LANDFALL DRILLING RISK ASSESSMENT

- 2.5.1 The Applicant notes that Natural England [C3-005] and Essex County Council [C3-030] are both content with the wording proposed by the Applicant. The Applicant has no further comments to make.

## 2.6 BIODIVERSITY NET GAIN

- 2.6.1 The Applicant maintains its objections to the imposition of the revised Biodiversity Net Gain (BNG) requirement in principle as set out in its response to request 35 in 10.74 Applicants response to SoS request for information – Responses to the Secretary of State’s consultation 1 – Part 2 [C1-022]. As set out in previous submissions (including [C1-022 at request 35, 10.16 Applicant's Summaries of Oral Submissions REP1-059] at ISH1 agenda item 3.5, 10.24 Applicant's Summaries of Oral Submissions - ISH3, CAH2, ISH4 [REP3-022] at ISH3 agenda item 3.5) 10.26.1 Applicant's Comments on Local Impact Reports [REP3-025] at ECC.09, ECC.21), the BNG to which the Applicant has committed is intended to address the need under the Natural Environment and Rural Communities Act (NERC) 2006 to demonstrate compliance with the duty to conserve and enhance biodiversity and the applicable policy requirements. It is not statutory BNG under the Environment Act 2021 and it should not be treated as if it were statutory BNG. It is noted that the Government has delayed implementation of statutory BNG for NSIPs from November 2025 to May 2026.
- 2.6.2 The Applicant has also responded to the suggested wording in 10.77 Applicant’s response to Secretary of State Request for Further Information – Part 3 [C3-021]), and to Essex County Council’s suggested amendments in 10.79 Applicant’s response to Part 2 submissions [C3-023] at part 2 line 1.
- 2.6.3 The Applicant makes the following comments in response to Essex County Council’s suggested requirement wording as set out in Responses to letter dated 21 August 2025 [C3-030].
- 2.6.4 The Applicant objects to the Council’s position that BNG must be a minimum of 10% (paragraph 1(b)) and notes that, in their previous submissions, Essex County Council have stated that they are seeking 20%. The delivery of BNG of any amount is not a statutory requirement for this project and there is no legal basis for the imposition of ‘a minimum’ of 10% as measured by the metric in any case. It is not necessary, reasonable or procedurally fair for more than has already been offered by the Applicant (which is already more than is statutorily required for this project) to be requested at this stage.



- 2.6.5 The Applicant also maintains its objection that the wording proposed is imprecise and creates a position where the Applicant cannot know in advance what is required. ECC's position of seeking 20% (or more, the BNG Evidence for Need paper [C3-033] states at 6.7 that ECC consider "*even at 50% net gain, the additional cost would not affect the viability of many developments*", which the Applicant submits is demonstrably not a sound basis for assessing what is required from a specific development), means that stating a minimum provides no certainty as to what ECC as the discharging authority will then consider to satisfy the requirement at discharge. The wording accordingly does not comply with the tests for the imposition of planning requirements due to imprecision.
- 2.6.6 The Applicant notes and objects to the ECC wording having regard to outcomes sought by Essex County Council on BNG as set out in its BNG Evidence for Need paper [C3-033]. Despite being titled as an evidence paper, that submission strays heavily into seeking to force outcomes on developers, which should be done through adoption of planning policy which has been subject to proper scrutiny through a public process. These outcomes include seeking gain at thresholds higher than the statutory provision (which, the Applicant repeats, does not yet apply to NSIPs and does not apply to this project).
- 2.6.7 The final design of substation landscaping and ecology works will seek to maximise opportunities to increase the biodiversity provided onsite within the constraints of providing the mitigation and/ or compensation function. This is entirely in line with the approach driven by the Defra metric which seeks onsite provision in the first instance, contrary to the position of the Essex County Council paper. The Essex County Council position of seeking to force developers to use offsite provision (as set out in the BNG Evidence for Need paper) does not follow the Defra metric imperatives and should not be supported by imposition of a requirement allowing them to seek to impose an unjustified higher target at discharge stage. The ECC position is demonstrated in section 6.6.6 "*...it is likely that in a proportion of real-world circumstances, an increase from 10% to 20% will mean the difference between onsite delivery and the need for some offsite compensation and section 6.9 "It may be that in many cases, an increase to 20% alone will not be sufficient to drive developers to seek offsite solutions"*
- 2.6.8 The Essex County Council drafting is unacceptable by reason of imprecision and uncertainty. The drafting, taken together with the papers submitted by ECC, creates considerable doubt as to what would be required to discharge the requirement. . Essex County Council's objectives cannot form a valid reason for the imposition of a requirement given that they have no basis in planning policy.

