



NORTH FALLS

Offshore Wind Farm

Statement of Common Ground

Essex County Council and Tendring District
Council (Tracked)

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NORTH FALLS

Offshore Wind Farm

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Glossary of Acronyms

| | |
|------|---|
| AONB | Area of Outstanding National Beauty |
| BNG | Biodiversity Net Gain |
| CBC | Community Benefit Contribution |
| CEA | Cumulative Effects Assessment |
| CfD | Contract for Difference |
| DBA | Desk-based Assessment |
| DCO | Development consent order |
| EACN | East Anglia Connection Node |
| ECC | Essex County Council |
| EIA | Environmental Impact Assessment |
| EPP | Evidence Plan Process |
| ES | Environmental Statement |
| ETG | Expert Topic Group |
| HDD | Horizontal Directional Drilling |
| HRA | Habitat Regulations Assessment |
| LIR | Local Impact Report |
| LONI | Letters of No Impediment |
| LVIA | Landscape and Visual Impact Assessment |
| N2T | Norwich to Tilbury |
| NFOW | North Falls Offshore Windfarm |
| NGET | National Grid Energy Transmission |
| OSEP | Outline Skills and Employment Plan |
| OTNR | Offshore Transmission Network Review |
| PEIR | Preliminary Environmental Impact Assessment |
| SAC | Special Area of Conservation |
| SoCG | Statement of Common Ground |
| SPA | Special Protection Area |
| SSSI | Site of Special Scientific Interest |
| TDC | Tendring District Council |

Glossary of Terminology

| | |
|------------------------------------|---|
| The Applicant | North Falls Offshore Wind Farm Limited (NFW). |
| The Project or 'North Falls' | North Falls Offshore Wind Farm, including all onshore and offshore infrastructure. |
| Onshore cable corridor(s) | Onshore corridor(s) considered at PEIR within which the onshore cable route, as assessed at ES, is located. |
| Landfall | The location where the offshore export cables come ashore at Kirby Brook. |
| Horizontal directional drill (HDD) | Trenchless technique to bring the offshore export cables ashore at landfall. The technique will also be the primary trenchless technique used for installation of the onshore export cables at sensitive areas of the onshore cable route. |
| Cable ducts | Housing for the onshore export cables, typically comprising plastic high-density polyethylene (HDPE) pipes buried underground. Each cable circuit will potentially comprise up to seven individual ducts (i.e. one per cable). |
| Onshore cable route | Onshore route within which the onshore export cables and associated infrastructure would be located. |
| Trenchless crossing | Use of a technique to install limited lengths of cable below ground without the need to excavate a trench from the surface, used in sensitive areas of the onshore cable route to prevent surface disturbance. Includes techniques such as HDD. |
| Onshore substation | A compound containing electrical equipment required to transform and stabilise electricity generated by the Project so that it can be connected to the National Grid. |
| National Grid connection point | The grid connection location for the Project. National Grid are proposing to construct new electrical infrastructure (a new substation) to allow the Project to connect to the grid, and this new infrastructure will be located at the National Grid connection point. |

1. Introduction

1.1 Background

1. This Statement of Common Ground (SoCG) has been prepared by North Falls Offshore Wind Farm Limited (NFOW) (the Applicant) and Essex County Council (ECC) and Tendring District Council (TDC). It identifies areas of North Falls Offshore Wind Farm (hereafter 'the Project' or 'North Falls') where matters are agreed, not agreed or that remain under discussion between the parties.
2. The Applicant has had regard to the Planning Inspectorate (2024) guidance regarding Statements of Common/Uncommon Ground for Hearings and Inquiries when compiling the SoCG.
3. ECC have been working closely with TDC to provide input into the planning process for the North Falls proposal. This pre-submission process has been lengthy and there are no areas of disagreement between the host Councils. Consequently, ECC and TDC have requested they be considered in conjunction.
4. This SoCG has been structured to reflect topics of the application which are of interest to ECC and TDC. The applicable matters considered within the SoCG apply to ECC and TDC statutory and non-statutory remits.
5. Table 1.1 presents the topics included in the SoCG with the Applicant and ECC and TDC.

Table 1.1 Topics included in the SoCG

| Topic/Chapter | DCO Document Reference |
|---|------------------------|
| Site Selection and Assessment of Alternatives | APP-018 |
| Onshore Air Quality | APP-034 |
| Water Resources and Flood Risk | APP-035 |
| Onshore Ecology | APP-037 |
| Onshore Archaeology and Cultural Heritage | APP-039 |
| Noise and Vibration | APP-040 |
| Traffic and Transport | APP-041 |
| Landscape and Visual Impact Assessment | APP-044 |
| Socio Economics | APP-045 |
| Tourism and Recreation | APP-046 |

6. Topic specific matters agreed, not agreed, and matters that remain under discussion between the Applicant and ECC and TDC are included within this SoCG. Matters that are not yet agreed will be the subject of ongoing discussion between the Applicant and ECC and TDC to reach agreement on each matter whatever possible or refine the extent of disagreement between parties.

7. Throughout the SoCG the phrase “Agreed” identifies any point of agreement between the Applicant and ECC and TDC. The phrase “Not Agreed” identifies any point that is not agreed between the Applicant and ECC and TDC.

1.2 Consultation with Essex County Council and Tendring District Council

8. The Applicant has engaged with ECC and TDC on the project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant Section 42 of the Planning Act 2008.
9. During statutory (Section 42) consultation, ECC provided comments on the Preliminary Environmental Information Report (PEIR) by way of letter dated 14th July 2023. TDC provided comments on the PEIR by way of letter dated 13th July 2023.
10. Further to the statutory Section 42 consultation, several meetings were held with ECC and TDC through the EPP. These are detailed throughout the SoCG, Consultation Report **[APP-215]** and minutes of the meetings.
11. A summary of consultation is included in Table 1.2 below.

Table 1.2 Summary of Consultation with Essex County Council and Tendring District Council

| Date | Contact Type | Topic |
|---------------------------------|--------------------------|---|
| Pre-Application | | |
| September 2020 to February 2021 | Presentation | Introductory session to the Project. |
| February 2021 | Presentation | Cable landfall options on the Tendring peninsula |
| February 2021 | Written Consultation | Extended Phase 1 habitat Survey Methodology |
| March 2021 | Written Consultation | Phase 2 surveys of Holland Haven Marshes SSSI |
| April 2021 | Presentation | Project progress update |
| April to May 2021 | Written Consultation | Terms for EIA/HRA Evidence Plan process |
| June to July 2021 | Workshops | Pre-scoping ETG meetings undertaken in accordance with the project's Evidence Plan process. |
| December 2021 | Workshops | Post-scoping ETG meetings undertaken in accordance with the Project's Evidence Plan process |
| January to March 2022 | Presentation/Workshop | 'Golden Rules' for basis of site selection process and the landfall site selection process |
| March 2022 | Written Consultation | Phase 2 Ecology Survey Methodologies |
| April 2022 | Presentation/Workshop | Onshore substation site selection process |
| June 2022 | Presentation/Workshop | Onshore cable corridor site selection process |
| July 2022 | Site Visit | Settings assessment for archaeology |
| March 2022 to February 2023 | Workshops (ETG Meetings) | Pre-PEIR ETG meetings undertaken in accordance with the Project's Evidence Plan process |

| Date | Contact Type | Topic |
|----------------------------|--------------------------|--|
| September 2023 to May 2024 | Workshops (ETG Meetings) | Post-PEIR ETG meetings undertaken in accordance with the Project's Evidence Plan process |

1.3 Summary of Agreed, Not Agreed and In Discussion

12. In order to easily identify whether a matter is 'agreed', 'not agreed', or 'in discussion' the position status colour coding system set out in Table 1.3 is used in the SoCG.
13. Details of specific topics that are 'agreed', 'not agreed', or 'in discussion' between the Applicant and ECC and TDC are presented in Sections 2.1 to 2.11.

