



**N O R T H F A L L S**

*Offshore Wind Farm*

## **Applicant's Written Summary of Oral Submissions at the Issue Specific Hearing (ISH1)**

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# 1. INTRODUCTIONS

## 1.1 Background

1.1.1 Issue Specific Hearing 1 (**ISH1**) was held on 2 April and 3 April 2025. The hearing was held so that the Examining Authority (**ExA**) could hear evidence and ask questions in respect of various onshore environmental topics and provided an opportunity for registered Interested Parties (**IPs**) to make oral representations about the DCO application. The Applicant notes that each IP making an oral submission was requested to provide a written summary note to the ExA for Deadline 4 (25 April 2025).

1.1.2 The Applicant was represented by:

1.1.2.1. Claire Brodrick (Legal Director at Pinsent Masons LLP, solicitors for the Applicant), Andy Paine (Project Director, North Falls Offshore Wind Farm), Cormac Rooney (Consents Manager, North Falls Offshore Wind Farm) David Reid (Engineering Manager, North Falls Offshore Wind Farm), Gordon Campbell (Principal Environmental Consultant, RHDHV), Paul Macrae (Director of Landscape Planning, LUC), Caroline Osbourn (Principal Landscape Architect, LUC), Sarah Mounce (Principal Heritage Consultant, RHDHV), Victoria Boothby (Principal Marine Heritage Consultant, RHDHV), Sam Taylor (Associate Director, Mobility & Infrastructure, RHDHV), Tim Britton (Principal Acoustic Consultant, RHDHV), Caroline Martin (Technical Director, RHDHV), Helena Wicks (Principal Flood Risk Consultant, RHDHV), Simon Foulds (Environmental Consultant, RHDHV) and Ricardo Gomez (Director, Hatch).

1.1.3 Twelve IPs spoke at ISH1:

1.1.3.1. Eleanor Storey, Carol Wallis, Mark Woodger, Teresa O'Connor,<sup>1</sup> Catherine Bailey<sup>2</sup>, Emma Woodley<sup>3</sup>, Allison Vaughan and Joseph Hough on behalf of Essex County Council;

1.1.3.2. Graham Gunby, Clara Peirson, Isolde Cutting, Steven Merry, James Chandler and Julia Cox, on behalf of Suffolk County Council;

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<sup>1</sup> Teresa O'Connor spoke on behalf of Essex County Council and Tendring District Council at ISH1 in respect of historic environment and archaeology issues

<sup>2</sup> Catherine Bailey spoke on behalf of Babergh District Council, Essex County Council and Tendring District Council at ISH1 in respect of landscape issues.

<sup>3</sup> Emma Woodley spoke on behalf of Essex County Council and Tendring District Council at ISH1 in respect of built heritage issues.

- 1.1.3.3. Jacob Jaarsma, Catherine Bailey, Emma Woodley and Teresa O'Connor, on behalf of Tendring District Council;
- 1.1.3.4. Bron Curtis and Catherine Bailey, on behalf of Babergh District Council;
- 1.1.3.5. Simon Amstutz, on behalf of Suffolk and Essex Coast and Heaths National Landscape Partnership;
- 1.1.3.6. Carolyn Mason and James Blythe on behalf of Ardleigh Parish Council;
- 1.1.3.7. Jeremy Bloom and Clara Thompson, on behalf of National Highways;
- 1.1.3.8. Barbara Moss-Taylor, on behalf of the Environment Agency;
- 1.1.3.9. Gillian Christmas;
- 1.1.3.10. Zoe Fairley;
- 1.1.3.11. Thomas Fairley and Tamsin Fairley, on behalf of T Fairley and Sons Limited, Robert Fairley Limited, T & R Fairley Farming Partnership; and
- 1.1.3.12. Louis Fell of Brockthorpe Consultancy Ltd, on behalf of Strutt & Parker (Farms) Ltd and Liana Enterprises Ltd.

## **1.2 Purpose of Document**

- 1.2.1 This document sets out the Applicant's written summary of the oral submissions made at ISH1. Where the Applicant has made commitments on the topic, the relevant application documentation is identified.

### 1.3 Matters raised by the ExA and IPs and the Applicant's Response

Agenda Item	Summary of Oral Submissions
3.1 Landscape and visual impact and design	
Whether the proposal would enable the Secretary of State to discharge the section 85 Countryside Rights of Way Act 2000 duty as amended by section 245(6) of the Levelling Up and Regeneration Act 2023.	<p>The ExA asked for the Applicant to explain its position regarding compliance with the legislation and whether the proposal would enable the Secretary of State to discharge the relevant duty.</p> <p>Ms Brodrick responded and referred to the Applicant's response to question 14.1.3 [REP2-020] and the Applicant's response to [RR-316] from the Suffolk and Essex Coast and Heaths National Landscape Partnership at [REP1-045].</p> <p>Mr Macrae explained the methodology regarding the assessment of the potential visual impacts of the onshore elements of the Project (focussing on the onshore substation). Mr Macrae noted that, while there is potentially a small amount of visibility of the onshore substation from the Dedham Vale National Landscape, visibility does not necessarily equate to visual impact. Mr Macrae stated that the onshore substation would be almost fully screened by vegetation and noted that ancient trees and other buildings are located between the Dedham Vale National Landscape and the onshore substation. As such, the onshore substation would have no impact on the National Landscape or on people using that landscape for recreation.</p> <p>The ExA requested further clarification in relation to the wording of the duty and how the Applicant considered the duty to seek to further the purpose of National Landscapes.</p> <p>Ms Brodrick responded that the duty contains two limbs: (a) whether a development have any impact on the relevant National Landscape (previously area of outstanding natural beauty (AONB)); and (b) if there is an impact, consideration of the nature of that impact and whether it can be reduced or, if the impact is justifiable, whether any enhancement measures are required. Ms Brodrick submitted that the relevant duty is a positive obligation to consider the impact of the development on the purpose of the National Landscape. Ms Brodrick that there is no legal, policy or guidance requirement to always include measures within a development to enhance the National Landscape regardless of the level of impact. Ms Brodrick concluded that, therefore, because the onshore substation has no impact on the Dedham Vale National Landscape, the Secretary of State can be confident that the duty can be discharged.</p> <p>Ms Brodrick referred to High Court judgment in <i>New Forest National Park Authority v Secretary of State for Housing, Communities and Local Government and Mr Simon Lillington</i> [2025] EWHC 726 which considered the duty and relevantly held that, in circumstances where the relevant development was assessed as having no impact on the relevant AONB, the duty is considered to be discharged. Ms Brodrick submitted that this recent case law supports the Applicant's position on this issue.</p> <p>The ExA requested that the Applicant submit a copy of this High Court decision into Examination and provide a written summary of the Applicant's explanation at Deadline 4 and invited Interested Parties to make submissions. A copy of the High Court judgment has been submitted at Deadline 4 at [Document Reference: 9.63, (Rev 0)].</p> <p>Mr Jaarsma noted that there was confusion as to the boundary of the Dedham Vale National Landscape, asked to what extent the Applicant had collaborated with the National Landscapes team and the development's role in delivering the Protected Landscapes Management Plan.</p> <p>The ExA requested that the Applicant submit detailed plan showing the boundary of the Dedham Vale National Landscape and the location of Viewpoint 08 in relation to that boundary and a written summary of Mr Jaarsma's explanation of the location of the boundary. A copy of a plan detailing the location of the onshore substation and the distances from the boundaries of the National Landscapes and Viewpoints has been submitted at Deadline 4 (see the Landscape and Visual Impact Assessment viewpoints and the Dedham Vale National Landscape Plan [Document Reference: 9.59, Rev 0]).</p> <p>Ms Curtis referred to the guidance regarding the strengthened duty and stated that Babergh District Council believes the duty does apply because it includes the setting of protected landscapes where development is undertaking on land outside of the relevant National Landscape boundary.</p> <p>Mr Blythe enquired in relation to the extent of the screening of the onshore substation and the extent to which it would be visible from the Dedham Vale National Landscape.</p>

Agenda Item	Summary of Oral Submissions
	<p>In response to these comments, Mr Macrae explained that the onshore substation would not be a noticeable feature in the view and stated that, while the onshore substation may be visible in a gap between some trees, any views would be minimal and difficult to make out unless you were specifically looking to identify that feature. Ms Brodrick also said that, with regard to the Suffolk County Council representation made in relation to the Five Estuaries Offshore Wind Farm, that the Applicant would submit the opinion given by Hereward Phillpot KC in that Examination which disagrees with Suffolk County Council's position for the purposes of balance.</p> <p>In response to comments made by Ms Cutting, Ms Pierson and Mr Amstutz on the impact of the onshore substation on Dedham Vale National Landscape and the recent decision of the Secretary of State on the Lower Thames Crossing DCO, Ms Brodrick reiterated that the Applicant's position is that the duty is discharged as the onshore substation will not result in a visual impact on the Dedham Vale National Landscape. However, in the event that the Secretary of State disagrees with the conclusions of the Applicant's assessment, the Applicant's position is that the relevant duty to seek to further National Landscapes is still discharged. Ms Brodrick referred to the arguments put by the Applicant on this point in relation to the impact of the offshore elements of the Project on the Suffolk and Essex Coast and Heaths National Landscape. In summary, the Applicant's position is that the duty is discharged on the basis that it is not practicable to minimise the impacts further (due to siting, operational and other relevant constraints) and it would not be appropriate or proportionate for the Applicant to provide a financial sum to further the purpose on the National Landscape (further details can be found in the Applicant's Written Summary of Oral Submissions at ISH2 [<b>Document Reference: 9.48, Rev 0</b>]).</p> <p>Ms Brodrick stated that the Lower Thames Crossing DCO decision was not applicable in this instance because it dealt with a very different type of project and impact on the relevant National Landscape. Ms Brodrick submitted that it was therefore not necessarily appropriate to suggest that the position taken by the Secretary of State in relation to compensation on the Lower Thames Crossing DCO is directly applicable to North Falls. Ms Brodrick also noted that IPs have not submitted any evidence to support an argument that North Falls should be making similar financial contributions.</p> <p>In response to comments made by IPs regarding the distance of the onshore substation from the National Landscape, Mr Macrae stated that he understood that Viewpoint 08 is located approximately 500m within the Dedham Vale National Landscape. Mr Macrae agreed with comments made by IPs that the National Landscape should be considered as a whole but reiterated that there would not be a significant landscape or visual effect on any part of the National Landscape based on the assessments undertaken by the Applicant. Regarding sequential views, he said that this would again be very limited and would not equate to a significant, sequential visual effect on views from the Dedham Vale National Landscape. Mr Macrae also said, regarding the point made by Ms Cutting in relation to the change in character of the landscape, that non-natural elements are already present in the view from the National Landscape (such as large glasshouses) and highlighted that the character of the land surrounding the onshore substation is different than the land within the Dedham Vale National Landscape boundary. Mr Macrae addressed the concerns raised regarding unassessed zones and confirmed that these had been taken into account and the visual impact of the onshore substation from these viewpoints would also be minimal. Mr Macrae explained that these zones had just not been assessed in detail within the LVIA because they were located outside the 2km study area.</p>
Whether the impacts on visual amenity during construction and operation have been adequately assessed.	<p>The ExA invited the Applicant to explain the adequacy of the assessments made.</p> <p>Mr Macrae explained the methodology of the assessments. Mr Macrae explained that the assessment was undertaken in accordance with relevant guidance and that the study area for the assessment of onshore works was agreed with stakeholders. The assessment includes visualisations prepared for 8 viewpoints with proposed screening mitigation at year 1 and year 15. Mr Macrae stated that the visual impacts of construction and operation would be significant within a 1km radius of the onshore substation and that the proposed measures would not entirely mitigate the impacts of the development in all cases. He noted that it would not be feasible to entirely hide the Project's in the landscape because of the Project's scale and recognised that the proposed mitigation would have the effect of reducing available views. He said that the Applicant was satisfied that the LVIA presents an adequate assessment of those impacts at all stages of the Project.</p> <p>In response to comments made by IPs regarding the adequacy of the assessment and the location of the viewpoints, Mr Macrae responded that the viewpoints selected for assessment were adequate for assessing the impacts of the development without the need for the inclusion of additional viewpoints. Mr Macrae explained that the inclusion of viewpoints along the PRow along Barn Lane or the southern end of Grange Road would not provide any further illustrative information because they are immediately adjacent to the Project and these impacts are adequately assessed by viewpoints 2 and 3. He noted that the LVIA does recognise that there would be a significant localised residual effect on the landscape and that moderate effects on views and on landscapes outside the National Landscape were found to be significant in the LVIA.</p>