#### OTHER REQUIREMENT WORDING POINTS

- 2.6.9 The Applicant notes that as BNG is currently voluntary for NSIPs and the 10% statutory minimum does not apply, and also that Natural England in its response [C3-005] requests that it is not a consultee to any BNG requirement. The Applicant therefore requests that the any requirement proposed by the SoS is updated to reflect Natural England's position by removing any reference to them.



- 2.6.10 The Applicant maintains its position that the wording of this requirement should be as set out in 10.77 Applicant's response to Secretary of State Request for Further Information – Part 3 [C3-021], subject to the deletion of '*in consultation with the relevant statutory nature conservation body*' as requested by Natural England (shown below).

*(1) Work No. 15 must not be commenced until a biodiversity net gain strategy which accords with the outline biodiversity net gain information comprising the Onshore Biodiversity Net Gain Indicative Design Stage Report has been approved in writing by the discharging authority ~~in consultation with Natural England the relevant statutory nature conservation body.~~*

*(2) The location for delivery of biodiversity units is to follow a prioritisation exercise, as described in the Onshore Biodiversity Net Gain Indicative Design Stage Report, with priority given to areas inside or within close proximity to the proposed Order limits. The Local Nature Recovery Strategy for Essex should be a reference point in this exercise.*

*(3) The biodiversity net gain strategy must be implemented as approved.*

## 2.7 FARMLAND BIRD COMPENSATION PLAN

- 2.7.1 The Applicant maintains that requiring compensation measures for skylark and corn bunting is neither appropriate nor justified. These species, while included on the Red List and Section 41 of the NERC Act 2006, are not classified as protected species and are considered "Non-threatened" according to Natural England's 2022 report. There is no statutory duty under the Habitats Regulations 2017, the Environmental Targets (Biodiversity) (England) Regulations 2023, nor any other legislation, to provide compensation for impacts on these species.
- 2.7.2 The Applicant has already provided extensive justification for its position in response to requests 40 and 41 in 10.74 Applicant's response to Secretary of State request for information - Responses to the Secretary of State's consultation 1 - Part 2 [C1-022] and 10.77 Applicant's response to the Secretary of State's request for information - Part 3 [C3-021] in Section 8.
- 2.7.3 In considering and assessing the impact on farmland birds, the Applicant has fully applied the mitigation hierarchy as required by the Infrastructure Planning (EIA) Regulations 2017 and the National Policy Statement (NPS). On-site mitigation is not feasible due to landscape screening requirements. Off-site compensation was considered but discounted, as it would result in adverse impacts on best and most versatile (BMV) land, and unduly interfere with farming businesses and food production.



- 2.7.4 The Applicant therefore maintains that the impact of the compensation measures would be disproportionate to the impact on the farmland birds. No Interested Parties objected to this balanced approach during pre-application or examination. This is supported by the Natural England response to the Secretary of State's consultation 2 [C3-005] which states that the "*query is outside the scope of issues and/or risks raised in our Relevant Reps*". The Examining Authority raised no written questions on this point but did repeatedly ask for information around how impacts on farming could be minimised. One of the ways in which impacts on farming are minimised is by not seeking to use (and bind) land for compensation for farmland birds.
- 2.7.5 The Applicant has not sought compulsory acquisition powers to provide farmland bird compensation, as this would be unjustified. Such powers would also require the imposition of long-term restrictions on landowners, limiting their ability to adapt to changing agricultural practices, climate conditions, and government policy.
- 2.7.6 The Applicant cannot establish any evidence which was before the Examining Authority, or which is before the Secretary of State, which justifies the imposition of a requirement for farmland bird compensation or which demonstrates that the Applicant's position is incorrect or unreasonable.

#### WITHOUT PREJUDICE REQUIREMENT WORDING

- 2.7.7 Without prejudice to the Applicant's position summarised above, requirement wording for a farmland birds compensation plan has been submitted to the Secretary of State. We note that the Essex County Council submission of 12 September [C2-011] states that the wording was agreed. The Applicant's responses to letter dated 21 August 2025 [C3-021] of 16 September has very similar but not identical wording. The Applicant therefore wishes to confirm in this submission that the changes made in the Essex County Council submission are supported by the Applicant and the wording (as reproduced below) is agreed.