Table 1.3 Position Status Key

| Position Status | Position Colour Coding |
|--|--------------------------------|
| Agreed The matter is considered to be agreed between the parties. | Agreed |
| Not Agreed- no material impact The matter is not yet agreed between the parties however the outcome of the approach taken by either the Applicant and Essex County Council and Tendring District Council is not considered to result in a material impact to the assessment conclusions and the matter is considered to be closed for the purposes of this SoCG. Discussion on these matters have concluded. | Not Agreed- no material impact |
| Not Agreed- material impact The matter is not agreed between the parties and the outcome of the approach taken by either the Applicant and Essex County Council and Tendring District Council is considered to result in a materially different impact to the assessment conclusions. Discussions on these matters have concluded. | Not Agreed- material impact |
| In discussion The matter is neither 'agreed' nor 'not agreed' and is a matter where further discussion is required between the parties (e.g. where the documents are yet to be shared with Essex County Council and Tendring District Council. | In discussion |

2. Statement of Common Ground

14. A summary of the matters agreed or not agreed between the Applicant and ECC and TDC (based on discussions and information exchanged between the Applicant and ECC and TDC ~~during the pre-application phase of the Application~~) are set out below.

2.1 Site Selection and Assessment of Alternatives

Table 2.1 Topics agreed, in discussion or not agreed in relation to Site Selection and Assessment of Alternatives

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|----------------------|------------------|
| 1 | The Project's 'Golden Rules' (as described in ES Appendix 4.1 Site Selection Golden Rules [APP-091]) for setting the framework for the site selection process for all aspects on transmission infrastructure are appropriate for guiding the site selection process and ensuring that the process is robust and will ensure compliance with environmental requirements. Discussed at Expert Topic Group meeting 1 on 17 th January 2022 and agreed between parties. | No comment | Agreed |
| 2 | The methodology for onshore cable corridor site selection as described in ES Chapter 4 Site Selection and Assessment of Alternatives [APP-018] is adequate for ensuring that the preferred option identified is compliant with all relevant environmental requirements. Discussed at Expert Topic Group meeting 1 on 17 th January 2022 and agreed between parties. | No comment | Agreed |
| 3 | The methodology for onshore substation site selection (as described in ES Chapter 4 Site Selection and Assessment of Alternatives [APP-018]) is adequate for ensuring that the preferred option identified is compliant with all relevant environmental requirements. Discussed at Expert Topic Group meeting 1 on 17 th January 2022 and agreed between parties. | No comment | Agreed |
| 4 | For onshore substation site selection, the 'Area of Search' for identifying onshore substation options includes all land within 3km of the projects provisional | No comment | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|---|------------------------------|
| | <p>National Grid connection. Built up areas (>5,000 population), major linear infrastructure (A-roads, railway) and national nature conservation/ landscape designations (SAC, SPA, Ramsar, AONB) have also been removed from the Area of Search boundary. This area of search is reasonable for identifying initial options for the onshore substation.</p> <p>Discussed at Expert Topic Group meeting 1 on 17th January 2022 and agreed between parties.</p> | | |
| 5 | <p>North Falls has selected its site based on the assessment in ES Chapter 4 Site Selection and Assessment of Alternatives [APP-018]. By locating the onshore substation close to the National Grid East Anglia Connection Node (EACN) substation, it reduces the amount of equipment required, particularly reactors and harmonic filters conditioning the power being transferred to the national grid. If a different location for the onshore substation would have been selected, further away from the EACN substation, the equipment would need to get larger and thereby have more impact on the local community. Please refer to paragraph 78 of ES Chapter 5 Project Description [APP-019] for further information.</p> <p>The impacts of North Falls, Five Estuaries and Norwich to Tilbury have been considered throughout the environmental impact assessment process. This includes, but is not limited to: the traffic and transport implications (considered in Chapter 27 Traffic and Transport [APP-041]), visual impacts (considered in Chapter 30 Landscape and Visual Impact Assessment [APP-044]) and land use (considered in Chapter 22 Land Use and Agriculture [APP-036]).</p> | <p>ECC has raised serious objection to the N2T DCO proposal, part of which is of particular relevance to NF, in that the proposed connection point provided by N2T would be in Ardreigh. ECC are of the view that there are clear and demonstrable reasons why this location is completely unacceptable in what is a flat, open rural landscape. By NF constructing its own independent substation, linking to the current proposed Grid connection point at Ardreigh, it would contribute to the in-combination effects both during the construction phase and when built. NF as a project seeks consent for its own substation before connection to the Grid substation, this will result in the provision of significantly harmful industrial type infrastructure in an open, tranquil rural area from the proposal as submitted, from N2T, NF and in addition from Five Estuaries, another similar DCO proposal. Tarchon interconnector project is also recently confirmed to be another DCO project. This means the area around Ardreigh, where one substation already exists, could result in four independent sub stations in close proximity to each other (one existing in Ardreigh Road, plus 3 more by separate DCO's). The area of land around Ardreigh/Lawford and its rural farmland environment is sensitive to change and, when looked at</p> | Not agreed - material impact |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| | Furthermore, the Applicant has developed a Co-ordination Report [APP-236] to set out the co-ordination approach from North Falls to minimise the overall impacts it and other projects could have. | in combination with the aforementioned developments, the impact of a quasi-industrial development of the scale as proposed would be injurious to the local area and its surroundings, when taking into account in combination effects. | |

2.2 Onshore Air Quality

Table 2.2 Topics agreed, in discussion or not agreed in relation to Onshore Air Quality

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|----------------------|------------------|
| 1 | <p>The approach / methodology for Environmental Impact Assessment (EIA) in respect of air quality as set out in Section 20.4 of Chapter 20 Onshore Air Quality [APP-034] is appropriate for assessing impacts on air quality sensitive receptors.</p> <p>Discussed at Expert Topic Group meeting 2 on 2nd October 2023 and agreed between parties.</p> | No comment | Agreed |

2.3 Water Resources and Flood Risk

Table 2.3 Topics agreed, in discussion or not agreed in relation to Water Resources and Flood Risk

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|--|------------------|
| 1 | The Applicant has been in extensive discussions with owners of local private water supplies to understand the nature of potential effects upon these supplies during construction. To this end, the Applicant has developed a Groundwater Risk Assessment for private water supplies, and submitted this into the Examination at Deadline 5 (Groundwater Risk Assessment and Monitoring Plan - Private Water Supplies and Licenced Abstractions [9.66]). This includes an outline monitoring plan, which sets out the proposed approach to monitoring of potentially affected private water supplies during construction, and will include outline details of the mitigation proposed in the event of a potential effect on private water supplies being identified during the monitoring. | No comment as water supply is not within ECC's jurisdiction. It is a matter for Environment Agency and the water company. TDC is looking for more information to help residents of Little Bromley understand the position regarding well water and contamination, and more important, what options are open to residents if things go wrong. TDC to review and comment on the mitigation proposals in the Groundwater Risk Assessment following publication. | In discussion |
| 2 | The list of baseline data sources set out in Section 21.4 of ES Chapter 21 Water Resources and Flood Risk [APP-035] and Section 3 of Appendix 21.3 Flood Risk Assessment [APP-121] are sufficient to inform the EIA. Groundwater abstraction data sets have been included in the list of baseline data sources. The Applicant confirms that a temporary drainage strategy will be provided with the final Code of Construction Practice (CoCP) secured through Requirement 8 of the draft DCO [REP4-004] . Outline drainage measures are provided in the Outline CoCP [7.13 (Rev 3)] . Furthermore, an operational drainage | There is currently insufficient information to demonstrate that there would not be increased surface water flood risk as a result of the development. Detailed modelling and further information are required to ascertain the surface water flood risk during construction and operational stage. The applicant indicated that a temporary drainage strategy for construction stage will be developed as part of the detailed Code of Construction Practice (CoCP) to be discharged under Requirement 8. The Local Lead Flood Authority (LLFA) requests that such temporary strategy should be submitted to and agreed | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|---|------------------|
| | <p>strategy is secured through Requirement 22 of the draft DCO, which will be developed in discussion with the LLFA. Outline operational drainage measures are provided in the Outline Operational Drainage Strategy [APP-254].</p> <p>Requirement 15 has also been updated at Deadline 5 to address ECC's concerns.</p> | <p>by the LLFA prior to commencement of the relevant construction works.</p> <p>ECC notes that an Operational Drainage Strategy will be submitted to and agreed by the LLFA under Requirement 22. The applicant is reminded about the importance to keep liaising with the LLFA when developing this strategy prior to detail design of the drainage system.</p> <p>Groundwater monitoring is required under Requirement 15, however a pre-commencement trigger is required before undertaking the onshore works.</p> | |

2.4 Onshore Ecology

Table 2.4 Topics agreed, in discussion or not agreed in relation to Onshore Ecology