Agenda Item	Summary of Oral Submissions
	<p>The ExA requested that the Applicant make a written submission regarding how the unassessed viewpoints had been considered within the LVIA. Further detail has been submitted at Deadline 4 in the Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, Rev 0</b>].</p>
<p>Whether, or not, the Applicant has coordinated the design of the proposed onshore substation (OnSS) with the proposed Five Estuaries Offshore Windfarm (VEOWF) substation. If coordinated, how this would progress?</p>	<p>The ExA asked the Applicant to outline steps taken to coordinate design with the Five Estuaries Offshore Wind Farm.</p> <p>Ms Osbourn described the past and present efforts made by the Applicant to coordinate design including regular meetings and workshops from Spring 2023 to agree the locations of the co-located onshore substations, drainage and approach to landscape and visual mitigation.</p> <p>Mr Rooney noted the development of a joint Design Guide to inform detailed design with an appointed design champion from each of North Falls and Five Estuaries. He also discussed recent collaboration with Essex County Council regarding the external review process. This includes involvement from the Essex Quality Review Panel. He referenced meetings taking place during the Examination that would continue post consent and collaboration with National Grid who will be present along with Essex County Council as a consultee observer.</p> <p>Ms Brodrick noted that the Design Vision [<b>APP-234</b>] will be updated to reflect outcomes from these meetings and to set out the process agreed. Ms Brodrick noted that the Design Vision is referred to in the draft DCO so the review of the design is secured by that mechanism. An updated version of the Design Vision will be submitted prior to the end of the Examination.</p> <p>The ExA requested that a written submission providing an update on progress be submitted at Deadline 4 and a substantive report at Deadline 5 (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p> <p>In response to comments made by IPs regarding the involvement of Tendring District Council, Ardleigh Parish Council and landowners in the design process, Ms Brodrick referred to the specific consultation process for the detailed design of the Project, which would include local communities, which is set out in sections 1.6 and 1.7 of the Design Vision and had been referred to in the Requirement 5 of the draft DCO submitted at Deadline 3 [<b>REP3-008</b>]. She noted that this consultation would occur further on in the process rather than at the design review stage. After the meetings discussed had taken place the Applicant would be in a position to provide further information to stakeholders.</p> <p>Mr Rooney confirmed that the Applicant intends to engage with local stakeholders and landowners at the appropriate point in the process.</p>
<p>Whether the proposed mitigation at the OnSS of the Proposed Development would provide adequate visual screening, and how would this relate to the VEOWF proposed development visual screening.</p>	<p>The ExA asked the Applicant to set out the proposed visual mitigation measures.</p> <p>Ms Brodrick noted that the Applicant has taken a holistic approach to mitigation and is mindful that certain mitigation measures may have a dual function (i.e. from both a landscaping and ecological perspective) and that mitigation for one element of the development may negatively impact another (i.e. landscaping may have a positive impact on visual receptors but may equally have an adverse effect on the usability of Best and Most Versatile land). The Applicant has tried to strike a balance between providing mitigation for one effect while not inadvertently causing adverse effects to other receptors.</p> <p>Mr Macrae said that the primary purpose of the mitigation proposals was to reduce the visual and landscape effects of the development by limiting its visibility. He said mitigation should not itself introduce incongruent features and should be a long term solution. He stated that the Applicant is also looking to contribute to green infrastructure and biodiversity.</p> <p>The ExA asked how the Applicant had taken farming into account and how proposed mitigation would relate to the Five Estuaries Offshore Wind Farm Scheme.</p> <p>Mr Macrae noted that there are areas included within the Order limits that would be returned to agricultural use and not given over to landscaping.</p>



Agenda Item	Summary of Oral Submissions
	<p>Ms Osbourn referenced discussions with Five Estuaries and considerations given to the open character of the landscape and existing features and the potential impact on agricultural land. She stated that North Falls and Five Estuaries were in agreement regarding the use of shelter belts as the primary form of screening and described the consideration given to the composition and position of the screening. Ms Osbourn noted that the location of the shelterbelt screening is a point of difference between the Five Estuaries and North Falls designs and explained the considerations that informed North Falls' design (including impacts on the open landscape, impacts on agricultural land).</p> <p>In response to various comments from IPs relating to the nature and extent of the mitigation proposed, Ms Brodrick noted that the conflicting submissions made by IPs highlighted the need to strike a balance with proposed mitigation measures. She noted the ongoing coordinated approach with Five Estuaries and said that the Applicant would submit the final Five Estuaries Outline Landscape Environmental Management Plan for Examination (a copy has been submitted at Deadline 4 at Five Estuaries' Outline Landscape and Ecological Management Plan – Revision F <b>[Document Reference: 9.60, Rev 0]</b>). Ms Brodrick noted that some comments had been made by IPs in relation to the Tarchon Interconnector Project and that that project was at an earlier stage of development compared with North Falls and Five Estuaries. Accordingly, the Tarchon Interconnector Project would not be able to engage in design discussions with the same level of detail at this stage. Ms Brodrick noted that this point also applies to an extent to National Grid in respect of the Norwich to Tilbury Project as the DCO application has not yet been submitted.</p> <p>In response to comments made regarding biodiversity net gain (BNG), Ms Brodrick noted that BNG was on the agenda for ISH2 and the Applicant would provide a detailed explanation of its approach to biodiversity net gain at the appropriate time at ISH2.</p> <p>The ExA requested that the Applicant respond to Mrs Mason's question in relation to providing enhancement and compensation outside of the Project's red line boundary in writing. The Applicant has provided a response at Deadline 4 in the Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, Rev 0]</b>.</p>
<b>3.2 Historic Environment and Archaeology</b>	
Whether the adverse effects on buried archaeological assets would be effectively mitigated through the proposed mitigation.	<p>The ExA invited the Applicant to explain whether further intrusive assessment by trial trenching would provide clarity on significance and reduce project risk.</p> <p>Ms Mounce confirmed that the geophysical survey was ongoing and that further areas had been surveyed following the submission of the DCO application. She noted that two areas remained outstanding and would be completed later in the year. With regard to trial trenching, Ms Mounce said that this had already been completed in the key project areas and that no further trial trenching would take place at the pre-consent stage. Ms Mounce noted discussions that the Applicant had engaged in with Essex County Council Historic Environment Team and Historic England to agree an approach to undertaking scheme wide trial trench evaluation post-consent and pre-construction. She said that this will take place jointly with Five Estuaries and the Applicant will submit a Trench Plan at Deadline 5. Ms Mounce also noted that the Applicant is developing an Archaeological Mitigation Strategy which aligns with the Five Estuaries approach, which is currently with Essex County Council Historic Environment Team and Historic England for comment. This will allow the Applicant to identify the significance of the archaeology and inform the mitigation approach. Ms Mounce noted that this would be either preservation in situ or preservation by record. The archaeological trial trenching will be undertaken post-consent to inform the detailed design stage. She explained that the results of the trial trenching would inform the programme for mitigation and reconstruction.</p> <p>The ExA enquired as to whether the Trial Trench Plan conforms to Essex County Council regional standards.</p> <p>Ms Mounce confirmed that this was the case and noted that there will be some flexibility in the percentage of coverage being 4% coverage in areas with identified archaeological remains. Ms Mounce was confident that that approach should be sufficient to characterise the archaeology and establish the extent of the relevant area.</p> <p>The ExA enquired as to whether this information could be provided before Deadline 5.</p> <p>Ms Mounce said that documents were currently with Essex County Council for comment but said that, if it was possible for the Applicant to provide these sooner, then it would do so.</p>

