NORTH FALLS

Offshore Wind Farm

Applicant's Response to Natural England's Deadline 7 submissions

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1. INTRODUCTION

1.1 Introduction

1.1.1 This document has been prepared by North Falls Offshore Wind Farm Limited ('the Applicant') in relation to the North Falls Offshore Wind Farm (hereinafter referred to as 'North Falls' or the 'Project').

1.1.2 The Examining Authority's Rule 8 letter **[PD-008]** confirmed that Deadline 7 for the Examination was Tuesday 15 July 2025.

1.1.3 This document has been prepared by the Applicant for submission at Deadline 8 on Wednesday 23 July 2025, and responds to submissions received at Deadline 7 from Natural England.

1.2 Purpose of the document

1.2.1 This document presents the Applicant's response to the following Natural England's Deadline 7 submissions:

- **[REP7-085]** Responses to ExQ3 - Cover Letter
- **[REP7-086]** Responses to ExQ3 - Appendix B7 Natural England's Marine Processes Advice on the Applicant's Deadline 6 Documents
- **[REP7-087]** Responses to ExQ3 - Appendix C7 Natural England's Benthic Ecology Advice on the Applicant's Deadline 6 Documents
- **[REP7-088]** Responses to ExQ3 - Appendix E7 Natural England's Marine Mammal Advice on the Applicant's Deadline 6 Documents
- **[REP7-089]** Responses to ExQ3 - Appendix I7 Natural England's comments on 9.89 Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes (Rev 0) [REP6-062]
- **[REP7-090]** Responses to ExQ3 - Appendix K7 - Natural England's Risk and Issues Log
- **[REP7-091]** Responses to ExQ3 - Appendix L7 Natural England's comments on 7.10 Offshore In Principle Monitoring Plan (Rev 1) (Tracked) [REP6-032] with regards to Migratory Bats
- **[REP7-092]** Responses to ExQ3 - Appendix M7 Natural England's comments on the Examining Authority's 3rd Written Questions on the North Falls OWF Application [PD-016 & PD-017]

2. APPLICANT'S RESPONSE TO NATURAL ENGLAND'S DEADLINE 4 SUBMISSIONS

2.1 Applicants Response to Natural England's Cover Letter

Table 2.1 Applicant's Response to Natural England's Cover Letter

REF	SECTION	NATURAL ENGLAND'S COMMENTS	APPLICANT'S RESPONSE
REP7-085_a	1. Natural England's Deadline 7 Submissions	Natural England has reviewed the documents submitted by the Applicant at Deadline 6. An update of Natural England's position regarding documents relevant to our remit is provided in Annex 1, including anticipated timing of responses. Natural England is also submitting the following detailed responses, signposted from Annex 1: • EN010119 501997 North Falls Appendix B7 – Natural England's Marine Processes Advice on the Applicant's Deadline 6 Documents – Deadline 7.pdf • EN010119 501997 North Falls Appendix C7 – Natural England's Benthic Ecology Advice on the Applicant's Deadline 6 Documents – Deadline 7.pdf • EN010119 501997 North Falls Appendix E7 – Natural England's Marine Mammal Advice on the Applicant's Deadline 6 Documents – Deadline 7.pdf • EN010119 501997 North Falls Appendix I7 – NE's comments on 9.89 Applicant's Response to ExA's Rule 17 National Landscapes - DL7.pdf • EN010119 501997 North Falls Appendix K7 - Natural England's Risk and Issues Log - Deadline 7.xls • EN010119 501997 North Falls Appendix L7 – NE's comments on 7.10 Offshore In Principle Monitoring Plan - Migratory Bats – DL7.pdf • EN010119 501997 North Falls Appendix M7 – Natural England's Response to ExQ3 – Deadline 7.pdf	Noted
REP7-085_b	2. Natural England's Response to Q26 in the Report on the Implications for European Sites (RIES) [PD-020]	In RIES Q26, the Examining Authority has asked Natural England and the Applicant to confirm whether they have reached agreement that Adverse Effect on Integrity (AEOI) on Margate and Long Sands Special Area of Conservation (MLS SAC) can be excluded. Natural England's advice is that if either (a) the Applicant can update their modelling to demonstrate that any changes to physical processes due to the placement of cable protection adjacent to MLS SAC will not be discernible within the SAC, or (b) the WCS cable protection placement adjacent to MLS SAC is appropriately secured as modelled by the Applicant in [REP6-054], i.e. one 400m section of cable protection at a distance of 150m from the SAC (i.e. the buffer), then we would be content to agree no AEOI on MLS SAC. The latter would need to be secured through condition in the deemed marine licence (dML). If the Applicant can either provide (a) or agree to (b) then this will sufficiently address our concerns regarding the lack of clarity on the WCS cable protection layout adjacent to MLS SAC and potential changes to sediment transport processes and seabed morphology, and associated changes in the extent, distribution or composition of benthic communities within the MLS SAC, due to the presence of this cable protection. For any queries relating to the content of this letter please contact me using the details provided below.	The Applicant welcomes Natural England's response. The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report **[REP7-041/042]**) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from cable protection placed anywhere in the offshore cable corridor. Therefore, the Applicant understands this resolves Natural England's concerns and an AEOI of the MLS SAC can be ruled out.

2.2 Applicant's Response to Natural England's comments regarding Appendix B7 [REP7-086]

Table 2.2.1 Applicant's Response to Natural England's minor comments regarding Appendix B7 [REP7-086]

REF	DOCUMENT REVIEWED	UPDATE MADE	ISSUE RESOLVED?	APPLICANT'S RESPONSE
REP7-086_a	REP6-050 3.4	Natural England notes that the Applicant's commitment to dispose of any dredged sediment at a distance of greater than 1km from KKE MCZ. This is welcomed. However, the WCS sediment deposition thickness and footprint at/within KKE MCZ remains unclear. In [REP6-059] the Applicant has stated that the potential for concurrent construction activities and overlapping sediment deposition can be clarified in updates to the hydrodynamic and sediment dispersion modelling at Deadline 7. Furthermore, the Applicant has stated that an updated MCZA report will also be provided at Deadline 7. Therefore, we consider this matter progressed but await further clarification on the WCS in the updated documents.	Progressed.	The Applicant welcomes Natural England's update that this matter has progressed. The Applicant provided modelling of concurrent activities in the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] at Deadline 7, along with an updated MCZA Report [**REP7-019/020**] which confirms the worst case scenario (WCS). The KKE MCZ is designated for subtidal sand, mixed sediment and coarse sediment. The dominant sediment type recorded in the North Falls array area during the site- specific benthic survey was medium to coarse sand and therefore any suspended sediment arising from within the array area and subsequent WCS sediment deposition on the eastern edge of the KKE MCZ would be of comparable sediment to the MCZ features. The initial deposition of sediment from construction works in the array area would occur over a small area of the KKE MCZ and would have WCS of 5cm to 60cm. As the sediment arising from within the array area is comparable to that of the designated features of the KKE MCZ and will be mobile, driven by the existing physical processes, the effect will be temporary as the sediment is naturally re-distributed by the prevailing waves and tidal currents. Therefore, the MCZA Report **[REP7-019/020**] concludes there will be no risk of hindering the conservation objectives of the KKE MCZ.
REP7-086_b	REP6-052 4.3	Natural England notes that the Applicant has now committed to not placing cable protection in areas where the seabed is shallower than 5m Chart Datum to ensure that there will be negligible impact on the wave regime and nearshore sediment transport. This is the calculated depth of closure and c. 1.5km offshore. This commitment is welcomed. However, we would advise that in shallow water offshore of the 5m depth contour, cable protection should be avoided and where that is not possible the height/profile of any cable protection should be minimised as much as possible to avoid impacts to sediment transport processes and pathways.	Yes (point B6 in the R&I log)	The Applicant welcomes Natural England's update that this matter is resolved. Cables will be buried where possible. Furthermore, the Applicant has modelled an extreme worst case scenario in the waters beyond the 5m depth contour, as shown in the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]. In the nearshore zone, the largest differences in current speed and bed shear stress are predicted to occur at the ends of the cable protection, where changes less than 5% are predicted (**Error! Reference source not found.** to 5.104 in the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]). The changes appear to reach a short length of the Essex coast. However, the changes in tidal current speeds and bed shear stresses would only be a few percent within this zone of encroachment. This means that given these very small magnitude changes in tidal current speeds and bed shear stresses (sediment transport potential) arising from the presence of the nearshore cable protection, the effects would be not significant, and the overall significance of the effect would be negligible adverse (no significant effect).

Table 2.3.2 Applicant's Response to Natural England's detailed comments regarding Appendix B7 [REP7-086]

REF	NE REF	SECTION	KEY CONCERN AND/OR UPDATE	NATURAL ENGLAND'S ADVICE AT D7 TO RESOLVE ISSUE	APPLICANT'S RESPONSE
Table 2					
REP7-086_c	1	Pages 15-16 Table 2.1	Natural England notes that the monitoring proposal to identify any unburied or shallow buried cables in the post-construction phase, relates to scour monitoring around turbines.	We advise amending the 'Monitoring proposal' section to discuss post cable repair/replacement works surveys rather than scour monitoring around turbines.	An updated In Principle Monitoring Plan [7.10, Rev 3] is provided at Deadline 8 to address this comment.
REP7-086_d	2	Page 17 Table 2.1	Natural England welcomes the Applicant's commitment to carry out sandwave recovery monitoring proposed and bedform migration analysis.	This issue is now resolved.	N/A
REP7-086_e	3	Page 17 Table 2.1	Natural England notes that monitoring is now included in the IPMP to provide further evidence to support the predictions of cable protection having no AEOI of the Margate and Long Sands SAC or Kentish Knock East MCZ in the unlikely event that cable protection is deployed in proximity to these areas. The monitoring proposed includes targeted bathymetric and geophysical surveys of areas within the Order Limits where cable protection is deployed in proximity to MLS SAC or KKE MCZ. The scope of these surveys	Natural England welcomes this monitoring and would welcome the opportunity to engage with the Applicant further to discuss the approach and scope of the monitoring. However, we advise that the monitored proposed should be more specific to monitor changes to the seabed morphology, level and sediment composition if/where cable protection is placed adjacent to MLS SAC. Furthermore, with regard to the MCZ, we advise that the Applicant should commit to intensive monitoring of the area potentially affected in the MCZ by	The In Principle Monitoring Plan (IPMP) [7.10, Rev 3] includes targeted geophysical and bathymetric surveys of areas within the order limits where cable protection is deployed in proximity to the Margate and Long Sands SAC or Kentish Knock East MCZ. In the event that this monitoring shows significant changes to the physical processes, monitoring of the benthic community will be undertaken. Where monitoring within the order limits validates the

REF	NE REF	SECTION	KEY CONCERN AND/OR UPDATE	NATURAL ENGLAND'S ADVICE AT D7 TO RESOLVE ISSUE	APPLICANT'S RESPONSE
			(including location, programmes, and methodologies) shall be developed in consultation with the SNCB.	construction-related sediment deposition and operational-related sediment transport and seabed morphology/sediment composition impacts. This should include triggers for remedial intervention if any observed impacts are greater than predicted.	conclusions of the ES Chapter 10 Benthic and Intertidal Ecology [**APP-024**], the RIAA Part 2 [REP7-013/014] and the MCZA report [**REP7-019/020**], there would also be no significant impact beyond the order limits and therefore wider monitoring would be disproportionate. In accordance with the IPMP [7.10, Rev 3], in the event that the monitoring results show a greater impact than that assessed, the Applicant will review an adaptive management approach in consultation with the MMO and SNCB. This could include further monitoring. The In Principle Monitoring Plan is secured by the DMLs (Schedule 8, Part 2, Conditions 21, 25, 26 and 27; Schedule 9, Part 2, Conditions 22, 26, 27 and 28; and Schedule 10, Part 2, Conditions 21, 25, 26 and 27).
Table 3					
REP7-086_f	2	5.3.5	Natural England notes that the 'option' hydrodynamic modelling scenario included 8 locations for export cable protection where areas may prove difficult for burying and cable crossings may be required. With one 400m section of cable protection located adjacent to MLS SAC. However, we note that beyond –5m CD (closure depth), cable protection could be deployed anywhere along the offshore cable corridor, up to the maximum of 10% of the export cable length [REP6-059]. Therefore, it is unclear whether the modelled cable protection layout represents the WCS for MLS SAC, if there is the potential for cable protection to be placed along the full length of the export cable corridor adjacent to MLS SAC.	Natural England seeks clarification on the WCS cable protection placement adjacent to MLS SAC, and whether the indicative layout used in the modelling was the WCS. This will help inform understanding of the potential for cable protection to modify sediment transport processes/pathways near the SAC. Therefore, we advise that the Applicant should update their modelling to consider the potential WCS cable protection layout and to demonstrate that there will be no discernible effects on sediment transport processes within the SAC. If it is not possible to provide updated modelling within the examination, we advise that this could also be potentially resolved through a commitment to only place cable protection within the modelled 400m section. Please see our cover letter response to question 26 for further details.	The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from of cable protection placed anywhere in the offshore cable corridor. As discussed in Section 2.1 above (REP7-085_b), the Applicant understands this resolves Natural England's concerns and an AEOI of the MLS SAC can be ruled out.
REP7-086_g	3	8	Natural England notes that the WCS for overlapping sediment deposition thickness and footprint within KKE MCZ due to concurrent construction-related activities remains unclear.	Natural England seeks clarification of the realistic WCS sediment deposition thickness and footprint within KKE MCZ due to construction-related activities to inform the EIA and MCZA. However, we note in [REP6-059] the Applicant has stated that the potential for concurrent construction activities and overlapping sediment deposition can be clarified in further updates to the hydrodynamic and dispersion modelling by Deadline 7. We will, therefore, update our advice following review of the updated modelling.	The Applicant provided modelling of concurrent activities in the Hydrodynamic and Dispersion Modelling Report **[REP7-041/042]** at Deadline 7, along with an updated MCZA Report [**REP7-019/020**], which confirms the worst case scenario. The results of this additional work validate the Applicant's conclusion that there will be no risk of hindering the conservation objectives of the KKE MCZ.
REP7-086_h	4	5.5.4 5.5.5	Natural England notes that there is a predicted change in current speed and bed shear stress of up to 5% at the eastern edge of the array. This overlaps with an area of Annex I sandbank. However, the long-term implications for changes to patterns of erosion and deposition and morphological change have not been considered.	Natural England advises that predicted changes to bed shear stress and current speed due to the project's array alone and cumulatively with other nearby OWFs need to be considered in the context of changes to patterns of erosion/deposition and seabed morphology over the lifetime of the Project. In turn, impacts to Annex I sandbanks within/adjacent to the array also need to be considered.	The Applicant has undertaken modelling of concurrent effects (hydrodynamic and dispersion modelling report [**REP7-041/042**]). The predicted changes in tidal current speeds and bed shear stresses due to the presence of the Project alongside proposed and constructed wind farms show that there will be no cumulative effect in addition to those induced by the Project alone. Apart from Five Estuaries, there are no overlaps between the zones of influence of the Project and other wind farms (Figure 5.73 to 5.88 of hydrodynamic and dispersion modelling report [**REP7-041/042**]). The zone of influence of the neighbouring Five Estuaries is predicted to overlap the zone of influence of the Project, but the cumulative effect does not exceed 5% of the baseline values of both tidal current speed and bed shear stress. The cumulative changes overlap the Kentish Knock East MCZ and Annex I sandbanks inside and immediately adjacent to the array area. However, the changes in tidal current speeds and bed shear stresses would only be a few percent (up to a maximum of 5%) within these zones of encroachment. This means that given these very small magnitude changes in tidal current speeds and bed shear stresses (sediment transport potential) arising from the presence of the Project alongside proposed and constructed wind farms, the effects would

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					be not significant, and the overall significance of the effect would be negligible adverse (no significant effect).
REP7-086_i	5	5.5	As above, the predicted changes in current speed and bed shear stress due to the presence of scheme infrastructure (array and cable protection) have not been considered in the context of changes to patterns of erosion and accretion and, in turn, seabed morphology at the SAC and MCZ.	Natural England advises that the predicted changes in current speed and bed shear stress need to be considered in the context of changes to patterns of erosion and accretion and seabed morphology within the SAC and MCZ over the lifetime of the Project.	The Applicant has undertaken further modelling (hydrodynamic and dispersion modelling report [**REP7-041/042**]) and provided an updated RIAA Part 2 Benthic ecology [REP7-013/014] and MCZA Report [**REP7-019/020**] at Deadline 7 to address Natural England's previous comments on this matter. These assessments take into account changes in current speed and bed shear stress *inter alia* and show there will be no AEOI of the SAC or risk of hindering the conservation objectives of the MCZ.

