



Application by North Falls Offshore Wind Farm Ltd for North Falls Offshore Wind Farm

The Examining Authority's written questions and requests for information (ExQ3)

Issued on 1 July 2025

The following table sets out the Examining Authority's (ExA's) written questions and requests for information – ExQ3. If necessary, the examination timetable enables the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ4.

Questions are set out using an issues-based framework derived from the initial assessment of principal issues provided as Annex C to the Rule 6 letter of 10 December 2024 [PD-006]. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which interested parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 3 (indicating that it is from ExQ3) and then has an issue number and a question number. For example, the first question on air quality and emissions issues is identified as Q3.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. Please contact northfalls@planninginspectorate.gov.uk with any questions.

Responses are due by Deadline 7: 15 July 2025



Abbreviations used:

AMS	Archaeological Mitigation Strategy	IP	Interested Party
BNG	Biodiversity Net Gain	LA	Local Authority
CA	Compulsory Acquisition	LCT	Landscape Character Type
CAH	Compulsory Acquisition Hearing	LGPL	London Gateway Port Limited
CAA	Civil Aviation Authority	LIR	Local Impact Report
CCRA	Climate Change Resilience Assessment	LVIA	Landscape Visual Impact Assessment
CD	Chart Datum	MCA	Marine and Coastguard Agency
CEA	Cumulative Effects Assessment	MMMP	Marine Management Mitigation Protocol
CIMP	Compensation Implementation and Monitoring Plan	MMO	Marine Management Organisation
CoCP	Code of Construction Practice	NATS	National Air Traffic Service
CRoW	Countryside and Rights of Way Act	NE	Natural England
CSIP	Cable Specification and Installation Plan	NFOWF	North Falls Offshore Wind Farm
CTMP	Construction Traffic Management Plan	NGET	National Grid Electricity Transmission
dDCO	Draft DCO	NIP	Navigation and Installation Plan
DWR	Deep Water Route	NPPF	National Planning Policy Framework
DML	Deemed Marine Licence	OCSIP	Outline Cable Specification and Installation Plan
EA	Environment Agency	OCoCP	Outline Code of Construction Practice
EACN	East Anglia Connection Node	OCTMP	Outline Construction Traffic Management Plan
ECC	Essex County Council	OFLCP	Outline Fisheries Liaison and Coexistence Plan
ES	Environmental Statement	OLEMS	Outline Landscape and Ecological Management Plan
ExA	Examining Authority	ONIP	Outline Navigation and Installation Plan
EQRP	Essex Quality Review Panel	OOWSI	Outline Onshore Written Scheme of Investigation
HHA	Harwich Haven Authority	OWF	Offshore Wind Farm
HGV	Heavy Goods Vehicle	PLA	Port of London Authority
HRA	Habitats Regulations Assessment	RNP	Required Navigation Performance
IFP	Instrument Flight Procedure	RSPB	Royal Society for the Protection of Birds

SCC Suffolk County Council

SCHNLA Suffolk Coast & Heaths National Landscape Area

SLVIA Seascape, Landscape Visual Impact Assessment

SNCB Statutory Nature Conservation Body

SoCG Statement of Common Ground

TDC Tendring District Council

VEOWF Five Estuaries Offshore Wind Farm

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The [Examination Library](#) is updated as the examination progresses.

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg ExQ3 1.0.1 – refers to question 1 in this table.



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ExQ2	Question to:	Question:
1.	General and Cross-topic Questions	
Q1.0.1	Applicant	<p>General working hours</p> <p>In the Applicant's response to Deadline 4 submissions (Rev 0) [REP5-056] item 'REP4-093_a', the Applicant responds to Tendring District Council's (TDC), Post hearing submissions [REP4-093], continued objection to the proposed working hours of 07:00 to 19:00, Monday to Saturday. Reference is given to the Applicant's comments on responses to ExQ1 [REP3-036] which includes under item 'REP2-036_c' that:</p> <p><i>"With regards to amending construction working hours and timing of works, the Applicant is unable to accommodate Essex County Council and Tendring District Council's request. The Applicant's proposed working hours are standard for major infrastructure projects (including Five Estuaries) and provide a balance between avoiding the times which have the greatest potential to disturb people and enabling the works to be completed in a timely manner. Limiting the proposed working hours beyond the hours proposed in the Outline Code of Construction Practice [REP1-033] would increase the duration of construction, resulting in an increased duration of disturbance and potentially leading to additional cumulative impacts.</i></p> <p><i>Limiting the working hours would also have secondary impacts upon construction traffic movements where careful consideration has been given to demand management in order to allow the majority of construction traffic movements to be scheduled outside of the most sensitive network peak hours. A reduction in working hours would also result in HGV movements being compressed into fewer hours during the day, potentially leading to greater effects.</i></p> <p><i>Additionally, reducing working hours in proximity to residential properties would increase the works duration at these locations and therefore potentially result in</i></p>

ExQ2	Question to:	Question:
		<p><i>increased disturbance.”</i></p> <p>For the scenario of adopting the working hours proposed by TDC [REP4-093], with reference to the Applicant's above response (Item REP2-036_c) could the Applicant:</p> <ul style="list-style-type: none"> (i) Provide more detail on what the potential additional cumulative impacts would be and any associated additional mitigation that would be required. (ii) Provide more detail on what the secondary impacts upon construction traffic movements would be and any associated additional mitigation that would be required. (iii) Provide more detail on what the potentially greater effects from HGV movements would be and any associated additional mitigation that would be required. (iv) Check in the case of reduced working hours in proximity to residential properties whether the increase in works duration would result in increased disturbance.
Q1.02	Applicant	<p>Code of Construction Practice (CoCP) – compliance with National Planning Policy Framework (NPPF) tests</p> <p>TDC's Post hearing submissions [REP4-093] included concerns about the Five Estuaries OWF's CoCP compliance with the NPPF planning tests for conditions. Could the Applicant confirm that the planning conditions included in the North Falls OWF Outline Code of Construction Practice (OCoCP) comply with the NPPF tests?</p>
2. Agriculture and other land uses, ground conditions and soils		
Q2.01		No ExA third questions.
3. Alternatives and Site selection		
Q3.01	Applicant	<p>The Applicant's response to ExQ2 3.0.2 [REP5-054] states that it is NESO's responsibility to deliver a connection for the Project under the connection agreement signed by the Applicant and NESO.</p> <ul style="list-style-type: none"> (i) Does that connection also include a date by which that connection agreement must be provided or are there any caveats to its provision? (ii) In relation to the prospect of an offshore connection point by way of an alternative, given the

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ExQ2	Question to:	Question:
		timescales involved is there any credible prospect of one being identified that could deliver a connection for the Project by 2030?
Q3.02	Applicant	<p>The Deadline 6 submission of Sir Bernard Jenkin MP [REP6-094] raises concerns in relation to the siting of the proposed new substation at Ardleigh, directly adjacent to the Dedham Vale AONB. In terms of site selection and alternatives for the substation site:</p> <p>(i) Please comment on the compatibility of the sub-station site with the advice set out in NPS EN-5 paragraph 2.9.19.</p> <p>(ii) Please also summarise the consideration given to the level of mitigation proposed to be provided in this location and the consideration of an alternative site further from the Dedham Vale AONB and its setting.</p>
Q3.03	Applicant	At ISH 1, 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's Deadline 4 Response to Actions List for ISH1 and ISH2 [REP4-036] states that this is the date stated in the current North Falls Bilateral Connection Agreement with NESO for connection of the Project to the national grid. However, the ExA request in relation to national policy support for a 2030 completion date, as opposed to whatever might be set out in a commercial agreement. Please can the Applicant provide any policy reference to the 2030 date upon which it relies to prefer the chosen site over other longer-term alternatives.
Q3.04	Applicant	At ISH1, the prospect of the imposition of a DCO Requirement of the type proposed by Essex County Council requiring the coordination of the construction phases of the North Falls and VEOWF projects. The Applicant's Deadline 4 Response to Actions List for ISH1 and ISH2 [REP4-036] states that there may be separate consenting, environmental mitigation or route to market issues for one project which means that aligned programmes slip and it asserts that a DCO Requirement requiring both projects to align their construction phases would increase the risk of delay to the NFOWF. Please provide further explanation including practical examples as to how such delay might occur as a result of such a requirement and how it could place the Applicant at a competitive disadvantage.
4. Aviation		
Q4.01	Applicant (Part (i)), Civil Aviation Authority (CAA) & National Air	<p>Required Navigation Performance (RNP) Instrument Flight Procedures (IFP)</p> <p>The Applicant's response to ExQ1 Q4.1.3 (ii) [REP2-020] states:</p>