Agenda Item	Summary of Oral Submissions
	<p>In response to comments made by Ms Mason regarding community engagement, Ms Brodrick directed Ms Mason to section 8 of the Outline Onshore Written Scheme of Investigation [APP-247] which sets out the public outreach / community engagement strategy in relation to trenching undertaken post-consent which she noted would be updated at Deadline 5. Ms Brodrick explained that the Applicant would consider whether any additional wording needs to be added. She reiterated that the surveys and the targeted trial trenching were sufficient to inform the EIA and that post-consent trenching would inform detailed design and specific mitigation measures.</p> <p>The Applicant will provide further information on this point at Deadline 4 with submission of the Archaeological Mitigation Strategy, updated Outline Written Scheme of Investigation and Trench Plans, along with Statements of Common Ground on these matters with Essex County Council Historic Environment Team and Historic England on the approach, at Deadline 5.</p>
<p>Whether the effects on Conservation Areas and Heritage Assets have been adequately assessed.</p> <p>Whether the proposed mitigation for the Conservation Areas and Heritage Assets would be sufficient, and whether there would be a need for additional mitigation?</p>	<p>The ExA noted that the next two agenda items would be discussed together as they both relate to Conservation Areas and Heritage Assets. The ExA then invited the Applicant to make submissions as to adequate assessment of these two items.</p> <p>Ms Mounce explained that the Applicant had adequately assessed the significance of the Heritage Assets. She noted that its baseline had been informed by desk based and aerial photographic assessment, geophysical survey and trial trenching. She said that these assessments had informed the mitigation approach.</p> <p>The ExA requested further information in line with Historic England's comments that the Applicant should continue to review the ES as additional data is obtained with regard to non-designated Heritage Assets.</p> <p>Ms Mounce responded that the Archaeological Mitigation Strategy outlines the approach to ongoing consultation with Historic England and Essex Place Services regarding the significance of the archaeology following trial trenching, the appropriate mitigation, detailed design and preservation. Ms Mounce noted that the Applicant intends to avoid the archaeology where practicable taking into account engineering and other environmental constraints.</p> <p>In response to comments made by IPs relating to the impacts of the proposed landscape mitigation on Jennings's Farmhouse, Ms Brodrick reiterated the need to achieve a balance between mitigation of certain impacts while ensuring that the proposed mitigation measures did not inadvertently adversely impact other receptors. She noted that clarification of the approach taken would be submitted at Deadline 5.</p> <p>Ms Mounce added that, regarding the assessment at Jennings's Farmhouse, the Applicant did not separately assess the temporary construction effects on the setting of Jennings's Farmhouse as the effects had been assessed as part of the operational phase as there would be a long term change to the setting as a result of infrastructure at the onshore substation. She said that Heritage Assets were discussed in the Applicant's Settings Assessment [APP-148] and [APP-149] which included a 1km study area along the cable route and a 5km study area around the onshore substation for the purposes of identifying any Heritage Assets likely to be impacted by construction and determining whether that change would affect the heritage significance of those assets. She noted that following discussions with Ms Woodley, the Applicant would submit an addendum to the relevant ES chapter outlining the rationale behind conclusions regarding construction and operational effects on the setting of the Jennings's Farmhouse (see Addendum to Environmental Statement Chapter 25 Onshore Archaeology and Cultural Heritage [Document Reference: 9.49, Rev 0]).</p> <p>The ExA requested that the Applicant flag where listed Heritage Assets have been assessed in its written submissions. This information has been provided in the Applicant's Response to Actions List for ISH1 and ISH2 [Document Reference: 9.50, (Rev 0)].</p> <p>In response to comments made by Mr Blythe regarding the method of trial trenching, Ms Mounce confirmed that trial trenching would be carried out by a specialised archaeological contractor who will hire a mechanical excavator contractor who is familiar with the task. These methods were outlined in the Outline Onshore Written Scheme of Investigation which was approved by Essex Place Services.</p> <p>The ExA requested further information regarding the digging of trenches for the purposes of laying the cables.</p> <p>Ms Brodrick noted that the approach and mitigation measures put in place for the laying of the cables would be informed by the trial trenching.</p>

Agenda Item	Summary of Oral Submissions
	<p>Mr Reid confirmed that the main cable trench would be dug by a mechanical excavator with ducts laid in the bottom of the trench using the information gathered from the archaeological trial trenches to ensure avoidance of identified archaeology. He referred to the Roman roads in the area and explained that there is an offset of 50m from the edge of construction to ensure that they are preserved.</p>
<p>Whether the proposed offshore cable corridor from the proposed development would adversely affect sediment and geoarchaeological potential.</p>	<p>The ExA requested comment from the Applicant regarding submissions made by Historic England and progress made on an agreed wording or protocol to address unexpected finds of an archaeological nature.</p> <p>Ms Boothby said that the ES chapter on offshore archaeology and cultural heritage <b>[APP-030]</b> recognises that without mitigation, there is potential for impacts on geo-archaeological deposits with paleo-environmental potential. She said that geophysical data gathered has allowed the Applicant to map features and horizons of potential interest allowing specific objectives for assessment. This is with the aim of both understanding further the sub-seabed potential for deposits of geo-archaeological and paleo-environmental interest and contributing further to the scientific data available for the study of seabed prehistory within the region. She said that this is outlined in the Written Scheme of Investigation (WSI) which is secured through a condition in the DCO and in accordance with standard industry approaches. She also referenced the Statement of Common Ground with Historic England. She said that the Offshore Outline WSI <b>[REP3-015]</b> had been submitted at the previous deadline and would be updated to include the geo-archaeological assessment.</p> <p>In response to a question from Ms O'Connor regarding the depth of the cable in the intertidal zone, Ms Boothby responded that the final depth of the installation of the cable beneath the intertidal zone would be determined post-content as part of the detailed design and would be informed by geotechnical survey and understanding of what deposits the cable needs to pass through. She expressed that the Applicant's aim was that the cable pass beneath any deposits that have relevance for archaeological interest and that any approach to mitigation would be determined under the terms of the WSI. She explained that the WSI ensures that any detailed survey would be set out in a Method Statement and that Essex County Council would be consulted on any documents that are related to works that cross over the intertidal boundary.</p>
<h3>3.3 Traffic and Transportation</h3>	
<p>Whether there are any onshore port and transportation impacts that would arise from the construction, operation and decommissioning of the offshore works.</p>	<p>The ExA requested an update from the Applicant regarding HGVs required for offshore construction works and position that a Port Traffic Management Plan is not required. The ExA also requested an update on the progress of the Statement of Common Ground with Suffolk County Council.</p> <p>Mr Taylor responded that the Applicant had set out its rationale in relation to why the effects from offshore construction and operation and decommissioning on traffic and transport could be scoped out of assessment which was agreed with both National Highways and Essex County Council. He said that this was still the agreed position and that this position had been adopted by the Secretary of State on other offshore wind farm projects (Mr Taylor provided examples). He said that the Applicant's position was as previously stated and there will be no decision made on the preferred base port until post-determination. He said that the Applicant had reviewed existing projects (included Galloper Wind Farm and Hornsea) and provided a summary of the levels of traffic for these projects to inform the likely levels of onshore traffic that could be expected. Mr Taylor noted that offshore wind farm components were typically manufactured in port-centric facilities and shipped out which limits onshore traffic.</p> <p>Mr Taylor explained that the Applicant foresees two options going forward. Option A being that a preferred port is selected which has the requisite planning permissions to enable the delivery of the project. Option B is a port is selected where permissions are not currently in place and new permissions would be granted or need to be sought and then granted. Under Option A, the Applicant would work within existing permissions, including considerations given to, or restrictions on, traffic and transport matters. Option B would mean that transport matters would be considered as part of the new application for permission.</p> <p>Mr Taylor referred to the recent Hutchinson Ports application as port operator for the Port of Harwich to operate as a green energy hub and reiterated that in light of how the process works, the Applicant considers that a Port Traffic Management Plan is not necessary.</p> <p>The ExA requested an updated on the Statement of Common Ground.</p>

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	<p>Mr Taylor responded that a Statement of Common Ground with Suffolk County Council was yet to be entered into. Mr Campbell confirmed that a Statement of Common Ground was being drafted and the Applicant aimed to submit it at Deadline 4. Mr Campbell confirmed that this issue will be covered in the Statement of Common Ground. <i>[Post-hearing note: this Statement of Common Ground has not been finalised in time for Deadline 4, and will be submitted at Deadline 5].</i></p> <p>The Applicant notes that Mr Merry said that Suffolk County Council was in agreement and that, subject to further review of the documents, its request for a Port Traffic Management Plan would not be pursued.</p>
<p>Whether the proposed mitigation to limit Heavy Goods Vehicle numbers would be sufficiently robust, precise and enforceable, or whether provision should be made for any additional mitigation measures.</p>	<p>The ExA requested that Interested Parties respond to the Applicant's written submission that it could not accommodate comments made by Essex Country Council and Tendring District Council with regard to working hours and timing of the works <b>[REP3-036]</b>.</p> <p>In response to comments made on behalf of Tendring District Council, Ardleigh Parish Council and National Highways, Mr Taylor stated that the working hours for the project were 7am to 7pm therefore it was not feasible to limit vehicle movements on the network before and after that time as they would need to arrive at and leave the site in line with working hours. He referenced the Outline Construction Traffic Management Plan (OCTMP) <b>[REP3-021]</b> which requires instructions to be given to drivers regarding arrival and departure times to allow them to plan their journey accordingly. He said that over 80% of materials would likely come from local suppliers which would be subject to similar working time restrictions in relation to working hours and noted that they would be able to plan timing / route to make sure they did not arrive before 7am. Where this is not possible for longer distances, Mr Taylor noted the OCTMP includes a commitment to identify stopping points on routes to ensure HGVs do not wait on the highway and arrive pre 7am. A breach of these conditions would be a non-compliance and result in disciplinary measures being taken as outlined in the OCTMP. He explained that the working hours are intended to reduce the Project's impact on network peaks hours. He said that as per the OCTMP there would be no HGV traffic through Little Bromley. He said that the OCTMP would be updated at Deadline 4 and would include suggestions made by Essex County Council and National Highways in relation to vehicle tracking and routing.</p> <p>Ms Brodrick added that management plans would be secured by a requirement in the DCO and a final version of the CTMP (in accordance with the OCTMP) would need to be submitted for approval prior to commencement of construction. A failure to comply with a management plan that is secured in the DCO is automatically a criminal offence. As such, the measures being put forward by the Applicant in the OCTMP would be enforceable.</p> <p>In response to comments made Ms Wallis regarding construction noise, Mr Campbell said that the Applicant intended the Statement of Common Ground to be submitted at Deadline 4. <i>[Post-hearing note: this Statement of Common Ground has not been finalised in time for Deadline 4, and will be submitted at Deadline 5].</i> He also confirmed that employee parking or overspill parking outside of the site would be a non-compliance issue and is referenced in the Outline Construction Traffic Management Plan (see section 5.3).</p> <p>Mr Taylor reiterated that in order to arrive at site for 7am, HGVs will be traveling along the public network prior to then.</p> <p>Zoe Fairley enquired as to impacts on properties outside of Little Bromley and noted that the haul road is located directly behind several properties between Bentley Rd and the substation site.</p> <p>Mr Reid responded and said that the Applicant intended to restrict traffic to the south side of the cable route and ensure that HGVs were kept as far as possible from those properties within the order limits.</p> <p>The ExA referred to a number of changes to the Outline Construction Traffic Management Plan requested by Essex County Council and Tendring District Council in their response to ExQ17.1.2 <b>[REP2-036]</b>.</p> <p>The Applicant notes that Mr Hough confirmed that the document was close to agreement and that relevant matters in the response noted would be covered in the Statement of Common Ground.</p>