2.3 Applicant's Response to Natural England's comments regarding Appendix C7 [REP7-087]

Table 2.4 Applicant's Response to Natural England's comments regarding Appendix C7 [REP7-087]

REF	NE REF	SECTION	KEY CONCERN AND/OR UPDATE	NATURAL ENGLAND'S ADVICE AT D7 TO RESOLVE ISSUE	APPLICANT'S RESPONSE
Table 1 – Hydrodynamic and Dispersion Modelling Report					
REP7-087_a	1	Figure 7.48	Natural England is concerned that the deposition modelling from seabed preparation activities during construction demonstrates that up to 60cm of sediment is likely to be deposited within Kentish Knock MCZ. This level of smothering and siltation rate change is substantially in excess of the MarESA threshold of 30cm for heavy deposition. Natural England is also concerned that these impacts have not been appropriately identified, quantified (from and ecological perspective) or evaluated in either the EIA of MCZ assessments.	Natural England advises that the EIA and MCZ assessments should be updated in light of the hydrodynamic and dispersion modelling [REP4-040] deposition modelling outputs and that a realistic WCS should be used to inform assessment conclusions. We advise that the impacts within features should be fully identified, quantified, and evaluated within the appropriate ecological context in order to appropriately inform assessments. The results of the Assessment of impacts outside of MPAs also require appropriate identification, quantification, and evaluation. Natural England advises that unless evidence can be presented to demonstrate otherwise, we consider it likely that the achievement of the Kentish Knock East MCZ conservation objectives, which have a 'recover target' will be hindered as a result of lasting changes to structure, extent and distribution of sediment features and that of the biological communities they support. We draw your attention to the recent Dudgeon and Sheringham Shoal Extension Projects decisions (2024) which required MEEB for 1.8ha of cable protection within the Cromer Shoal Chalk Beds MCZ, an area which is considerably less than that which is likely to be subject to lasting impacts within Kentish Knock East MCZ as a result of deposition.	The Applicant provided an updated RIAA Part 2 Benthic ecology [**REP7-013/014**] and MCZA Report [**REP7-019/020**] at Deadline 7. These documents were informed by an updated hydrodynamic and dispersion modelling report [**REP7-041/042**] to address Natural England's previous comments. The updated RIAA Part 2 and MCZA take into account the predicted sediment deposition and use evidence from MarESA on sensitivity to relevant deposition depths. These assessments provide evidence that there will be no risk of hindering the conservation objectives of the MCZ. As the modelling validates the Applicant's previous conclusions based on expert judgement, there is no change to the assessment of effects outside MPAs, as assessed in ES Chapter 8 Marine Geology Oceanography and Physical Processes [**APP-022**] and Chapter 10 Benthic and Intertidal Ecology [**APP-024**]. Natural England's comparison of North Falls with Sheringham Shoal and Dudgeon and Extension Projects (SEP&DEP) is extremely misleading. Natural England is well aware, the North Falls project avoided the KKE MCZ , and therefore avoided direct effects on the KKE MCZ in response to pre application advice and detailed consultation from Natural England. Therefore, in comparison to SEP&DEP's 1.8ha of direct long term direct habitat loss due to cable protection placed within an MCZ, North Falls will have zero impact as it has zero cable protection in the MCZ. MEEB was not required for indirect effects for SEP&DEP (or any other consented offshore wind farms). North Falls will only have short term temporary indirect effects on the eastern edge of the KKE MCZ as a result of sediment deposition. It should be noted that SEP&DEP were not required to quantify the spatial area of sediment deposition as has been requested by Natural England for North Falls.

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					As noted above, MEEB has never been required for an offshore wind farm as a result of indirect effects. Thus, the Applicant considers there is substantial evidence and precedent to support the position that North Falls will not hinder the conservation objectives of the KKE MCZ and therefore MEEB should not be required.
REP7-087_b	2	Figures 5.52-5.75	Natural England advises that whilst we have no concerns that the modelled changes in peak mean spring bed flow velocities (and associated changes in bed shear stresses) are below the MArESA thresholds and therefore unlikely to directly alter benthic communities, we question whether the predicted changes in velocities and shear stresses will result in changes to the sediment character within the zones of influence which results in indirect changes to the extent and distribution of benthic communities within the array.	Natural England advises that the EIA currently fails to set the results of the hydrodynamic modelling in any ecological context. We advise that all relevant assessments are updated to appropriately consider changes to benthic receptors as a result of predicted changes in hydrodynamic conditions in the vicinity of the array area.	The Applicant has undertaken further modelling (hydrodynamic and dispersion modelling report [**REP7-041/042**]) and provided an updated RIAA Part 2 Benthic ecology [**REP7-013/014**] and MCZA Report [**REP7-019/020**] and these include additional detail on changes in current speeds and bed shear stress. As these represent the most sensitive benthic receptors and the modelling validates the Applicant's previous conclusions based on expert judgement that there would be no significant effect, there is no change to the conclusions presented in ES Chapter 8 Marine Geology Oceanography and Physical Processes [**APP-022**] and Chapter 10 Benthic and Intertidal Ecology [**APP-024**].
REP7-087_c	3	Table 6.1	Natural England notes that the use of a Mass Flow excavator (MFE) represents the Worst-Case Scenario (WCS) for sediment dispersion. Whilst we welcome the commitment in [REP6-050] to not discharge sediment with 1km of KKE MCZ, we question whether this includes the use of MFE methods and whether the WCSs of sediment deposition within KKE MCZ are realistic?	Natural England advises that further information be provided on the use of the MFE within 1km of KKE MCZ, and whether the WCS of sediment deposition which has been presented within the MCZ is realistic?	MFE will occur at the location of the infrastructure and it does not require sediment disposal, therefore the 1km disposal buffer is not applicable to MFE. The hydrodynamic and dispersion modelling report [REP7-041/042] provides modelling of conservative worst case scenarios for MFE and disposal in relation to the KKE MCZ. The results of the modelling have been assessed in MCZA Report [REP7-019/020] which shows that there will be no risk of hindering the conservation objectives.
Table 2 – Outline Sediment Disposal Management Plan					
REP7-087_d	1	Table 2.1 Para 16	Whilst Natural England welcomes the reduction in the MDS volumes for sediment disposal within the array, these are not sufficient to make a material difference to benthic receptors.	N/A	The effects on benthic ecology are not significant, as shown in ES Chapter 10 Benthic and Intertidal Ecology [**APP-024**]; Supporting Information on Offshore Additional Mitigation [**REP4-041**; the RIAA Part 2 Benthic ecology [**REP7-013/014**] and MCZA Report [**REP7-019/020]**.
REP7-087_e	2	Section 3.4 Para 27	Whilst Natural England welcomes the mitigation to "Disposal of any dredged sediment will be at a distance that is greater than 1km from the KKE MCZ to allow natural sedimentary processes to continue unaffected" we advise that based on the hydrodynamic and dispersion modelling results provided in [REP6-054], this mitigation may not be sufficient to remove the likelihood that the conservation objectives of the Kentish Knock East MCZ will be hindered.	We advise that the mitigation measures currently proposed may not be sufficient to avoid hindrance of the conservation objectives of the KKE MCZ from relevant construction phase impact pathways.	Throughout the pre-application and Examination phase, the Applicant has taken on board the advice of Natural England and made extensive mitigation commitments. These include: • Reducing the array area following Section 42 feedback to avoid any overlap with the KKE MCZ ensuring there will be no direct effects on the KKE MCZ; • Removing Gravity Base foundations from the design envelope; • Foundations will be 50m from the KKE MCZ; • Disposal of any dredged sediment or clay will be deposited at least 1km from the KKE MCZ. Furthermore, extensive hydrodynamic and sediment dispersal modelling [**REP7-041/042**] has been undertaken of the indirect effects on the KKE MCZ and an updated MCZ Assessment [**REP7-019/020**] provided. It should be noted that the KKE MCZ is designated for subtidal sand, mixed sediment and coarse sediment. The dominant sediment type recorded in the North Falls array area during the site-specific benthic survey was medium to coarse sand and therefore any suspended sediment arising from within the array area and subsequent sediment deposition on the eastern edge of the KKE MCZ would be of comparable sediment to the MCZ features.

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					The initial deposition of sediment from construction works in the array area would occur over a small area of the KKE MCZ and would be between 5cm to 60cm. As the sediment arising from within the array area is comparable to that of the designated features of the KKE MCZ and will be mobile, driven by the existing physical processes, the effect will be temporary as the sediment is naturally re-distributed by the prevailing waves and tidal currents. Therefore the associated communities can be expected to recover. This is supported by monitoring at Greater Gabbard (CMAS, 2014) which shows the amount and distribution of coarse sediments remained similar pre- and post-construction. In addition, there was no material change to the communities. A derogation case (including without prejudice) has never been required for indirect effects on seabed habitats, such as has been requested for North Falls. Thus, the Applicant considers there is substantial evidence and precedent to support the position that North Falls will not hinder the conservation objectives of the KKE MCZ and therefore a derogation case should not be required.
Table 3 – Outline Cable Specification and Installation Plan					
REP7-087_f	1	Section 3.2 Para 16	Natural England welcomes the adoption of mitigation to ensure no linear arrangement of boulders following boulder clearance.	Natural England advises that this measure is secured on a named plan on the DCO/dML and for this proposed mitigation is considered sufficiently secured.	The Outline Cable Specification and Installation Plan is named and secured in the relevant DML (Schedule 9, Part 2, Condition 22(h)).
REP7-087_g	2	Section 4.3 Para 41	Natural England welcomes the commitment to avoid cable protection in water < 5m CD, however, we advise that to mitigate potential impacts to bedload transport and any associated changes to benthic ecology along the Essex coastline this commitment should go further to landward of 10m LAT.	Natural England reiterates our advice that to mitigate potential impacts to bedload transport and any associated changes to benthic ecology along the Essex coastline this commitment should go further to landward of 10m LAT. We further advise that measures be secured via the DCO.	Please see response to REP7-086_b
Table 4 – Outline Project Environmental Management Plan					
REP7-087_h	1	Para 7.2.3	Natural England welcomes the adoption of mitigation to "place boulders in a habitat similar in structure and function. This will ensure the randomised layout of boulders will be maintained (i.e. there will be no linear arrangement)."	Please see Point 1 of Table 3 above.	The Outline PEMP is secured in the DMLs by condition 21(1)(d) of schedules 8 and 10 and condition 22(1)(d) of schedule 9.
Table 5 – Offshore In-Principle Monitoring Plan					
REP7-087_i	1	Para 17 Table 5.1	Natural England advises that owing to the results of the deposition modelling from seabed preparation activities in [REP6-054], and the significant potential for lasting impacts to the features of Kentish Knock MCZ, specific targeted monitoring of the extent and distribution of benthic features and their supporting processes should be included within the In-Principle Monitoring Plan.	Natural England advises that the IPMP should include specific targeted monitoring of benthic features within Kentish Knock MCZ in order that the nature, extent and duration of impacts from seabed preparation activities can be compared against predictions within the EIA and MCZ assessments (once those assessments have been appropriately updated – see Table B1 point 1 above). Therefore, we advise that the Applicant should commit to intensive monitoring of the affected area within the MCZ, including monitoring of potential changes to sediment composition, seabed level and morphology and should include thresholds of change to trigger remedial action if impacts are observed to be greater than predicted. This monitoring would need to be included in the IPMP and secured in the DCO/dML.	The Applicant disputes that there is significant potential for lasting impacts to the features of Kentish Knock MCZ. As previously discussed, the indirect effects of deposition from sediment arising from the array area during construction would be of sediment comparable to the designated features of the KKE MCZ. This will therefore become integrated and naturally re-distributed by the prevailing waves and tidal currents and the effect will be temporary. See response to REP7-086_e regarding the Applicant's position that the monitoring proposed is appropriate and proportionate. Furthermore, in accordance with the IPMP [7.10, Rev 3], in the event that the monitoring results show a greater impact than that assessed, the Applicant will review an adaptive management approach in consultation with the MMO and SNCB.
REP7-087_j	2	Tables 5.1 & 5.2	Natural England notes that the Applicant has committed to monitoring within MLS SAC to determine changes to physical processes from adjacent cable protection during the operational	Natural England advises that a monitoring commitment should be added within Table 5-2 to ensure that monitoring objectives include consideration of changes to ALL benthic features in light of the	The receptors of the monitoring of indirect effects on Marine Protect Areas are already shown in the IPMP [7.10, Rev 3], Table 5-2 to be

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			phase, but that commitments do not sufficiently include benthic ecological receptors.	Conservation Objectives for the site, not just geogenic and/or biogenic reef. Natural England notes and welcomes the provision requiring adaptive management measures to be implemented should impacts be greater than predicted.	'Benthic communities'. Therefore, no change is required to the IPMP.