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|----------------------|------------------|
| 1 | The approach / methodology for EIA as set out in Section 23.4 of ES Chapter 23 Onshore Ecology [APP-037] and Section 24.4 of ES Chapter 24 Onshore Ornithology [APP-038] is appropriate for assessing impacts on onshore ecology / ornithology receptors. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 2 | The list of desk-based data sources set out in Section 23.4 of ES Chapter 23 Onshore Ecology [APP-037] and Section 24.4 of ES Chapter 24 Onshore Ornithology [APP-038] are sufficient to inform the EIA. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 3 | The study area buffers for designated sites, habitats and species set out in Section 23.4 of ES Chapter 23 Onshore Ecology [APP-037] and Section 24.4 of ES Chapter 24 Onshore Ornithology [APP-038] are appropriate. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 4 | The scope of the Extended Phase 1 Habitat surveys proposed for 2021 is appropriate and is suitable to characterise the baseline for the EIA. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|----------------------|------------------|
| 5 | <p>The scope of the invertebrate and botanical surveys proposed for Holland Haven Marshes for 2021 are appropriate and are suitable to characterise the baseline for the EIA.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 6 | <p>The scope of the overwintering and breeding bird surveys undertaken in 2020/1 are appropriate and are suitable to characterise the baseline for the EIA.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 7 | <p>The proposed approach in terms of early engagement on biodiversity net gain is appropriate.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 8 | <p>The proposed approach in terms of early engagement on Letters of No Impediment (LONI) for protected species licensing is appropriate.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 9 | <p>The great crested newt eDNA (i.e. presence / absence) data is suitable for a draft species licence application for the purpose of securing a LONI for this species (if required).</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 10 | <p>The screening thresholds used within the onshore HRA screening (<i>Doc. Ref.: 004158062-02, dated 1 November</i></p> | No comment | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|----------------------|------------------|
| | 2022) are appropriate for screening in sites potentially subject to LSE from North Falls' onshore works. | | |
| 11 | The sites and potential effects screened in for further assessment within the onshore HRA screening (<i>Doc. Ref.: 004158062-02, dated 1 November 2022</i>) are appropriate. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 12 | The approach to setting out how the project will achieve 10% biodiversity net gain, as set out during the 15 November 2022 ETG, is appropriate for ensuring enough information is available prior to consent to have comfort about how the 10% net gain will be delivered. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 13 | The project's Bat Activity Survey and Bat Emergence Survey are adequate to define the ecological baseline for bat species for the project. Discussed at Expert Topic Group meeting 3 on 10 th October 2023 and agreed between parties. | No comment | Agreed |
| 14 | The approach to assessing effects upon migratory Nathusius' pipistrelle - i.e. to assess effects on their terrestrial habitat – are appropriate. Discussed at Expert Topic Group meeting 3 on 10 th October 2023 and agreed between parties. | No comment | Agreed |
| 15 | The approach to assessing effects upon Holland Haven Marshes SSSI - i.e. to assess effects on the components of the SSSI individually - is appropriate. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|--|------------------|
| 16 | Assessment of effects arising from HDD breakout is best assessed in the ES through a risk assessment, and geotechnical data is not required at this stage to inform this. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 17 | An arboricultural management plan and lighting scheme will be subject of DCO requirements and provided post-consent. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 18 | Works taking place within 30m of Holland Mill Wood is acceptable. Discussed at Expert Topic Group meeting 1 on 6 th July 2021 and agreed between parties. | No comment | Agreed |
| 19 | Undertaking BNG calculations based on the onshore project infrastructure, not the project red line boundary. This includes the onshore substation and onshore cable route. | If onshore project infrastructure includes the substation and cable corridor we agree to this approach. Otherwise it contradicts point 20 below. | Agreed |
| 20 | Assuming that all areas subject to temporary works for less than two years will be 'retained' within the metric, and all arable land will be returned to target condition once back in its original use. | No comment | In discussion |
| 21 | Hedgerows will be subject to post reinstatement surveys to ensure successful establishment of habitat and that they have achieved their target condition, up to 10 years after scheme completion. After 10 years it will be assumed that the landowner will continue to maintain the area as they deem fit. These areas will be specifically excluded from the 30-year monitoring and management | ECC agrees to the applicant's position, including the flexible approach to hedgerow management and monitoring for a period of 10 years. | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| | <p>plan, once they have been confirmed as reaching their target condition.</p> <p>Any habitat creation and enhancement which takes place and contributes towards the project's BNG target will require a minimum 30-year monitoring and maintenance period of its condition. This excludes arable habitats as they do not receive a condition score within the Defra Statutory Biodiversity Metric.</p> | | |
| 22 | <p>The approach set out in the North Falls BNG Strategy [APP-257] is appropriate for characterising the baseline and post-development habitat requirements both pre- and post-consent, and the list of information to be provided pre-consent is sufficient to adequately identify the project's outline BNG requirements when exploring opportunities to achieve 10% BNG.</p> | <p>ECC does not agree that the applicant has sufficiently explored opportunities to deliver a 10% net gain for the watercourse units. This should include off-site units by an off-site provider.</p> <p>The Viability Assessment of Biodiversity Net Gain in Essex (August 2024) states that the addition costs to achieve 20% BNG is relatedly small percentage of overall cost for NSIPs in Essex. Therefore 20% BNG should be investigated by the applicant.</p> | In discussion |
| 23 | <p>North Falls will submit a DLL enquiry form with a view to obtaining a DLL certificate in advance of DCO application submission. The enquiry will include a boundary which in the 'worst case' of both the North Falls and Five Estuaries boundaries, and both enquiries (from North Falls and Five Estuaries) will allow for the certificate to cover the project in the event of either (i) build out of both North Falls and Five Estuaries cable ducts or (ii) North Falls infrastructure only.</p> <p>Discussed at Expert Topic Group meeting 6 on 1st March 2024 and agreed between parties.</p> | No comment | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| 24 | <p>No draft protected species licences are proposed to be required. Based on the data submitted to date and the outline mitigation proposed for hazel dormice as set out during the 1 March 2024 ETG meeting, this approach is appropriate.</p> <p>Discussed at Expert Topic Group meeting 6 on 1st March 2024 and agreed between parties.</p> | No comment | Agreed |
| 25 | <p>Paragraph 153 of the Outline Landscape and Ecological Management Strategy [APP-249] states that "<i>Reinstated habitats will be subject to an aftercare period of up to 10 years following reinstatement, to be extended (if required) if reinstatement is not deemed to have been successful.</i>" The conditions of extending the aftercare period will be included within the final Ecological Management Plan, secured by Requirement 7 of the Draft DCO [REP4-004].</p> | <p>ECC welcomes the applicant's commitment to provide biodiversity net gain (BNG). However Essex has a low rainfall, and any landscaping which may be secured which will contribute to BNG, and which will absolutely be necessary to ensure the permanent built development as proposed is substantial to provide mitigation, where considered possible, ECC would ask that any maintenance/aftercare period is extended to ensure long time management and retention of any landscaping is achieved.</p> | In discussion |

2.5 Onshore Archaeology and Cultural Heritage

Table 2.5 Topics agreed, in discussion or not agreed in relation to Onshore Archaeology and Cultural Heritage