ExQ2	Question to:	Question:
	Traffic Service (NATS) Part (ii).	<p><i>“The status of the two Required Navigation Performance (RNP) Instrument Flight Procedures (IFP) is unchanged. They are currently with the CAA awaiting approval. However, as noted in Table 17.1 and paragraph 133 of ES Chapter 17 [APP-031], the RNP IFPs were designed by NATS, who confirmed to the Applicant in writing (email of 27 January 2023) that the WTGs are laterally well beyond the protected areas of the proposed RNP IFPs and as such there would be no impact if or when the RNP IFPs are approved by CAA. As such, the Applicant is not aware of any outstanding aviation issues or concerns.”</i></p> <p>The ExA asked the CAA [PD-012, ExQ2 Q4.02 part (ii)] to: <i>“In particular, clarify the status and envisaged timescales for approval of the two Required Navigation Performance Instrument Flight Procedures (referred to in ES Chapter 17 [APP-031] Table 17.1 as currently with the CAA awaiting approval)?”</i> To date no response has been received from the CAA.</p> <p>As part of the Compulsory Acquisition Hearing [EV7-002][EV7-003], the ExA asked the Applicant to provide an update on the approval of the Required Navigation Performance Instrument Flight Procedures (RNP IFPs) by the CAA.</p> <p>(i) Further to the Applicant's Written Summary of Oral Submissions at Compulsory Acquisition Hearing [REP6-064] Item 3.5, given that it is understood that the RNP IFPs are with the CAA awaiting approval, could the Applicant provide a more detailed response on why this is not a consent that the Applicant is seeking and provide proposals for concluding the approval process of the RNP IFPs, including how this would be secured in the dDCO.</p> <p>(ii) Could NATS and CAA provide draft wording for a new requirement for the draft Development Consent Order to preclude development prior to the approval of the RNP IFPs by the CAA.</p>
5.	Climate Change & Resilience	
Q5.0.1		No ExA third questions.
6.	Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations	
Q6.0.1	Applicant	The scope and purpose of the compulsory acquisition powers sought

ExQ2	Question to:	Question:
		Notwithstanding the Applicant's position as stated during the examination in relation to the extent of the land proposed to be acquired for the sub-station site, please can the Applicant provide, on a without prejudice basis, a land plan showing the extent of the land that would be needed to provide the NFOWF sub-station only, and auxiliary items for that sub-station in compliance with the requirements of the Grid.
Q6.02	Applicant, Gwyn Church	<p>Objections to the compulsory acquisition powers sought</p> <p>The written summary of oral submissions made on behalf of the Executors of Charles Tabor at CAH Part 2 [REP6-093] state that a minimum of 10m right of way is required to enable them to continue to access the farmland. The Applicant's summary of oral submissions at the CAH [REP6-064] states that a width of 5m to 10m would still not allow the combine harvester to pass with the header attached. Please provide further details as follows:</p> <p>(i) What are the width and height restrictions applicable to the relevant part of the public road network and how do these compare to the width and height of the farm vehicles concerned.</p> <p>(ii) Please explain the process of removing and re-attaching the header including time, personnel involved and the area of standing crop that would need to be driven over.</p> <p>(iii) Please confirm the minimum width for the harvester to pass along the easement route with the header attached.</p> <p>(iv) Whilst the Applicant's points in relation to the need for flexibility to provide landscaping and ecological enhancement are noted, please provide further and specific details as to why a 10m right of way along the northern boundary of the proposed landscape area shown on the Design Vision document [REP5-004] could not be accommodated.</p> <p>(v) The parties are requested to agree and submit a plan showing a 10m right of way along the northern boundary.</p>
Q6.03	Applicant, Gwyn Church	<p>Objections to the compulsory acquisition powers sought</p> <p>The written summary of oral submissions made on behalf of T Fairley & Sons Limited at CAH Part 2 [REP6-095] raise concerns in relation to the land immediately adjoining the boundary of the residential property, yard and buildings. The Applicant's summary of oral submissions at the CAH [REP6-064] confirm that the area in question falls within the Five Estuaries Order Limits and is not part of the North Falls Order Limits or landscaping proposal.</p> <p>(i) For the avoidance of doubt, and in the light of the landscape proposals for this location, the</p>

ExQ2	Question to:	Question:
		<p>Applicant is requested to confirm that it does not seek any powers of compulsory acquisition in respect of the land in question.</p> <p>(ii) In relation to the land within the ownership of this objector at the proposed substation site that is proposed to be compulsorily acquired, the Applicant is requested to provide a summary explanation as to why it considers that the land to be acquired is no more than is reasonably required for the purposes of the development and is proportionate and why the development could only be landscaped to a satisfactory standard if the land sought were to be compulsorily acquired.</p> <p>(iii) The parties are requested to agree and submit a plan identifying the precise area in question together with the North Falls Order Limits.</p>
7. Cumulative Effects		
Q7.0.1	Applicant	<p>Cumulative Impacts of the Proposed Onshore Substations for the proposed development, Five Estuaries and EACN</p> <p>The Applicant's response to ExQ2 7.0.6 (ii) [REP5-054] asserts that: "North Falls can connect to the grid via an alternative means if development consent for the EACN substation is not granted as part of the Norwich to Tilbury project. The EACN connection point is the optimal connection point, but others would be made available in the event that the EACN was delayed or rejected."</p> <p>(i) Please identify the other connections that would be made available in that event and in what timescale?</p> <p>(ii) In relation to 7.0.6 (iii) please provide further details of the distinction between the backfeed date and the export of power date referred to therein including the anticipated timing of those dates; why the backfeed date is not expected to be significantly impacted and the implications that any delay to the Norwich to Tilbury project might have for those dates. In addition, what are the implications for the timing of the scheme that might arise from the "Gate 2" process.</p>
8. Design		
Q8.0.1	Applicant, and IPs	<p>Good Design</p> <p>The Applicant confirmed in its response to ExQ2 8.0.1 [REP5-054] that changes would be made to the Design Vision [REP5-004] confirming that stakeholders and interested parties will contribute to the design process. The ExA notes guidance on the matter is set out in the guidance note: Nationally Significant Infrastructure Projects: Advice on Good Design.</p>

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ExQ2	Question to:	Question:
		<p>A good design process includes a number of components including the following:</p> <ul style="list-style-type: none"> • <i>a collaborative, multi-disciplinary approach including positive community and land rights engagement</i> • <i>a succinct and ambitious vision for the project, underpinned by a clear analysis of the context for the place, its environment and the opportunities for creating social value, including for the local and wider economy</i> <p>(i) Please can the Applicant set out further information and practicalities for the arrangements to enable these components.</p> <p>(ii) Please can IPs provide views as to the arrangements either emerging or necessary in order for collaboration, community engagement and opportunities for creating social value.</p>
Q8.02	Applicant, ECC	<p>Good Design – Essex Quality Review Panel (EQRP)</p> <p>Please confirm progress towards the EQRP site visit scheduled for 2nd July 2025, as referenced in [REP5-054] response to ExQ2 8.0.1, and update on progress for information days regarding design and joint design.</p>
Q8.03	Applicant, ECC	<p>Good Design – Design Champion</p> <p>The ExA notes that a Design Champion will be appointed in due course. A design champion is one of the component of a good design process set out in Nationally Significant Infrastructure Projects: Advice on Good Design. Their role is within design leadership, and the design champion ensures “<i>design governance is secured and the design principles drive a structured design process and hierarchy of design control</i>”.</p> <p>Please can the Applicant provide further consideration to the timeline for the design champion’s appointment, and confirm that this will allow sufficient time to assist with the discharging of Requirements 5 and 6 of the dDCO.</p>
Q8.04	Applicant, and IPs	<p>Joint Design Guide, Design Vision and Hedgerows</p> <p>The ExA notes that the Joint Design Guide is currently being developed by NFOWF and VEOWF, and it is expected to address the relationship to various other elements: roads, ditches, planting etc.</p> <p>The Design Vision [APP-234] has now been updated as [REP5-004]. At the onshore substation,</p>