2.4 Applicant's Response to Natural England's comments regarding Appendix E7 [REP7-088]

Table 2.4 Applicant's Response to Natural England's comments regarding Appendix E7 [REP7-088]

REF	NE REF	SECTION	KEY CONCERN AND/OR UPDATE	NATURAL ENGLAND'S ADVICE AT D7 TO RESOLVE ISSUE	APPLICANT'S RESPONSE
Table 1 – Draft Marine Mammal Mitigation Protocol					
REP7-088_a	1	Plate 1.2	We are content with the amendments of the Plate 1.2 as per our advice.	N/A	Noted.
REP7-088_b	2	Section 1.4 Table 1.5	Natural England notes that the Applicant has not accepted our advice on the use of Passive Acoustic Monitoring (PAM) for Unexploded Ordnance (UXO) clearance. The Marine Mammal Mitigation Protocol (MMMP) [REP6-030] still refers to this as 'unlikely to be required'. We also note the Applicant's response in E27 of Table 1.5 Examination Comments and Relevant Representations: "For UXO clearance the Applicant has committed to the use of PAM in instances when there are not favourable conditions with good visibility (sea state 3 or less)."	Our advice remains that PAM is a required monitoring tool for UXO clearance especially given that the proposed development is within a designated SAC for harbour porpoise. Therefore, we do not consider this issue to be resolved.	The Draft MMMP **[Document Reference 7.7, Rev 4]** contains details for how PAM will be utilised, as set out in Section 1.4.3.2.2. As per Natural England's request the text has been amended to ensure, if required, PAM will be used in conjunction with the MMObs for the UXO clearance mitigation procedures.
REP7-088_c	3	Table 1.5	We also note the Applicant's response in E23 of the Table 1.5 Examination Comments and Relevant Representations [REP6-030]: "Alternative monitoring strategies will be considered in the final MMMP post consent. MMO and PAM techniques are developing and changing, and technologies are already available including night vision binoculars and cameras that are already regularly used for research and mitigation purposes, and alternative visual strategies could be considered. All options will be considered, and this will be developed in consultation with relevant stakeholders, including Natural England, post-consent."	We advise that it is important that this statement is included in the main body text of the Draft MMMP, not just in the Appendix as a response to our comment, to ensure that the Monitoring Area (MA) of 700m will be adequately monitored to guarantee the detection of the key species.	The Draft MMMP has been updated **[Document Reference 7.7, Rev 4]** and submitted at Deadline 8 to ensure this has been added to the main body of text in the Draft MMMP, Section 1.3.2.1.2.
REP7-088_d	1	Table 5.3	Natural England welcomes the Applicant's decision that at least one of the four monitored piles will be at a location anticipated to generate the greatest underwater noise levels. Natural England notes that the Applicant proposed to conduct additional monitoring besides the standard requirement for noise measurements for the first four piled foundations (Table 5.3).	We provisionally agree with the proposed monitoring which we will discuss with the Applicant in more detail during the post consent engagement.	The Applicant welcomes Natural England's comment and agree further engagement will be undertaken post consent.
REP7-088_e	2	Para 49	We note in Para 49 that it states "All potential cumulative residual effects were determined to be negligible to minor adverse (not significant)". This is not in line with the updated assessment provided within [REP5-069] 9.81 Marine Mammal Assessment Classification whereby 'Table 2.4 Overall Significance of Effect for the iPCoD and DRC Approach for the Cumulative Effects Assessment (prior to additional mitigation)' indicated major and moderate adverse effects for harbour porpoise and seals respectively (as per DRC assessment methodology).	We advise that this should not be overlooked, and all documents should be consistently reporting the outcomes of the updated assessment.	The Applicant notes Natural England's comment however, the findings presented in **[REP5-069]** 9.81 Marine Mammal Assessment Classification Table 2.4 were the updated cumulative effect assessment results prior to additional mitigation. As stated in Paragraph 45 of the **[REP5-069]** 9.81 Marine Mammal Assessment Classification document, "The residual effect of these results will be reduced to a non-significant level of effect due to the mitigation proposed by the Project, as described in the Draft Marine Mammal Mitigation Protocol (MMMP) and the Outline Site Integrity Plan (SIP).", the cumulative residual effects will not be significant with the proposed mitigation procedures in place.

2.5 Applicant's Response to Natural England's comments regarding Appendix I7 [REP7-089]

Table 2.5 Applicant's Response to Natural England's comments regarding Appendix I7 [REP7-089]

REF	SECTION	NATURAL ENGLAND'S COMMENTS	APPLICANT'S RESPONSE
REP7-089_a	1.1	Natural England welcomes the submission of in principle National Landscape Enhancement Scheme Principles [REP6-062] into the examination. However, Natural England advise that the Applicant has not adequately demonstrated how the project proposes to further the statutory purposes of the Suffolk & Essex Coast & Heaths National Landscape (in accordance with section 245 of the Levelling Up and Regeneration Act (2023) ('LURA duty').	Please see responses to points REP7-089_b to REP7-089_j below for the Applicant's response to this point.
REP7-089_b	1.2	This matter is of considerable concern given Natural England's advice that the project has the potential to significantly (in EIA terms) impact the special qualities of the SECHNL and special character of the Suffolk Heritage Coast, in particular when acting cumulatively with other existing, consented and proposed OWF projects. Moreover, with reference to paragraph 10 of REP6-062 (which states "The Applicant has proposed a fund of £10,000 which it considers to be commensurate with the anticipated scale of effect of the Project on the special qualities of the SECHNL"), we would emphasise that the Applicant should be following the mitigation hierarchy and harm should first be avoided, reduced and then mitigated before it can be compensated for. In light of the significant EIA-level impacts predicted, Natural England seeks a greater level of assurance that the mitigation hierarchy has been thoroughly applied in the project design, and then the provision of specific details regarding any necessary compensation for those impacts the earlier stages of the hierarchy have been unable to address.	The design process for the offshore array is set out in ES Chapter 4 Site Selection and Assessment of Alternatives **[APP-018]**. The Applicant has taken significant steps through the design evolution process to avoid, reduce and mitigate effects associated with the offshore array. This has included the significant reduction and then complete removal of the 'northern array' which was previously included (refer to Figures 4.1 and 4.2 in **[APP-050]**) to increase separation between the wind turbines and the SECHNL. In addition, a reduction in turbine height between the PEIR and DCO application further reduced likely visual impact of the offshore array. These changes have resulted in a Project which has less than significant effects on the landscapes and special qualities of the SECHNL, as set out ES Chapter 29 Seascape, Landscape and Visual Impact Assessment (SLVIA) **[APP-043]** and in the Assessment of the Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast - Technical Note (Rev 1) **[REP5-038]**. The Applicant's Response to the Rule 17 Request **[REP6-062]** proposes, submitted on a without prejudice basis, that any compensation measures be focused along the coastal edge, where significant effects on views from the coast, and non-significant effects on special qualities of the SECHNL, would occur.
REP7-089_c	1.3	We emphasise that the DESNZ Secretary of State (SoS) must apply the Duty (section 245 of the Levelling Up and Regeneration Act 2023), and in doing so consider the extent to which the proposed Enhancement Scheme has identified relevant measures to further the statutory purposes and evaluate these in the specific context of impacts to the SECHNL.	The Applicant prepared the draft National Landscape Enhancement Scheme Principles in the Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes [**REP6-062**] on a without prejudice basis in response to a direct request from the Examining Authority. The Applicant maintains that the duty under section 85(A1) of the *Countryside and Rights of Way Act 2000* in respect of the Project can be discharged by the Applicant and the Secretary of State without the inclusion of any additional compensatory measures.
REP7-089_d	1.4	In response to the National Landscape Enhancement Scheme Principles [REP6-062], Natural England advise that: a. The Applicant has not justified how the proposed Enhancement Scheme fund of £10,000 is commensurate with the anticipated scale of effect of the Project on the special qualities of the SECHNL or whether a greater level compensation is required.	The Applicant considers that the draft National Landscape Enhancement Scheme Principles **[REP6-062]**, submitted on a without prejudice basis, are commensurate with the scale of the potential effects upon the special qualities of the SECHNL, given that the offshore array will be located at least 40 km from the SECHNL, and that no significant effects on those special qualities are anticipated. The Applicant notes that Natural England has not proposed an alternative sum or provided any justification as to why a larger sum is appropriate, reasonable or proportionate in the respect of North Falls.
REP7-089_e	1.4	b. It is not clear how the funds proposed can achieve enhancements that would meaningfully deliver improvements to landscape quality.	The draft National Landscape Enhancement Scheme Principles **[REP6-062]**, submitted on a without prejudice basis, make clear that "*The projects or initiatives that will 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*."
REP7-089_f	1.4	c. Settling on a financial value before the required offsetting measures have been identified risks severely constraining the Applicant's ability to identify effective measures and therefore allow DESNZ to discharge the duty.	Refer to the Applicant's response to item REP7-089_d and REP7-089_e above.
REP7-089_g	1.4	d. It is not clear which special qualities the Applicant is proposing to enhance.	Refer to the Applicant's response to item REP7-089_e above. The Applicant's Response to ExA's Request for further information (Rule 17) - National Landscapes [**REP6-062**], submitted on a without prejudice basis, proposes that any projects brought forward under a National landscape Enhancement Scheme focus on projects and initiatives relating to enjoyment of the coast and coastal views, as these are the components of the SECHNL which will be subject to (non-significant) effects as a result of North Falls. The special qualities subject to effects in these coastal areas are set out in Assessment of the Special Qualities of the Suffolk and Essex Coast and Heaths National Landscape and Suffolk Heritage Coast - Technical Note (Rev 1) **[REP5-038]**, which concludes that there are potential for non-significant effects upon the special qualities falling under landscape quality, scenic quality, relative wildness and relative tranquillity in these coastal areas.
REP7-089_h	1.4	e. The proposed Enhancement Scheme does not specify how the Project proposes to meet the SECHNL objectives in the Management Plan.	Refer to the Applicant's response to item REP7-089_c above.
REP7-089_i	1.5	Natural England therefore advises that the Applicant develops an Enhancement Scheme strongly focussed on the significant impacts to the special qualities identified as part of the	Refer to the Applicant's response to item REP7-089_c above.

REF	SECTION	NATURAL ENGLAND'S COMMENTS	APPLICANT'S RESPONSE
		Environmental Impact Assessment and then brings forward relevant measures in appropriate locations that can improve the landscape quality in ways that offsets those impacts.	
REP7-089_j	1.6	Natural England strongly encourages the Applicant to engage with Suffolk County Council and the National Landscape team to discuss the scope of potential projects.	The Applicant held a meeting with SECHNLP and SCC on 3 July 2025, and will continue to engage with both parties following the close of the Examination.

2.6 Applicant's Response to Natural England's comments regarding Appendix K7 [REP7-090] Risk and Issues Log

(The Applicant has only commented here by exception to items listed within Natural England's Appendix K6. A lack of response to a particular point does not suggest the Applicant agrees with Natural England's position on that point.)

Table 2.6 Applicant's Response to Natural England's comments regarding Appendix K7 [REP7-090]

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
(A) DCO									
REP7-090_a1	Schedule 15	2	A2	Schedule 15 compensation only covers impacts to Lesser Black Backed Gull (LBBG). We cannot advise that an Adverse Effect on Integrity (AEoI) on the Flamborough and Filey Coast (FFC) Special Protection Area (SPA) can be excluded. Provision for compensatory measures for the relevant features should be included in the draft DCO on a without prejudice basis.	No Change.		Partial resolution. The updated DCO includes a schedule for Kittiwake compensation. Comments have been provided on the without prejudice drafting of the schedule.		The Applicant updated the draft DCO at Deadline 6 to include compensation schedules for Kittiwake at the FFC SPA and Guillemot at the FFC SPA and Farne Islands SPA [**REP6-005**]. The Applicant made updates to the draft DCO [**REP7-007**] and without prejudice HRA DCO schedules [**REP7-043/044**] at Deadline 7 to address points raised by Natural England on the drafting of the schedules. Other drafting points raised by Natural England with which the Applicant does not agree have been responded to in the Applicant's Response to ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a2	Requirement 7	4	A5	We would expect the landscape requirements to also cover survey methods, monitoring requirements and the requirement to maintain, including the potential for replanting due to plant failures. Further, we would expect to be consulted on these plans prior to their approval by the relevant Local Planning Authority (LPA).	No change.		See response to ExAQ3 Q14.0.3 in Appendix M7. No change.		As outlined in Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO **[REP7-056]**, the Outline Landscape and Ecological Management Strategy [**REP7-027**] sets out that the written landscaping scheme secured under Requirement 7 of the Draft DCO **[REP7-008]** must include details of survey methods, proposed monitoring, and the requirement to maintain and replant due to plant or tree failures. Therefore, this is already secured and the Applicant considers that the wording of Requirement 7 does not require amending.
REP7-090_a3	Requirement 8	5	A6	Natural England requests the text be amended to include a requirement to consult the relevant Statutory Nature Conservation Body (SNCB) on the Code of Construction Practice (CoCP) and recommends that the requirement should note the final CoCP must accord with the outline CoCP.	No change.		No change.		The Applicant updated the draft DCO at Deadline 6 to include this amendment (see [**REP6-005**] and [**REP6-006**]). Requirement 8(2) states that the onshore works must be constructed in accordance with the approved code of construction practice which, per paragraph 8(1), must accord with the outline code of construction practice and must be approved by the discharging authority in consultation with the relevant SNCB and the Environment Agency. The Applicant submits that this addresses Natural England's comments at this item.