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| 1 | <p>The list of baseline data sources set out in Section 25.5 of ES Chapter 25 Onshore Archaeology and Cultural Heritage are sufficient [APP-039].</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | <p>Yes, following the provision of further information regarding the nature of the walkover surveys. Emphasis should be placed on identifying non-designated heritage assets in the absence of an adopted local list within the Tendring District.</p> | Agreed |
| 2 | <p>Agreed to list of 3x heritage viewpoints proposed in relation to the project onshore substation (CH01, CH02, CH03). Agreed to an additional heritage viewpoint (CH04) from the non-designated henge site (Little Bromley Hall, EHER 2460) located at TM 274 089, south of the Church of St Mary's (NHLE 1337175), as this asset is likely to become scheduled prior to DCO submission and visibility of the substation is likely.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | Agreed | Agreed |
| 3 | <p>Agreed no requirement for a heritage viewpoint from the Scheduled settlement site of a Neolithic enclosure (NLHE 1002157), located NNE of Lawford House, as the onshore substation is unlikely to be visible given the intervening vegetation buildings and topography.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | Agreed | Agreed |
| 4 | <p>A single WSI will be drafted detailing the geophysical survey methodology for the project, but will remain a live document and be updated with phase 2 survey locations via submission of new figures and an update</p> | Agreed | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|----------------------|------------------|
| | <p>to the survey rationale table. Any alternative geophysical survey requirements (such as ground penetrating radar (GPR) or Electromagnetic Mapping (EM)) will be detailed in a separate survey-specific WSI.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | | |
| 5 | <p>A selection of areas which appear archaeologically 'blank' will be included within the Phase 1 geophysical survey. These locations will be provided within the next iteration of the Geophysical Survey WSI to be approved by ECC Place Services.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | Agreed | Agreed |
| 6 | <p>The WSI for archaeological evaluation at the North Falls and Five Estuaries onshore substation areas and accompanying trial trenching plan are appropriate for characterising the baseline environment at this location.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | Agreed | Agreed |
| 7 | <p>The WSI for archaeological evaluation of the North Falls and Five Estuaries onshore cable route north of Little Clacton Road and accompanying trial trenching plan are appropriate for characterising the baseline environment at this location.</p> <p>Discussed at Expert Topic Group meeting 1 on 6th July 2021 and agreed between parties.</p> | Agreed | Agreed |
| 8 | <p>The areas in which trial trenching has been completed (onshore substation working area and land north of Little Clacton Road) within the onshore project area is</p> | Agreed | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|---|-------------------------------------|
| | <p>a sufficient baseline upon which to adequately assess the effects of the project on archaeological remains and provide an effective mitigation strategy.</p> <p>Discussed at Expert Topic Group meeting 1 on 7th February 2023 and agreed between parties.</p> | | |
| 9 | <p>The assessment presented within Section 25.6 of ES Chapter 25 Onshore Archaeology and Cultural Heritage [APP-039] was informed by an archaeological desk-based assessment (DBA), an assessment of aerial photography and Lidar data, a geoarchaeological DBA, archaeological and geoarchaeological monitoring of GI works, geophysical survey and trial trench evaluation. This body of work is considered to form a proportionate basis on which to base the ES assessment to make an informed judgement on the impacts of the development upon the heritage significance of known and potential archaeological remains, and inform an effective mitigation strategy of the identified effects as detailed within the Outline Onshore Written Scheme of Investigation (WSI), updated at Deadline 5 [7.12 (Rev 1)].</p> <p>The Applicant in discussion with Essex County Council (Places Services) and Historic England have agreed a programme of project wide trial trenching and geoarchaeological evaluation post-consent to inform the detailed design phase and archaeological mitigation approaches and manage risk in delivery. The Applicant is following the approach discussed with Five Estuaries and has drafted an Archaeological Mitigation Strategy and Trial Trench Plan, and updated the Outline WSI [7.12 (Rev 1)] to be submitted into the Examination at Deadline 5.</p> | <p>ECC believes that the impact on the historic environment, specifically archaeology, cannot be effectively managed based on the level of investigation and information submitted. The scheme has potential to impact on both known and presently unknown heritage assets whose significance remains difficult to state with confidence at this time. ECC believes that to determine the impact of the proposal on archaeological remains and provide an effective mitigation strategy further assessment is required.</p> | <p>Not agreed - material impact</p> |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|-------------|--|--|------------------|
| <u>10</u> | <u>The Applicant in discussion with Essex County Council (Places Services) and Historic England have agreed a programme of project-wide trial trenching and geoarchaeological evaluation post-consent to inform the detailed design phase and archaeological mitigation approaches and manage risk in delivery. The Applicant is following the approach discussed with Five Estuaries and has drafted an Archaeological Mitigation Strategy [REP5-046 to REP5-048] and updated the Outline Onshore WSI [REP5-016 to REP5-021], both of which were submitted into the Examination at Deadline 5.</u> | <u>ECC is in agreement with the Archaeological Mitigation Strategy, Trial Trench Plan and Outline Onshore WSI.</u> | <u>Agreed</u> |
| <u>1140</u> | The Applicant will submit a further revision to the Outline CoCP at Deadline 5 [7.13 (Rev 3)] and submitted updated wording to Requirement 11 of the draft DCO [REP4-004] at Deadline 4 to reflect the discussions and agreements made between the Applicant, Essex Place Services and Historic England, in combination with Five Estuaries. | ECC has reviewed the latest revisions of OCoCP and AMS with the requested amendments and the agreed version is expected to be submitted by the applicant at Deadline 5. | Agreed |
| <u>1244</u> | The assessment, in Section 25.6.1.4 of ES Chapter 25 Onshore Archaeology and Cultural Heritage [APP-039] , concludes that the significance of effect from changes to the setting of designated heritage assets during construction are “minor adverse” which equates to “less than substantial harm at the lower end of the scale”. It is acknowledged in the ES chapter that while there may be some change to setting during construction, any change would be temporary and, in respect of the onshore cable route, will be reversible. The reinstatement of the landscape would reverse the construction period effects and no lasting effect would be experienced. | The proposed Onshore Project Area (landward cable connection and substation) has been identified as having a negligible adverse effect on designated heritage assets within the study area, albeit the level of harm has not been explicitly stated. Although, the Onshore Archaeology and Cultural Heritage ES Chapter [APP-039] does not fully address Construction effects on the significance of the identified heritage assets. It is considered that this harm would result from both the construction and operational phases of the development. | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|-------------|--|---|------------------|
| | An Addendum to ES Chapter 25 Onshore Archaeology and Cultural Heritage [REP4-035] was submitted at Deadline 4 which provides further rationale and justification as to the conclusion of the assessment in relation to changes to setting and associated heritage significance during construction and operation. | | |
| <u>1342</u> | <p>The effects of construction upon Jennings Farmhouse were not assessed to give rise to adverse effects as it was considered that any effects would only arise from the lasting change to setting caused by the presence of the completed onshore substation above ground structures. Therefore, changes to the setting of Jennings Farmhouse were only considered to potentially give rise to adverse effects during operation as a result of the permanent change to setting.</p> <p>An “Addendum to ES Chapter 25 Onshore Archaeology and Cultural Heritage” [REP4-035] was submitted at Deadline 4 which provides further rationale and justification as to the conclusion of the assessment in relation to changes to setting and associated heritage significance of Jennings Farmhouse during construction and operation.</p> | Jennings Farm is located on Ardleigh Road, an access route for the cabling corridor and substation site. The Grade II Listed Farmhouse is approximately 300m north of the proposed underground cabling corridor/easement. Given this proximity, TDC asserts that both the farmhouse and its residents will experience impacts during the construction and operational phases. Therefore, a revision to the Environmental Statement’s (ES) summary of effects is required. | Agreed |
| <u>1413</u> | <p>ES Appendix 25.4 Offshore Infrastructure Setting Assessment [APP-150] concluded there would be no significant change to the settings of the identified heritage assets and their associated heritage significance.</p> <p>Discussed at Expert Topic Group meeting 1 on 7th February 2023 and agreed between parties.</p> | It is agreed that the Offshore development would cause no harm to the significance of the identified heritage assets due to their only being noticeable on days of ‘Excellent’ visibility, given their distance from the shore. | Agreed |

2.6 Noise and Vibration

Table 2.6 Topics agreed, in discussion or not agreed in relation to Noise and Vibration