ExQ2	Question to:	Question:
		<p>the Design Vision considers that reinstatement of historic field boundaries will strengthen the historic landscape character, and planting along existing layers of natural screening to maintain the agrarian landscape.</p> <p>i) Please provide a current update regarding the Joint Design Guide as close to Deadline 7 as to the current stage this is at, as well as a timeline envisaged for completion.</p> <p>ii) Please can the Applicant (and other IPs, optionally) comment on the scope of this joint guidance to consider the requirement for wider (up to 12 metre hedge openings).</p> <p>iii) Regarding the Design Vision, please explain whether or not wider access points (up to 12 metres) would affect the agrarian landscape.</p> <p>iv) Noting ECC's comments that ECC welcomes the proposal of a Joint Design Guide but has concerns as to the extent and character of the proposed landscape strategy, please comment on how concerns that a wider vision for landscape is required, and how could be addressed in the Joint Design Guide.</p>
9. Draft Development Consent Order (DCO)		
9.0 Articles Part 2 – Principal Powers		
Q9.0.1	Port of London Authority (PLA)	<p>Article 2 (Interpretation) Definition of ‘maintenance’</p> <p>The dDCO [REP5-008] requirement 2(3) provides that the Deep Water Route Cable Installation Area (Future Dredging Depths) Plan, must be designed, installed, operated and maintained at a specified level. Please can the PLA confirm that this provision overcomes its concerns in relation to the definition of ‘maintenance’ in Article 2. If not, please explain any outstanding concerns in that respect.</p>
Q9.0.2	PLA	<p>Article 2 (Interpretation) Definition of ‘commence’</p> <p>The ExA notes the PLA's response to ExQ2 9.0.1(i) where it is stated that the PLA is not content to solely rely on the updated mitigation measures submitted at Deadline 4 as set out in its submissions at that deadline [REP4-044]. For the avoidance of doubt, please can the PLA confirm that its concerns in relation to the Article 2 definition could be satisfactorily overcome by the inclusion within the dDCO of protective provisions along the lines of those included within the VEOWF dDCO?</p>

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ExQ2	Question to:	Question:
Q9.03	Applicant, MMO	<p>Article 5 (Benefit of the Order)</p> <p>The ExA note the MMO seek a Deadline 7 response on this matter. The reason for any requested change needs to be properly reasoned.</p>
Q9.04	Applicant	<p>Article 5 (Benefit of the Order)</p> <p>The Applicant's written summary of oral submissions made at ISH2 [REP4-034] drew attention to the absence of notification provision of any sale, agreement or other transaction under Article 5 in the VEOWF Article 5. However, that dDCO [REP8-004] includes protective provisions at Part 10 paragraph 122 requiring the notification of the PLA of any transfer of the benefit. Does this not support the inclusion of such a provision in the NFOWF dDCO either by way of an amendment to Article 5 or by the inclusion of protective provisions?</p>
Q9.05	Applicant, EA	<p>Article 6 (Application and modification of legislative provisions)</p> <p>The Applicant's written summary of oral submissions made at ISH2 [REP4-034] indicate that it would amend the protective provisions for the EA in the dDCO to reflect the agreed provisions included in the final dDCO for VEOWF at Deadline 4. For the avoidance of doubt, please can the parties confirm that in the light of the protective provisions that have been agreed between the parties no further drafting changes to Article 6 are now sought.</p>
9.1 Schedule 1 Part 3 - Requirements		
Q9.1.1	Applicant, ECC	<p>Requirement 5 (Substation works)</p> <p>The ECC Deadline 4 submissions [REP4-073] requests that this requirement is renamed to align with the equivalent VEOWF requirement, namely, 'Onshore substation works and design'. The Applicant's Deadline 5 submissions [REP5-056] state that it does not propose to make this requested change to the title of requirement 5 because it is unnecessary and has no material impact on the effect of the provision.</p> <p>(i) Please can the parties indicate whether this matter has been agreed and resolved. If there are any objections to the change in title, please can the Applicant explain what they are?</p> <p>(ii) If the ECC still seek this amendment, please provide reasons.</p>
Q9.1.2	Applicant, ECC	<p>Requirement 15 (Groundwater monitoring)</p> <p>The ECC Deadline 4 submissions [REP4-073] sets out proposed wording for Requirement 15 which reflects the drafting for the same requirement in the VEOWF dDCO. The dDCO submitted</p>

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ExQ2	Question to:	Question:
		<p>at Deadline 5 [REP5-009] includes an amended version of requirement 15. However, it does not entirely reflect the drafting sought by ECC at Deadline 4.</p> <p>(i) For the avoidance of doubt, please can the parties indicate whether the amended requirement 15 is agreed. If not, please provide reasons to support any variation.</p> <p>(ii) Should it be specified that the groundwater monitoring plan must include a timetable for implementation and require the plan to be implemented in accordance with the approved timetable?</p>
Q9.1.3	Applicant	<p>Requirement 17 (Control of noise during operational stage)</p> <p>Is the intention to use the “Onshore substations operational noise and the outline noise complaints protocol” [REP5-036] as the basis for the “noise investigation protocol” referred to in requirement 17? In which case will the document name be changed to be consistent with requirement 17?</p>
Q9.1.4	Applicant, ECC	<p>Requirement 17 (Control of noise during operational stage)</p> <p>The ECC Deadline 4 submissions [REP4-073] sets out proposed wording for requirement 17(2) to reflect a collaborative complaint handling approach in the noise investigation protocol. The dDCO submitted at Deadline 5 [REP5-009] does not include specific reference to a collaborative handling approach. The Applicant’s Deadline 5 submissions [REP5-056] indicate that it does not propose to make this change.</p> <p>(i) Please can the Applicant provide further reasoning to support the drafting of requirement 17 without the inclusion of such a specific reference.</p> <p>(ii) Please can the ECC explain further the need for the amendment which they seek to requirement 17.</p>
Q9.1.5	Applicant, SCC	<p>Proposed new Grampian requirement (SCC)</p> <p>The SCC at ISH1 [REP4-094] and [REP4-095] confirm that they seek a phasing requirements as set out in their LIR paragraph 7.3 [REP1-074]. The Applicant’s response to ExQ2 9.1.13 [REP5-054] sets out in some detail its reasons for rejecting the imposition of such a requirement in this case. The SCC response to ExQ2 9.1.13 makes further submissions on this topic [REP5-117] and at Deadline 6 [REP6-092]. In the light of those submissions, the ExA seeks a response to the following points:</p> <p>(i) Does the Applicant agree that whilst Norwich to Tilbury is a critical national priority (CNP) that</p>

ExQ2	Question to:	Question:
		<p>does not guarantee that it will receive consent and there are other factors to be taken into account as set out EN-1?</p> <p>(ii) Does the Applicant accept that plans for the EACN may change and that there is potential for the North Falls wind turbine generators (WTGs) to be installed for a significant period of time without being connected to the Grid?</p> <p>(iii) In the light of the submissions made by SCC at Deadline 5, does the Applicant accept that there is no need to establish an 'exceptional' basis for the requirement. If not, please explain why.</p> <p>(iv) In the light of the submissions made by SCC at Deadline 6, does the Applicant accept that the phasing restriction is necessary to follow the requirements of the mitigation hierarchy. If not, please explain why.</p> <p>(v) Notwithstanding the submissions already made on this matter, please can the Applicant explain in further detail its submission that the proposed requirement is not necessary to comply with the updated duty in section 85 Countryside and Rights of Way Act 2000.</p> <p>(vi) Notwithstanding the submissions already made on this matter, please can SCC explain in further detail why it regards the proposed requirement to be necessary to ensure that the project is designed sensitively and in accordance with the updated duty in section 85 Countryside and Rights of Way Act 2000.</p> <p>(vii) The SCC response to ExQ2 9.1.13 [REP5-117] bullet point 5 refers to the scope for amending the drafting of the requirement to ensure that the notification does not require formal approval. Please can SCC provide that alternative drafting for the proposed requirement.</p> <p>(viii) The Applicant draws support from the Recommendation Report in the Sheringham Shoal and Dudgeon Offshore Windfarm Extension Project paragraph 5.4.20. The ExA's comments in that case were in the context of the viability of the proposed grid connection rather than the potential for delay in the context of the section 85 duty. The Applicant is requested to explain further why the existence of the connection agreement provides a sound basis for the assertion that a phasing agreement for the reasons given by SCC would be unreasonable.</p> <p>(ix) The Applicant is requested to explain in detail its submissions in response to 9.1.13 (iv) in relation to the delay to construction timeframes that it submits would result from the imposition of the proposed requirement. What is the difference in impact on construction timeframes that would result from the requirement as opposed to any delay that might occur due to the timing of</p>