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
REP7-090_a4	Requirement 12	6	A7	Natural England requests that the relevant SNCB be included as a required consultee. We also note that based on the wording here, and the interpretation of onshore commencement, clearing works could be conducted prior to the submission and approval of the final Ecological Management Plan (EMP). This provision should be amended to state that no pre commencement clearance works should be undertaken until a written EMP, as relevant to the stage of the works, has been submitted to, and approved by, the LPA following consultation with the relevant SNCB.	No change.		No change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**]. The Applicant updated the draft DCO at Deadline 6 to list 'the relevant SNCB' as a consultee for the ecological management plan required under Requirement 12(1) (see [**REP6-005**] and [**REP6-006**]).
REP7-090_a5	Requirement 21	8	A9	The relevant SNCB is not listed as a consultee on the Biodiversity Net Gain (BNG) strategy, given the nature of this plan we would request consultation on this document. Further we note that no time period is given for the duration of which the strategy should be monitored, maintained or when adaptive management measures may be implemented. The requirement should ensure the strategy is enforced for a period of thirty years, or for the lifetime of the development.	No change.		No change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a6		9	A10	Due to the need to appropriately consider in-combination impacts of other developments it is important that the Site Integrity Plan (SIP) should not be submitted too early. Natural England advises this condition should be amended to give an individual timing requirement to be submitted no sooner than 9 months and no later than 6 months prior to commencement of piling.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a7		10	A11	Natural England notes that the monitoring conditions only cover benthic monitoring. Ornithological and marine mammal monitoring should also be requirements due to the potential for impact.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a8		12	A13	Natural England notes that this condition does not have provision for marine mammal monitoring. Further, we note the recent SoS decision for SADEP approved the following recommendation from Natural England and the Marine Management Organisation (MMO) for particular impacts requiring remediation or further mitigation works in the event of impacts being greater than predicted. Natural England requests that a similar condition is included within all dMLs.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
REP7-090_a9		14	A15	Natural England notes that nowhere within these dMLs does there appear to be any requirement to notify the MMO with regard to which build option has been chosen. As Five Estuaries is still in examination we would recommend consideration for both projects to capture a requirement to co-ordinate on the onshore cable works. We recommend consideration of including provisions for co-operation and for notification to the MMO as offshore enforcing body of the build option selected.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a10		15	A16	Natural England notes that compensation provisions have been provided for LBBG only. We have advised that compensation is required for other ornithological and benthic features, specifically kittiwake, guillemot and razorbill at Flamborough & Filey Coast Special Protection Area (SPA). The compensation schedule should be updated to cover all sites where there is currently disagreement regarding an adverse effect on site integrity.	No Change.		Partial resolution. The updated without prejudice HRA document [REP6-058] includes schedules for red-throated diver, guillemot and razorbill. Comments have been provided on the without prejudice drafting of the schedule.		Regarding benthic habitats, the Applicant updated the without prejudice HRA DCO Schedules to include the Margate and Long Sands SAC at Deadline 7 and the Kentish Knock East MCZ at Deadline 8 [**Document ref: 9.73, (rev 3)**). Regarding ornithological features, the Applicant made updates to the draft DCO [**REP7-007**] and without prejudice HRA DCO schedules [**REP7-043/044**] at Deadline 7 to address points raised by Natural England on the drafting of the schedules. Other drafting points raised by Natural England with which the Applicant does not agree have been responded to in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a11		17	A18	The Offshore Ornithology Engagement Group appears similar to the steering groups used on other compensation provisions. However, the condition does not include the need to provide and consult upon; terms of reference for the group, details of proposed meetings, timetable for the preparation and delivery of the LBBG Compensation Implementation and Monitoring Plan (CIMP), or a dispute resolution mechanism.	No Change.		No Change.		The Applicant addressed this in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**]. The Applicant has updated Schedule 15 of the draft DCO at Deadline 7 to address these points [**REP7-007**].
REP7-090_a12		18	A19	Natural England notes the wording here is confusing as it implies that compensation may be delivered through some other unknown, or undetailed, mechanism and thus the compensation within this provision may not be required. We recommend amending this provision and consideration of how to appropriately implement a provision allowing strategic compensation options. This could also be applied to other compensation schedules provided on a without prejudice basis.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a13		19	A20	The list of requirements to include in the CIMP is lacking in detail when compared to similar provisions. Within (d) we would expect to see survey methodologies, timetables for the monitoring to be	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
				conducted and reports delivered and success criteria. Within (g) we would expect to include a detailed mechanism to determine the need for any alternative compensation or adaptive management measures, along with potential further monitoring and maintenance of such measures.					The Applicant updated Schedule 15 of the draft DCO at Deadline 7 to address some of these points [**REP7-007**].
REP7-090_a14		20	A21	We note this requirement ensures that LBBG compensation must be provided three full breeding seasons prior to operation. Natural England recommends the Applicant amends the condition to reflect four full breeding seasons in line with compensation requirements for other projects.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a15		21	A22	The compensation may be required for longer than the lifetime of the project and so should be maintained until the SoS approves its decommissioning in consultation with the relevant SNCB. Natural England recommends the Applicant amends the provision to require the approval of the SoS and consultation with the SNCB.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a16		23	A24	It would be helpful if the Outline Operations and Maintenance plan could specifically set out O&M activities so it can be read as a standalone document.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a17		25	A26	This plan doesn't really align with the Cable statement [APP-262] and we advise that this is addressed by the Applicant.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a18		26	A27	Natural England notes the Schedule of Mitigation and [APP-262] Cable Statement are not a named documents in the DCO, Natural England considers these documents should be certified under the DCO. Further, the use of terms such as 'where practicable' throughout the document cause concern because listing out mitigation doesn't mean it is achievable and/or that there is commitment to do it. In addition, there is no detail to demonstrate that by undertaking the mitigation it will sufficiently minimise impacts to acceptable levels. We advise that this document is updated to clarify what is/isn't committed to by the Applicant.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a19		27	A28	There is reliance by the Applicant on monitoring as a form of mitigation, which it is not. We advise that all references to monitoring other than to test the effectiveness of mitigation measures are removed from the schedule.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
REP7-090_a20		28	A29	Natural England highlights that the document [APP-262] Cable Statement is currently overly simplified and too high level and that it is not clear how this plan aligns with the other named plans and document. Reliance on these documents alone as set out in the documents purpose could cause key commitments to not be implemented. Natural England would welcome further clarification from the Applicant on how the plans work together, and further detail being included within the document.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
REP7-090_a21		30	A31	Natural England has requested the DCO include a condition or requirement to ensure that the project does not exceed the operational lifetime considered within the Environmental Statement.	No Change.		No Change.		The Applicant has addressed this point in the Applicant's Response to the ExA's Proposed Schedule of Changes to the dDCO [**REP7-056**].
(B) Marine Processes									
REP7-090_b1		1	B1	There is uncertainty regarding the likely success of subtidal Horizontal Directional Drilling (HDD) at the landfall point. Geotechnical/expert evidence in support of HDD should be presented. Otherwise an alternative WCS should be presented as a contingency.	Progressed. The Applicant has confirmed [REP4-028] that an intertidal HDD exit may not be feasible due to the depths of the seawall and the extents of the intertidal area. Therefore, the subtidal exit is optimal. Furthermore, the Applicant has confirmed [REP4-028 & REP5-027] that further site investigation works are planned for later this year to better understand the geology in the area and to inform post-consent detailed design. However, until this is provided there remains a risk re: the feasibility of HDD at this location and/or the need physically protect assets. Applicant to signpost the commitment to carry out further site investigations later this year. We also query if the timing of those surveys could inform determination if required by the Secretary of State?		No change since previous deadline, pending review of Deadline 7 documents.		The Applicant responded to this at Deadline 7 in the Applicant's Response to Natural England's Deadline 6 submissions [**REP7-052**]. The site investigations are required to inform detailed engineering design (e.g. to inform the drilling equipment required to achieve the required Horizontal Directional Drill (HDD)). Commitment is made to HDD to the subtidal zone which is secured in the Outline Horizontal Directional Drill Method Statement and Contingency Plan [**REP5-026/027**]. Therefore, any risk/obligation sits with the Applicant to ensure this is achieved and there is no requirement to secure site investigations required to inform detailed design. Furthermore, site investigations to inform detailed design are not a requirement of the Secretary of State's determination.
REP7-090_b2		2	B2, B10	There is uncertainty with the (realistic) WCS parameters for seabed level changes during construction from deposition. Further consideration and assessment of WCS for seabed level changes due to the different seabed preparation and construction activities is required, including sediment deposition thickness, extent, and persistence.	Progressed. Whilst the Applicant has provided further information in [REP5-054] and [REP5-055] our advice remains as per Deadline 5 Further clarification is needed on the worst-case sediment deposition thickness at the worst-case location(s) i.e. adjacent to KKE MCZ, for construction-related activities (including sediment disposal) where there is the potential for sediment deposition thicknesses to overlap.		No Change. In [REP6-059] the Applicant has stated that the potential for concurrent construction activities and overlapping sediment deposition can be clarified in updates to the hydrodynamic and sediment dispersion modelling at Deadline 7. We also note that an updated MCZA report will be provided at Deadline 7. Therefore, we will update our advice pending review of these updated documents.		The Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] now provides predictions of suspended sediment concentrations and seabed level changes during the concurrent installation activities of sand wave and megaripple levelling for the export and array cables, and seabed preparation for the smallest turbine foundations. There are no predicted changes in the MCZ due to seabed preparation for foundation installation. The initial deposition of sediment following array cable installation would occur over a small area of the MCZ and would be between 5cm to 60cm. This sediment will be comparable to the features of the MCZ and will be mobile, driven by the existing physical processes, therefore will be re-distributed by the prevailing waves and tidal currents. Therefore, there

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									will be no significant risk of hindering the conservation objectives of the MCZ.
REP7-090_b3		3	B3, B16, B30, B31, B32	(a)There is uncertainty regarding the wave and current modelling and a lack of information regarding seabed mobility and seabed erosion/deposition. As a result, we are currently unable to support the impact assessment conclusions relating to sediment transport processes and scour development at KKE MCZ and Annex I sandbanks. (b) Equally further consideration of bed shear stress changes and the sediment erosion/deposition potential within and adjacent to the array through the different phases for the Project alone and cumulatively with other nearby Offshore Wind Farms (OWFs) is required due to uncertainties.	No change.		Progressed. The Applicant has updated their modelling report [REP6-054] to show predicted absolute changes in bed shear stresses in KKE MCZ and at MLS SAC, which is welcomed. However, the hydrodynamic modelling results need to be considered in terms of impacts on erosional and depositional processes near and on the seabed, seabed morphology, and seabed sediment composition at the MCZ and Annex I sandbanks (including potential cumulative effects).		The predicted absolute changes in bed shear stresses are provided in the Hydrodynamic and Dispersion Modelling Report [see Figures 5.65, 5.66, 5.69, and 5.70, **REP7-041/042**]. They show that the predicted absolute change in bed shear stresses in the KKE MCZ and MLS SAC are less than 0.05N/m2. The revised report now presents the baseline absolute bed shear stresses as Figure 5.37 to Figure 5.44 [**REP7-041/042**]. Baseline magnitudes of greater than 2N/m2 were predicted across both the MCZ and the SAC. A change of less than 0.05N/m2 on top of these baseline values would have no discernible effect on the sediment sizes that can be transported before and after the changes, and hence not cause any significant change to patterns of erosion/accretion or morphology.
REP7-090_b4		5	B5, B28	Further information on the anticipated location and extent of cable protection near MLS SAC is required to demonstrate that adverse impacts to the SAC due to disruption of sediment transport pathways operating around the northern boundary and seabed morphology can be excluded. The assessment should consider total amounts of cable protection proposed across the different project phases. Please also refer to B13.	No change, pending review of Deadline 6 documents.		No Change. We still seek clarification on the WCS cable protection placement adjacent to MLS SAC and whether the WCS has been considered in the modelling assessment [REP6-054]. This will help inform understanding of the potential for cable protection to modify sediment transport processes/pathways near the SAC.		The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from cable protection placed anywhere in the offshore cable corridor. Therefore, an AEOI of the MLS SAC can be ruled out.
REP7-090_b5		6	B8, B28	North Falls acknowledge that cable protection on the seabed would represent the WCS at HDD exit pits and along the intertidal cable route. Natural England is unable to agree with the Applicant's negligible significance assessment of this impact. Further clarity is required on whether rock berms for cable armouring are proposed within the intertidal, if that is the case then further investigation of potential disruption to longshore drift and the potential to impact overlapping designated sites downdrift is required.	No change. See also our advice in Appendix B6 to our Deadline 6 submission.		We note [REP6-052] that the Applicant has committed to not placing cable protection in areas where the seabed is shallower than 5m Chart Datum (c. 1.5km offshore and the calculated depth of closure), which is welcomed. However, we seek clarity that this includes no cable protection on nearshore Annex I sandbanks where water depth is also less than 5m.		Commitment that nearshore, no cable protection will be placed within areas where the seabed is shallower than 5m Chart Datum is secured in the Outline Cable Specification and Installation Plan **[REP7-039/-040].**
REP7-090_b6		8	B12, B29	The WCS for foundation installation requiring drilling is 10% of 34 Wind Turbine Generators (WTGs) and one Offshore Substation Platform (OSP)/Offshore Converter Platform (OCP). The rationale for this WCS is unclear. The anticipated location where drilling may be required for foundation installation has not been provided. It is also stated that aggregated mud clasts within drill spoil mounds would mostly remain static. Conversely, it is also stated that over time the mound would gradually winnow away and lower through erosion. Further clarity on WCS for persistence of drill arisings and their	No change, pending review of Deadline 6 documents.		No Change. Sediment deposition generated by drilling for both small and large WTGs is predicted to occur within the array area near the structures and would be less than 0.5cm. However, the potential for overlapping sediment deposition due to concurrent construction activities is to be clarified in updates to the hydrodynamic and sediment dispersion modelling at Deadline 7. Therefore, we consider that this issue may be resolved pending review of the clarifications and updated document(s).		The Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] now provides predictions of suspended sediment concentrations and seabed level changes during the concurrent installation activities of sand wave and megaripple levelling for the export and array cables, and seabed preparation for the smallest turbine foundations. The worst case scenario for seabed preparation is based on suction caisson foundations, therefore it is not appropriate for drill arisings to be added to the worst case modelled suspended sediment volumes as part of the concurrent scenario.

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				location is required, before we can advise on the scale and significance of changes to marine processes and potential impacts to sensitive receptor from the presence of the arisings.					
REP7-090_b7		9	B13	(a) Currently the project design allows for additional cable protection allowance for both the array and platform interconnector cables (20% of the length) and the offshore export cable length (10% of the length). Further information is needed regarding the rationale as to why cable protection is needed given the alternatives, the amounts required and how they have been minimised, and their anticipated placement location demonstrating there is no overall increase in footprint, before we can advise further on potential scale and significance of the impacts. (b) Standard quantities of additional scour and/or cable protection replenished outside of benthic SACs should be committed to namely 10% of any scour prevention/cable protection laid during installation within a 10-year period only with a requirement for further marine licence beyond that.	No change, pending review of Deadline 6 documents.		Progressed. In [REP5-055] the Applicant confirmed that the maximum area and volume of scour and /or cable protection are included in the draft DCO. Additionally, in the DCO it states that any cable protection authorised under this licence must be deployed within 10 years from the date the Order comes into force unless otherwise agreed by the MMO in writing. This is welcomed. However, in [REP1-044] the Applicant stated they were in the process of looking further at the cable installation requirements, which will feed into the amount of cable protection required and will provide a further update during Examination. We would welcome the Applicant's signpost to this update, if available.		The Applicant has modelled likely cable protection locations, along with conservative worst case cable protect locations. These scenarios are shown in Figures 5.18 and 5.20 of the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**].
REP7-090_b8		10	B14, B28	It is stated that currently "the exact number of crossings are still being confirmed." Therefore, the WCS for the number of cable protection needed at crossings is unclear. A map should be provided identifying the location of cable crossings offshore, including designated sites and sensitive receptors. And assessments updated accordingly.	No change, pending review of Deadline 6 documents.		Progressed. The Applicant has stated [REP6-052] that due to most projects being in development, the exact numbers of cable crossings are still being confirmed. However, they state that the cable protection for crossings is contained within the volume of surface cable protection used within the environmental assessments. Hence the indicative cable protection layout used in the modelling assessment. While we continue to advise that cable crossings are fully assessed at the time of consent and uncertainty remains as to the WCS; we are satisfied that if/when the cable crossing locations are confirmed, the amount of protection should not exceed those assessed. Otherwise a separate marine licence would be required.		Noted
REP7-090_b9		11	B11, B15	The calculation of drill arising mound footprint is based on a mound height 'fixed' at the equivalent average height of the naturally occurring sandwaves on the seabed within the site i.e. 2m high. We believe that this figure could be higher at certain locations. Further clarification as to why this has been fixed as the WCS height for the drill arising mound should be provided and assessments updated.	No change, pending review of updated IPMP at Deadline 6.		No change. The sediment dispersion modelling [REP4-040] has shown that sediment deposition generated by drilling for both small and large WTGs is predicted to occur within the array area near the structures and would be less than 0.5cm. However, we note that evidence to underpin the 0.5cm has not be provided. To resolve this issue, we advise this should be provided prior to consent along with a commitment to undertake post-construction surveys to confirm that the extent and thickness of the drill arising mounds, in particular for any drilling locations adjacent the KKE MCZ.		In accordance with the guiding principles of the IPMP [**REP7-023/024**], monitoring should be targeted to address significant evidence gaps or uncertainty. Given the small scale effect of potential drilling, the Applicant does not consider that it is proportionate to monitor the effects of drill arisings. This is consistent with the approach taken for other consented offshore wind farms, including Sheringham Shoal and Dudgeon Extension Projects and Rampion 2.
REP7-090_b10		12	B17	It is stated that current speeds will return to baseline conditions with progression downstream of each foundation and	No change, pending review of Deadline 6 documents.		No change.		The Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] provides an interpretation of the