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	<p>The ExA requested response from the Applicant.</p> <p>Mr Taylor reiterated that productive meetings had taken place between the Applicant and National Highways and that the parties were broadly aligned on most matters. He said that updates requested to the OC TMP were being inputted and a revised version would be submitted at Deadline 4 along with the latest additions to the Statement of Common Ground.</p> <p>The ExA asked the Applicant about the assessment of onshore traffic and transport impacts and National Highways comments in response to ExQ17.1.2[<b>REP3-053</b>] in relation to changes to the OCTMP including in relation to HGV trips.</p> <p>Mr Taylor stated that the Applicant had reviewed comments made by National Highways and stated that an updated OCTMP would be submitted at Deadline 4 incorporating these. A meeting was held on 15 April 2025 with National Highways prior to Deadline 4 to agree these changes.</p> <p>The Applicant notes that Mr Bloom said that the parties were likely to reach agreement soon and that a meeting would be welcomed.</p> <p>The ExA requested an update on the Statement of Common Ground.</p> <p>Mr Campbell said that it was the Applicant's intention to submit this at Deadline 4 but subject to the meeting it may be submitted at Deadline 5.</p>
Whether the personnel travel measures identified in the outline construction traffic management plan would be sufficiently robust, precise and enforceable to support the assumptions for single occupancy vehicle trips.	<p>The ExA asked as to whether this matter had been discussed during meetings between the Applicant and Essex County Council.</p> <p>The Applicant notes that Mr Hough stated that this item and the 1.5 car share ratio was discussed and that an agreement had been reached as to process and general principles to achieve that ratio. He said that this would be covered in the Statement of Common Ground.</p> <p>Mr Blythe enquired as to whether North Falls would incentivise the use of electric vehicles for employees.</p> <p>Ms Brodrick stated that the Applicant would respond in writing (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, Rev 0</b>]).</p> <p>The ExA referred to National Highway's Response to ExQ17.1.2 [<b>REP2-049</b>] and asked whether the Applicant had any specific comments in relation to the proposed changes for personnel travel being incorporated into the Outline Construction Traffic Management Plan.</p> <p>Mr Taylor responded that the OCTMP includes a range of measures to reduce the number of single occupancy vehicle trips. Mr Taylor explained how the 1.5 person per vehicle ratio is applied and the outcomes that will be achieved.</p> <p>In response to comments made by Mr Jaarsma in respect of the HGV booking system, Mr Taylor said that the OCTMP contains provisions as to the numbers of vehicles and how these were to be monitored. He said that the booking system is intended to prevent exceedances by planning deliveries in advance. He also noted that the OCTMP contained a commitment to producing a monthly monitoring report to be shared with the Highway Authorities and stated that Appendix B also addresses a scenario whereby North Falls and Five Estuaries are constructed concurrently. He noted that the Applicant had engaged in discussions with Essex County Council regarding a Transport Working Group to investigate opportunities for coordinating between projects and managing cumulative effects.</p> <p>Ms Brodrick requested any proposed comments on the drafting to the OCTMP be provided by Tendring District Council in writing.</p> <p>Mr Taylor directed the Council to the ES Traffic and Transport Chapter [<b>APP-041</b>] and the details contained regarding the numbers of construction vehicles and HGVs for the study area.</p>

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<p>Whether the mitigation would be adequate for the outstanding risks associated with the Abnormal Indivisible Loads proposals.</p>	<p>The ExA asked the Applicant to provide an update on the availability of the detailed assessment of the use of the A120 for Abnormal Indivisible Loads.</p> <p>Mr Reid said that the Applicant and Five Estuaries had engaged in a number of meetings with National Highways to understand the mitigation measures required. He said that a report had been provided to National Highways and the Applicant was currently in discussions regarding comments.</p> <p>Mr Bloom confirmed that National Highways were close to agreement.</p> <p>Ms Brodrick noted that, pending correspondence with National Highways, an updated OCTMP and Statement of Common Ground would be submitted at Deadline 4.</p> <p>The ExA enquired as to whether proposed changes to the Outline Construction Traffic Management Plan in relation to abnormal indivisible loads (see Essex County Council and Tendring District Council's response to ExQ17.1.2 <b>[REP2-036]</b>) were discussed at the meetings between the Applicant and Essex County Council.</p> <p>Mr Hough confirmed that the matter was discussed. He noted that the Council had requested a minor amendment in relation to the consideration of structures.</p> <p>Mr Taylor confirmed that the parties were broadly aligned. He said an updated OCTMP would be submitted at Deadline 4.</p> <p>The ExA then referenced <b>[REP3-068]</b> and enquired as to the status of requested updates to the OCTMP requested by Suffolk County Council regarding stakeholder engagement and route assessment prior to notification of abnormal indivisible load deliveries.</p> <p>Mr Taylor confirmed that a revision to the OCTMP had been submitted which included a commitment by the Applicant to go beyond the established process, including additional contractor consultations regarding appropriate routes and asset protection measures.</p> <p>Ms Brodrick confirmed that this had been submitted at Deadline 3 (see <b>[REP3-021]</b>).</p> <p>The ExA requested that Suffolk County Council provide any additional drafting requested in their next submission.</p> <p>Ms Brodrick said that the Applicant considered the point had been adequately addressed but that it would consider any additional drafting provided.</p>
<b>3.4 Noise and any other health impacts</b>	
<p>For construction, whether the proposed mitigation measures for noise and vibration are sufficient, well defined and secured in the draft DCO.</p>	<p>The ExA enquired as to whether this matter, including concerns about proposed working hours, had been addressed in meetings between the Applicant and Essex County Council.</p> <p>Ms Brodrick noted that the Applicant had already set out reasons as to why the working hours for the project were appropriate.</p> <p>The ExA said that Essex County Council and Tendring District Council had provided written submissions regarding the mitigation of noise effects (see response to ExQ17.1.5 <b>[REP2-036]</b>). The ExA also asked the Councils whether they had any further comments or proposed amendments to the Outline Code of Construction Practice (OCoCP) <b>[REP3-017]</b>. Essex County Council confirmed that it had no further comments or amendments. The ExA then invited responses from other Interested Parties.</p> <p>In response to comments made by Mrs Mason regarding construction dust, Ms Brodrick directed Mrs Mason to section 1.9 of the Outline Code of Construction Practice <b>[REP3-017]</b> which contains mitigation measures to manage dust production.</p> <p>In response to comments made by Mr Blythe regarding construction and operational noise, Ms Brodrick noted that mitigation measures for mitigating and monitoring potential noise impacts during construction are contained in section 1.11 of the OCoCP <b>[REP3-017]</b>. Mr Britton responded and referred to the British standard BS 5228</p>

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	<p>criteria and its reference to the control of construction noise. He noted a moderate threshold of 68dB which would constitute a significant effect if a dwelling was exposed to an exceedance of this threshold during the daytime for 10 days in 15 or 40 days in six months.</p> <p>In response to comments by Zoe Fairley regarding reporting issues with noise levels, Ms Brodrick directed Zoe Fairley to section 1.11.13 of the Outline Code of Construction Practice <b>[REP3-017]</b> and noted that the final version to be submitted for approval would cover both noise and vibration in more detail.</p>
<p>For the substation operation, how sufficient good design measures have been incorporated to reduce and mitigate noise effects.</p>	<p>The ExA invited the Applicant to identify (with reference to the Applicant's response to ExQ8.1.3 <b>[REP2-020]</b>) the controls in place to ensure the detailed design is developed in such a way that sufficient good design is incorporated to reduce and mitigate noise effects.</p> <p>Ms Brodrick noted that requirement 17 of the draft DCO sets out operational noise limits for a number of receptors and states that prior to commencement of the operation of the onshore substation, the Noise Investigation Protocol must be submitted to and approved by the discharging authority. She said that the Applicant had submitted an outline noise complaints protocol <b>[REP3-043]</b> which was developed along with Five Estuaries and National Grid and was submitted into the Five Estuaries Examination.</p> <p>Mr Britton noted that the design of the Project sought to control noise at the source. This would be the principal form of ensuring that any emissions are minimised. He noted that plant could be contained by acoustic enclosures if required. He said that the sites can also be designed so that it itself provides screening to receptors via the use of buildings or other structures, such as blast walls. He also noted the option of boundary screening if required, although this was not envisioned for this kind of noise source. He noted that good design had already been implemented in the site selection process by maximising the distance to residential dwellings and selection of technology (i.e. HVAC to reduce need for cooling equipment).</p> <p>Ms Brodrick noted Essex County Council's comments on the outline noise complaints protocol submitted to the Five Estuaries Examination and reiterated that the Applicant considers that outline noise complaints protocol is an appropriate control mechanism and said that it was the Applicant's position that the timeframes noted were realistic in light of the stages proposed and time required to engage an acoustic consultant to conduct monitoring etc.</p> <p>The ExA requested a written submission explaining why this was the case. The Applicant has provided a response at Deadline 4 in the Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, Rev 0]</b>.</p>
<p>Position relating to Electro-Magnetic Fields.</p>	<p>The ExA referred to the Statement of Common Ground between the Applicant and the UK Health Security Agency <b>[REP2-027]</b> and requested that the Applicant provide an update on the timescales for provision of the calculations and discussions to be undertaken with the UK Health Security Agency.</p> <p>Mr Campbell said that the Applicant had carried out additional calculations with regard to addressing the UK Health Security Agency's query about the EMFs produced and a technical statement detailing these would be submitted at Deadline 4 (see EMF Technical Statement <b>[Document Reference: 9.39, Rev 0]</b>). He also noted that a non-technical statement regarding EMFs would be published on the project website (see EMF Non-technical Statement <b>[Document Reference: 9.40, Rev 0]</b>).</p> <p>In response to comments made by Mr Blythe regarding the potential for EMF effects on plants, Ms Brodrick said that this is not included in the EIA and that the Applicant is not aware of adverse effects but the answer will be addressed in written summaries. The Applicant has provided a response at Deadline 4 in the Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, (Rev 0)]</b>.</p> <p>The ExA asked the Applicant to explain how information will be disseminated to the public about EMFs and how the EMFs will be monitored during the operational phase of the Project.</p> <p>Ms Brodrick said that an FAQ section on the project website would provide that information, and a copy would be submitted into the Examination (see Electro-Magnetic Fields Non-technical Statement <b>[Document Reference: 9.40 (Rev 0)]</b>).</p> <p>Mr Reid said that the nature of the failure modes of the cables mean that the EMFs should not increase in size beyond what has been calculated.</p> <p>In response to comments made by Mrs Mason regarding cumulative EMFs, Mr Reid said that this would be addressed within the technical note submitted at Deadline 4.</p>