*(1) Any part of Work No. 15B must not be commenced until a Farmland Bird Compensation Plan (FBCP) has been submitted to and approved by the discharging authority in consultation with the local planning authority for the area in which the compensation measure is to be provided.*

*(2) The FBCP must include—*

- a) an updated assessment of the impact (if any) that Work No. 15B is likely to have on skylarks and corn bunting based on the detailed design of Work No. 15B to include loss or displacement of territories;*
- b) where off-site habitat compensation is proposed to be taken forward to offset any impact identified in the updated assessment required under sub-paragraph (a)—*
  - (i) a calculation of the quantum of compensation required to offset any impact identified in the updated assessment required under sub-paragraph (a) to be proportionate to the scale of likely impact;*
  - (ii) the location(s) where the compensation measures will be delivered and the suitability of that location or locations (including why the location(s) is appropriate ecologically and likely to support successful compensation), and confirmation that the necessary landowner agreement(s) are in place, including a review mechanism to provide for the scenario where it is*



- necessary to amend the location(s) where the compensation measures will be delivered;*
- (iii) details of the capacity and ability of the compensation areas to compensate for the impact of the authorised development on skylarks and corn bunting;*
  - (iv) an implementation timetable for delivery including any arrangements made with a third party for implementation of the measures;*
  - (v) details for the ongoing management and maintenance of the compensation measures;*
  - (vi) details for the ongoing monitoring and reporting of the effectiveness of the compensation measures identified in the FBCP including survey methods, survey programmes, success criteria, and timescales for the monitoring reports to be delivered;*
  - (vii) details of any adaptive management measures, with details of the factors used to trigger any alternative and/or adaptive management measures; and*
  - (viii) details of how survey and monitoring data will be shared in the appropriate formats with the relevant Local Environmental Records Centre(s) and relevant national/regional environmental recording schemes, and any potential research collaborations.*
- c) provision for the option to be exercised by the undertaker, following consent in writing from the discharging authority, to pay a financial contribution to the Nature Restoration Fund wholly or partly in substitution for the provision of off-site habitat compensation or as an adaptive management measure for the purposes of sub-paragraph (b)(vii) above. The sum of the contribution to be agreed between the undertaker and Defra or other Government body responsible for the operation of the Nature Restoration Fund;*
- d) provision for the option to be exercised by the undertaker, following consent in writing from the discharging authority, to pay a financial contribution towards the establishment of compensation measures by another party wholly or partly in substitution for the provision of off-site habitat compensation or as an adaptive management measure for the purposes of sub-paragraph (b)(vii) above. The sum of the contribution to be agreed between the undertaker and the discharging authority; and*
- e) provision for the option to be exercised by the undertaker, following consent in writing from the discharging authority, to collaborate with another party in the delivery of compensation measures wholly or partly in substitute for the provision of off-site habitat compensation or as an adaptive management measure for the purposes of sub-paragraph (b)(vii) above.*
- (3) The undertaker must implement the measures set out in the FBCP approved by the discharging authority, unless otherwise agreed by the discharging authority following consultation with the local planning authority for the area in which the compensation measure is to be provided.*
- (4) Results from the monitoring and reporting scheme referred to in paragraph (2)(b)(vi) must be submitted to the discharging authority in accordance with the approved FBCP and any adaptive management measures (if any are required)*





*referred to in paragraph 2(b)(vii) must be implemented by the undertaker in accordance with the approved FBCP.*

*(5) The FBCP approved under paragraph (1) includes any amendments that may subsequently be approved in writing by the discharging authority, including any amendments to the location where the compensation measures will be delivered as referred to in paragraph (2)(b)(ii).*

*(6) This requirement ceases to have effect on the date that the onshore decommissioning of the authorised development is commenced.*

*(7) In this requirement—*

*“Defra” means the Department for Environment, Food and Rural Affairs; and*

*“Nature Restoration Fund” means any fund established by Defra or a Government body for the purpose of implementing strategic mitigation measures to offset the adverse environmental impacts from development.*

## **2.8 FLOOD RISK**

- 2.8.1 The Applicant welcomes the responses from the Environment Agency [C3-029] and Essex County Council [C3-030] noting they agree with the conclusions of and have no comments respectively on 10.76 Technical Memo on Revised Environment Agency Flood Mapping Data [C1-045]. The Applicant has no further comments to make.