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				generally will not interact with wakes from adjacent foundations. It is also stated that these effects will be relatively small in magnitude and local. However, we are unable to agree until the WCS spatial extent of turbulent wakes have been evaluated to inform the impact assessment.					results with respect to interruption of flow and changes to bed shear stresses due to the presence of the foundations. This document provides details on the worst-case scenario parameters for operation of the foundation layouts. The predicted changes in tidal current speeds due to the presence of the smallest turbines and two platforms during spring tides are less than +/- 0.08m/s. This translates to less than 3% of the baseline values of current speed.
REP7-090_b11		13	B18	Link to several points in the R&I long the Applicant should consider and address the following evidence gaps and update the assessments within the Environmental Statement (ES) chapters accordingly. • Up to date sediment transport pathways at the array and indication of sediment transport rates • Site-specific wave measurements for model calibration (within or close to the array) • Characterisation of significant bedforms along the OECC and within/adjacent to the array. • Seabed mobility/susceptibility to scour.	No change, please see our advice at Deadline 5.		In progress. The hydrodynamic modelling results now presents changes in bed shear stress relative to baseline absolute bed shear stresses, which is welcomed. However, the model results need to be considered in terms of impacts on erosional and depositional processes near and on the seabed, seabed morphology, and seabed sediment composition at the MCZ and Annex I sandbanks (this should include consideration of potential cumulative effects).		The predicted absolute changes in bed shear stresses are provided in the Hydrodynamic and Dispersion Modelling Report [see Figures 5.65, 5.66, 5.69, and 5.70, **REP7-041/042**]. They show that the predicted absolute change in bed shear stresses in the KKE MCZ and MLS SAC are less than 0.05N/m2. The revised report now presents the baseline absolute bed shear stresses as Figure 5.37 to Figure 5.44 [**REP7-041/042**]. Baseline magnitudes of greater than 2N/m2 were predicted across both the MCZ and the SAC. A change of less than 0.05N/m2 on top of these baseline values would have no discernible effect on the sediment sizes that can be transported before and after the changes, and hence not cause any significant change to patterns of erosion/accretion or morphology. Potential cumulative changes in bed shear stress are also now considered in the Hydrodynamic and Dispersion Modelling Report.
REP7-090_b12		15	B21	Wave measurements have not been gathered at the North Falls site for model validation. The data used for calibrating the wave model were collected at West Gabbard 2 and South Knock wave buoys. The model was calibrated against a range of past significant storm events, but some were underpredicted. Therefore, the modelled data may not accurately describe the baseline wave climate. Further evidence should be provided to demonstrate that the wave model data are representative of the present-day conditions at the project site.	No change.		Whilst the wave data were not calibrated using data gathered at the windfarm site, and some of the storm events have been underpredicted, the Applicant states [REP4-028] that the model calibration included the largest storm events between 2016-2021, using the latest data available at the time that the wave assessment was produced. Therefore, we agree that further information on the wave modelling is not required for this project. This issue is satisfactorily resolved.		Noted
REP7-090_b13		16	B22	Currently there is a lack of information regarding seabed mobility and seabed erosion/deposition potential to allow us to agree with the assessment conclusions in terms of impacts to bedload transport and secondary scour due to the placement of cable protection in the array. The seabed mobility and seabed erosion/deposition potential need to be considered and assessed. Full consideration should be given to these impacts over the course of the Project and beyond. We also advise that every effort should be made to minimise the placement of external cable protection, particularly on Annex I sandbanks or adjacent to KKE MCZ where it may interrupt sediment transport pathways and affect seabed morphology. Please also refer to our	No change, please see our advice at Deadline 5.		In progress. The Applicant has committed to using pre- and post-construction survey data to analyse bedform migration [REP6-032] which will inform understanding of seabed mobility, which is welcomed. However, the potential for array cable protection to interrupt seabed sediment transport, alter patterns of erosion/accretion, and cause morphological change needs to be further considered with particular regards to KKE MCZ and Annex I sandbanks within/adjacent to the array.		A model has now been run to predict the potential tidal current and bed shear stress effects of cable protection along an indicative position adjacent to the KKE MCZ (Hydrodynamic and Dispersion Modelling Report, **REP7-041/042**). The predicted changes in tidal current speeds and bed shear stresses (sediment transport potential) during spring tides are less than 2% of the baseline values of current speed and bed shear stress. This means that a change of less than 2% would have no discernible effect on the sediment sizes that can be transported before and after the changes, and hence not cause any significant change to patterns of erosion/accretion or morphology.

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				advice in NE Ref B5 and B13 relating to impacts from cable protection.					
REP7-090_b14		18	B24	The potential for temporary physical disturbance associated with Operations and Maintenance (O&M) vessels has only been considered for Annex I sandbanks in the array area. Furthermore, it is stated that all other receptors are beyond the Zone of Influence (ZoI) for this impact. Does this exclude potential impacts to the nearshore. Further clarification is needed that indentations to the seabed due to O&M vessels (and Unexploded Ordnance (UXO)clearance) are not anticipated in the nearshore zone.	No change, the Applicant needs to clarify the WCS seabed disturbance footprint due to O&M vessels (and UXO if relevant) in the nearshore through the Project lifetime. Please see Appendix B6 of our Deadline 6 response.		In Progress. In the ES, for marine processes, the only O&M vessel impacts considered are to Annex I sandbanks in the array area. It is also stated that there is no pathway to the Essex and Suffolk coasts. Therefore, the EIA does not specifically consider impacts to the nearshore. However, the Applicant has clarified [REP4-028] that the EIA considers the relevant receptors both in the array area and along the offshore cable corridor. Furthermore, they have stated that in respect of the impact of indentations on the seabed this has been assessed as either resulting in No change or, at most, Negligible significance of effect. We advise, therefore, that this needs to be clarified.		The Applicant responded to this in Section 2.7 at Deadline 6 [**REP6-059**]. To clarify, the impact of indentations on the seabed would result in No change or, at most, Negligible significance of effect.
REP7-090_b15		19	B25	It is suggested that the magnitude of decommissioning impacts would be comparable to or less than those identified for construction. However, the following should be used to inform an outline decommissioning plan to inform the consent: • Potential lasting impacts to the marine physical environment and processes of any assets left in situ; and • Emerging alternatives to decommissioning such as repowering and life extension. Natural England advises that the Applicant should consider emerging alternatives to decommissioning and secure any associated monitoring in the outline decommissioning plan.	No Change. The Applicant states that decommissioning activities will be addressed through the development of a Decommissioning Programme post consent [REP4-028]. However, we advise that an outline decommissioning plan should be included to inform the Project's consent.		No change.		The Applicant considers it is not necessary to provide an outline decommissioning plan pre-consent. The EIA appropriately considered and assessed decommissioning activities so far as it is practicable and possible to do so at this point in time. Each chapter of the ES considered and assessed the potential for likely significant effects during decommissioning based on assumptions as to the known requirements and methodologies at this time. The decommissioning activities will be appropriately addressed through the development of a Decommissioning Programme post consent, to be submitted prior to commencement of offshore works, as required by DCO Schedule 1, Paragraph 25 and therefore mitigation will be agreed at that time. The Applicant notes this is the approach taken in the recently made Sheringham Shoal and Dudgeon Extension and Rampion 2 DCOs.
REP7-090_b16		20	B27	It is stated that the receptors potentially affected by the cumulative change in sediment transport during operation will not experience a significant cumulative effect. However, the extent of cumulative change has not been quantified. This is important for understanding the implications of the predicted cumulative change over the lifetime of the Project at KKE MCZ and Annex I sandbanks. The cumulative change in sediment transport should be quantified and the implications to KKE MCZ and the Annex I sandbanks over the lifetime of the Project assessed.	No change, please see our advice at Deadline 5.		In progress. We welcome the Applicant's consideration of cumulative effects in the updated modelling assessment [REP6-032]. However, the implications of long-term changes to patterns of erosion/accretion and seabed morphology at KKE MCZ and the Annex I sandbanks within/adjacent to the array, need to be considered.		The predicted changes in tidal current speeds and bed shear stresses due to the presence of the Project alongside proposed and constructed wind farms are provided in the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]. The results show that there will be no cumulative effect in addition to those induced by the Project alone. Apart from Five Estuaries, there are no overlaps between the zones of influence of the Project and other wind farms ([**REP7-041/042,** Figures 5.73 to 5.88). The zone of influence of the neighbouring Five Estuaries is predicted to overlap the zone of influence of the Project, but the cumulative effect does not exceed 5% of the baseline values of both tidal current speed and bed shear stress. Hence, the cumulative change in bed shear stresses would have no discernible effect on the sediment sizes that can be transported before and after the changes, like the Project alone.
REP7-090_b17		21	B29, B31	The tolerance, adaptability, recoverability, and sensitivity to changes in seabed level due to foundation installation, have been assessed as ‘negligible’ for KKE MCZ. This	Progressed. Whilst the Applicant has provided further information in [REP5-054] and [REP5-055] our advice remains as per Deadline 5. Further clarification is needed		In progress. We seek clarification of the realistic WCS sediment deposition thickness and footprint within KKE MCZ due to construction-related activities. We note in		The Applicant provided modelling of concurrent activities in the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] at Deadline 7, along with an updated MCZA Report [**REP7-**

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				'negligible' conclusion is contradictory to Table 8.17 [APP-022] which shows that the near-field magnitude of impact is 'medium.' Given the proximity to KKE MCZ, presence of potentially sensitive species within the array, uncertainty regarding the WCS sediment deposition thickness and insufficient supporting site-specific evidence, we are unable to agree with the conclusions of the impact assessment. Further clarification and supporting evidence are required regarding the WCS sediment deposition height to inform the impact assessment for KKE MCZ.	on the worst-case sediment deposition thickness at the worst-case location(s) i.e. adjacent to KKE MCZ, for construction-related activities (including sediment disposal) where there is the potential for sediment deposition thicknesses to overlap.		[REP6-059] that the Applicant has stated that the potential for concurrent construction activities and overlapping sediment deposition can be clarified in further updates to the hydrodynamic and dispersion modelling by Deadline 7. We will, therefore, reconsider our position once we have reviewed the updated modelling.		**019/020**], which confirms the worst case scenario. There are no predicted changes in the MCZ due to seabed preparation for foundation installation. The initial deposition of sediment following array cable installation would occur over a small area of the MCZ and would be between 5cm to 60cm. This sediment will be comparable to the features of the MCZ and will be mobile, driven by the existing physical processes, therefore will be re-distributed by the prevailing waves and tidal currents. Therefore there will be no risk of hindering the conservation objectives of the MCZ.
(C) Benthic Ecology									
REP7-090_c1		1	C1, C13, C38	Further information is required to provide the necessary confidence in the Worst-Case Scenario (WCS) for cable protection requirements adjacent to Margate and Long Sands SAC, and the remaining cable route, over all project phases.	No change.		No change.		The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from cable protection placed anywhere in the offshore cable corridor. As discussed in Section 2.1 above (REP7-085_b), the Applicant understands this resolves Natural England's concerns and an AEOI of the MLS SAC can be ruled out.
REP7-090_c2		2	C2, C33, C35, C37	Due to uncertainty (reasonable scientific doubt) in relation to consideration of indirect impacts on MLS SAC, we cannot advise the exclusion of an Adverse Effect on Integrity (AEoI). A more detailed assessment of the likely nature and scale of impacts as a result of changes to physical and biological process following the placement of infrastructure is required. Consideration should also be given to the condition assessment for MLS SAC.	No change.		In progress. Natural England notes the inclusion of a separation distance in the Schedule of Mitigation [REP1-007] between infrastructure and the SAC, but further evidence is required to support the buffer and provide assurance that changes to supporting processes and biological communities will not occur within the SAC. In the absence of this information, Natural England are unable to rule out the likelihood that there could be an AEoI on MLS SAC.		The applicant has provided response at Deadline 7 with the submission of bespoke hydrodynamic modelling [**REP7-041/042**] and updated RIAA **[REP7-013/-014**], showing that there will be no AEOI on the SAC.
REP7-090_c3		5	C5, C31, C33, C37, C49, C50	(a)Sediment deposition upon benthic features within Kentish Knock East MCZ (KKE MCZ) requires a more robust assessment regarding the anticipated worst-case sediment deposition parameters due to sandwave levelling/ seabed preparation activities in the vicinity of KKE MCZ. (b) Natural England advises that commitments should also be made and secured to avoid indirect impacts on designated features.	No change.		Progressed. We welcome the Applicant's commitment to avoid disposal of dredged sediment within 1km of the KKE MCZ, with the exception of sediment arising in proximity to the MCZ, which will be deposited as close as practicable to its origin [REP6-050]. However, this does not exclude sediment deposition due to other construction-related activities. We also await clarification from the Applicant on the WCS sediment deposition thickness and extent at the MCZ.		The Applicant provided the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] at Deadline 7, along with an updated MCZA Report [**REP7-019/020**], which confirms the worst case scenario sediment deposition thickness and extent along the eastern edge of the MCZ. The initial deposition of sediment from construction works in the array area would occur over a small area of the KKE MCZ and would have WCS of 5cm to 60cm. As the sediment arising from within the array area is comparable to that of the designated features of the KKE MCZ and will be mobile, driven by the existing physical processes, the effect will be temporary as the sediment is naturally re-distributed by the prevailing waves and tidal currents. The results of this additional work validate the Applicant's conclusion that there will be no risk of
REP7-090_c4		6	C6, C44, C50	Further clarification/evidence is required to demonstrate that an appropriate buffer has been applied around the infrastructure closest to the KKE MCZ boundary to ensure that direct impacts from wake effect, scour,	No change.		Progressed. Please see above. However, we await clarification from the Applicant on the WCS sediment deposition thickness and extent at the MCZ.		