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|----------------------|------------------|
| 1 | <p>The assessment scope and methodology for Environmental Impact Assessment (EIA) as set out in Sections 26.3 and 26.4 respectively of Chapter 26 Noise and Vibration [APP-040] is appropriate for assessing impacts on noise and vibration sensitive receptors.</p> <p>Discussed at Expert Topic Group meeting 1 on 9th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 2 | <p>The baseline information presented in Section 26.5 of Chapter 26 Noise and Vibration [APP-040], including the noise survey methodology and results, appropriately determines the baseline for the purposes of the assessment.</p> <p>Discussed at Expert Topic Group meeting 1 on 9th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 3 | <p>The assessment of effect significance in Section 26.6 of Chapter 26 Noise and Vibration [APP-040] during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.</p> <p>Discussed at Expert Topic Group meeting 1 on 9th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 4 | <p>The approach to monitoring set out in Section 26.7 of Chapter 26 Noise and Vibration [APP-040] is</p> | No comment | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|---|------------------|
| | <p>sufficient to provide the required evidence that effects will be not significant in EIA terms.</p> <p>Discussed at Expert Topic Group meeting 1 on 9th July 2021 and agreed between parties.</p> | | |
| 5 | <p>The conclusions of the assessments of cumulative effects, interactions and inter-relationships as detailed in Section 26.8, 26.10 and 26.11 respectively of Chapter 26 Noise and Vibration [APP-040], are appropriate in that the identified effects, assuming the inclusion of proposed mitigation and monitoring as required, are considered not significant in EIA terms.</p> <p>Discussed at Expert Topic Group meeting 1 on 9th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 6 | <p>All relevant mitigation measures specified in ES Chapter 26 Noise and Vibration [APP-040] are adequately secured through the Draft DCO [REP4-004] and accompanying documentation.</p> <p><u>The Project's construction working hours, including all commitments on restrictions outwith these hours and the limited exemptions to them, are set out in Section 1.3.1 of the OCoCP [REP5-022].</u></p> | <p>ECC expects to see more mitigation measures in controlling of light vehicles arriving early (before 7am) and leaving after 7pm, and the associated potential noise.</p> <p><u>ECC requests the following to be included in the OCoCP:</u></p> <ul style="list-style-type: none"> <u>Inclusion of the definition of "high impact" activities;</u> <u>Daily start up and shut down activities to be within the construction hours of 07:00 to 19:00;</u> <u>No amplifier nor radio shall be used between 18:00 and 08:00;</u> <u>Not less than 2 working days for the relevant authorities, including National Highway, ECC and TDC to consider any exemption request as outlined in paragraph 51; and</u> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----------|---|---|-------------------------------------|
| | | <ul style="list-style-type: none"> <u>Advance notifications of “high impact” activities to be given not less than 2 working days to noise sensitive receptors prior to the commencement of those works.</u> <p>TDC requested working hours to be confined within 8am to 6pm as per their comments at Deadline 4.</p> | |
| <u>7</u> | <p><u>All relevant mitigation measures specified in ES Chapter 26 Noise and Vibration [APP-040] are adequately secured through the Draft DCO [REP4-004] and accompanying documentation.</u></p> <p><u>The Project's construction working hours, including all commitments on restrictions outwith these hours and the limited exemptions to them, are set out in Section 1.3.1 of the OCoCP [REP5-022].</u></p> | <p><u>TDC requested working hours to be confined within 8am to 6pm as per their comments at Deadline 4 [REP4-093].</u></p> <p><u>TDC continue to object to the proposed working hours because the in-combination effects with other NSIPs will be very considerable. Moreover, even though we are moving closer to setting clear definitions, for example definition of ‘high impact’ activities, there is no limitations / cap on for ‘emergency or unplanned situations etc’. There are also the activities that will take place outside of already generous working hrs of 7am - 7pm. Again without any cap/limitations/clarify on limitations), the impacts on its own is likely to be considerable let alone the in combination effects with other NSIPs (who will no doubt ask for exactly the same) is likely to be very significant. TDC also haven’t seen the latest proposed working hour condition from the applicant - where is this? I cannot find it in the COCP. For all these reasons TDC maintains the position that the working hours condition/‘restrictions’ fail the NPPF tests of reasonableness and preciseness.</u></p> | <u>Not agreed – material impact</u> |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|-----------|--|--|------------------|
| | | <u>If there is an issue with working hours, TDC would like clarity on how it will be reported and identified as being one project or another, taking into account the likelihood of combined construction schedules, and whether any complaint process is a joint process.</u> | |
| <u>78</u> | An Outline Protocol has been jointly prepared by Five Estuaries Offshore Wind Farm Limited, North Falls Offshore Wind Farm Limited and National Grid Electricity Transmission Plc, as described in Onshore Substations Operational Noise and the Outline Noise Complaints Protocol [REP3-043] . Section 6 of the Outline Protocol outlines the timeframes for the tripartite noise investigation protocol, which will be secured by the DCO applications for the three projects. The Applicant considers these timeframes for investigating noise complaints to be suitable. The Onshore Substations Operational Noise and the Outline Noise Complaints Protocol has been updated to seek to address ECC concerns, and an updated version [9.32 (Rev1)] is being submitted into Examination at Deadline 5. | <p>ECC and TDC maintain their grave concerns on the approach and timeframes proposed in the noise investigation protocol. It lacks the necessary joint panel approach between the 3 operators, namely, National Grid, Five Estuaries and North Falls, which should all be accountable to any cumulative operational noise complaints.</p> <p>The proposed timeframe is also unreasonable lengthy and a much shorter timeframe as suggested by the Councils should be adopted to handle any noise complaint(s) in an expediate manner.</p> <p>The 3 operators should consider how the procurement and appointment of acoustic consultants could be bought forward and shortened, such as jointly agreeing contractual arrangement with a few consultants for such urgent occasions.</p> | In discussion |

2.7 Traffic and Transport

Table 2.7 Topics agreed, in discussion or not agreed in relation to Traffic and Transport

| ID | The Applicant Position | ECC and TDC Position Essex County Council Position | Position Summary |
|----|---|---|------------------|
| 1 | <p>Baseline Traffic Flows</p> <p>The Chapter 27 Traffic and Transport [APP-041] adequately characterises the baseline traffic flows.</p> <p>The approach to capturing baseline traffic flows was agreed with Essex County Council at a meeting on the 07/06/2022 and reconfirmed at an ETG on the 05/09/2023. This matter was discussed with Essex County Council at a meeting on the 21/03/2025 and the Applicant has provided Essex County Council with copies of the raw excel survey data for auditing purposes.</p> | <u>No comment</u> | Agreed |
| 2 | <p>Assignment of Traffic</p> <p>The approach to distribution and assignment traffic is acceptable.</p> <p>It was agreed at a meeting with Essex County Council on the 05/09/2023 that the assessment would assume all HGV traffic is assigned to the A120 with a sensitivity test of 100% of HGV traffic being assigned east on the A120 to Harwich and 100% west toward the A12. The approach to the assignment and distribution of employee traffic was discussed at a meeting with Essex County Council on the 05/09/2023.</p> <p>This matter was discussed with Essex County Council at a meeting on the 21/03/2025 and the Applicant have provided Essex County Council with copies of the excel survey data for auditing purposes.</p> | Agreed based on Applicants commitment to finalising the remaining minor issues and a request for a call regarding the Appendices. | Agreed |

| ID | The Applicant Position | ECC and TDC Position Essex County Council Position | Position Summary |
|----|--|--|------------------|
| 3 | <p>Road Safety</p> <p>The assessment of highway safety set out in Chapter 27 Traffic and Transport [APP-041] is appropriate.</p> <p>Road safety assessment methodology was agreed with Essex County Council at a meeting on the 09/07/2021 and the approach to road safety data collection was agreed at a meeting on the 05/09/2023.</p> <p>This matter was discussed at a meeting on the 21/03/2025 and it was confirmed that subject to the inclusion of additional text in an update to the Outline Construction Traffic Management Plan (OCTMP) that this matter can be agreed. A draft version of the updated OCTMP has been shared with Essex County Council and will be submitted at Deadline 5.</p> | | Agreed |
| 4 | <p>Severance, amenity and driver delay</p> <p>The conclusions of the assessment of likely significant effects in Chapter 27 Traffic and Transport [APP-041] are appropriate for the impacts of severance, amenity and driver delay (road closures).</p> <p>This matter was discussed at a meeting on the 21/03/2025 and it was confirmed that with the measures, monitoring and controls proposed in an updated version of the OCTMP that Essex County Council agree that the potential for significant effects can be managed. An updated OCTMP was shared with Essex County Council and submitted at Deadline 4 [REP4-008].</p> | Agreed based on Applicants commitment to finalising the remaining minor issues | Agreed |
| 5 | <p>Cumulative Effects</p> <p>The conclusions of the assessment of likely significant cumulative effects in ES Chapter 27 Traffic and Transport [APP-041] is appropriate and follows the relevant transport specific guidance.</p> | <u>No comment</u> | Agreed |