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3.5 Agriculture and other land uses, ground conditions and soils	
The use of BMV land and the long-term effects on agricultural land classification.	<p>The ExA asked the Applicant to further explain the reasoning for the positioning of the proposed onshore substation on Grade 1 agricultural land and the extent of the land proposed to be permanently acquired.</p> <p>Mr Campbell referred to the project site selection process outlined in Chapter 4 Site Selection and Assessment of Alternatives of the ES <b>[APP-018]</b>. He said that the Project sought to avoid BMV land where possible however the Project was subject to a technical requirement for the onshore substation to be located within 3km of the Project's National Grid connection point in order to minimise electrical losses. The available land which met the other required criteria for siting the onshore substation identified as fitting this technical requirement was all BMV. He said that the site selection process included consideration of a number of factors to attempt to minimise impact on the land. These included minimising land take where practicable, reducing severed land parcels, alignment of infrastructure with field boundaries, avoiding land allocated to Local Plans and seeking a cable route to avoid BMV where practicable.</p> <p>Mr Reid added that the onshore substation is sized based on power quality requirements needed to export power into the National Grid. He noted that higher voltages generate more reactive power and locating the substation as close as possible to the National Grid site minimises requirements for compensation equipment within the substation and by extension reduces the footprint of the substation thereby minimising the impacts on BMV land.</p> <p>The ExA then invited responses from Interested Parties.</p> <p>In response to comments raised by Mr Fairley regarding the location of the point of connection, Mr Reid explained that the process of assigning the connection point for the Project (known as the COIN process) is undertaken in advance and the Project is being developed alongside National Grid's EACN site. He also noted the different time scales between wind farms and grid infrastructure due to funding arrangements and how the Project is required to be ahead to allow connection at the time required by National Grid.</p> <p>Ms Brodrick noted that this explanation was set out in detail in section 4.5 of ES Chapter 4 <b>[APP-018]</b>.</p> <p>In response to comments made by Mr Fairley regarding the size of the onshore substation site, Mr Campbell explained that the permanent substation footprint is 5.9 hectares with 0.45 hectares required for additional permanent infrastructure such as the permanent access road and that this sits within the wider footprint of the onshore substation works area, which is 43 hectares. This includes landscaping and landscape mitigation, the technical drainage requirements, necessary standoff distances outside of the permanent infrastructure and environmental enhancements that form part of the Landscape Mitigation Strategy.</p> <p>In response to comments from Mr Jaarsma regarding the site selection process, Ms Brodrick referred to the site selection process described at section 4.5 of Chapter 4 Site Selection and Assessment of Alternatives of the ES <b>[APP-018]</b>. She explained that, in January 2021, National Grid indicated that the connection for the North Falls project would be in a new "East Anglia Coastal" substation and the location would be within the Tendring peninsula. National Grid subsequently provided increased certainty that the new substation would be located on land to the east of Ardleigh. In November 2022, National Grid published a scoping report for their project, which provided further details, saying that it would be located north of the existing Lawford substation. In April 2024, National Grid published PEIR documentation which again provided further information. She noted that the process had taken place over an extended period of time. Ms Brodrick referred to the Applicant's response to ExQ3.1.7 <b>[REP2-020]</b> which details the contractual agreements in place between National Grid (or NESO as it is now known) and North Falls and the obligation for National Grid to provide a point of connection. Ms Brodrick also referred to paragraph 4.11.5 of NPS EN-1 which requires North Falls to liaise with NESO to secure a grid connection. Ms Brodrick noted that how the point of connection is consented is a matter for NESO and that this process was very typical for offshore wind farm projects where connection to new or extended substations are required. On this basis, the DCO application for North Falls was not premature.</p> <p>Ms Brodrick noted that a number of questions raised by Mr Blythe were for National Grid in relation to the Norwich to Tilbury project. Ms Brodrick reiterated that the Applicant made a request to NESO for a point of connection to the grid and the location of the point of connection is determined by National Grid and the Applicant cannot comment on the process undertaken by National Grid in that regard.</p>

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	<p>In response to Mr Fairley suggestion that there was available land nearby that was not BMV land, Ms Brodrick said that the Applicant would review Mr Fairley's written submissions on the point (to be provided at Deadline 4) and provide a written response at Deadline 5.</p>
<p>Restoration and reinstatement of soils.</p>	<p>The ExA asked the Applicant to expand on the proposals for the soils stripped from the onshore substation site, and explain why an Outline Soil Management Plan had not been submitted.</p> <p>Mr Campbell responded and noted that a Soil Management Plan (SMP) would be prepared and submitted as part of the final Code of Construction Practice required under the DCO (paragraph 96 of the Outline Code of Construction Practice [<b>REP3-017</b>]). He noted that the Outline Code of Construction Practice set out a series of mitigation measures that would form part of the SMP and, as such, a separate Outline Soil Management Plan was not necessary at this stage. He said that the SMP produced and approved under requirement 13 of the draft DCO would be in accordance with the OCoCP and would include good practice guidance set out by the Ministry of Agriculture, Farming and Fisheries and DEFRA with regard to sustainable use of soils and construction sites.</p> <p>In response to comments made by Mr Fell regarding soil management on other projects, Ms Brodrick said that the Applicant did not consider it necessary to submit a standalone Outline Soil Management Plan as the information available prior to detailed design is set out in the Outline Code of Construction Practice. She noted that this provides sufficient safeguards to ensure the correct mitigation measures are put in place at this stage of the project. She said that a Soil Management Plan would be provided and approved as required by the DCO and that the undertaker would be liable if this requirement or the provisions in the plan secured by that requirement were not complied with. She also flagged that there would be an Agricultural Liaison Officer under the Code of Construction Practice to act as a point of contact for landowners in the event that there were any concerns that certain measures and requirements were not being followed by the contractor.</p> <p>Mr Campbell provided details of the construction and composition of the haul road which includes provision of protective matting, permeable gravel aggregate and other measures as required depending on ground conditions and vehicle requirements at a particular location (see paragraph 219 of ES Chapter 5 Project Description [<b>APP-019</b>]).</p> <p>In response to further comments made by Mr Fell, Ms Brodrick said that the Applicant would consider any drafting suggestions provided in relation to the Outline Code of Construction Practice and reiterated the availability of enforcement options under the Planning Act 2008 in relation to breaches of the DCO.</p> <p>In response to concerns raised by Mr Fairley regarding the length of time trenches would be left open, Mr Reid explained that there was a distinction between topsoil strip for haul roads and trenching for duct installation requiring subsoil excavation. He said that, in relation to the installation of ducts, trenches would be effectively reinstated immediately. In relation to topsoil strips, he said that this would depend on project program alignment for construction and recognised the possibility that there may be delays outside of the control of the Applicant which means that the construction period for North Falls and Five Estuaries are staggered. Mr Reid referred to the Coordination Report [<b>REP1-004</b>] which outlines possible construction scenarios for North Falls and Five Estuaries and the steps taken by both projects to minimise cumulative impacts.</p> <p>In response to comments from Mrs Fairley regarding the reinstatement of topsoil, Mr Reid agreed that the topsoil associated with the haul road will not be reinstated until the haul road is removed. North Falls is proposing to follow a sequential build program.</p> <p>Mrs Tamsin Fairley queried whether the Applicant will reinstate the topsoil where it is trenching for cable ducting and whether that will be entirely reinstated as the Applicant go along. The ExA requested that the Applicant respond in writing. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p> <p>In response to comments made by Mr Blythe regarding the removal of soil, Ms Brodrick explained that the preference would be to use excess soil from the substation site for the purposes of landscape mitigation. In the event that there was excess soil, it would be offered to the landowner. If the landowner did not wish to keep it then the soil may be transported offsite.</p>

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	<p>Mr Reid added that the platform level of the substation had been specifically designed so far as practicable to minimise any excess soil produced. Mr Reid and Mr Blythe discussed the permanent footprint of the substation and the potential amount of topsoil produced.</p> <p>Ms Brodrick said that the Applicant would review the figures provided in the Project's transport assessment and provide cross-references to relevant information in a written response. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p> <p>In response to comments from Mr Fell regarding the depth of trenches and positioning of joint bays and link boxes, Mr Reid explained that the construction process for joint bays and ducts depends on the timing of cable installation. He noted that some ducts may need to be installed in advance. He said that joint bays can be installed either during duct installation or cable pulling, depending on cable lengths and duct locations. The number and location of joint bays will depend on cable size, which varies with power rating and transport logistics. Joint bays will be buried so as to avoid disrupting agricultural activities, with link boxes accessible for monitoring the cables. He noted that the exact joint bay locations cannot be determined until cable specifications are finalised.</p> <p>Mr Blythe expressed concerns over the potential for vandalism in relation to exposed infrastructure.</p> <p>In response to comments from Mr Blythe regarding the potential for damage to the cables, Mr Reid explained the infrastructure surrounding the cable and noted that the cable would be protected by a sheath which means that the risk of the cables being tampered with is minimal.</p> <p>In response to queries raised by Mr Fell regarding the construction of the cables, Mr Reid said that if joint bays are installed with duct installation, everything will be backfilled before cable pulling and then re-excavated to minimise farming disruptions. If joint bays are constructed later, cable pulling will follow shortly after in order to avoid unnecessary backfilling and re-excavation. Mr Reid refers to paragraph 231 of ES Chapter 5 Project Description [<b>APP-019</b>] which sets out this information in relation to backfilling of cabling trenches.</p> <p>Mr Reid said that the joint bays will be buried at the same depth as the cable ducts, and will be no shallower than 0.9 meters.</p> <p>In response to comments from various IPs regarding the burial depth of the cables, Mr Reid explained that the target depth would be 1.2m but that a minimum depth of 0.9m would be committed to. He said that this would be from the top of the submerged cable infrastructure, not the cable itself. He noted that this was to accommodate certain ground conditions which might require shallower installations.</p> <p>Ms Brodrick said that she understood that the provisions regarding cable depths are the same in the voluntary land agreements (i.e. minimum 0.9m with a target depth of 1.2m). The ExA requested that this point is clarified and further information provide in relation to the Applicant's position on the depth of the cables. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p> <p>Ms Brodrick said that, in order to ensure the safety of the electrical cables, suitable ground cover is required in addition to restrictions on the use of the land. She added that the minimum cable depth is sufficient to enable the use of the land for the purposes of general agriculture. For anything beyond that (such as new drainage etc), the landowner would require consent for those works to ensure the safety of the cables. She emphasised that this was not a prohibition, rather an additional consent.</p> <p>Mr Reid explained that a detailed design exercise would be conducted post-consent to determine the best depth for laying ducts, considering various constraints such as soil conditions and drainage requirements. He noted that Chapter 22 of the ES Land Use and Agriculture [<b>APP-036</b>] contains a provision to appoint a Land Drainage Consultant to develop drainage design plans (see Table 22.3). These plans will influence the depth of duct burial and how the cable route interacts with existing drainage systems.</p> <p>The Applicant also referred to paragraph 130 of the Outline Code of Construction Practice [<b>REP3-017</b>] which outlines mitigation measures to be implemented in relation to drainage such as the development of a surface water drainage management plan and the appointment of a consultant to implement construction drainage management plans.</p>