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				etc. and in direct effect effects from changes to marine process will not impact on the interest features of the MCZ. Without the application of a suitable buffer, there is a risk that proposed mitigation does not sufficiently avoid impacts to the MCZ.					hindering the conservation objectives of the KKE MCZ.
REP7-090_c5		7	C7, C32, C41	(a)WCS is based on use of external cable protection in the form of rock protection, but due consideration has not been given to the use of the mitigation hierarchy and reducing/mitigating the impacts as much as possible through the choice of cable protection especially in regard to removal at the time of decommissioning. (b)An Outline Decommissioning Plan should be provided at the time of consent to ensure that mitigation measures requiring the removal of cable protection are achievable and secured. See Point 11 for more detail	No change.		No Change. With regards to decommissioning, we note that the Applicant does not consider it necessary to provide an outline decommissioning plan pre-consent. Instead, decommissioning activities will be addressed through the development of a Decommissioning Programme post consent [REP6-059].		The Applicant responded to this at Deadline 5 in Section 2.10 **[REP5-055]** with the following: (a) Cables will be buried where practicable, minimising the requirement for cable protection measures. This mitigation is secured through the Outline Cable Specification and Installation Plan [**REP7-039/040**]. In addition, due to the commitments made by the Applicant, in consultation with Natural England, there will be no cable protection placed within MPAs designated for benthic habitats. (b) The Applicant's position remains that it is most appropriate for an outline decommissioning plan to be submitted post-consent, prior to the commencement of offshore works, as secured by Requirement 25 of the DCO. This is the standard approach taken for OWF NSIPs, including Sheringham Shoal and Dudgeon Extension and Rampion 2.
REP7-090_c6		8	C8, C32, C48	Further mitigation measures could be adopted by the Applicant to avoid, reduce, and minimise the project's environmental impacts, including (but not limited too) reducing the Rochdale envelope to limit the types of cable protection and foundations to be used on the project.	No change.		No change.		This issue was addressed at Deadline 4 with the submission additional mitigation, discussed in Supporting Information on Offshore Additional Mitigation **[REP4-041]**. Additionally, the Applicant has committed to further mitigation measures including: • In the nearshore, no cable protection will be placed within areas where the seabed is shallower than 5m Chart Datum [secured in the Outline Cable Specification and Installation Plan, **REP7-039**], • Disposal of any dredged sediment will be at a distance that is greater than 1km from the KKE MCZ to allow natural sedimentary processes to continue unaffected [secured in the Outline Sediment Disposal Management Plan, **REP6-049/-050**]
REP7-090_c7		9	C9, C19	There is currently no commitments relating to the minimum water depth at which the HDD exit pit location is placed. Recognising that rock protection is usually required at the exit pit location, a commitment to no rock protection landward of 10m LAT is required to mitigate potential impacts to bedload transport and any associated changes to benthic ecology along the Essex coastline.	No change.		In Progress. Natural England notes the commitment to avoid cable protection in water < 5m CD . We seek clarity that this includes no cable protection on nearshore Annex I sandbanks where water depth is also less than 5m.		It is not possible for the Applicant to make the requested commitment to no cable protection landward of 10m LAT, as 10m LAT extends for the first 22km of the cable route (which is over one third of the overall length). For the exit pit, the expectation is that this would be buried. The current geophysical information shows significant space to avoid areas of outcropping, and hence the ability to bury. The primary means of cable protection is burial. The areas where cable protection may be required are the areas of outcropping, cable crossings and for unforeseen issues. The outcropping is generally at depths of -10m LAT or deeper, however, there are some areas in the nearshore area. Generally, the project will try to mitigate these areas by cable

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									routing, so that surface cable protection is not required.
REP7-090_c8		10	C10, C41	The Applicant has not committed to using any specific type of cable protection, and has not considered the limitations of some methods, particularly given the potential for pathways of effect to supporting processes within Margate and Long Sands SAC whilst cable protection is in place. Due consideration should be given to the nature of the cable protection included in the project design envelop and should favour those engineering options with the greatest likelihood of successful removal at decommissioning. Unless it can be demonstrated otherwise, the scale of impacts from cable and scour protection that have been described by the Applicant have the potential to hinder the 'maintain' conservation objective.	No change.		No change. We will update our advice regards to changes to supporting processes at MLS SAC due to the placement of cable protection nearby, following review of the Applicant's updated documents submitted at Deadline 7.		The Applicant has committed to any cable protection being a minimum of 150m from the Margate and Long Sands SAC. In addition, modelling of cable protection (shown in Hydrodynamic and Dispersion Modelling Report **[REP7-041/042]** and updated RIAA **[REP7-013/-014],** shows that there will be no AEOI on the SAC from indirect effects of cable protection regardless of the type of cable protection.
REP7-090_c9		11	C11	An outline decommissioning plan should commit to the removal of all surface laid infrastructure at the decommissioning stage. We agree with the Applicant's assessment approach which considers that, in the continued absence of any commitments to remove specified amounts of infrastructure, including cable protection, assessments should be based on a worst-case scenario of lasting/permanent impacts under all infrastructure.	No change.		No change.		The Applicant's position remains that it is most appropriate for an outline decommissioning plan to be submitted post-consent, prior to the commencement of offshore works, as secured by Requirement 25 of the DCO. This is the standard approach taken for OWF NSIPs, including Sheringham Shoal and Dudgeon Extension and Rampion 2.
REP7-090_c10		12	C12	(a) Natural England advises that there is insufficient detail on the proposed activities relating to the potential placement of additional scour prevention/cable protection measures over the operational lifetime of the project.(b) Further detail should be provided on the parameters for O&M activities including how total amounts have been determined, and where those amounts are likely to be placed relative to sensitive areas of seabed, such as Margate and Long Sands SAC. (c) Standard for quantities of additional scour and/or cable protection outside of benthic SACs should be committed too for the replenishment of 10% of any scour prevention/cable protection laid during installation within a 10-year period as long as the overall footprint is not increased.	No change.		No change.		As a worst case scenario the assessments assume the full quantum of cable protection and scour protection would be installed during the construction phase, thus in place for the longest period. The DCO secures the maximum volume of cable and scour protection (requirement 2(2)), which aligns with the worst case scenario assessed. In accordance with the DCO, cable protection deployment must be within 10 years of construction (DML condition 34/35). Scour protection would be deployed in proximity to WTG and OSP/OCP foundations and therefore, provided the areas and volumes are within the parameters assessed in the ES and secured in the DCO, no further licences should be required. The Offshore Operations and Maintenance Plan [REP6-037] reflects this position regarding scour and cable protection deployment during O&M. In their Additional Submission [AS-051, MMO-98], the MMO noted that they were content with this approach.

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REP7-090_c11		13	C14	There is insufficient evidence regarding ground conditions to rule out HDD failure potentially requiring trenching and/or rock protection within the intertidal. If this was to occur, it could alter the significance and nature of predicted impacts on intertidal and benthic receptors including designated sites/features. Further evidence is required to provide sufficient confidence that the HDD will be successful, and that the current WCS prediction of impacts from HDD in the ECR on intertidal and subtidal habitats is realistic.	No change.		No change.		As acknowledged by Natural England in REP4-067_b6, there will be no impact on the intertidal. The ES includes assessment of an additional HDD to account for potential failure i.e. three are assessed when only two are required (e.g. shown in Table 10.2 of ES Chapter 10 **[APP-024]**). Commitment is made to HDD to the subtidal zone which is secured in the Outline Horizontal Directional Drill Method Statement and Contingency Plan [REP5-026/027]. Therefore, any risk/obligation sits with the Applicant to ensure this is achieved. It would be unprecedented to require evidence pre-consent that the Applicant can achieve the required engineering. As discussed in ES Chapter 1 [**APP-015**], the Applicant is highly experienced, having built and operated numerous offshore wind farms.
REP7-090_c12		14	C15, C26, C29, C31	(a) in the absence of confirmed dredge disposal locations, or parameters to determine the dredge disposal location criteria, then it is not possible to determine the WCS and, therefore, robustly assess the impacts from sandwave levelling activities. (b)Commitments should be made to minimise impacts from sediment deposition.	No change.		In Progress. Further assessment is required together with commitments to mitigate depositional impacts within KKE MCZ [REP4-040]. See Natural England's response to ExQ 10.0.4		The hydrodynamic and dispersion modelling report [**REP7-041/042**] provides modelling of conservative worst case scenarios for MFE and disposal in relation to the KKE MCZ. The results of the modelling have been assessed in MCZA Report [**REP7-019/020**] which shows that there will be no significant risk of hindering the conservation objectives.
REP7-090_c13		15	C21	There is a risk of potential backfill material loss at the subtidal HDD exit pits and therefore recoverability of any remaining trench/depression, which then may warrant the requirement for cable protection. At para. 39 of the Cable Statement engineered backfill is referred to, but no further information is provided on this. Further detail is required to better understand the likelihood of side cast sediment being lost, the quantities and the potential requirement for permanent cable protection over the lifetime of the project.	No change.		No change.		Para. 39 of the Cable Statement relates to the onshore transition joint bay and associated onshore open cut ducting around it. This is not in relation to the exit pit in the sub-tidal area.
REP7-090_c14		16	C22, C51	Further clarification on how impacts from vessels associated with landfall activities have been assessed including use of anchor barge and/or jack up barges and whether there will be any requirement for stabilisation pads and/or medium/long term impacts.	No change.		No change.		The use of an anchor barge and spudded/jack-up barges have been considered in the worst case scenario, as shown in Section 10.3.2 in ES Chapter 10 Benthic and Intertidal Ecology **[APP-024]** and assessed in sections 10.6.1.1 and 10.6.2.1.
REP7-090_c15		17	C23	The Applicant proposes that that whole of the red line boundary becomes a disposal location. However, as set out in Appendix C of our RR/WR [RR-243] we do not currently agree with the impact assessment for which site characterisation for sediment disposal is reliant upon. Further agreement on the MDS and WCS and evidence is required to support statements.	No change.		Progressed for M&LS SAC only where deposition within the SAC is predicted to be below MarESA thresholds as per [REP4-040]. However, unless evidence can be presented to demonstrate otherwise, we consider it likely that the achievement of the KKE MCZ conservation objectives, which have a 'recover target' will be hindered.		An updated Site Characterisation Report [**REP7-033/034**] was submitted at Deadline 7 which includes separate disposal sites for the offshore cable corridor and array area. Disposal within these areas will be constrained by the commitments secured by the Outline Sediment Disposal Management Plan [**REP6-049/050**]. Further evidence of the effects associated with disposal was provided at Deadline 7 with the submission of bespoke hydrodynamic modelling **[REP7-041/042],** along with an updated MCZA Report

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									[REP7-019/020] and updated RIAA Part 2 [**REP7-013/-014]**, which show there will be no significant risk of hindering the conservation objectives of the MCZ and no AEOI on the SAC.
REP7-090_c16		18	C24	Application documents should be updated to address the ambiguity between the various Application documents as to the WCS footprint of any rock berm. Based on other OWF project assessments we query if a width of 6m is realistic?	No change.		No change. Based on the indicative cable protection layout presented in the modelling assessment [REP6-054] we query whether further clarification can be provided on the WCS cable protection footprint?		The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from cable protection placed anywhere in the offshore cable corridor. As discussed in Section 2.1 above (REP7-085_b), the Applicant understands this resolves Natural England's concerns and an AEOI of the MLS SAC can be ruled out.
REP7-090_c17		19	C25	Neither of the terms 'temporary' impacts or 'rapid' recovery of benthic habitats have been fully defined for relevant identified pathways of effect. An evaluation of the extent and duration of impacts on benthic habitats should be more explicitly stated in order to provide a transparent understanding of the likely impacts and recovery duration of benthic receptors, both alone and cumulatively, so that effects on designated mobile species in particular can be assessed.	No change.		No change.		The terms 'temporary' and 'rapid' have been assessed in terms of timescales for the duration of effect. Temporary impacts have been assessed in line with the MarESA recoverability criteria provided in Table 10.7 in ES Chapter 10 Benthic and Intertidal Ecology **[APP-024]**. Temporary effects would have full recovery within two years (high recoverability), and long-term would equate to an effect for the project duration (equating to low or very low recoverability).
REP7-090_c18		24	C32	In addition to points 2 and 15 further information from the Applicant is required to confirm what cable protection parameters (length and specific placement location in relation to the SAC) have been used to inform the assessments and what the accurate worst-case scenarios are with appropriate justification provided where relevant. The RIAA and relevant ES should be updated with this information	No change.		In Progress. Natural England welcomes the hydrodynamic modelling carried out which was based on an indicative layout for cable protection placement adjacent to MLS SAC. We understand that an updated RIAA including updated modelling will be submitted at Deadline 7. Pending review of the relevant updated documents at Deadline 7, we consider it likely that this issue can be resolved.		The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from cable protection placed anywhere in the offshore cable corridor. As discussed in Section 2.1 above (REP7-085_b), the Applicant understands this resolves Natural England's concerns and an AEOI of the MLS SAC can be ruled out.
REP7-090_c19		25	C39	The ES and RIAA in-combination assessments may require updating once further information has been provided on the worst cable rock protection requirements and any related secondary impacts within the SAC.	No change.		See Point 25 above		The Applicant understands Natural England is referring to Point 24 and a response was provided to this at Deadline 5 [**REP5-055**]. The Applicant has provided an updated version of the RIAA Part 2 Benthic Ecology [**REP7-013/014**].
REP7-090_c20		26	C45	The MCZ assessment fails to screen in or appropriately consider the potential for sediment deposition within the benthic features of Kentish Knock East MCZ (KKE MCZ), despite paragraph 72 stating that	No change.		No change. We understand that the Applicant will provide further clarification on the WCS sediment deposition at the MCZ. Pending review of the relevant updated documents at Deadline 7, we consider that this issue is likely		The Applicant has committed to dispose of any dredged sediment, at a distance greater than 1km from the KKE MCZ as secured by the Outline Sediment Disposal Management Plan [REP6-049/-050]. Additionally, at Deadline 7 with the submission

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				'sediment deposition' is predicted as an indirect effect. In the absence of a confirmed dredge disposal locations, or parameters to determine the dredge disposal location criteria, it is not possible to determine the WCS and therefore robustly assess the impacts from foundation preparation/sandwave levelling activities upon KKE MCZ benthic features.			to be resolved. However, we also wish to see a commitment to intensive monitoring of the affected MCZ area.		of bespoke hydrodynamic modelling **[REP7-041/042],** considering the simulation of the disposal of dredged material in the array area **(Section 7.12, 7.13 and 7.15),** the Applicant has shown sediment deposition following disposal occurs within the array area and is <5cm. This would not interact with the MCZ. For the WCS due to levelling by mass flow excavation, the initial deposition of sediment from construction works in the array area would occur over a small area of the KKE MCZ and would have WCS of 5cm to 60cm. As the sediment arising from within the array area is comparable to that of the designated features of the KKE MCZ and will be mobile, driven by the existing physical processes, the effect will be temporary as the sediment is naturally re-distributed by the prevailing waves and tidal currents. Furthermore, an updated MCZA Report **[REP7-019/020],** shows that there will be no significant risk of hindering the conservation objectives of the MCZ. The In Principle Monitoring Plan (IPMP) [7.10, Rev 3] includes targeted geophysical and bathymetric surveys of areas within the order limits where cable protection is deployed in proximity to the Margate and Long Sands SAC or Kentish Knock East MCZ. In the event that this monitoring shows significant changes to the physical processes, monitoring of the benthic community will be undertaken. Where monitoring within the order limits validates the conclusions of the ES Chapter 10 Benthic and Intertidal Ecology **[APP-024]**, the RIAA Part 2 [**REP7-013/014**] and the MCZA report [**REP7-019/020**], there would also be no significant impact beyond the order limits and therefore wider monitoring would be disproportionate. In accordance with the IPMP [7.10, Rev 3], in the event that the monitoring results show a greater impact than that assessed, the Applicant will review an adaptive management approach in consultation with the MMO and SNCB. This could include further monitoring.
(D) Fish and Shellfish Ecology									
REP7-090_d1		3	D3	Natural England defers to the view of Cefas in determining the sensitivity of the species identified. It is important that the ecology of each individual species is taken into account when determining potential impacts upon them. Increased Suspended Sediment Concentration (SSC) and subsequent deposition of sediment on gravid herring and their eggs and larvae should be considered in relation to the Downs Herring spawning area. In relation to temporary increase in SSC and deposition please note our comments on the marine processes chapter. Where there is overlap with the Downs spawning area, we do not agree that habitat loss will be temporary, In relation to long-term habitat loss, we advise this is	We are downgrading this issue to yellow, as we believe that the issue sits with MMO & Cefas. However, we reserve the right to review our position at the end of Examination.		Natural England is awaiting clarification from the Applicant on the WCS sediment deposition within/adjacent to the array with consideration of concurrent construction-related activities that may result in overlapping sediment plumes and deposition. This clarification will inform the assessment of impacts to the Downs Herring spawning area that overlaps the array/adjacent area. We maintain that we believe this issue sits with MMO & Cefas. However, we reserve the right to review our position at the end of Examination.		As previously noted, due consideration has been given to feedback provided by the MMO and Cefas with regards to the PEIR and via detailed discussions during Seabed Expert Topic Group meetings, including aspects related to the sensitivity of fish and shellfish receptors (see Table 11-1 ES Chapter 11 Fish and Shellfish Ecology [**APP-025**]). Discussions with the MMO and Cefas (via the MMO) on fish and shellfish ecology, as well as other topics, are ongoing via the SoCG.