## **2.9 BUFFER ZONE FOR RED-THROATED DIVERS**

- 2.9.1 The Applicant welcomes the suggestion from Natural England of a ‘red-throated diver DWR Mitigation Strategy’, (as detailed in C3-005) in the place of a seasonal restriction. Following more detailed planning of the cable installation in the Deep Water Routes, the Applicant agrees this is a pragmatic solution and the strategy will be developed in consultation with Natural England prior to submission to the MMO.
- 2.9.2 As detailed in 10.81 Applicant’s Response - Secretary of State Request for Further Information 26 September 2025 [C4-002] and 9.32 Offshore In-Principle Monitoring Plan - Revision I [C4-006], the Applicant has subsequently committed to undertake GPS tagging of RTD to contribute to the scientific understanding of the behavioural changes to RTD in the SPA and buffer area from anthropogenic disturbance.

## **2.10 BUFFER ZONE FOR SCHEDULE 1 SPECIES**

- 2.10.1 The Applicant notes the SoS RFI 4 issued 26 September 2025 requested an update to the OLEMP in response to Natural England’s comments included in their response to RFI 3 [C3-005]. The Applicant made the requested changes and has no further comments to make.



## 2.11 OPERATIONS AND MAINTENANCE PORT ASSESSMENT

### APPLICANT'S RESPONSE TO NATURAL ENGLAND'S SUBMISSION

- 2.11.1 The Applicant notes the concerns raised by Natural England [C3-005] regarding the potential impacts on onshore and estuarine environments. As detailed in 10.75 Supplementary Operations and Maintenance Assessment [C1-044], the Applicant has not yet selected a final O&M port for the VE project. Depending on the O&M base selected, there may be requirements for offices, warehouses, jetties, and quaysides – these facilities may already exist at the final selected O&M port or be provided by the final port selected. Therefore, it would not be feasible to undertake a meaningful assessment on the onshore or estuarine environments given the uncertainty on what, if any, development would be required.
- 2.11.2 Any new infrastructure to be delivered in a port will be consented under a separate planning regime once further details are available. At that stage, the environmental impacts of constructing and operating any new port facilities, including any associated road traffic movements and estuarine interactions, would be assessed and consulted upon.

### APPLICANT'S RESPONSE TO THE MARINE MANAGEMENT ORGANISATION'S SUBMISSION

- 2.11.3 The Applicant welcomes agreement from the MMO (as detailed in C2-010) on the scope of the supplementary assessment of O&M impacts. The Applicant also welcomes agreement on the conclusion of the impacts of O&M vessels on fish and shellfish receptors as presented in 10.75 Supplementary Operations and Maintenance Assessment [C1-044].

## 2.12 UPDATES TO REPORT TO INFORM APPROPRIATE ASSESSMENT ("RIAA") AND HRA SCREENING MATRICES

- 2.12.1 The Applicant welcomes confirmation that Natural England's concerns have been addressed regarding the transboundary sites and seismic surveys, as detailed in C3-005.

## 2.13 HRA IMPLEMENTATION AND MONITORING PLANS

### GUILLEMOT AND RAZORBILL IMPLEMENTATION AND MONITORING PLAN

- 2.13.1 The Applicant provided the requested approach and inclusion of philopatry into the calculations in the latest submitted revision of the Guillemot and Razorbill Evidence, Site Selection and Roadmap – Revision E [C3-027]. The Applicant welcomes Natural England's response [C4-001] confirming that they no longer have concerns regarding the compensation quantum calculations.



## LESSER BLACK-BACKED GULL IMPLEMENTATION AND MONITORING PLAN

- 2.13.2 The Applicant's position remains unchanged and the provision on either site would more than compensate for the predicted worst-case impact of the proposed development. At this time, the Applicant continues to seek powers to deliver Orford Ness and remains in discussion with The Crown Estate and Defra to progress Outer Trial Bank. In addition, the Applicant maintains the position that three breeding seasons prior to the potential impacts may occur is sufficient.
- 2.13.3 Both the Volume 5, Report 5.6: Lesser Black-Backed Gull Implementation and Monitoring Plan [C1-032] and the Volume 9, Report 32: Offshore In-Principle Monitoring Plan [C4-007] secures the provision for undertaking colour ringing surveys for lesser black-backed gull.

### 2.14 BENTHIC MITIGATION AND WORST-CASE SCENARIO

- 2.14.1 The Applicant considers this matter to be resolved. No consultation responses to the requested amendments to the following documents were received:
- > 6.2.5 Benthic and Intertidal Ecology - Revision B;
  - > 6.2.6 Fish and Shellfish Ecology - Revision B;
  - > 5.5.1 Benthic Compensation Strategy Roadmap - Revision D;
  - > 5.4 Report to Inform Appropriate Assessment - Revision F; and
  - > 9.13 Margate and Long Sands Special Area of Conservation Benthic Mitigation Plan - Revision H.