ExQ2	Question to:	Question:
		<p>any consent for the EACN or other means of connection? Please provide further details of the long lead items referred to and why these need to be ordered prior to March 2027? How would the proposed phasing restriction alter the level of risk in making those commercial decisions?</p> <p>(x) The Applicant's submissions in response to 9.1.13 (vi) refer to landscape policies and the consideration of nationally designated landscapes in the Hinkley Point C area. However, in the case of the Hinkley Point C Connector the 8.5km section through the Mendip Hills Area of Outstanding Natural Beauty (AONB) consisted of underground cable. Does that have a bearing on the comparability of the factual circumstances of the Hinkley Point C case with this case?</p>
Q9.1.6	Applicant, ECC, TDC	<p>Proposed new Grampian requirement (ECC, TDC)</p> <p>The ECC Deadline 4 submissions [REP4-073] sets out proposed wording for an additional phasing/Grampian requirement which they state is preceded in the recent Viking Carbon Capture and Storage Pipeline Order 2025. The Applicant's Deadline 5 submissions [REP5-056] states that it disagrees that the recent Viking CCS Carbon Dioxide Pipeline Order provides a precedent for the phasing requirement sought by ECC and TDC because the projects are not sufficiently similar and further details are set out in response to ExQ2 9.1.14. The ECC/TDC response to ExQ2 9.1.14 makes further submissions on this topic [REP5-091]. In the light of those submissions, the ExA seeks responses to the following points:</p> <p>(i) The Applicant's response to ExQ2 9.1.14 sets out what it states are key differences between the North Falls scheme and the current case including that the connection to the grid is not a part of the North Falls project that it is responsible for delivering. In relation to the existence of a commercial connection agreement with NESO, the Applicant's response to 3.0.2 (ii) states that no information is available as regards any alternative approach by NGET. Whilst the Applicant has maintained optionality in its design envelope for an offshore connection point a viable option that can deliver a connection for the NFOWF by 2030 has not been identified to date. Against that background, the parties are requested to comment on whether there is any realistic prospect other than the EACN connection that would enable the achievement of the 2030 date. In those circumstances, would the Grampian requirement proposed by ECC/TDC serve a legitimate purpose?</p> <p>(ii) Furthermore, given that background does the progress or otherwise of the National Grid's DCO application have any bearing on the Applicant's engagement with the supply chain and placing orders. What would be the effect of delay to that project on the progress and delivery of</p>

ExQ2	Question to:	Question:
		<p>the North Falls scheme?</p> <p>(iii) As regards the Secretary of State's decision in the Viking CCS Carbon Dioxide Pipeline Project, the Applicant makes the point that the onshore and offshore works for that project were all part of the Viking CCS project. Do ECC/TDC accept that this represents a key difference from the current case.</p> <p>(iv) The Secretary of State's decision in the Viking CCS Carbon Dioxide Pipeline Project paragraph 4.9 identifies the ExA's concern as being that the full benefits could not be realised until the entire CCS chain had been consented. Whilst the Applicant's points in relation to differences from the North Falls project are noted, as a matter of principle, is that concern not similar to the concern expressed by ECC/TDC in this case?</p> <p>(v) Please can ECC/TDC provide further justification for the inclusion of such a requirement in this case, in particular why they regard it as being necessary and reasonable to impose it.</p> <p>(vi) The Applicant in response to 9.1.14 (iv), disagrees with the statement and relies upon the NESO agreement to enable the North Falls project to connect to the grid via an alternative means if development consent for the EACN substation is not granted. The ECC/TDC response to 9.1.14 (i) asserts that if a DCO is not granted for the EACN substation, there will be no connection of the NFOWF to the grid and that EACN is currently the only option available to the project. The parties are requested to comment on the prospect of such an outcome and any alternative means of connection together with the implications that might have for the timing of the scheme.</p>
Q9.1.7	The Applicant, ECC, TDC	<p>Other matters relating to DCO requirements</p> <p>The ECC/TDC in response to ExQ2 9.1.15 (vi) in relation to requirement 19, state that to give the public reassurance, it would be advisable to certify the latest Co-ordination Report in the dDCO.</p> <p>(i) Please can the Applicant indicate whether it agrees that this should be a certified document. If not, please give reasons.</p> <p>(ii) Please can ECC/TDC provide further reason and justification for the inclusion of the Co-ordination Report in the list of certified documents in Schedule 12 of the dDCO.</p>
9.2	Schedules 8, 9 and 10 – Deemed Marine Licences under the 2009 Act	
Q9.2.1	Applicant	Colouring of Structures

ExQ2	Question to:	Question:
		<p>The dDCO [REP4-004] Schedule 8, Part 2, Condition 17 (2) states “(2) <i>Subject to paragraph (1) above, unless the MMO otherwise directs, the undertaker must ensure that the wind turbine generators are painted light grey (colour code RAL 7035).</i>”</p> <p>ES Chapter 27 [APP-031] Paragraph 27 includes: “<i>the rotor blades, nacelle and upper 2/3 of the supporting mast of wind turbines should be painted white, unless otherwise indicated by an aeronautical study.</i>”</p> <p>Please could the Applicant confirm that the colour stated in the dDCO is correct and if so advise why this different to the colour stated in the ES Chapter 27?</p>
Q9.22	HHA & LGPL	<p>Schedule 9 – Condition 22 (1)</p> <p>With reference to the draft DCO [REP5-009], Schedule 9, condition 23(4) states:</p> <p><i>(1) The licensed activities for each stage of construction of the authorised development must not commence until the following (insofar as relevant to that activity or stage of activity) has been submitted to and approved in writing by the MMO, in consultation with, where relevant, Trinity House, the MCA, UK Hydrographic Office and, relevant SNCB and (in relation to the cable specification and installation plan, the navigation and installation plan and the sediment disposal management plan (under sub-paragraphs (h), (n) and (o)) only) the local harbour authorities—</i></p> <p>Could HHA and LGPL confirm whether they are content with the Applicant’s proposed changes in bold above? If you are not content, could you propose alternative wording?</p>
Q9.23	HHA & LGPL	<p>Schedule 9 - Condition 23(4)</p> <p>With reference to the draft DCO [REP5-009], Schedule 9, condition 23(4) states:</p> <p><i>“(4) The licensed activities must be carried out in accordance with the approved plans, protocols, statements, schemes and details approved under condition 22, unless otherwise agreed in writing by the MMO (provided that the MMO has consulted with any party that it was required to consult with in relation to a relevant plan, protocol, statement, scheme or details pursuant to condition 22)</i></p> <p>Could HHA and LGPL confirm whether they are content with the Applicant’s proposed changes</p>

ExQ2	Question to:	Question:
		in bold above? If you are not content, could you propose alternative wording?
9.3	Schedule 14 – Protective Provisions	
Q9.3.1	Eastern Power Networks Plc, Environment Agency, Essex County Council, Five Estuaries Offshore Wind Farm Limited, Harwich Haven Authority, London Gateway Port Limited, National Grid Electricity Transmission, National Highways, Network Rail, and Port of London Authority.	Protective Provisions With respect to negotiating Protective Provisions, advise on what the current position is with respect to agreeing a set of Protective Provisions in your favour with the Applicant. Where there is disagreement with the Applicant explain why that is the case and where any disagreement relates to matters of detailed drafting submit the version of your preferred text.
Q9.3.2	ECC, Applicant	Protective Provisions With reference to ECC's SoCG [REP6-074] Item 2.7 Transport, point 10, could you provide an update in respect of the progress with agreeing the Framework Highways Agreement?
Q9.3.3	PLA	PLA's preferred form of protective provisions With reference to the PLA's response to ExQ2 [REP5-112] Q9.4.3, could the PLA: <ul style="list-style-type: none"> (i) Compare Appendix 1(PLA's preferred form of protective provisions) with Appendix 2 (Protective Provisions included by VEOWF Ltd in the draft DCO) and provide a justification for the differences to include the insertion of the Indemnity clause. (ii) For Appendix 1, review the references to Work No, 2(c) which is not referenced in the dDCO and Schedule 11 -Transmission Assets which is referred to in Schedule 9 of the dDCO.
10.	Ecology/Biodiversity/BNG/HRA	
Q10.0.1	The Applicant	Fish and Shellfish Ecology: Downs herring