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				permanent rather than long-term. We advise the Applicant seeks the advice of Cefas on the sensitivity of particular species, and the appropriateness of the sensitivity assigned in the assessment. When agreement is reached on the marine processes chapter, and the further characterisation work suggested by Cefas has been carried out, Natural England would welcome the opportunity to comment on an updated assessment in relation the herring and sand eel. We advise that the further baseline work as advised by Cefas is required to further understand the potential direct loss of spawning habitat, which where infrastructure is placed is likely to be permanent.					
(E) Marine Mammals									
REP7-090_e1		2	E2	As we have significant outstanding concerns on the Environmental Statement (ES) assessment, where the same approach is applied to Habitats Regulations Assessment (HRA), we cannot agree with the HRA conclusions at this stage. We advise that the Applicant should address concerns on the ES and cascade the changes/commitments to the HRA.	Progressed. Natural England welcomes the updated assessment. However, our concerns are not fully addressed. Please see Appendix E6 for further details.		No change.		The Applicant has addressed or responded to Natural England's comments throughout the Examination, including in: • 9.14 Further Information Regarding Marine Mammals **[REP1-057]**; • 9.35 Further Information Regarding Marine Mammals Disturbance due to Vessel Presence **[REP3-046];** and • 9.81 Marine Mammal Assessment Clarifications [REP5-069]. As well as in the Applicant's response to NE **[REP1-044]; [REP4-028]; [REP5-055]; [REP6-059]; [REP7-052]**. It should be noted in their comments received at Deadline 6 **[REP5-069]** regarding the latest Marine Mammal Assessment Clarifications, NE note their comments on receptor sensitivity have been resolved. The remaining comments at Deadline 6 related to the use of iPCoD and the Applicant responded **[REP7-052]** to sign-post paragraph 12 of the 9.81 Marine Mammal Assessment Clarifications note **[REP5-069]:** "*As outlined in Section 2.2.1 of this document, the iPCoD modelling has been used as a tool alongside the other methods (Effective Deterrent Range (EDR) and Dose Response Curve (DRC)) for assessing the impacts of disturbance for project-alone piling. As shown in this document, all assessment approaches reach the same conclusion of a minor adverse significance of effect for all species assessed for project-alone piling. The results of the iPCoD are therefore not relied on in dictating the final significance conclusion*." The Applicant therefore considers it is unreasonable to suggest there are significant outstanding concerns and that there was no change at Deadline 7 when

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									their Deadline 7 response raises no specific issues regarding the assessment.
REP7-090_e2		3	E3, E38	Natural England is concerned that the current approach to implementing Site Integrity Plans (SIPs) for piling impacts to the Southern North Sea (SNS) Special Area of Conservation (SAC) from offshore wind development does not allow sufficient time for mitigation methods, such as Noise Abatement Systems (NAS) to be procured by the Applicant prior to construction, should they be required, therefore increasing the risk that an Adverse Effect on Site Integrity cannot be avoided. We strongly advise that the Applicant commit to the use of specific mitigation measures at this stage, which may be removed at a later date if the revised SIP demonstrates they are not required.	Partially resolved. The Applicant included a statement on the use of Noise Abatement System (NAS) in the SIP [REP5-015]. However we still have an issue with the tentative approach whereby the Applicant states that the NAS will be used 'if deemed necessary'. This is not in line with Defra's Noise Policy (2025) which requires that the noise reduction methods are considered as the default in all English waters and should be factored in to planning of all piling activities and related environmental assessments. It is Natural England's view that the NAS is necessary in order to mitigate the in-combination impacts. Natural England also notes that the final SIP will be submitted for approval approximately nine to six months prior to the commencement of pile driving for approval. We assume that this change was made in response to our comment that we are concerned that the approach to implementing SIPs for piling impacts does not allow sufficient time for mitigation methods, such as NASs to be procured by the Applicant prior to construction. We would like the Applicant to confirm this.		No change.		The revisions to the Draft MMMP and Outline SIP regarding NAS were agreed between the Applicant and the MMO and it is noted that the MMO has welcomed the updated documents **[REP6-082]**. The final SIP will be submitted for approval approximately nine to six months prior to the commencement of pile driving for written approval from the MMO, this is to allow for sufficient time for mitigation method procurement and planning. The Applicant notes NE's statement that this is partially resolved.
REP7-090_e3		4	E4, E26	We note that the Applicant has not committed to using NAS at this stage. Natural England strongly advises the Applicant to commit to using noise abatement as mitigation, should driven or part-driven piles be used during construction. The Applicant should commit to noise abatement in the Draft Marine Mammal Mitigation Plan (MMMP) and Site Integrity Plan. The effect of noise abatement systems in reducing noise impacts should be included in the assessment.	Progressed. The Applicant included a new statement within the MMMP [REP5-013] and SIP [REP5-015]: "'If it is deemed necessary to apply noise reduction measures and/or a NAS for piled foundations in order to comply with Government policy on underwater sound, or it is identified (during discussions with the Marine Management Organisation (MMO) on the final plan following the final scheme design freeze post consent) as necessary mitigation to manage any predicted significant effects due to underwater sound from piling, then North Falls will be in a position (from a programme execution perspective) to implement such measures.'" However, full commitment is still lacking, and the NAS is still referred to within the MMMP as 'additional mitigation'.		No change.		The revisions to the Draft MMMP and Outline SIP regarding NAS were agreed between the Applicant and the MMO and it is noted that the MMO has welcomed the updated documents [**REP6-082**]. The Applicant maintains its position that its approach to noise reduction mitigation as set out in the draft MMMP and outline SIP are in accordance with latest policies on marine noise.
REP7-090_e4		5	E6, E34	We note that the multiple piling scenario includes simultaneous piling at East and South locations as the worst-case scenario (WCS). Natural England has concerns that the WCS no longer includes the North and South locations, as described in pre-application documentation, resulting in a reduction in the estimated number of impacted animals.	No change.		No change		The Applicant has responded to this point in **REP1-044** and **REP6-059**, with no response from Natural England, therefore the Applicant considers it is unreasonable to suggest this is a 'red' issue and there has been 'no change'. To repeat the Applicant's explanation: since PEIR there have been changes to the array area, as a result the "northern array area" is no longer being considered. Therefore, as described in the ES Appendix 12.3 Underwater Noise Modelling Report

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				Natural England highlights that the multiple piling scenario should include the combination of locations that produces the greatest estimates of impacted animals in order to constitute an accurate WCS. Natural England advises that the Applicant should re-calculate the simultaneous piling assessment based on the two locations that produce the WCS.					**[APP-098]** there are now different modelled locations for the new array area. The locations include points labelled East, South and West (the West point is now also the most northern point of the array area). The modelling indicates that due to deeper water depths at the East and South locations, these are the worst-case locations and have the largest impact ranges as shown in the ES Appendix 12.3 Underwater Noise Modelling Report **[APP-098]**. Therefore, the calculations used for assessments are based on the WCS.
REP7-090_e5		7	E8	We note that the density of harbour seal used in the assessment has significantly reduced between the Preliminary Environmental Information Report (PEIR) and the Application, from 0.0014 to 0.00048, respectively. Natural England seeks clarification in regard to the change in harbour seal densities. We would like to emphasise that the most precautionary density needs to be taken forward to the assessment. Please refer to our advice in the Best Practice Guidance Phase III. Natural England advises that the Applicant should revise the assessment so that it uses the agreed harbour seal density as presented in the PEIR or provide a sufficient justification for the change in the densities.	No change.		No change		This comment was previously addressed within **REP1-044**, the previous density used within the PEIR was based on when the proposed development included two array areas. At the ES stage (and now the examination stage) there is only one array area (the northern array area is no longer part of the development) and the red line boundary for the remaining array area being considered has been reduced, therefore the new density estimates reflect the new array area. Using the previous density presented in the PEIR would not be relevant for the ES, as the northern array area is no longer considered.
REP7-090_e6		8	E9	The Applicant has assumed that other sources of noise during construction would operate constantly for 24 hours, instead of 12 hours per day as assumed in the PEIR. However, Natural England notes that for a fleeing animal, Temporary Threshold Shift (TTS) impact ranges of activities are now shorter than the ones predicted in the PEIR. It is unclear why an increase in the duration of an impact leads to a decrease in its impact range. Natural England advises that the Applicant revises the calculations of impact ranges and updates tables as required.	No change.		No change.		In the ES Chapter 12 Marine Mammals [**APP-026**], 12 hours was modelled for all other construction noise activities, other than vessel noise which was modelled as occurring 24 hours per day, which is the same approach used in the PEIR. The Applicant had identified an error in the PEIR, stating the TTS range for Large Vessels was 200m. In fact, all species TTS ranges for Large Vessels are <100m, and this was corrected as per ES Appendix 12.3 (Underwater Noise Modelling Report, [**APP-098**]), Table 5-4.
REP7-090_e7		14	E18	Natural England does not agree that Permanent Threshold Shift (PTS) should be screened out of the CEA. The Project has identified a major adverse effect from piling (APP-026, Table 12.24) that the Applicant has not committed to fully mitigate at this stage. We advise that the Applicant should assess cumulative PTS impact in the CEA or fully commit to sufficient mitigation to reduce the risk of a residual PTS impact.	No change		No change		The Applicant acknowledges the need to have effective and appropriate mitigation measures in place for auditory injury (PTS). The Applicant is committed to this requirement which will be secured in the final MMMP, as described in the Draft MMMP **[REP6-029/030]**. This is a commitment that has also been made by all neighbouring projects, which have also proposed to secure adequate mitigation measures through Outline MMMPs submitted with their DCO applications. As such there would be no potential cumulative effects for PTS. As a precautionary approach, PTS numbers were included in the population modelling for the cumulative assessment, in Cumulative impact 1a, Section 12.9.3.1.1 of ES Chapter 12 Marine Mammals [**APP-026**]. However, the Applicant maintains the position

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									that PTS effects will be suitably mitigated through further design refinement and embedded mitigation.
REP7-090_e8		16	E21	A site Integrity Plan (SIP) will be required due to the number of noisy activities planned within/adjacent to the Southern North Sea (SNS) SAC in order to reduce disturbance to harbour porpoise. We advise that the Applicant should revise the conclusion on the requirement of a SIP.	Partially resolved. The Applicant submitted an updated SIP [REP5-015] 7.8 Outline Site Integrity Plan for the SNS SAC (Rev 1) (Tracked)) with updated text to clarify the Applicant's approach on the use of noise reduction measures and/or NAS. Natural England welcomes this inclusion, however, there is still a high level of hesitancy in regards to commitment of implementing NAS. Please refer to our detailed comments in Appendix E6 on this statement.		No change		The final Site Integrity Plan will be provided with an assessment based on the final piling scenario including any mitigation post consent. The revisions to the Draft MMMP and Outline SIP regarding NAS were agreed between the Applicant and the MMO and it is noted that the MMO has welcomed the updated documents [**REP6-082**].
REP7-090_e9		17	E22	Natural England disagrees with the conclusion that no mitigation measures will be required to minimise any potential disturbance due to UXO clearance especially as this assessment does not include in-combination effects. Appropriate measures should be considered within the SIP when final project and UXO details are known. The Applicant should revise the conclusion that no mitigation measures will be required to mitigate the disturbance due to UXO clearance.	No change		No change		The Applicant agrees that UXO clearance requires appropriate mitigation measures to be applied, details of potential mitigation measures for UXO clearance are described in the Draft MMMP [**REP6-029/030**]. In the ES Appendix 12.5 Unexploded Ordnance Clearance Information and Assessment [**APP-100**], the conclusion that 'no mitigation measures will be required to minimise any potential disturbance due to UXO clearance' was based on the assessment outcomes. However, this paragraph should read 'mitigation measures, as described in the Draft MMMP, will be undertaken for UXO clearance to minimise any potential disturbance'. Any offshore UXO clearance required for North Falls will be consented and mitigation determined as part of a separate Marine Licence application at the pre-construction stage. Therefore, disturbance from underwater noise during UXO clearance at the North Falls site has not been included in the Outline Site Integrity Plan for the Southern North Sea Special Area of Conservation [**REP5-014/015**] for piling. The requirement for a SIP for the UXO clearance for North Falls will be confirmed through the separate UXO marine licencing process. If it is deemed a SIP is required to manage underwater noise relating to the North Falls UXO clearance campaign (either alone or in-combination), this would be provided as part of that separate process.
REP7-090_e10		18	E23	The Applicant established a Monitoring Area with a minimum 700m radius, and this area will be monitored both visually and acoustically. However, there are limitations of both methods for detecting harbour porpoises. Thus, the Applicant consider ways to improve detectability of harbour porpoises in order to guarantee their detections within the Monitoring Area. Natural England is happy to discuss any other options at a later stage so they can be incorporated within the Final MMMP. We advise further consideration of options for effective monitoring of harbour porpoise within the Monitoring Array of minimum	No change		Natural England notes the Applicant's response in the Table 1.5 Examination Comments and Relevant Representations ([REP6-030] 7.7 Draft Marine Mammal Mitigation Protocol (Rev 3) (Tracked) : "Alternative monitoring strategies will be considered in the final MMMP post-consent. MMO and PAM techniques are developing and changing, and technologies are already available including night vision binoculars and cameras that are already regularly used for research and mitigation purposes, and alternative visual strategies could be considered. All options will be considered, and this will be developed in consultation with relevant stakeholders, including Natural England, post-consent." It is important that this		The Applicant notes Natural England's comment, a final description of the PAM method including information on the equipment and sensitivity of the hydrophones will be presented in the Final MMMP, in line with the Joint Nature Conservation Committee (JNCC) PAM guidance (2023). The Applicant will ensure that the PAM equipment will be sufficient at monitoring the full MA and has the capability of detecting all vocalising marine mammals. This will be consulted on post-consent with the Statutory Nature Conservation Bodies (SNCBs) as part of the approval process by the MMO. In addition, the Draft MMMP [**REP6-029/030**] and Outline SIP [**REP5-014**] has been updated to include clarification of the Project's stance on noise reduction measures. Therefore, if noise reduction methods are applied (if it is deemed necessary) it is likely the impact ranges will reduce.