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	<p>Mr Reid also explained that the cables would be laid deeper to ensure that they go under any permanent land drains that are running along field boundaries.</p> <p>Mr Reid added that deeper cable burial does increase cost but also increases other impacts, including disturbing more soil and extending construction time. This requires leaving trenches open longer and conducting further ground investigations to identify difficult rock areas. He expressed that, while the target burial depth is 1.2m, the Applicant cannot commit to it for the entire cable route without more information to ensure timely completion and avoidance of issues discussed.</p> <p>The ExA requested that the Applicant provide a written explanation regarding the rationale behind the depth of the cables and consider alternative wording in relation to the provision (e.g. that cable ducts will be installed at a depth of 1.2m except where it is impracticable to do so).</p> <p>Ms Brodrick said that the Applicant would consider this point and provide a submission at Deadline 5 pending discussions with Five Estuaries.</p> <p>In response to concerns raised by Mr Fell, Ms Brodrick explained that the Applicant has sought to provide assurances regarding the construction methodology however detailed design specifics are not yet known and, as such, flexibility is still required. The Outline Management Plans will outline the process, with detailed plans developed and approved post-consent. In the event that construction of the cables impedes future agricultural activities, financial compensation may be necessary. The Applicant's aim is to provide drainage solutions that balance technical suitability for the Project with the ability for the solution to be accommodated by the landowner, with compensation as a fallback if needed.</p> <p>The Applicant acknowledged that drainage is an importation issue that will be appropriately addressed during post consent as part of the drainage design as outlined in the management plans and to be informed by further drainage surveys.</p>
The width of the cable corridor and depth of the cables.	<p>The ExA invited the Applicant to comment on Mr Fells' representation <b>[AS-050]</b> regarding the width of the easement required for the cable installation.</p> <p>Ms Brodrick referenced Chapter 5 Project Description <b>[APP-019]</b> of the ES (Table 5.26) which contains details of the cable route width for construction. She noted that this depended on construction technique, whether open cut or more complex or being undertaken by way of horizontal directional drill.</p> <p>Mr Reid said that the Order limits for the cable corridor was generally 90m wide. He mentioned that in certain areas, such as where it crosses the railway line or Tendring Brook, the width needs to be wider to accommodate deeper crossings. He explained that the 90m width allows for shallow horizontal directional drills under constraints like roads and environmentally sensitive areas, as well as open cut trenching. He also noted that the combined corridor for North Falls and Five Estuaries projects will generally be less than 90m wide, but adjustments may be needed to avoid constraints like archaeological sites. He said that in some locations, the road needs to be routed off the cable corridor to avoid environmentally sensitive features, using existing gaps in hedgerows. Finally, he stated that the Order limits includes infrastructure for both North Falls and Five Estuaries projects, ensuring flexibility for future construction needs.</p> <p>The ExA enquired as to why the cable configuration in this project is different to others, specifically in relation to HVDC and HVAC cabling.</p> <p>Mr Reid explained that HVDC is a specific technology requiring the electricity generated by wind turbines (initially as HVAC) to be converted to HVDC and then back to HVAC onshore. This conversion necessitates a large substation onshore, which has a significant permanent footprint and height, impacting the landscape. He noted that HVAC buildings are significantly lower and less noisy. He mentioned that while HVDC reduces the number of cables, the overall red line boundary reduction might not be as significant as expected. The benefits of HVDC are more pronounced in larger, offshore projects located further offshore requiring relay stations, which are not needed for North Falls. Therefore, the advantages of HVDC for North Falls are not as substantial as for other projects.</p> <p>In response to comments as to why the Project could not connect to an alternative converter station, Mr Reid noted that this possibility was considered as part of the Offshore Coordination Scheme scope and explained that connecting to an offshore HVDC connection point presents technical challenges. He noted that HVDC current flow is difficult to manage due to its conversion from AC to DC, requiring a significant amount of technology. This complexity delays the connection timeframe compared to</p>



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	<p>standard point-to-point interconnectors. Additionally, he mentioned that multi-purpose interconnectors require larger, higher, and more complex converter stations, adding time, cost, and visual impact considerations due to the power flows needed.</p> <p>Ms Brodrick added that the DESNZ decided not to grant further funding for this solution. Consequently, the point-to-point connection for North Falls is being proceeded with. However, the ability for an offshore connection is retained as part of the Project though there is currently no project coming forward that proposes to provide that offshore connection to North Falls.</p> <p>In response to comments from Mr Fell regarding the location of the haul road, Ms Brodrick said that the Applicant would check this point and noted that the Applicant would consider any additional wording to be included in the Outline Code of Construction Practice. She then enquired as to development plans submitted by Mr Fell into the Five Estuaries Examination and noted that it may be helpful for these to be submitted in relation to North Falls. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p> <p>The ExA requested that these plans be submitted by Mr Fell.</p> <p>The Applicant notes that Mr Fell agreed to provide those plans to the ExA.</p>
<b>3.6 Flood Risk, groundwater and surface water</b>	
Whether the proposed development has adequately taken account of those residents whose water supply is only guaranteed through well water supply.	<p>The ExA asked the Applicant about measures proposed to guarantee continued water supply for residents reliant on well water.</p> <p>Ms Martin described the consultation process undertaken by the Applicant to identify residential properties that rely on wells for drinking water and how those properties have been identified and assessed in Tables 26 and 27 of the Geo-Environmental desktop study and preliminary risk assessment report [<b>APP-112</b>]. Ms Martin describes further testing undertaken since submission of the DCO application and notes that a groundwater risk assessment and construction monitoring plan is being completed to be submitted at an appropriate future deadline [<i>Post hearing note: this is proposed to be submitted at Deadline 5</i>] and will include a bespoke assessment for each location within 250m of the onshore project area. Further data will be obtained and analysis undertaken where there is potential for water supply to be impacted. Ms Martin noted that no residents who rely solely on well water for water supply are located within 250m of the onshore project area.</p> <p>Ms Martin referred to the map of groundwater monitoring points prepared in response to ExQ11.1.7 [<b>REP2-021</b>] which have been selected after consideration of the above. Ms Martin noted that the Applicant must prepare and submit for approval a scheme of investigation of hydraulic connectivity of groundwater supplying private water supplies (see requirement 15 of the draft DCO [<b>REP3-008</b>]).</p> <p>In response to comments made by Ms Christmas and Mrs Fairley regarding well water supplies, Mr Reid noted that the Applicant was in the process of carrying out surveys and chemical analysis to determine how the relevant wells are constructed and what the water level is. This information would then be fed into the detailed design of the cable route.</p> <p>Mr Reid explained why the Applicant's assessment has focused on properties within 250m of the onshore substation and explained that further information and detailed design works are required to fully understand the potential impact of the cable works on properties within that 250m radius.</p> <p>The ExA asked the Applicant to explain why it has focussed on the 250m radius of the onshore project area for this assessment (i.e. guidance etc),</p> <p>Mr Reid said that the Applicant was in the process of carrying out downdraft calculations to determine the impact of the cable route on wells and that these were due for submission at Deadline 5.</p> <p>The ExA enquired as to what the Applicant would do to mitigate any impact on properties outside of the 250m radius that is demonstrably as a result of cabling.</p>

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	<p>Mr Reid explained that a mitigation hierarchy will be developed, which may vary for different properties depending on whether residents would like to be connected to the water main or stay on well water. He said that the next step would be understanding the sphere of influence from the calculations on the wells to determine appropriate mitigation measures. Continuous discussions will be necessary to ensure the mitigation addresses the risks to drinking water. He mentioned that work is ongoing, with calculations submitted by Deadline 5.</p> <p>In response to comments regarding the Heads of Terms for a voluntary agreement and compensation if a water supply is interrupted, Mr Reid said that the Applicant would consider the point in relation to the Heads of Terms and respond in writing directly to the landowners.</p> <p>Ms Brodrick noted that the Outline Code of Construction Practice and DCO may need to be updated depending on the outcome of the assessment work mentioned by Mr Reid which will be submitted at Deadline 5. Required amendments to monitoring or mitigation measures will feature in updated versions of relevant management plans or via adjustments to the drafting of requirement 15 in the draft DCO depending on the outcome of the assessment.</p> <p>In response to a suggestion by Mr Blythe that the Applicant should just connect affected households to the water main, Ms Brodrick noted that the Applicant is considering providing water main connections but that not all potentially affected residents want that solution.</p>
Disapplication of environmental permits for abstraction and dewatering activity: whether or not an abstraction license or exemption is in fact required.	<p>In response to comment by Ms Moss-Taylor on licences for water abstraction, Mr Reid confirmed that the Applicant would not be applying for licenses at this stage. The need for environmental permits for abstraction and discharge will be determined post-consent by the principal contractor and the relevant regulations will apply. The contractor will ensure all relevant licenses are in place. It is currently uncertain whether licenses will be required or if exemptions will apply but this will be determined post-consent by the principal contractor. He said that the Applicant is aware of conditions related to volumes, durations, and proximity to designated sites, but the exact conditions, including water presence and weather impacts are currently unknown.</p>
Whether the Applicant's position regarding a post-consent FRA is considered best practice.	<p>The ExA invited comments from the Environment Agency and the Applicant on this issue and referred to the Environment Agency's response to ExQ11.1.13 <b>[REP2-034]</b> and updated flood mapping. The ExA asked the Environment Agency to discuss any concerns regarding the Applicant's Flood Risk Assessment approach and guidance on how the Applicant should take account of the new flood mapping.</p> <p>In response to comments made by the EA and ECC, Ms Wicks confirmed that a flood risk assessment had been undertaken, with detailed design and mitigation measures to be dealt with post-consent. She said that the flood risk assessment <b>[APP-121]</b> was based on worst-case assumptions that haul road crossings of certain watercourses were required. She explained that the Applicant was producing a supplementary technical note providing further detail on this matter. Ms Wicks provided a brief overview of the scope of the technical note and explained that it aimed to provide clarification that the flood risk at these locations has been considered and is acceptable, and won't affect offsite receptors. The technical note will be submitted for Examination at Deadline 4. Ms Wicks said that the Applicant would welcome involvement from the Environment Agency but that this may not be feasible ahead of Deadline 4. The Applicant is also drafting a clarification note with regard to the updated suite of flood mapping, also to be submitted at Deadline 4.</p> <p>In response to comments raised regarding cumulative drainage impacts, Mr Reid explained that the Applicant was in discussions with National Grid regarding proposed drainage design and how outfall and surface water runoff interact with the existing system.</p> <p>The ExA requested an update on the Statement of Common Ground.</p> <p>The Applicant notes that Ms Moss-Taylor said that the Environment Agency is confident that issues could be resolved before the end of Examination.</p> <p>Mr Campbell said that an updated Statement of Common Ground would be submitted at Deadline 4.</p>
Whether sufficient coordination of landfall flood defence impact	<p>The ExA invited comments from the Applicant and asked for a summary of how the Applicant has worked collaboratively with Five Estuaries in relation to this issue.</p>