ExQ2	Question to:	Question:
		<p>Paragraph 210 of ES Chapter 11 Fish and Shellfish Ecology states: <i>Taking account of the identified magnitude of impact (negligible to low) and the receptor sensitivities identified above for each species (low to high), TTS and behavioural effects associated with piling noise are considered to result in effects of negligible to minor significance for most species, with the exception of Downs herring for which an effect of 'moderate significance' has been identified. The outcomes of the assessment are summarised by species in Table 11.37.</i></p> <p>Yet Table 11.37 then categorises the significance of effect for Downs Herring as 'Minor' (which is not significant in EIA terms). Please verify or correct the significance of effect for Downs herring.</p>
Q10.0.2	NE	<p>Outer Thames Estuary (OTE) Special Protection Area (SPA)– Red Throated Diver (RTD)</p> <p>NE. Given the assessment in [APP-175], what specifically (if anything) are you seeking in further assessment of supporting habitats and prey availability. For the avoidance of any doubt is it your current advice that you cannot exclude AEol of OTE SPA (for RTD)?</p>
Q10.0.3	NE The Applicant	<p>Marine Environment and Physical Processes - Worst Case Scenario (WCS) modelling parameters</p> <ul style="list-style-type: none"> (i) NE. Confirm the exact information required regarding WCS parameters for sediment deposition due to construction and why information provided to date is not sufficient to ascertain worst case effects. And clarify intention of pre-and post-construction survey inclusion. (ii) Does NE advise that there should also be provision for establishing additional mitigation if the survey data does not support the applicant's current conclusions on long-term stability of bedforms etc. Confirm if WCS for sediment disturbance volume due to sand wave levelling is reduced - if not, why not? (iii) Applicant. If you have not already done so comment on NE requests for commitment to pre- and post-construction bedform migration analysis and if the IPMP can be updated to include such a commitment. If yes, please update the IPMP. If no, explain your reasoning why it is not required.
Q10.0.4	The Applicant NE	<p>Margate Long Sands SAC / Kentish Knock East MCZ</p> <p>Further comments are sought by the ExA on the buffers derived for MCZ and MLS SAC. The ExA note that the Applicant via [REP4-028] undertook bespoke hydrodynamic and dispersion</p>

ExQ2	Question to:	Question:
		<p>modelling [REP4-040], accompanied by a technical note presenting the interpretation of sediments dispersion modelling results [REP4-042] and supporting information on offshore additional mitigation [REP4-041] which includes consideration of the Margate Long Sands SAC and KKE MCZ and confirms there will be no AEol or hinderance of the conservation objectives of these sites.</p> <ul style="list-style-type: none"> (i) Applicant. Further clarify how buffers (50/150/200m or otherwise) relative to the MCZ and MLS SAC have been determined. Include regard to all relevant best practice (if any) and highlight what this entails. Also clarify how the buffers are secured by the DCO. (ii) NE. Specify the additional information and modelling required beyond existing information available. Specify if anything else is needed to gauge the effects to the MLS SAC. (iii) NE/Applicant. Can any further feasible avoidance measure or mitigation be applied to safeguard against any unwanted sediment dispersion and deposition?
Q10.05	The Applicant NE IPs	<p>Compensation – Schedule 15 wording</p> <p>It is the RSPB's view compensation measures should remain in place for as long as the project's adverse impacts on the SAC/SPA/Ramsar site continue. Typically, they state this has needed to be "in perpetuity" as impacts have been permanent. The lifetime of the development wording as proposed by the Applicant within Schedule 15, paragraph 8 in [REP3-008] may need to be adapted.</p> <ul style="list-style-type: none"> (i) Applicant/NE – Should the length of time the compensation measures the DCO secures for this project be based on the combination of the lifetime of the development plus the time it will take the affected bird population to recover from the impacts? (ii) Applicant - Please provide your updated preferred without prejudice draft wording for Schedule 15 to cover (i). (iii) IPs make whatever comment you deem necessary.
Q10.06	NatureScot	<p>Without prejudice compensation – Red Throated Diver</p> <p>The ExA notes that a response is required on the Report on the Implications for European Sites (RIES) Question number 4.1.20 (related to Red Throated Diver) now published.</p> <p>Does NatureScot have any other comments to make on the Applicant's without prejudice</p>

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
		compensation details related to Red Throated Diver compensation delivery or effectiveness? If so please provide them. Responses should be submitted by no later than Examination Deadline 7 which is 15 July 2025.
Q10.0.7	NE MMO NatureScot RSPB Essex Wildlife Trust Tendring Council The Applicant	Report on the Implications for European Sites (RIES) The ExA notes that the Report on the Implications for European Sites (RIES) was published 1 July 2025. The ExA requests that the series of questions featuring within the RIES are answered by the relevant parties. The questions within the RIES detail to whom each question is asked. All responses must be submitted by no later than Examination Deadline 7 which is 15 July 2025 .
Q10.0.8	The Applicant	Rochdale Envelope For the avoidance of any doubt confirm why/or further clarify why the Rochdale Envelope cannot or should not be further reduced if accepting any form of ecological or wildlife harm for any aspect of the project. This is required as evidence towards why potential alternatives should be discounted where there is any significant adverse harm arising in EIA terms.
Q10.0.9	The Applicant NE	Margate Long Sands SAC (MLS SAC) / HRA / Derogations and compensation The ExA notes it may not be possible for the competent authority to exclude AEoI beyond reasonable scientific doubt on MLS SAC. As such, and in line with the relevant NPS EN-1 should the Applicant be unable to reach agreement with NE that there would be no AEoI from the proposed development alone or in combination with other plans and projects by Deadline 7, the ExA considers that a derogations case (without prejudice or otherwise) is required to be submitted. This is to enable the ExA to assess information during the examination and make a recommendation to the SoS, and so that the SoS has all relevant information available to them at the point of decision. a. The Applicant and NE are requested to confirm at Deadline 7 whether an AEoI on MLS SAC can be excluded. b. If agreement of no AEoI with NE is not possible the Applicant is requested to submit a

ExQ3: 1 July 2025

Responses due by Deadline 7: 15 July 2025

ExQ2	Question to:	Question:
		<p>without prejudice derogation case at Deadline 7.</p> <p>c. The Applicant must also provide any associated updated without prejudice compensatory requirements including all relevant Schedule 15 wording which would be necessary must be provided by the Applicant (on a without prejudice basis or otherwise) by Deadline 7.</p> <p>d. The Applicant must also provide an up-to-date revised Compensation Funding Statement [APP-186] demonstrating all project related compensation (without prejudice or otherwise) can be provided. This document should include due reference to the potential costs for ensuring effective compensation delivery. Alongside an updated Compensation Overview document reflecting all relevant changes. Also submitted by Deadline 7. The ExA requests [APP-186] includes more detail on how funds would be spent towards actual physical ecological compensation delivery itself.</p> <p>e. Applicant. The above (a-d) would also apply to any other potential derogation case matter not yet made related to NE advice (including the Stour and Orwell Estuaries SPA and Ramsar site).</p>
Q100.10	The Applicant NE	<p>Kentish Knock East MCZ (KKE MCZ)</p> <p>(i) Confirm if AEoI can be excluded to the KKE MCZ by Deadline 7.</p> <p>(ii) The applicant should otherwise submit a derogations case (on a without prejudice basis) also by Deadline 7.</p>
Q100.11	The Applicant	<p>The updated Hydrodynamic and Sediment Dispersion Modelling</p> <p>The applicant did not provide contours showing the predicted pressures from elevated sediment deposition against the MarESA benchmarks as requested by NE for the MLS SAC and the KKE MCZ. Please provide this information.</p>
Q100.12	The Applicant	<p>Outline Sediment Disposal Management Plan (SDMP) [REP6-049/ REP6-050]</p> <p>(i) What is meant by sediment in proximity to the KKE MCZ, can the Applicant define a specific distance or sediment type or cell?</p> <p>(ii) What methods would the Applicant use to dispose of sediment close to the MCZ where this is required? And where is this commitment secured? (as the Outline SDMP only appears to include the commitment not to deposit within 1km).</p>

ExQ2	Question to:	Question:
11.	Flood Risk, groundwater and surface water	
Q11.01	Environment Agency, ECC	Groundwater Risk Assessment and Management Plan The ExA notes the inclusion of the GRAMP in four parts [REP5-049 to REP5-052]. Please can the Environment Agency and LLFA confirm that this submission is to their satisfaction.
Q11.02	Applicant, Environment Agency	Statement of Common Ground with Environment Agency The ExA notes that Item 3 of the SoCG has been updated to reflect the OHDD Method Statement and Construction Plan, based on discussions with the Environment Agency (and Natural England). The Environment Agency [REP5-088], however, has stated that it has not been contacted (as at Deadline 5). Please can both parties update on whether or not the EA's comments have now been incorporated to the satisfaction of both, and the position agreed.
Q11.03	Environment Agency	SoCG: Environment Agency position on Haul Roads SoCG Item 4 [REP5-076] suggests that the Haul Road Crossings (ref WX22A and WX23) are now agreed. Please can the Environment Agency expand or confirm as applicable.
Q11.04	Applicant	SOCC: Environment Agency - Bridges and Culverts In response to ExQ2 Q11.0.5 the EA has confirmed the adequacy of updated datasets submitted as [REP4-032] and [REP4-033]. At Appendix 2 of [REP5-088] the Environment Agency recommends that culverts are able to contain the 1% annual probability of flow + climate change. Further, that expansion to the bridge and culvert will be temporary at point 63, and subsequently reinstated. Please can the Applicant confirm these points.
12.	Historic Environment & Archaeology	
Q12.01	Historic England, ECC	Archaeological Mitigation Strategy and Written Scheme of Investigation Please can HE and ECC confirm that they are now in agreement with the AMS (9.65 Archaeological Mitigation Strategy (Rev 0) Parts 1 to 3 [REP5-046 to REP5-048]) and 7.12 Onshore Outline Written Scheme of Investigation (Rev 1) Parts 1 to 3 [REP5-016, REP5-018, REP5-020]. Other IPs may, optionally, comment.
Q12.02	Applicant. IPs	Public Benefit NPS EN-5, para 2.2.10 requires that public benefits should outweigh harm to heritage assets. Please can the Applicant elaborate on the public benefits which it considers will outweigh any