| ID | The Applicant Position | <u>ECC and TDC Position</u> Essex County Council Position | Position Summary |
|----|--|---|------------------|
| | This matter was discussed at a meeting on the 21/03/2025 and it was agreed to include a Transport Working Group within an updated version of the OCTMP for the purposes of monitoring and co-ordinating cumulative projects traffic demand. A draft version of the updated OCTMP has been shared with Essex County Council and was submitted at Deadline 4. | | |
| 6 | <p>A120/Bentley Road improvements</p> <p>The design of the A120 and Bentley Road improvements and the approach to securing the future detailed design through the OCTMP is appropriate.</p> <p>Essex County Council have not raised any concerns on this matter within their Relevant Representation and Local Impact Report and it has been confirmed at a meeting on the 21/03/2024 that this matter can be agreed.</p> | <u>No comment</u> | Agreed |
| 7 | <p>Abnormal loads</p> <p>The conclusions of the assessment of likely significant effects in Chapter 27 Traffic and Transport [APP-041] are appropriate for the impact of abnormal loads.</p> <p>This matter was discussed at a meeting on the 21/03/2025 and it was confirmed that with minor amendments to the OCTMP that Essex County Council agree that the potential for significant effects can be managed. A draft version of the updated OCTMP has been shared with Essex County Council and was submitted at Deadline 4.</p> | <u>No comment</u> | Agreed |
| 8 | <p>Access and Crossing Designs</p> <p>An access strategy was presented to Essex County Council at a meeting on the 05/05/2022 and at a second meeting on the 11/08/2023.</p> <p>The design and location of all accesses and crossings was agreed to the completion of a Stage 1 Road Safety</p> | Agreed based on Applicants commitment to aligning the wording with VE ensuring appropriate landscaping at and appropriate maintenance of visibility splays. | Agreed |

| ID | The Applicant Position | ECC and TDC Position Essex County Council Position | Position Summary |
|----|--|--|------------------|
| | <p>Audit. The findings of the Stage 1 Road Safety Audit were shared with Essex County Council at a meeting on the 11/01/2024 and ECC raised no concerns.</p> <p>This matter was discussed at a meeting on the 21/03/2025 and it was confirmed that with the measures, monitoring and controls proposed in the OCTMP that Essex County Council agree that the potential for significant effects during construction can be managed.</p> <p>The mechanism for securing the maintenance of highway visibility splays will be outlined by NFOW in the OLEMS.</p> | | |
| 9 | <p>OCTMP</p> <p>The measures contained within the Outline Construction Traffic Management Plan (OCTMP) (which is secured by Requirement 9 of the draft DCO) to manage the potential for significant effects upon the local road network are adequate and appropriate.</p> <p>This matter was discussed at a meeting on the 21/03/2025 and it was confirmed that with the measures, monitoring and controls proposed in an updated version of the OCTMP that Essex County Council agree that the potential for significant effects can be managed. A draft version of the updated OCTMP has been shared with Essex County Council and was submitted at Deadline 4.</p> | <p>Ongoing discussion concerning noise levels at workforce locations before compound opens, i.e. before 7am.</p> <p><u>A statement should be included in the OCTMP: "The final CTMP will set out the details of how employee vehicles arriving before 7AM will be managed".</u></p> <p><u>TDC would like clarity regarding the post-construction phase traffic impact, in terms of how many vehicle movements there will be per day cumulatively across all projects and the impact on the village and all regular road users who use the route, whether individual or business.</u></p> <p><u>Additionally, how can NF guarantee no construction traffic will go through the village, if they cannot ensure all construction traffic enters from A120 end, what does that mean for Little Bromley; the impact on the highway and also on drainage/well water.</u></p> | In discussion |
| 10 | <p>Draft DCO</p> | <p>See ECC and TDC D5 submission <u>[REP5-090]</u> and <u>[REP5-091]</u>.</p> | In discussion |

| ID | The Applicant Position | <u>ECC and TDC Position</u> Essex County Council Position | Position Summary |
|----|--|--|------------------|
| | <p>The wording of the draft DCO is acceptable to Essex County Council.</p> <p>The Applicant has discussed this matter with Essex County Council at a meeting on the 21/03/2025 and agreed that the wording of the Requirements 9 and 10 is appropriate. The Applicant has agreed to Essex County Councils request to update the determination periods for Articles 12 and 14 from 28 to 56 days and to include Protective Provisions for Essex County Council. An updated version of the draft DCO was submitted at Deadline 4 [REP4-004]</p> <p>Supplementary to Protective Provisions, a Framework Highways Agreement with Essex County Council is being considered by the Applicant.</p> | | |

2.8 Landscape and Visual Impact Assessment

Table 2.8 Topics agreed, in discussion or not agreed in relation to Landscape and Visual Impact Assessment

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|--|------------------|
| 1 | <p>The approach / methodology for Environmental Impact Assessment (EIA) as set out in Section 3-4 of Chapter 30 Landscape and Visual Impact Assessment [APP-044] is appropriate for assessing impacts on landscape / visual receptors.</p> <p>Discussed at an Expert Topic Group meeting on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 2 | <p>The viewpoints for consideration of seascape, landscape and visual effects are appropriate for characterising the baseline environment.</p> <p>Discussed at an Expert Topic Group meeting on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 3 | <p>The viewpoints for consideration of landscape and visual effects in relation to the project's proposed onshore substation (provided in 004340615-02 <i>North Falls Onshore Substation Proposed Viewpoints (May 2022)</i>) are appropriate for characterising the baseline environment.</p> | <p>Additional viewpoints are required to the north of the substation site along Grange Road and the PRoW (Barn Lane).</p> <p>Additional viewpoint visualisations are requested from inside the National Landscape to demonstrate that cumulative impacts from the three proposed infrastructure projects will not be significant and that they further the statutory duty of the National Landscape.</p> | In discussion |
| 4 | <p>Any tree, hedge or shrub planted as part of the project's landscaping management scheme will be subject to a 10 year aftercare period, during which any tree, hedge</p> | <p>ECC welcomes the applicant's commitment to provide biodiversity net gain (BNG). However Essex has a low rainfall, and any landscaping which may be secured which will contribute to BNG, and which will absolutely</p> | Agreed |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|---|------------------|
| | <p>or shrub which dies or becomes seriously damaged or diseased will be replaced.</p> <p>Discussed at an Expert Topic Group meeting on 6th July 2021 and agreed between parties.</p> | <p>be necessary to ensure the permanent built development as proposed is substantial to provide mitigation, where considered possible, ECC would ask that any maintenance/aftercare period is extended to ensure long time management and retention of any landscaping is achieved.</p> | |
| 5 | <p>North Falls is aiming for no removal of woodland (including at the onshore substation site). Hedgerows affected by the onshore cable route will also be replanted.</p> <p>Discussed at an Expert Topic Group meeting on 6th July 2021 and agreed between parties.</p> | No comment | Agreed |
| 6 | <p>Onshore cable route viewpoints have been scoped out of the LVIA and that landscape and visual effects will largely relate to construction stage effects. The corridors will be re-instated following construction and hedgerows will be reinstated. The project is aiming for no removal of mature trees or woodland. Effects relating to smaller pieces of above ground infrastructure (linking bays) will be very localised.</p> | <p>Please see our comments appended to the ECC D5 email submission, regarding the impact during construction [REP5-089].</p> <p>TDC would like clarity on the impact on the environment and existing biodiversity with hedge removal, the business of farming, and on walkers, cyclists and horse riding.</p> | In discussion |
| 7 | <p>The impacts of the project on the landscape character and visual amenity of the study area are set out in detail in the ES Chapter 30 Landscape and Visual Impact Assessment [APP-044].</p> <p>The Design Vision [APP-234] provides information on landscape mitigation and enhancement measures through the outlined landscape strategy. This includes a stand-alone and combined landscape planting scheme for 1) the proposed North Falls onshore substation and</p> | <p>ECC also note that the landscape around Ardleigh and Lawford is an open and exposed plateau with a low density and rural settlement pattern, therefore any changes to the landscape will undoubtedly have an adverse impact on visual amenity and landscape character. Therefore, mitigation measures and landscape enhancements must be appropriately considered to ensure these are minimised considerably.</p> <p>In the LIR we stated: We are concerned that it will take up to 15 years for the mitigation to take full effect, which is half the identified expected 30-year life of the</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------------------|
| | <p>2) the proposed North Falls and Five Estuaries onshore substations.</p> <p>Should the proposed North Falls project gain consent, the landscape mitigation plans will be developed with further detail in line with the Outline Landscape and Ecological Management Strategy (as updated for Deadline 5, [7.14 (Rev. 4)] which will be subject to the approval of the discharging authority.</p> | <p>substation. We also judge that the proposed mitigation planting does not reduce all the negative effects on the immediate landscape, its setting and visual receptors to non-significant.</p> <p>The location of the connection point for NFOW is dictated by the N2T project. The landscape in this area is predominantly arable, flat, open and rural. These proposals will introduce an intrusive industrial structure with the potential for residual adverse landscape and visual impacts during both construction and operation on the local landscape character and visual receptors.</p> | |
| 8 | <p>No significant effects are predicted on the special qualities of the Dedham Vale National Landscape (NL). The reasoning for this is set out at Section 30.5.3.2 of ES Chapter 30 Landscape and Visual Impact Assessment [APP-044].</p> <p>Hedgerow and woodland cover, across the relatively flat intervening landscape between the southern edge of the NL and the North Falls onshore substation, play a notable screening role (See Viewpoint 8, ES Figure 30.2.8 [APP-088]).</p> | <p>The proposed substation search area is located to the south of the Dedham Vale AONB and therefore may adversely contribute towards its setting and does not 'seek to further' the statutory purposes of a Protected Landscape as required by the Levelling-up and Regeneration Act 2023. For this reason, the proposed substation design, which at submission is far from being fixed, together with its location needs to be carefully considered. Suffolk County Council together with Babergh/Mid Suffolk Council's will also make this point to the Examining Authority in their submissions.</p> | In discussion |
| 9 | <p>By having its substation close to the National Grid substation, it reduces the amount of equipment required, particularly reactors and harmonic filters conditioning the power being injected into National Grid. If a different location for the equipment was selected, further away</p> | <p>The location of the connection point for NFOW is dictated by the N2T project.</p> <p>The landscape in this area is predominantly arable, flat, open and rural sensitive to change. Therefore, a</p> | Not agreed - material impact |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|--|------------------|
| | <p>from the National Grid substation, this equipment would need to get larger and thereby have more impact on the local community. Therefore, by locating adjacent to National Grid, North Falls is reducing its impact.</p> <p>The Design Vision [APP-234] provides information on landscape mitigation and enhancement measures. This includes a standalone and combined landscape planting scheme for</p> <ol style="list-style-type: none"> 1) the proposed North Falls onshore substation and 2) the proposed North Falls and Five Estuaries onshore substations. <p>It is acknowledged that no screen planting can fully conceal a development of this nature. This planting will continue to grow beyond 15 years, over the operational life of the project, providing increased screening.</p> <p>Should the North Falls project gain consent, the landscape mitigation plans will be developed with further detail in line with the Outline Landscape and Ecological Management Strategy (as updated for Deadline 5, [7.14 (Rev 4)] which will be subject to the approval of the discharging authority.</p> | <p>proposed development of this nature and scale will have a residual adverse impact on visual amenity and landscape character.</p> <p>By NF constructing its own independent substation, alongside the proposed Five Estuaries, the East Anglian Connection Node and associated pylons, it would contribute to cumulative negative impacts during both the construction phase and when built. This would likely result in significant negative impacts of industrial type infrastructure in an open, tranquil rural area.</p> | |
| 10 | <p>No significant effects are predicted on the special qualities of the Dedham Vale National Landscape (NL).</p> <p>The reasoning for this is set out at Section 30.5.3.2 of ES Chapter 30 Landscape and Visual Impact Assessment [APP-044] which in summary is the result of hedgerow and woodland cover, across the relatively flat intervening landscape between the southern edge of the NL and the North Falls onshore substation, play a</p> | <p>The proposed substation search area is located to the south of the Dedham Vale AONB and therefore may adversely contribute towards its setting and not 'seek to further' the statutory purposes of a Protected Landscape as required by the Levelling-up and Regeneration Act 2023. For this reason, the proposed substation design, which at submission are far from being fixed, together with its location needs to be carefully considered.</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| | notable screening role (See Viewpoint 8, ES Figure 30.2.8 [APP-088]). | By NF constructing its own independent substation, alongside the proposed Five Estuaries, the East Anglian Connection Node and associated pylons, it would also contribute to cumulative negative impacts during both the construction phase and when built. This is likely to result in significant negative impacts of industrial type infrastructure in an open, tranquil rural area. | |