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has been progressed with the VEOWF.	<p>Mr Reid explained that boreholes were drilled by Five Estuaries in late 2022 to obtain ground conditions onshore at the landfall location. This information was shared with North Falls, and both projects have designed an initial configuration for the horizontal directional drills, detailed in the Outline Horizontal Directional Drill Method Statement and Contingency Plan <b>[APP-250]</b>. The design aims to stay within the stiff clay element of the ground conditions to minimise impact on landfall defences. However, further work is needed to verify the accuracy of the information and validity of the drawings.</p> <p>The Applicant notes that Ms Moss-Taylor was content with that response and following a meeting with North Falls and Five Estuaries in January 2025 that both parties will keep the Environment Agency informed with regard to progress.</p>
Construction related impacts and flood risk: whether or not the position of the Environment Agency regarding the Code of Construction Practice, and trenched crossings and haul road crossings using HDD has been addressed.	<p>The ExA invited comments from the Applicant.</p> <p>Ms Brodrick noted that the Applicant was preparing a technical note on this issue (as discussed above), which will be submitted at Deadline 4. She said that the work on the technical note is ongoing, and any additional wording required to address specific points will be included in the updated version of the Outline Code of Construction Practice at Deadline 4.</p> <p>Ms Brodrick added that consultation with the Lead Local Flood Authority is addressed within the Outline Code of Construction Practice and the Applicant would consider any additional drafting provided by Essex County Council (as Lead Local Flood Authority).</p>
<b>3.7 Socio Economic Effects</b>	
What support would be given to the local population to access the employment opportunities that are anticipated and to ensure that the employment benefits are realised for the local area.	<p>The ExA asked the Applicant to expand on the support that will be given to the local population regarding access to employment opportunities with reference to the Outline Skills and Employment Plan <b>[APP-253]</b> and the Local Impact Report submitted by Suffolk County Council <b>[REP1-074]</b>.</p> <p>Mr Gomez summarised the Employment and Skills Plan (ESP) for North Falls, its scope and factors that informed its development. He noted that it would be finalised subject to DCO consent. He noted that key themes and measures identified in the ESP were being discussed with stakeholders. He said that the ESP aims to enable local residents to secure employment during the construction and operational phases of North Falls. He said that engagement with stakeholders, including Councils, chambers of commerce, and educational institutions, was essential. The plan is evidence-led, engagement-driven, collaborative, and focused on sustainability and legacy. It seeks to maximize local recruitment and skills development, addressing underemployment and unemployment, and supporting education to develop a long-term talent pipeline. Initiatives include sector-based academies, career materials, and engagement with schools and universities. The plan also emphasises diversity, supporting over-50s and individuals with disabilities.</p> <p>Mr Paine summarised the current status of the SEP. He said that the contracting structure would involve a range of packages, from fencing contractors and accommodation providers to tier one suppliers. He said that intention is to consult on developing the final ESP before the Final Investment Decision (FID), incorporating suppliers' initiatives on skills and scale. This process is being done jointly with Five Estuaries, with recent consultations including a meeting with Essex County Council in February 2025. Typical opportunities and initiatives identified from other projects include focus groups on issues like unemployment, the appointment of skills liaison officers, and addressing specific community needs. Examples include initiatives for women in manufacturing and engineering, military veterans programs, local recruitment promotion, and school and college initiatives. The next step involves more in-depth consultation to finalise the ESP, ready for FID.</p> <p>In response to comments from Mr Chandler, Mr Paine said that the Applicant welcomed engagement throughout the consultation process for the development of the SEP and noted that the points raised by Suffolk County Council could be dealt with via that process.</p> <p>Ms Brodrick added that the final plan is still being developed and requires more information about the program and construction method for the Project. She requested any specific drafting suggestions from the Suffolk County Council for the outline skills and employment plan be submitted into Examination, which would be considered.</p> <p>The ExA requested an update on progress at Deadline 4.</p>



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	<p>In response to comments made by Ms Wallis regarding investment into research and development, Ms Brodrick said that the points made by Essex County Council would be considered. She also emphasised the need to balance overarching principles in the outline skills and employment plan with specific initiatives in the detailed plan. She said that specific references to an innovation hub at Harwich, for example, may not be possible at this stage due to ongoing need for flexibility, such as which port will be used for the Project. However, she said that the Applicant will review the suggestions to see if any can be added to the outline plan, while ongoing conversations continue about the detailed plan to be submitted post-consent.</p> <p>In response to comments from Mrs Mason regarding the impact on tourism, Ms Brodrick said that the consideration had been given to impacts on tourism and referred to Chapter 32 Tourism and Recreation [<b>APP-046</b>]. Ms Brodrick added that the Applicant would provide a summary and cross references to the relevant information. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p> <p>The Applicant noted that any areas of disagreement regarding the impact of the Project on tourism would be addressed in the Statement of Common Ground with Essex County Council and Tendring District Council.</p>
Whether proposals can be taken forward to ensure that local supply chains benefit from the proposed development.	<p>The ExA asked the Applicant to provide comments as to proposals to be taken forward to ensure that local supply chains are able to benefit from the proposed development.</p> <p>Mr Gomez said that the Applicant would consider local businesses in the procurement process and that engagement was already underway through the North Falls website, where suppliers can register interest. The strategic approach aims to maximise local opportunities and address economic challenges.</p> <p>Mr Paine added that the Applicant was developing a Supply Chain Engagement Strategy (which is common for projects at this stage of development), drawing on lessons learned from previous projects. This strategy would detail how engagement would work, particularly with local supply chains and would cover a range of opportunities from local trades to specialised roles. He said that specific engagement methods include a supplier registration portal on the Project website, community newsletters, and outreach events.</p> <p>In response to comments from Mr Chandler regarding local supply chain, Ms Brodrick said that the Applicant had noted these points which will form part of ongoing discussions with Suffolk County Council.</p> <p>Ms Brodrick noted that measures are being taken to engage with local suppliers but the Project is a NSIP that needs to be completed within a certain timeframe and suppliers need to be able to deliver to that timeframe. Conversations remained ongoing and the Applicant had made clear it intended to maximise opportunities for local suppliers.</p>
What, if any, community benefits are proposed and how would these be secured.	<p>The ExA requested that the Applicant provide an update regarding the provision of financial community benefits.</p> <p>Mr Paine confirmed the Applicant's intention to provide a community benefit fund, with consultations on its structure, quantum, governance, and types of projects to occur post DCO consent. He mentioned recent guidelines issued by DESNZ (<i>Community funds for transmission infrastructure</i>, updated on 9 April 2025) which the Applicant is prepared to use as a basis for discussion (though he noted that they apply to transmission projects rather than offshore wind farms) along with information gained from other offshore wind farms with community benefits funds. He noted further discussions with Essex County Council were due to take place.</p> <p>In response to comments by Mr Woodger regarding a possible s106 agreement, Ms Brodrick noted that the community benefits fund would not be secured by the DCO and it would not factor into planning balance considerations for the ExA which is the typical approach taken for offshore wind farms. Ms Brodrick added that these funds do not typically satisfy the legal criteria for a section 106 contribution. However, the Applicant is open to discussing this further with Essex County Council.</p>
<b>3.8 Cumulative Effects</b>	
Whether the proposed development should include provision for additional mitigation	In response to comments made by Mr Blythe regarding HGV movements through Ardleigh, Mr Taylor referred to the Traffic and Transport ES Chapter [ <b>APP-041</b> ] and said that there would be no HGV traffic on the main road through Ardleigh. He said that it was not possible to determine the routing of employee traffic at this stage, as it