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
		harm. IPs are invited to comment.
Q120.3	Historic England, ECC. Other IPs, optionally.	Requirement 11 – Alignment with VEOWF The ExA notes that the Applicant states that Requirement 11 of the dDCO [REP5-008] now aligns with that of the equivalent for VEOWF. Please can Historic England and ECC (or other IPs, optionally) confirm that they have reviewed and are in agreement.
Q120.4	Applicant, Historic England	Statement of Common Ground – Historic England The ExA notes that within the SoCG submitted at Deadline 5 [REP5-084], items 2,3 and 8 of the offshore impact, and item 2 of onshore impact, remain in discussion. Please can the Applicant and HE provide a further update in light of any changes following submission of the OOWSI and AMS.
Q120.5	ECC, Historic England	Temporary Effects ECC has stated that [REP5-090] significant effects arise from the construction works to several heritage assets along the Onshore Cable Route. ECC refers to: Ring Cottage and Tudor Cottage; Barker's Farmhouse; Hempstall's Farmhouse; Church of St Mary; Hannams Hall; The Old Rectory. ECC also stated that, following mitigation, Ring Cottage and Tudor Cottage would remain experiencing significant effects, and that the ExA is advised to take these into account when making a recommendation to the Secretary of State. The ExA notes that ES Chapter 26 Noise and Vibration [APP-040] concludes a negligible to minor adverse residual effect following embedded and additional mitigation, including for Ring Cottage and Tudor Cottage. Mitigation measures are set out in the OCoCP [REP5-022] and are secured via DCO Requirement 8 – Code of Construction Practice [REP5-008]. ECC's view appears to take the effects before the application of noise mitigation which would be secured by DCO Requirement. Please can ECC confirm whether or not, in its view, Ring Cottage and Tudor Cottage would remain experiencing significant effects following mitigation. Historic England is also invited to comment should they wish.
13.	Human Health	
		No ExA third questions.
14.	Landscape and Visual	

ExQ2	Question to:	Question:
Q14.0.1	Applicant	<p>Visual Mitigation at Substation</p> <p>The ExA notes the update to 9.30 Indicative Planting cross-sections at the onshore substation (Rev 2) [REP5-035] at Deadline 5. This confirms that planting would not be orchard planting but a series of woodland belts.</p> <p>i) Please can the Applicant elaborate, setting out timescales to maturity and at what point the screening will have taken full effect.</p> <p>ii) With regard to the Written Landscape Scheme, could the OLEMS clarify the details of trees, woodland and hedgerows, finished ground levels and bunding, and plant details including, where possible plant schedule will also be provided as drawings to illustrate the written details. Could boundary treatments also be included on the drawings for clarity.</p>
Q14.0.2	Applicant	<p>Screening at Substation: VEOF</p> <p>REP4-038 (10.20.8 Technical Note - Screen planting options for Land Plot 17-024) submitted to the VEOF Examination (see [REP4-038]) provides indicative cross sections to illustrate the potential mix of screening planting, as well as how this might mature over 5, 10 and 20 years. The planted woodland areas would screen the onshore substation, and provide a landscape feature. Please can the Applicant provide commentary on principle differences between the VEOF proposals and those of NFOWF, and what further steps can be taken to align them.</p>
Q14.0.3	Natural England, Applicant and Local Authorities	<p>Natural England Risk and Issues Log: Landscaping and Outline Landscape and Ecological Management Strategy (OLEMS)</p> <p>Natural England states in its Risk & Issues Log [REP6-089] that it expects “<i>the landscaping requirements to also cover survey methods, monitoring requirements and the requirement to maintain, including the potential for re-planting due to plant failures. Further, we would expect to be consulted on the plans prior to their approval by the relevant LPA</i>”. The ExA notes that the dDCO [REP6-005] was amended and now includes provision for consultation with the SNCB within Requirement 7.</p> <p>With reference to the Outline Landscape and Ecological Management Strategy [REP6-035], the ExA notes that it will form the basis for a final Written Landscape Scheme, which will both be prepared and submitted to the Local Planning Authority for approval prior to construction of the</p>

ExQ2	Question to:	Question:
		<p>Project secured by DCO Requirement. It includes various survey methods and monitoring measures are referred to, for example:</p> <p><u>Survey Methods:</u></p> <p>Paragraph 12 sets out that the OLEMS has been drafted based on the findings of pre-consent surveys undertaken between 2021 and 2023. Further information and full survey results is found within the range of 17 documents listed, and informed by other documents e.g. Biodiversity Net Gain (BNG) Strategy [REP3-028] and Green Infrastructure Plan [APP-134].</p> <p><u>Monitoring requirements and a requirement to maintain, including potential for re-planting:</u></p> <p>Section 3.11 of the OLEMS [REP6-035] includes maintenance of landscape planting. It includes that <i>“The success of landscape planting will be monitored over a 10-year aftercare period after planting. During this period any plants which fail, die, are removed, or become seriously damaged or diseased, shall be replaced in the first available planting season with a specimen of the same species and size as that originally planted”</i> (see Paragraph 248 and following).</p> <p>Please can the IPs identified comment on, and respond to, the following:</p> <ul style="list-style-type: none"> i) Does the OLEMS sufficiently cover survey methods, monitoring requirements and requirement to maintain, including potential for re-planting due to plant failures. ii) Whether or not, in their view, the associated Requirement 7 for a Written Landscape Scheme can rely on the detail within the OLEMS to address NE’s concerns regarding landscaping requirements as set out above. iii) Regarding the replacement of failed planting, it is noted that the Applicants commit to the replacement of failed planting for a period of ten years. Given that the provided photomontages provide assessments of the effect of landscaping at 15 years, do you consider ten years to be long enough for this provision?
Q14.04	Applicant, SCC, other IPs	<p>Duty to Enhance National Landscape</p> <p>The Applicant’s response to ExQ2 Q14.0.1 confirmed that the Applicant is a statutory undertaker as defined in s85 of the CRow Act, and that it is therefore a relevant authority for the purposes of the Act. The Applicant set out its position within its Position Statement [REP5-068], as well as</p>

ExQ2	Question to:	Question:
		<p>[REP5-055] and in further information submitted at Deadline 6, in response the ExA's Rule 17 request dated June 6 2025 [PD-014].</p> <p>In summary, the response [REP6-062] considers, on a without prejudice basis, specific additional compensatory measures that could be applied to enable the Applicant and the Secretary of State to discharge the Duty should the Secretary of State consider that such measures are required, including consideration of principles to form the basis for the development and delivery of a National Landscape Enhancement Scheme (or similar) together with a list of projects identified and a mechanism for securing such a scheme [REP6-062].</p> <p>The Applicant considers that the effects on the SECHNL are visual in nature only. Environmental Statement (ES) Chapter 29 Seascape, Landscape and Visual Impact Assessment (SLVIA) [APP-043] concludes that there will be significant effects on views from locations along the southern coastal edge of the SECHNL, between the River Deben and Orford Ness. There will be no significant effects on landscape character, and no significant effects on the special qualities of the SECHNL [REP5-038].</p> <p>The ExA now seeks views from IPs on the response [REP6-062] including the without prejudice Requirement and the content of the National Landscape Enhancement Strategy. Further specific questions are also set out below.</p>
Q14.0.5	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Mechanism for Delivery</p> <p>The ExA notes the Applicant's suggested wording for a Requirement to deliver the National Landscape Enhancement Scheme (below), submitted on a without prejudice basis at Deadline 6 [REP6-062]:</p> <p><i>National Landscape Enhancement Scheme</i></p> <p><i>(1) Work No. 1 and Work No. 2 must not be commenced until a National Landscape Enhancement Scheme has been submitted to and approved by the discharging authority in consultation with Suffolk & Essex Coast & Heaths National Landscape Partnership.</i></p> <p><i>(2) The National Landscape Enhancement Scheme must accord with the principles and fund size set out in the National Landscape Enhancement Scheme principles document.</i></p> <p><i>(3) The National Landscape Enhancement Scheme must be implemented as approved.</i></p>