2.9 Socio-economics

Table 2.9 Topics agreed, in discussion or not agreed in relation to Socio-economics

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| 1 | North Falls is proposed to connect to the onshore transmission network at National Grid Electricity Transmission's (NGET) proposed East Anglia Connection Node (EACN), situated north east of Little Bromley, by way of buried cables from the landfall location near Kirby Brook. ES Chapter 31 Socio-economics [AS-010] sets out the expected employment and business benefits that will be realised during North Falls' construction and while the wind farm is operational. It is envisaged that a community benefit fund will also be established upon commencement of operation of the wind farm. The Applicant will consult on the terms and conditions of this post consent. The scope of this consultation is anticipated to include Essex County Council. | <p>For socio economic, recreation, and community impact ECC believes that the potential impacts and disturbance placed on local communities by the construction and operation of onshore transmission networks cannot be adequately dealt with through the planning system and it is necessary for NF to provide a voluntary Community Benefit Contribution (CBC) package to host local communities. The CBC package would recognise the role of local communities that are being asked to host nationally significant infrastructure projects that will contribute significantly to the government's commitment to Net Zero and energy security. Such a fund could be used to support local initiatives including, but not limited to, the provision of community woodlands, tree and hedgerow planting, the establishment of traditional orchards and the enhancement of wildlife habitats. Local community groups, parish councils and voluntary sector organisations would be encouraged to make applications to this fund.</p> <p>Tendring, as a host authority will experience a disproportionate level of the negative impacts from the construction and operation of onshore transmission networks. Mitigation in the form of Community Benefit, is not accounted for within the planning system. TDC welcomes discussions for a voluntary Community Benefit Contribution package for the lifetime of the project.</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|---|------------------|
| 2 | <p>The Applicant recognises the importance of delivering social value through the project, and specifically to the potential benefit the project could generate in creating local employment opportunities through the project's construction and operation, together with education, skills and training provision linked to the development of the workforce and the provision of capacity to deliver the project.</p> <p>Embedded mitigation in North Falls design includes the preparation of an Outline Skills and Employment Plan (OSEP) [APP-253], setting out themes which will provide the basis for measures to realise opportunities for local employment and supply chain benefits, and to identify and address the education, skills and training requirements the project could generate. The Applicant is committed to working with local authorities and other stakeholders to continue the development of the OSEP. A full Employment and Skills Plan will be secured through a Requirement of the DCO should the project receive consent.</p> | <p>Measures to address social value and community benefit are important to ECC and TDC. Whilst there continues to be ongoing engagement with the applicant, there are no definitive commitments to education, training or employment within the District. The Councils would consider any project of this scale that does not address the economic disparity of those unable to access jobs through the transition to net zero to be unacceptable.</p> <p>The OSEP lacks measurable provisions and the Councils would expect the Applicant to have stronger commitment to invest in a Skills and Innovation Fund that could support a variety of functions.</p> <p>Harwich green energy hub as well as the innovation hub should be referenced in the OSEP. The applicant should explore how the project could contribute to the research and development of the construction, renewable and sustainable sectors.</p> <p>Apart from bridging up the gap of roles required for the development and training for the next generations, objectives and measures should also include boosting up the residents' skill-set, creation of higher paid jobs, attraction and retention of the expertise to allow for coaching within the relevant sectors in the county. Specific programme should also be ring-fenced and dedicated to expanding the current and future opportunities within Tendring district.</p> | In discussion |
| 3 | <p>It is envisaged that a community benefit fund will be established upon commencement of operation of the wind farm. The Applicant will consult on the terms and conditions of this fund post Development Consent Order (DCO) award.</p> | <p>The potential impacts and disturbance placed on local communities by the construction and operation of onshore transmission networks cannot be adequately dealt with through the planning system and it is necessary for NF to provide a voluntary Community</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|---|------------------|
| | | <p>Benefit Contribution (CBC) package to host local communities.</p> <p>The CBC package would recognise the role of local communities that are being asked to host nationally significant infrastructure projects that will contribute significantly to the government's commitment to Net Zero and energy security. Discussions are welcomed and the Councils are expecting a signed agreement could be reached prior to the closing of the Examination, otherwise it would not be secured as planning benefits and should be not taken as part of the material consideration when determining this DCO.</p> | |
| 4 | <p>Embedded mitigation in North Falls design includes the preparation of an Outline Skills and Employment Plan (OSEP) [APP-253], setting out themes which will provide the basis for measures to realise opportunities for local employment and supply chain benefits, and to identify and address the education, skills and training requirements the project could generate.</p> <p>The Applicant is committed to working with local authorities and other stakeholders to continue the development of the OSEP. A full Employment and Skills Plan will be secured through a Requirement of the DCO should the project receive consent.</p> | <p>No definitive commitments to education, training or employment within the District. The Councils would like to see stronger commitments from the applicant within the OSEP with tangible and measurable actions to be proposed. Further details and the execution details could be further liaised at discharge of requirement stage.</p> <p>Any project of this scale that does not address the economic disparity of those unable to access jobs through the transition to net zero to be unacceptable.</p> | In discussion |