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for cumulative noise effects from construction traffic, and if so, how would that be secured.	<p>depends on where employees are coming from but confirmed that HGV traffic will be controlled through the Construction Traffic Management Plan. Mr Taylor said that modelling suggests that the vast majority of employee traffic will be approaching the site from the A120.</p> <p>Ms Brodrick added that worker travel depends on where they are staying, making it difficult to restrict individual travel routes. She said that the assessment considered anticipated travel areas for local and incoming workers.</p> <p>Regarding cumulative effects, the Applicant's assessment included noise impacts from the North Falls project and other projects, based on available information for each relevant project at the time. A summary of the cumulative assessment was prepared for Deadline 3 [<b>REP3-042</b>], consolidating the work from various environmental topic chapters for easier navigation by Interested Parties.</p> <p>Mr Taylor noted a peak increase of 4% in vehicle traffic from pre-project levels on Little Bromley Rd through Ardleigh. He explained that current numbers were 1600 vehicles per day to which the project would add 37 on average and 64 at peak times.</p>
For the substation operation, whether sufficient good design measures have been incorporated to reduce and mitigate noise effects.	<p>The ExA invited the Applicant to explain how sufficient good design had been incorporated and coordinated to reduce and mitigate noise effects across all of the proposed onshore substations, the North Falls and Five Estuaries offshore wind farms and the East Anglian Connection Node.</p> <p>Mr Britton explained that the Noise Complaints Protocol, a tripartite agreement, was key to controlling substation noise. Extensive dialogue with National Grid and Five Estuaries led to agreement on a cumulative noise level limit of 35dB, distributed among the three substations to ensure that the noise level at all receptors do not exceed this limit. The noise limits are secured in each DCO, being North Falls requirement 17 and equivalent requirements for Five Estuaries and National Grid.</p> <p>Ms Brodrick explained that the projects had agreed on a cumulative noise limit, which is set out in the Onshore Substations Operational Noise and the Outline Noise Complaints Protocol [<b>REP3-043</b>]. Each project, consented individually, includes a restriction to achieve this limit. While the exact measures National Grid will use to meet the limit are their responsibility, the projects have agreed not to exceed the cumulative noise limit. The relevant noise limits are contained in requirement 17 of the North Falls draft DCO [<b>REP2-008</b>].</p> <p>In response to comments raised by Mrs Mason regarding a 68dB noise limit, Mr Britton clarified that the acceptable noise limit of 68dB applies to construction noise, which is temporary and occurs only during certain times of the day. In contrast, the lower limit of 35dB applies to operational noise from the substation, which is a constant sound source present throughout the operational life of the substation, including evenings and nights. Mr Britton explained the cumulative operational noise assessment undertaken and confirmed that the local context of the substations has been considered. He explained that the apportioned noise limits (to be secured in each project's DCO) are devised such that the cumulative noise of the three substations together at any residential dwelling would not exceed 35dB.</p> <p>Mrs Tamsin Fairley queried how it was possible for the 35dB limit to be achieved when the noise of a fridge is 40dB.</p> <p>Ms Brodrick noted that the calculation of noise levels is technically complicated but reiterated that the 35dB limit is very low and the Applicant is therefore confident that the Project will not impact residential receptors alone or cumulatively.</p> <p>The ExA requested that the Applicant produce a written summary explaining the noise levels at Deadline 4. The Applicant also noted that it would provide a summary of the discussion relating to noise monitoring on Day 1 of ISH1. The Applicant has provided a response at Deadline 4 in (see Applicant's Response to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.50, (Rev 0)</b>]).</p>
Whether the cumulative impact on archaeology with the cable corridor associated with VEOWF has been adequately assessed.	<p>The ExA asked the Applicant to explain whether the archaeological assessment of the combined projects has been adequately assessed.</p> <p>Ms Mounce responded and said that the cumulative assessment is contained in section 25.8 of Chapter 25 of the ES Onshore Archaeology and Cultural Heritage [<b>APP-039</b>] and the approach considers where two or more projects overlap or where archaeological remains extend into multiple areas. The worst-case scenario assessed for</p>

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	<p>archaeology involves temporary works areas not being reused by the second project, resulting in major adverse cumulative effects prior to mitigation. However, both projects will have an Archaeological Mitigation Strategy secured through the WSI via the DCO, offsetting these effects through preservation in situ or by record. Consequently, there will be no cumulative effects on buried archaeology, and both projects will evaluate and mitigate archaeology jointly. She noted that the WSI would be submitted at Deadline 5 and an update would be provided pending responses from Essex County Council and Historic England.</p>
<p>The adequacy of the cumulative effects assessment (CEA) in relation to the consideration of the proposed development together with the VEOWF and the Norwich to Tilbury and other development projects.</p>	<p>The ExA requested an explanation from the Applicant on this issue.</p> <p>Ms Brodrick said that the cumulative effects assessment will be updated as further information becomes available, such as the submission of the Norwich to Tilbury DCO application. If this occurs during the North Falls examination, the documents will be reviewed and updated accordingly. If the application is submitted after the examination closed, the Secretary of State may request updates during the determination period.</p> <p>Mr Campbell explained that the Cumulative Effects Assessment is detailed within each technical chapter of the ES <b>[APP-033]</b> to <b>[APP-047]</b> and the overall approach is set out in section 6.7.3 of the ES Chapter 6 EIA Methodology <b>[APP-020]</b>. He said that the assessment follows a broad set of steps, including identifying potential cumulative effects, screening relevant projects based on their zone of influence, and reviewing detailed information available in the public domain. Detailed consideration was given to the Five Estuaries project due to coordination and shared information, as well as the maturity of the project. Other projects, like Norwich to Tilbury, were assessed based on currently available information.</p> <p>In response to comments made by various IPs relating to the Tarchon Interconnector project, Ms Brodrick said that the cumulative effects assessment considered the National Grid substation connection node, but the proposed location for the Tarchon interconnector was not available at the time of assessment. She said that the cumulative assessment is an ongoing process, and updates will be made as new information becomes available. Each project will undertake its own cumulative effects assessment, and the Secretary of State will need to be satisfied with those assessments. It is therefore incorrect to suggest that cumulative effects are not being properly considered or may somehow be overlooked because the approval processes for the projects are staggered. Ms Brodrick said that the Applicant will review the Tarchon interconnector information to determine if updates to the cumulative effects assessment are necessary. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, (Rev 0)]</b>).</p>
<b>3.9 Coordination and alternatives</b>	
<p>Whether the applicant has fully explored, in co-ordination with other parties, the options for an integrated offshore connection in accordance with NPS policies.</p> <p>Whether there is a viable alternative offshore option to an onshore radial connection that could deliver a connection for the proposed development within an appropriate timescale.</p>	<p>The ExA noted that the first and second agenda items would be considered together. The ExA made reference to the Applicant's response to ExQ3.1.2 and ExQ3.1.7 <b>[REP2-020]</b>.</p> <p>Ms Brodrick responded to comments made by IPs and noted that the Secretary of State for DESNZ had opted not to progress with funding for an offshore connection however the North Falls project does retain the ability to deliver an offshore connection if a developer comes forward with a viable proposal (which has not occurred to date). With regard to Sea Link Ms Brodrick noted that the DCO application was submitted last week and it does not allow for connection of the North Falls project. She also clarified that other current interconnector projects do not include connections to UK offshore wind projects.</p> <p>Ms Brodrick added that the costs of the connection solution had been considered by the government as part of the OCS and that the point of connection was determined by National Grid.</p> <p>Mr Reid added that laying offshore cables costs between 4 and 5 times more than onshore cables. Additionally, he said that, running cables near busy ports like Harwich, Felixstowe, Tilbury Gateway, and Medway involves significant shipping traffic, raising safety concerns.</p> <p>The ExA asked the Applicant to provide a written submission explaining the need for a 2030 completion date in line with government policy. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, (Rev 0)]</b>).</p>

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<p>Whether the application for the proposed development is premature given the stage that National Grid's Norwich to Tilbury project has reached in the development consent process.</p>	<p>The ExA noted the Applicant's responses to ExQ3.1.6 and 3.1.7 <b>[REP2-020]</b>.</p> <p>Ms Brodrick explained why offshore wind farm projects are typically ahead of the related connection works (such as new substations or transmission network upgrades) in the consenting process. She noted that there is a policy basis for transmission network upgrades and that National Grid / NESO has a contractual commitment to provide a connection point for the Project. She said that the Secretary of State will determine the application in accordance with the Planning Act 2008 and relevant national planning policy. Ms Brodrick addressed the phasing restriction request and noted that it was debated during the Five Estuaries examination and deemed inappropriate.</p> <p>The ExA requested that the explanation given be submitted in writing. The Applicant has provided a response at Deadline 4 (see Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, (Rev 0)]</b>).</p> <p>Mr Blythe noted that community groups planned to challenge the National Grid application via the judicial review process. Ms Brodrick said that the Applicant is aware of potential risks relating to delay of the constriction of the Norwich to Tilbury project but these are commercial risks and not matters that the Applicant considers appropriate to be managed or be controlled via the planning process.</p>
<p>Whether the North Falls Offshore Wind Farm, the VEOWF, the Tarchon Interconnector and the Norwich to Tilbury projects should be examined as one application?</p>	<p>Ms Brodrick referred to the Applicant's Common Response 008 <b>[REP1-048]</b> and said that the projects are being promoted by separate developers and are therefore submitted as individual DCO applications. These projects are examined separately, with cumulative effects assessments ensuring that all impacts are fully assessed. She referenced the Sizewell C case, which determined that it was correct to consider the physical and functional elements of that project separately, consider ownership of the developments and specific statutory obligations that a developer is subject to. North Falls is licensed as an electricity generator, while National Grid operates the transmission network, each with separate statutory obligations. She said that this was a common approach to generation and transmission project.</p> <p>Ms Brodrick emphasised the Applicant's efforts to coordinate negotiations with landowners to minimise impacts, despite North Falls and Five Estuaries being separate DCO applications. She highlighted positive steps taken through coordination and clarified that the East Anglia Connection Node is intended to provide a connection for both projects.</p> <p>Mrs Tamsin Fairley raised further queries regarding differences in substation design for North Falls and Five Estuaries.</p> <p>The ExA asked the Applicant to respond to these in writing. The Applicant has provided a response at Deadline 4 in (see Applicant's Response to Actions List for ISH1 and ISH2 <b>[Document Reference: 9.50, (Rev 0)]</b>).</p>
<p>Whether any greater degree of co-ordination between the applicant and the VEOWF project could be achieved in order to minimise the impact on farmland of the onshore substation and onshore cable route.</p>	<p>The ExA referenced submissions made by Interested Parties and the Applicant's response to ExQ3.1.8 <b>[REP2-020]</b> and then asked the Applicant whether there was scope for further coordination.</p> <p>Ms Brodrick explained that both North Falls and Five Estuaries have allowed for the possibility of laying ducts for each other, but neither project can commit to doing so at this stage. She said that each draft DCO includes a requirement for the undertaker to specify the build-out option before construction begins, ensuring certainty pre-construction. Currently, neither project can commit to laying ducting for the other, so each has assessed the worst-case scenario for environmental impact assessment purposes.</p> <p>The ExA made further enquiries regarding a commercial agreement to share or underwrite costs.</p> <p>Ms Brodrick responded that there was an agreement between the parties which was in final stages of negotiation and addresses several points discussed. She also mentioned that there is no further information available from Ofgem on anticipatory investment at this time, but the Applicant would continue to review during the Examination and provide updates if the regulatory position changes.</p>

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	<p>In response to comments made relating to the imposition of a Grampian condition to link the developments together, Ms Brodrick acknowledged the additional impacts of a sequential build-out of the two projects, which have been assessed in the ES. She mentioned that there is already a requirement to notify which build option is being selected. She said that the Applicant would review the wording suggested by Essex County Council and the final drafting from Five Estuaries and discuss this further at ISH2.</p> <p>The Applicant has outlined why the imposition of a Grampian condition to link the North Falls and Five Estuaries together would inappropriate in the Applicant's Reposne to Actions List for ISH1 and ISH2 [<b>Document Reference: 9.40, (Rev 0)</b>].</p> <p>The ExA closed the hearing.</p>





**NORTH FALLS**

*Offshore Wind Farm*



## **HARNESSING THE POWER OF NORTH SEA WIND**

*North Falls Offshore Wind Farm Ltd*

*A joint venture company owned equally by SSE Renewables and RWE.*

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