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
		<p>(4) In this Requirement “the National Landscape Enhancement Scheme principles document” means the principles set out in Table 1 of Applicant’s Response to ExA’s Request for further information (Rule 17) - National Landscapes.</p> <p>Comments from IPs are specifically sought in relation on the wording of above suggested Requirement, submitted on a without prejudice basis.</p>
Q14.0.6	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Scope of Projects</p> <p>The scope of projects is set out in Table 1 of [REP6-062], with a focus on projects and initiatives relating to enjoyment of the coast and coastal views and those in line with the objectives of the Suffolk & Essex Coast & Heaths National Landscape Management Plan 2023-2028. Projects could include (but would not be limited to) enhancements to car parking, access or visitor facilities at coastal locations; footpath enhancements including to coastal paths; beach surveys and clean ups. These would be delivered as part of the National Landscape Enhancement Scheme will be selected at the discretion of the Suffolk & Essex Coast & Heaths National Landscape Partnership.</p> <p>The ExA requests IPs comments on the scope of projects.</p>
Q14.0.7	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Spatial Scope</p> <p>The spatial scope of the projects is set out in Table 1 of [REP6-062], and focuses on the area likely to be affected by views of the Project, ie. the coastal edge between the River Deben and Orford Ness. Table 1 states that “<i>All projects and initiatives must therefore be located within this area</i>”.</p> <p>The ExA requests IPs comments on the spatial scope, and the suggestion that initiatives must be within the area between the River Deben and Orford Ness.</p>
Q14.0.8	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Fund Size</p> <p>The fund size of £10,000 is set out in Table 1 of [REP6-062]. The ExA requests IPs comments on the Applicant’s proposed fund size, and whether or not the measures and fund size can be considered to be proportionate to the type and scale of development as it affects the National Landscape, reasonably related to the identified residual adverse effects, and sufficient to allow</p>

ExQ3: 1 July 2025

Responses due by Deadline 7: 15 July 2025

ExQ2	Question to:	Question:
		for the discharge of the statutory duty by both the Applicant and by the Secretary of State.
Q14.0.9	IPs, Applicant	<p>National Landscape Enhancement Scheme Principles: Fund Timing</p> <p>The fund timing is set out in Table 1 of [REP6-062], which suggests a single one-off payment made by the Applicant to the Suffolk & Essex Coast & Heaths National Landscape Partnership prior to the commencement of construction of Work No. 1 or Work No. 2. The timing of projects and initiatives benefited by the fund would then be at the discretion of the Suffolk & Essex Coast & Heaths National Landscape Partnership.</p> <p>The ExA requests IPs comments on the fund timing.</p>
Q14.0.10	Applicant	<p>Cumulative Landscape Effects</p> <p>The Applicant has submitted visualisations [REP4-029 and REP4-030] showing the Norwich to Tilbury pylons in blue, modelled at between 48m and 60m in height. In its response to ExQ2, NGET [REP5-101] has stated that “<i>The first six or seven pylons are expected to be in the order of 50m height with individual heights responding to factors including span length between pylons, terrain etc. Taller pylons, in the order of 60m height, would be expected to be required to achieve necessary clearances of the railway</i>”.</p> <p>Please can the Applicant confirm its position regarding the impact of the 50-60m pylon modelling in combination with VEOWF and NFOWF substations.</p>
Q14.0.11	Applicant, Natural England, ECC, SCC, SECHNLP	<p>Impact on LCTs</p> <p>In response to ExQ2 14.0.5 the Applicant confirmed that in its view, at a distance of over 40km from any onshore LCT (Landscape Character Type), that it is satisfied that “<i>the magnitude of change is correctly recorded as ‘low’</i>” in each case.</p> <ul style="list-style-type: none"> i) Please can the Applicant confirm what, if any other criteria than distance have been used to estimate the magnitude of change. ii) Please can NE (and others, optionally) comment on factors other than distance which they consider would contradict the Applicant’s assertion regarding the 40km distance to any onshore LCT.
Q14.0.12	Natural England	<p>Natural England: Risk and Issues Log</p> <p>NE’s advice in its Risk & Issues Log [REP6-089] I-Seascape has remained unchanged throughout. Deadline 6 submission states that NE will not be responding further on these issues</p>

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
		<p>unless new information is forthcoming, or the Applicant's conclusions change.</p> <p>Following the submission of the Applicant's without prejudice response [REP6-062] to the ExA's Rule 17 [PD-014] request, please can NE update this advice and risk log in respect of those issues to which [REP6-062] relates.</p>
Q14.0.13	Applicant, Natural England	<p>Underestimation of Effects</p> <p>NE has stated that, in its view, the ES underestimates the effects of the proposed development in landscape and seascape terms on the National Landscape. The Applicant's response to ExQ2 14.0.6 refers to its technical note [REP3-044] and states that it does not consider that NE's precise steps to overcome this are necessary or appropriate.</p> <p>Please can the Applicant</p> <ul style="list-style-type: none"> i) Summarise how it considers that effects have not been underestimated. And ii) Please can NE set out specifically which of the effects have been underestimated, including by reference to specific points set out in the ES.
Q14.0.14	SCC, Applicant, other IPs optionally.	<p>Suffolk County Council Comments on submissions received at Deadline 5</p> <p>SCC has submitted comments on Deadline 5 submissions [REP6-092] as a response to the Applicant's Deadline 5 (D5) submissions and representations made by other interested parties at D5, as appropriate. Within this context, please can SCC explain how items 1f - Application of Duty and 1g - Discharge of Duty are sufficiently separate considerations, and are not, in effect, double counting a similar issue.</p> <p>Other IPs and the Applicant may also comment, optionally.</p>
Q14.0.15	Applicant, ECC/ other IPs	<p>New visualisation (VP9) from Barn Lane - Grange Road</p> <p>In response to ExQ2 14.04, the Applicant stated that it would be providing an additional photomontage visualisation from Grange Road, to be submitted at Deadline 6. The selected viewpoint is immediately north of the proposed onshore substation works area. The ExA notes [REP6-065] and [REP6-066] provide new visualisations for new Viewpoint VP9.</p>

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
		<p>This appears to currently be absent of corresponding narrative, such as that which accompanies VPs 1 to VP8 within Chapter 30 of the ES (see Tables 30.21 to 30.28).</p> <p>i) In the interest of consistency and completeness, please can the Applicant provide an update to VP9, or signpost to where this information is contained by Deadline 7.</p> <p>ii) IPs are invited to comment on VP9 photomontages at this stage, and following Deadline 7, to comment further on the accompanying narrative.</p>
Q14.0.16	Applicant, IPs	<p>Tranquility</p> <p>The ExA notes the Applicant's response to ExQ2 14.0.8 and the updated technical document on special qualities [REP5-038]. Please can IPs including SCC and SCHNLP respond to this update.</p>
15. Navigation & Shipping		
Q15.0.1	Applicant	<p>Without Prejudice Proposed DCO Requirement – Galloper Recommended Route</p> <p>With reference to the above document [REP6-068], page 5, paragraphs 3 to 6, contains numerous references to <i>"Error! Reference source not found."</i>, please could the Applicant review these and re-submit the document .</p>
Q15.0.2	MCA	<p>Without Prejudice Proposed DCO Requirement – Galloper Recommended Route</p> <p>With reference to the above document [REP6-068], could the MCA provide their view on whether or not they would be able to accept the Applicant's proposed DCO requirement in respect of the Galloper Recommended Route, which has been submitted on a without prejudice basis.</p>
Q15.0.3	MCA	<p>Applicant's Response to ExA's Request for further information (Rule 17) - Galloper</p> <p>With reference to the above document [REP6-063], could the MCA advise if they have any comments or concerns regarding the Applicant's responses.</p>
Q15.0.4	Applicant	<p>Contingency plans for crossing the port channels with the cable burial tool</p> <p>With reference to the applicant's response [REP5-054] to Q7.04 (ii), the applicant states <i>"the expected time for crossing the port channels with the cable burial tool will be of the order of 1.5-2 days."</i> Further, the applicant's response [REP-054, Q16.06 part (ii)] provides information on if burial tools cannot achieve the required depth on their own.</p>