2.10 Tourism and Recreation

Table 2.10 Topics agreed, in discussion or not agreed in relation to Tourism and Recreation

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|---|------------------|
| 1 | <p>ES Chapter 32 Tourism and Recreation [APP-046], in particular Section 32.5.6, discusses a wide range of evidence about the impacts of offshore wind farm construction and operation on tourism and finds no evidence to indicate a relationship between construction and an overall reduction in visitor numbers and spending. Recognising that the sector is a key part of Tendring's economy and that of the wider area, it assesses the impact as minor, adverse, which is not significant in EIA terms.</p> <p>The assessment considers the potential impacts of temporary closures or diversions of rights of way, air quality, noise and vibration, construction road traffic and visual impacts, noting that the combination of mitigation measures proposed by the applicant and the temporary duration of the construction process would limit the impacts to short-term changes in behaviour in the local area (see Section 32.6.1, ES Chapter 32 Tourism and Recreation [APP-046]).</p> | <p>As for the impact on tourism, which is identified as a key component of the Tendring District Local Plan 2013 – 2033 and Beyond, as was formally adopted by the Council in two sections – Section 1 in January 2021 and Section 2 in January 2022, Policy PP8 (Section 2 of the Plan) identifies tourism as a key component to the areas socio- economic profile is worth more than £276 million to the Tendring District. With the area containing a significant number of tourist destinations, and a wide variety of differing types of available accommodation, tourism is the main contributor to the local economic job profile, whether that is directly in hotels, caravan and chalet parks and tourist attractions or indirectly in shops, cafés and restaurants. The landward side of the construction works as proposed by this DCO proposal could have a significant impact on the areas attractiveness to tourism, with disturbance to both the attractiveness of the rural landscape and transportation as a result of the DCO within the wider Tendring peninsular.</p> <p>Cumulatively, the proximity of various DCO developments would deter the attractiveness of the district's tourism, this is of particular importance to short breaks and smaller seaside traders. It is unclear on the potential loss on tourism trade to nearby destinations and how would those impacts on the local tourism-related businesses be appropriately compensated and/or mitigated. Given the significant level of importance of tourism on the District's economy, the</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|------------------------|--|------------------|
| | | <p>Councils would expect continued dialogues on contributions towards but not limited to the following:</p> <ul style="list-style-type: none"> • provision of signage • provision and/or improvement to coastal path and/or heritage trail • Tourism Recovery Plan (to include a baseline of tourism performance prior to construction works, and to have continued monitoring of impacts on tourism-related traders, as well as compensation or mitigation measures) • Tourism marketing campaign | |

2.11 Co-ordination with Other Projects and Cumulative Effects Assessment

Table 2.11 Topics agreed, in discussion or not agreed in relation to Co-ordination with Other Projects and Cumulative Effects Assessment

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|--|---|------------------|
| 1 | <p>North Falls is a project independent to the Norwich to Tilbury scheme, which is being promoted by National Grid Electricity Transmission (NGET). As such the Applicant cannot comment on the consultation process undertaken for the Norwich to Tilbury project or on the manner in which that project is considering alternatives.</p> <p>The various alternatives considered and assessed for North Falls are outlined in ES Chapter 4 Site Selection and Assessment of Alternatives including the three grid connection options [APP-018]. Options 1 and 2 centre on an onshore electrical connection to the grid via the East Anglian Connect Node (proposed as part of the Norwich to Tilbury project promoted by NGET) while Option 3 comprises an offshore electrical connection supplied by a third party.</p> <p>For further information, please refer to the Applicant's Common Response – 003 in the Applicant's Response to Relevant Representations Received from Members of the Public [REP1-048], which sets out the relationship between North Falls and the Norwich to Tilbury East Anglia Connection Node.</p> | <p>The application assumes an underground connection into a proposed substation, East Anglian Connection Node (EACN) east of Ardeigh. This is part of the National Grid Norwich to Tilbury upgrade. The EACN is unconsented and, as such this application is premature.</p> <p>ECC has stated its clear preference for a coordinated approach between the different proposed offshore windfarm extension projects and multipurpose interconnector projects in the vicinity.</p> <p>ECC is requesting a phasing/Grampian requirement to tie the North Falls and Five Estuaries windfarms to the EACN, subject to EACN obtaining development consent. Each of the windfarm itself would have no tangible benefits if it were not able to connect to the grid via EACN. Therefore, the project is wholly dependent on the EACN to come forward as part of the Norwich to Tilbury (N2T) DCO in order to be successful to deliver the renewable energy generated.</p> <p>A pre-cautionary approach must be adopted given that the applicant of the N2T has yet to apply for or obtain all of the consents required to deliver the EACN. The timetable of the N2T has slipped already and other interested parties have already indicated their intention to lodge judicial review even if consent is granted on N2T. It is this ambiguity that has</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| | | undermined confidence in the consenting process and whether a connection is ultimately available for the subject windfarm. | |
| 2 | <p>The Applicant's Co-ordination Report [AS-006] from page 13 comprehensively sets out North Falls' long-term engagement in the Offshore Transmission Network Review, (OTNR, commenced 2020) and then subsequently, the Department of Energy Security and Net Zero (DESNZ) project, the Offshore Coordination Support Scheme (OCSS).</p> <p>Currently, no third party is promoting a co-ordinated offshore cable option in collaboration with North Falls proposed grid connection point, (North Falls' Option 3).</p> <p>For further information, please refer to the Applicant's Common Response – 001 in the Applicant's Response to Relevant Representations Received from Members of the Public [REP1-048], which details the matters related to an offshore grid connection.</p> | <p>Agree an offshore integrated approach to achieving the UKs net zero legislative targets is the most appropriate.</p> <p>Despite the recent decision to curtail further funding for the Offshore Co-ordination Support Scheme (OCSS) TDC and ECC assert that the developers have not presented comprehensive evidence that alternative transmission options have been fully explored to reduce the impact of onshore infrastructure on the terrestrial environment in Essex.</p> | In discussion |

| ID | The Applicant Position | ECC and TDC Position | Position Summary |
|----|---|--|------------------|
| 3 | <p>A detailed cumulative effects assessment (CEA) has been carried out and reported on within each ES chapter [APP-033 to APP-047]. Both the Five Estuaries Offshore Wind Farm ('Five Estuaries') and the Norwich to Tilbury project have been considered within the CEA for each chapter. Full details of how the Applicant has co-ordinated with other developers can be found in the Co-ordination Report [AS-006].</p> <p>For further information, please refer to the Applicant's Common Response – 004 in the Applicant's Response to Relevant Representations Received from Members of the Public [REP1-048], which details how the Applicant has coordinated with other developers.</p> | <p>The Cumulative Impacts of this and two other associated Nationally Significant Infrastructure Projects – Five Estuaries and EACN as part of the Norwich to Tilbury upgrade - have not been fully considered. Greater integration on all these projects could negate the need for onshore transmission.</p> <p>The onshore elements of Tarchon Interconnector should be included in the CEA.</p> | In discussion |

3. Signatures

16. The above SoCG is agreed between the Applicant and Essex County Council and Tendring District Council on the day specified below.

| |
|--|
| <p>Signed: _____</p> <p>Print Name: _____</p> <p>Job Title: <u>Technical and Operational Lead, Nationally Strategic Infrastructure Projects</u></p> <p>Date: <u>28 May 2025</u></p> <p>Duly authorised for and on behalf of Essex County Council and Tendring District Council</p> |
| <p>Signed: _____</p> <p>Print Name: _____</p> <p>Job Title: _____</p> <p>Date: _____</p> <p>Duly authorised for and on behalf of the Applicant</p> |



NORTH FALLS

Offshore Wind Farm



RWE

HARNESSING THE POWER OF NORTH SEA WIND

North Falls Offshore Wind Farm Limited

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

To contact please email contact@northfallsoffshore.com

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