### 2.15 GUILLEMOT AND RAZORBILL COMPENSATION QUANTUM

- 2.15.1 As detailed in Natural England's letter dated 10 October 2025 [C4-001], the methodology and calculations regarding compensation quantums are now agreed.
- 2.15.2 The Applicant welcomes Natural England's response dated 10 October 2025 [C4-001], which considers the matter of the number of recruits which are expected to disperse or stay at the natal colonies resolved.

### 2.16 LESSER BLACK-BACKED GULL COMPENSATION SITE

- 2.16.1 The Applicant submits that additional wording is not required within the Order to secure seasonally appropriate surveys because they are already secured through paragraph 5.3.4 of the Outline Lesser Black-Backed Gull Implementation and Monitoring Plan, with which the final Lesser Black-Backed Gull Implementation and Monitoring Plan must accord (in accordance with paragraph 3(1) of Schedule 13 to the Order). The Applicant has provided wording which accounts for the surveys undertaken to date which would be of relevance to this wording.

### 2.17 THE DRAFT DEVELOPMENT CONSENT ORDER

- 2.17.1 The Applicant notes there have been no responses from other Interested Parties on this topic. The Applicant has no further comments.





### 3. THE APPLICANT'S RESPONSE TO SUBMISSIONS TO THE CONSULTATION LETTER DATED 26 SEPTEMBER 2025

#### 3.1 HRA – GUILLEMOT AND RAZORBILL IMPLEMENTATION AND MONITORING PLAN

- 3.1.1 The Applicant welcomes Natural England's response dated 10 October 2025 [C4-001] which considers the proposed DCO wording agreed.

#### 3.2 HRA – GUILLEMOT AND RAZORBILL EVIDENCE, SITE SELECTION AND ROADMAP

- 3.2.1 The Applicant welcomes Natural England's response dated 10 October 2025 [C4-001] which considers the matter of compensation quantum and natal dispersion resolved. Further details are provided in Section 2.13 of this submission.
- 3.2.2 The Applicant welcomes agreement from Natural England [C4-001] that *"the success of the compensation measure should be judged against achieving the CQ target derived from the mean or central impact value (CIV) and calculated using the Natural England preferred approach."* The Applicant confirms that the compensation measures set out in the Guillemot and Razorbill Evidence, Site Selection and Roadmap – Revision E [C3-027] have the predicted capability to meet the design requirement using the predicted upper confidence interval impacts and the highest ratio (3:1).

#### 3.3 HRA – BUFFER ZONE FOR SCHEDULE 1 SPECIES

- 3.3.1 The Applicant has nothing further to add to 10.81 Applicant's Response – Response to The Secretary of State Letter Dated 26 September 2025 [C4-002].

#### 3.4 ONSHORE ECOLOGY – ES 6.3.4 ONSHORE BIODIVERSITY AND NATURE CONSERVATION

- 3.4.1 The Applicant welcomes Natural England's response dated 10 October 2025 [C4-001] which considers this matter resolved.

#### 3.5 OTHER ENVIRONMENTAL MATTERS

- 3.5.1 The Applicant has nothing further to add to 10.81 Applicant's Response – Response to The Secretary of State Letter Dated 26 September 2025 [C4-002] with respect to the following topics referred to in responses from interested parties to the consultation letter dated 26 September 2025:-
- > Onshore Ecology- outline landscape and ecological management plan;
  - > Flood risk – code of construction practice;
  - > Offshore ornithology – offshore in-principle monitoring plan; and
  - > Benthic ecology – offshore in-principle monitoring plan.



## 4. ADDITIONAL UPDATE

### 4.1 LAND AGREEMENTS

- 4.1.1 The Applicant notes previous interest in the extent of the acquisition of land rights at the proposed onshore substation by the Secretary of State consultation 1 request for information – Part A dated 11 July 2025.
- 4.1.2 The Applicant would like to update the Secretary of State that, further to the response issued by T Fairley [C2-012], heads of terms have now been agreed between the Applicant and the landowner covering the permanent acquisition of land within plot 17-024 and the acquisition of permanent rights within plots 17-006, 17-004, 17-018. The Applicant has also agreed heads of terms with the second landowner at the substation site covering plot 17-025 (the executors of the estate for the Late Charles Tabor). These agreements align with the revised Land Plans – Onshore [C1-009].



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