ExQ2	Question to:	Question:
		In the event that the expected time for crossing the port channels with the cable burial tool could take longer than 2 days, what contingency plans would need to be in place and have these been agreed with the Maritime and Coastguard Agency, the London Gateway Port Limited (LGPL), Port of London Authority (PLA) and Harwich Harbour Authority (HHA)?
Q15.0.5	HHA, PLA, LGPL, MCA	<p>Crossing the port channels with the cable burial tool</p> <p>With reference to the applicant's response [REP5-054] to Q7.04 (ii), the applicant states:</p> <p><i>"With regards to the PLA comments, it should be noted that there are two deep water routes (Sunk and Trinity) into the London ports. The Outline Navigation and Installation Plan (oNIP) [REP4-011/012] prevents concurrent working across both access routes by the relevant projects (i.e. North Falls, Five Estuaries and SeaLink), thereby always giving one access route into/ exit route from the ports. Further to this, the expected time for crossing the port channels with the cable burial tool will be of the order of 1.5-2 days. Therefore, the potential socio-economic impacts on the London ports have been minimised as one route would always be open. The access routes are being discussed in ongoing meetings with the ports and the tables in the oNIP will be updated at Deadline 6."</i></p> <p>(i) Please advise if you agree with the Applicant's proposal to prevent concurrent working across both access routes by the relevant projects (i.e. North Falls, Five Estuaries and SeaLink), thereby always giving one access route into/ exit route from the ports?</p> <p>Further, the applicant's response [REP-054, Q16.06 part (ii)] provides information on if burial tools cannot achieve the required depth on their own.</p> <p>(ii) In the event that the expected time for crossing the port channels with the cable burial tool could take longer than 2 days, what contingency plans would need to be in place?</p>

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
Q15.0.6	Applicant	<p>Maintaining access for deeper draughted vessels and the ability to board or land pilots</p> <p>The PLA's Responses to the ExA's ExQ2 [REP6-091] Q16.06 includes:</p> <p><i>"In term of the reference to one of the two DWRs always being open, the Sunk DWR is deeper than the Trinity DWR, so should this become unavailable during construction then this may mean that deeper draughted vessels are unable to enter or exit the Port on a given day. There is also concern re maintaining the ability to board or land pilots."</i></p> <p>Could the Applicant advise how the above concerns would be addressed?</p>
Q15.0.7	HHA, PLA, LGPL, MCA & MMO	<p>Outstanding concerns on plans relating to Shipping and Navigation</p> <p>Are there any outstanding concerns that have not been addressed by the Applicant in the following documents:</p> <ul style="list-style-type: none">• Site Characterisation Report [REP4-014]• Supporting Information on Offshore Additional Mitigation [REP4-041]• Deep Water Route Cable Installation Areas [REP4-043]• Outline Navigation and Installation Plan [REP5-028]• Outline Sediment Disposal Management Plan [REP5-042]• Cable Specification and Installation Plan [REP5-044]
Q15.0.8	MCA	<p>Control measures proposed by Harwich Haven Authority</p> <p>Please could the MCA advise if they agree with the seven control measures proposed by Harwich Haven Authority (HHA) in their response to ExQ2 submission [REP5-094] and that they need to be contained within the body text of the DCO and embedded marine licence as protective provisions and not just referenced as required for a plan or document such as the Outline Navigation and Installation Plan?</p>
Q15.0.9	Applicant	<p>Control measures proposed by Harwich Haven Authority</p> <p>Further to the Applicant's response to deadline 5 submissions [REP6-060] regarding item REP5-094_c2, could the Applicant provide a more detailed response to address the concern raised by HHA [REP5-094] in their 5th point that <i>"In the Sunk area, cable depth needs to consider that the world's largest vessels may anchor and dredge anchors in emergency scenario."</i></p>

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ExQ2	Question to:	Question:
Q150.10	HHA	<p>DCO/ DML changes proposed by HHA</p> <p>HHA's response to ExQ2 submission [REP5-094] proposes seven control measures that they believe need to be contained within the body text of the DCO and embedded marine licence as protective provisions and not just referenced as required for a plan or document such as the Outline Navigation and Installation Plan.</p> <p>Please could HHA advise their preference as to where within the DCO and DML, they would like the seven control measures to be included with reference to existing articles (where applicable).</p>
Q150.11	Applicant	<p>Priority between vessels actively fishing and survey vessels</p> <p>With reference to the Applicant's response to deadline 4 submissions [REP4-075], item REP4-075_i states:</p> <p><i>"As requested by HHFA, the Applicant has agreed that vessels actively fishing will have priority over survey vessels, unless the survey vessel is attached to a borehole. This is reflected in the draft SoCG that is being progressed between the Applicant and the CFWG."</i></p> <p>(i) Could the Applicant confirm how this commitment would be secured in the dDCO?</p> <p>(ii) Will the Outline Fisheries Liaison and Coexistence Plan (OFLCP) [REP4-018] be updated to include this commitment?</p>
16. Socio-economic Effects		
Q160.1	Applicant	<p>Potential introduction of further fisheries management measures</p> <p>Further to the MMO's comments on any submissions received at the previous deadline [REP6-082], for the response to ExQ2 Q16.01 the MMO requests that:</p> <p><i>"Consideration should be given to the potential introduction of further fisheries management measures within Marine Protected Areas (MPAs) under Stages 3 and 4 of the assessment and management process for fishing in offshore MPAs. Chapters 11 and 14 identify MPA sites and existing fisheries management measures but do not acknowledge ongoing activities by Defra and the MMO that may lead to the introduction of new management measures in these areas in the near future. Stage 3 sites proposed management measures are currently undergoing public consultation, while Stage 4 sites have not received any further public updates following the call</i></p>

ExQ3: 1 July 2025**Responses due by Deadline 7: 15 July 2025**

ExQ2	Question to:	Question:
		<p><i>for evidence which closed in February 2024.”</i></p> <p>Could the Applicant advise what consideration they propose in response to MMO’s above request?</p>
Q16.02	The Applicant	<p>In Suffolk County Council’s comments on submissions received at D4 [REP5-116], the Council requests that they are part of the OSEP steering group in respect of the Regional Skills Co-ordination Function. The Council also highlights the need for the Applicant to support and contribute towards the gathering of better evidence and resources in respect of the cumulative impact and understanding and addressing the cumulative impact on skills, employment and training.</p> <ul style="list-style-type: none"> (i) Please confirm that Council will be included as part of the steering group as requested. (ii) Notwithstanding the information already provided in ES Chapter 31 Socio Economics [AS-010], how will the Applicant gather such evidence and address the issues as suggested by the Council.
Q16.03	The Applicant	<p>The Statement of Common Ground with Suffolk CC and Tendring DC [REP5-082] sets out the concerns of the Councils in particular the comments in section 2.9 relating to the commitments to education, training and employment. The Councils also raise points regarding the Harwich Green Energy Hub and the contribution the Proposed Development will make to research and the development of construction, renewable and sustainable sectors. Tourism is also specified as important to the local economy and the Council wish to have a dialogue to ensure contributions to improvement projects.</p> <p>What progress has been made with the Councils in respect of the requirements they have set out in relating to socio-economic and tourism impacts.</p>
Q16.04	The Applicant	<p>The comments of ECC and TDC on any submissions received at the previous deadline [REP6-081] sets out the Council’s concerns relating to tourism, skills and employment.</p> <ul style="list-style-type: none"> (i) The Council’s request the monitoring of the impact on tourism related trade as a result of works on the A120 and also refer to compensation or mitigation measures. Can the Applicant further expand on how they will monitor such impacts on tourism and what proposals can be made to mitigate or compensate for any significant impacts that may arise

ExQ2	Question to:	Question:
		<p>(ii) Will the OSEP be updated as requested by the Councils</p> <p>(iii) What contribution to the Skills and Energy Programme will be made and will there be a commitment for this in the OSEP</p> <p>(iv) A further breakdown of the workforce and labour demands of the Proposed Development should be provided so that the Councils are equipped to address the requirements for a skilled labour force and able to work with the Applicants in the delivery of the project,</p>
17. Terrestrial Transportation and Traffic		
Q17.0.1	Applicant	<p>Outline Construction Traffic Management Plan (OCTMP)</p> <p>With reference to ECC's Comments on any submissions received at the previous deadline [REP6-081], ECC has proposed the following statement for inclusion in the final CTMP:</p> <p>"The final CTMP will set out the details of how employee vehicles arriving before 7AM will be managed".</p> <p>Could the Applicant confirm whether they accept this statement and propose to include it in the final OCTMP?</p>