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				700m and an updated MMMP be submitted prior to the end of examination.			statement is included in the main body text of the Draft MMMP,not just in the Appendix as a response to our comment, to assure that the MA of 700m will be adequately monitored to guarantee the detections of the key species.		Potential scenarios will be presented and assessed post consent.
REP7-090_e11		22	E28	It is stated that the ramp up would be a minimum of 30 minutes. This is not in line with the worst-case scenarios outlined in Chapter 12 (Table 12.1) where it is stated that ramp up would be a minimum of 80 minutes. Consistency is required to implement mitigation measures. Natural England suggests that the MMMP should be consistent regarding the chosen duration of ramp up.	No change		No change		The plate 1.2 has been amended within the Draft MMMP [**REP6-029/030**] submitted at Deadline 6, to ensure the text matches the plate regarding soft-start and ramp up procedures, therefore the plate has been updated to include a minimum of 40 minutes for soft-start and ramp up durations. In the ES Chapter 12, worst case scenario Table 12.1 [**APP-026**], the text indicates the absolute worst case duration. However, the Draft MMMP [**REP6-029/030**] uses language such “at least / minimum of 40 minutes” as the ramp up duration will be no less than this amount. The difference of terminology is because the full soft start and ramp up procedures are yet to be finalised, these will be finalised post consent within the Final MMMP.
REP7-090_e12		25	E31	Natural England notes that within the Operation and Maintenance Plan the Applicant states that the use of sub-bottom profilers would not require a further marine licence over the lifetime of the project. However, due to the unknown parameters of these surveys and the potential for cumulative underwater noise impacts we highlight that the MMO should be contacted prior to their use, to ascertain if a marine licence is required or not. Natural England advises that the Applicant seek further advice from MMO with regard to the requirement to obtain a marine licence for the use of sub-bottom profilers.	No change		No change		This comment is noted, the Applicant will engage with the MMO prior to sub-bottom profiler use regarding whether a marine licence is required.
REP7-090_e13		26	E32	Natural England is not content with the Applicant’s response that PAM is considered as a potential mitigation measure for UXO clearance. The acoustic monitoring should be conducted alongside the visual monitoring during the UXO clearance. This needs to be clearly reflected in the MMMP. We advise that the MMMP should correctly refer to PAM as a standard mitigation tool, not potential mitigation measure. Refer to the “JNCC guidance for the use of Passive Acoustic Monitoring in UK waters for minimising the risk of injury to marine mammals from offshore activities (2023)”.	No change		Natural England notes that the Applicant has not accepted our advice on the use of PAM for UXO clearance as it still refer to it as ‘unlikely to be required’ ([REP6-030] 7.7 Draft Marine Mammal Mitigation Protocol (Rev 3) (Tracked). We also note the Applicant response in the Table 1.5 Examination Comments and Relevant Representations: "*For UXO clearance the Applicant has committed to the use of PAM in instances when there are not favourable conditions with good visibility (sea state 3 or less)*." Our advice remains that PAM is a required monitoring tool for UXO clearance especially given that the proposed developed is within the designated SAC for harbour porpoise thus we do not consider this issue to be resolved.		The Draft MMMP [7.7, Rev 4] contains details for how PAM will be utilised, as set out in Section 1.4.3.2.2. As per Natural England’s request the text has been amended to ensure, if required, PAM will be used in conjunction with the MMObs for the UXO clearance mitigation procedures.
REP7-090_e14		27	E33, E5, E36	For HRA-level assessments of SACs designated for harbour porpoise, an Effective Deterrent Radius (EDR approach should be used to assess behavioural responses. Advice on the use of EDRs is set out within the joint Statutory Nature Conservation Body (SNCB) guidance note	No change.		No change.		The Applicant has updated the in-combination assessment using the EDR approach in Further Information Regarding Marine Mammals **[REP1-057]**, under Section 3 Further Information Regarding the RIAA Marine Mammal Assessment.

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				on assessing the significance of noise disturbance to SACs designated for harbour porpoise. We recommend that the assessment should be based solely on the EDR approach to assess disturbance of piling.					
REP7-090_e15		28	E35	The Applicant predicts that both the 20% spatial daily threshold and the 10% seasonal threshold could be exceeded in almost all scenarios. However, it is suggested that this scenario is unlikely thanks to other OWF SIPs, concluding that the adverse effect on the integrity of the SNS SAC will be avoided with appropriate SIPs. Since these SIPs have not yet been developed, it is not sufficient to conclude that adverse effects on the integrity of the SNS SAC will be avoided. At this stage, Natural England cannot agree that the integrity of the SAC will be preserved especially as there was no commitment to the use of NAS. The Applicant should commit to the use of noise abatement systems and incorporate this into the draft MMMP and SIP and incorporate this into the assessment.	No change.		No change.		An update on the Applicant's position to committing to noise reduction measures has been provided at Deadline 5 within the updated version of the Draft MMMP [**REP5-012**] and the Outline SIP [**REP5-014/015**], these updates can also be viewed in the latest version of the Draft MMMP **[Document Reference 7.7, Rev 4]**.
REP7-090_e16		29	E39	Table 4.8 indicates that the average overlap with seasonal area of the SNS SAC is 15.14% for high order clearance. thus the conclusion in paragraph 51 stating: "The assessment indicates that for both high and low-order UXO clearance, less than 10% of the winter area of the SNS SAC would be affected." is incorrect. We advise that the Applicant corrects the statement in the named paragraph and correctly present the outcome of the assessment for the high order clearance.	No change.		No change.		As previously detailed in REP1-044 Table 4.8 in Section 4.3.2.1 RIAA Appendix 3.1 [**APP-177**] presents the seasonal average assessment, the seasonal average for high-order clearance is 0.33% as presented, therefore less than the threshold of 10%. In order to calculate the seasonal average, the spatial assessment figures were used which is what the 15.14% represents, which falls below the threshold of 20% for the spatial assessment. The value of 15.14% was gained for the spatial assessment based on the average spatial overlap, using the maximum and minimum spatial overlaps as presented in Table 4.7 [**APP-177**].
(F) Offshore Ornithology									
REP7-090_f1		1	F1, F23, F35, F36	Natural England cannot rule out an adverse effect on integrity (AEOI) for red-throated diver (RTD) at the Outer Thames Estuary Special Protection Area (OTE SPA) from the project alone. We advise that the project will contravene the SACO attribute to "Reduce the frequency, duration and / or intensity of disturbance affecting roosting, foraging, feeding, moulting and/or loafing birds so that they are not significantly disturbed" and to "maintain the extent, distribution and availability of suitable habitat (either within or outside the site boundary) which supports the feature for all necessary stages of the non-breeding/wintering period (moulting, roosting, loafing, feeding)."	No change.		No change. We welcome the clarification in REP6-008 that the area of overlap between the 12km buffer of North Falls array area and the Outer Thames Estuary (OTE) SPA where North Falls is the closest OWF is 33.91 $km^{2,}$ which is 0.9% of the SPA area. Thus, Natural England consider the area over which displacement impacts should be attributed to project is the sum of this area and the 'novel' area where the project might cause displacement impacts. I.e. 33.91 + 54.5 = 88.41$km^{2.}$ .This is approximately 2.3% of the total area of the SPA.		At Deadline 6 the Applicant stated that the area of overlap between the 12km buffer of North Falls array area and the Outer Thames Estuary (OTE) SPA where North Falls is the closest OWF is 33.91 km^2, 0.9% of the SPA. The Applicant notes the Natural England position at Deadline 7. The Applicant's position remains that an adverse effect on the integrity of red-throated diver within the OTE SPA can be ruled out for the Project alone and in-combination during construction/ decommissioning and operation, in the context of existing sources of disturbance and displacement to this species within the SPA within the zone of influence (12km buffer) of North Falls, as discussed in the RIAA Part 4 Offshore Ornithology [**APP-178**], Sections 4.4.1.4.3.1.1, 4.4.1.4.3.1.2, 4.4.1.4.3.2.1, 4.4.1.4.3.2.2, 4.4.1.4.4.1 and 4.4.1.4.4.2.

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				To more fully understand the nature and scale of impact we advise that the proportion of the SPA that could be 'most' impacted by North Falls OWF, i.e., the area within the 12km buffer to which the array is closer than any other OWF, should also be presented. Natural England welcome the partial mitigation of impact by updates to the proposed location of the array area since PEIR submission. We consider that the Applicant should demonstrate to the Examination that no further reduction in impact by increasing the distance between the SPA and the array is possible whilst retaining a viable project. If any further mitigation of the impact is not possible, we advise that every effort must now be made to ensure effective compensatory measures can be delivered.				No part of the 12km buffer of North Falls overlaps with an area of the SPA which is not already subject to a potential source of displacement for RTDs from OWFs and/or shipping. The area where the 12km buffer of the Project does not overlap with the 12km buffer of any other OWFs, and the area where the 12km buffer of North Falls overlaps with other OWFs and North Falls is the closest OWF, also overlap with International Shipping Measures including two busy shipping lanes running through the SPA and to the east of the SPA boundary, both passing through the 12km buffer of North Falls ([**APP-178**] Figures 4.1 and 4.2). In the area where the 12km buffer of North Falls overlaps with the SPA, traffic in these international shipping lanes, which are closer to the SPA than North Falls, will be the predominant influence on red-throated diver distribution. The levels of existing disturbance mean that the RTDs using this area are more disturbance-tolerant individuals, and the presence of North Falls beyond the international shipping lanes would not result in any detectable change in the numbers present, or the distribution of RTDs in this area of the OTE SPA. See also Applicant's Response to Relevant Representations from Natural England [**REP1-044**], NE-226, NE-248, NE-260, NE-26, and response to Natural England's Deadline 3 submission [**REP4-028**], REP3_061_b.
REP7-090_f2		4	F4, F16	Natural England strongly recommends that construction and decommissioning of the export cable (EC) should not take place within the OTE SPA +2km buffer during the sensitive over wintering period for RTDs of November to March inclusive. This mitigation should be appropriately secured. All vessels should follow Natural England best practice guidelines on vessel movements during all other phases of the development for both the EC and array.	No change.		No change. We note the Applicant's response to this point in REP6-060 reiterating their position stated in REP1-044.		As per responses to Natural England's Relevant Representations ([**REP1-044**], NE-229, NE-241), and [**REP6-060**] the Applicant maintains the position that a seasonal restriction on the installation of the export cable within the OTE SPA and a 2km buffer during construction, as requested by Natural England, is not merited. This is based on the conclusion of the RIAA Part 4 Offshore Ornithology Birds Directive Annex 1 and Migratory Species [**APP-178**], section 4.4.1.4.3.2, that there would be no AEoI from construction works in the offshore cable corridor.
REP7-090_f3		6	F6	It is not clear if cable laying vessels will also have guard vessels in attendance. If guard vessels are present, the area of potential displacement impact around cable laying will be greater and therefore the assessment may need updating. If guard vessels are required, please detail how many, operating distance from the cable laying vessels, etc.	No change.		No change. We note the Applicant's response to this point in REP6-060 reiterating their position stated in REP1-044.		The Applicant maintains the position stated in the response to Natural England's relevant representations [**REP1-044**], NE-231, and [**REP6-060**]. The precautionary assumption is made that all RTDs will be displaced within 2km of cable laying vessels, which exceeds the available information on recorded displacement distances from ships (maximum 1,374 ± (SD) 416m, see ES Chapter 13 [**APP-027**], paras 125 and 126). Given the close association of cable laying and associated vessels, it is considered that the use of a 2km buffer for displacement is sufficient and the assessment does not require updating.
REP7-090_f4		11	F17	The Applicant concludes effect significance for guillemot, razorbill, RTD, and gannet is minor adverse (not significant in EIA terms). Natural England do not agree with these conclusions. Natural England has already identified	No change.		No change.		The Applicant has updated the cumulative impact tables for guillemot, razorbill and gannet (and all other species except RTD) in [**REP3-040**]. The Applicant's position on cumulative effect significance remains as set out in the Offshore Ornithology ES Chapter 13 [**APP-027**].

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				significant adverse impacts at the EIA scale to gannet, kittiwake, great black backed gull, guillemot, razorbill, and RTD from OWF in the North Sea, irrespective of the contribution of North Falls to the cumulative impact totals. We consider that the project will make an additional contribution to those impacts. We advise that every effort is made to mitigate these impacts.					
REP7-090_f5		12	F22	Natural England agree that some consideration of the diminishing displacement effect with distance from an array is appropriate. However, we do not believe the EDA is an appropriate way to quantify this. We maintain that with respect to the availability of suitable habitat, the entire area of effect must be considered as impacted to some extent. Natural England do not agree that using the total area to assess potential displacement impacts in any way overstates the scale of the impact.	No change.		No change.		The view of Natural England is noted. In relation to displacement of RTD within the OTE SPA, the Applicant has presented both the EDA and the total potential displacement area (the overlap between the 12km buffer of North Falls array area and the OTE SPA), and maintains the view as set out in the RIAA [**APP-187**] that the total displacement area gives a potentially misleading overestimate of the scale of the predicted effect, and the EDA provides context to this. It is also noted that the EDA is one of the metrics referenced in the appropriate assessment for RTD and the OTE SPA for the consented East Anglia ONE North (BEIS 2022). See also the response to Natural England's relevant representations [**REP1-044**], NE-247.
REP7-090_f6		13	F23	Natural England agree that two major shipping lanes run through this area and will impact RTD distribution. However, RTDs are still present, and indeed were present at sufficient density for this area of the SPA to be classified for their protection. We consider it highly likely that that these birds would be subject to further displacement by a turbine array. Furthermore, this displacement may be permanent whereas, at present, there may be temporally limited displacement impacts with resettlement of habitat between vessel movements. Natural England confirm that we consider the 'novel' area that the project will impact through disturbance and displacement to be 54.5 km2, constituting 1.4% of the SPA area. We consider this has the potential to result in an AEOI for the project alone.	No change.		No change.		The Applicant's position remains that an adverse effect on the integrity of red-throated diver within the OTE SPA can be ruled out during construction/decommissioning and operation, for the Project alone and in-combination, in the context of existing sources of disturbance and displacement to this species within the SPA within the zone of influence (12km buffer) of North Falls, as discussed in the RIAA Part 4 Offshore Ornithology [**APP-178**], Sections 4.4.1.4.3.1.1, 4.4.1.4.3.1.2, 4.4.1.4.3.2.1, 4.4.1.4.3.2.2, 4.4.1.4.4.1 and 4.4.1.4.4.2. No part of the 12km buffer of North Falls overlaps with an area of the SPA which is not already subject to a potential source of displacement for RTDs from OWFs and/or shipping. See the Applicant's response to REP7-090_f1 above for further detail, and also the Applicant's Response to Relevant Representations from Natural England [**REP1-044**], NE-226, NE-248, NE-260, NE-26, and response to Natural England's Deadline 3 submission [**REP4-028**], REP3_061_b.
REP7-090_f7		16	F27	Most parameters for the Population Viability Analysis (PVA) modelling are as we would expect, however, there are three input parameters that do not follow Natural England guidance. 1. Years for burn-in is 4, not 5. 2. Impacts have been applied separately for immatures, we advise that this option is not selected. 3. Random seeds have been matched for impact scenarios. However, standard errors of impacts are not available. In this case, random seeds should not be matched for impact scenarios. We	No change.		No change.		The Applicant has taken account of the advice from Natural England in running PVAs for the predicted displacement mortality of guillemot at the Farne Islands [REP1-057], Since then, no further PVAs have been submitted into the Examination. Natural England has acknowledged [**REP5-107**] that the changes they suggest to the PVA would probably make little difference to the conclusions of the assessments.

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				advise that a 5- year burn-in period is adopted, random seeds are not matched, and impacts are not applied separately to immatures if any further PVA modelling is undertaken.					
REP7-090_f8		19	F30	Natural England continue to advise that the North Falls and Five Estuaries projects should both be considering the same LBBG data when conducting cumulative and in-combination assessments. We advise that the Applicant should coordinate with VE and update the assessments. This advice applies to all species which are assessed in combination.	No change.		No change. We note the Applicant's response to this point in REP6-060 and anticipate updated in-combination assessments for key SPAs and qualifying species will be presented in the RIAA at Deadline 7.		The Applicant updated the cumulative assessment for offshore ornithology at Deadline 3 [**REP3-040**] and updated the in-combination assessments for key SPAs and qualifying species presented in the RIAA [**APP-178**] at Deadline 7 [**REP7-050**]. As stated in responses to Natural England Relevant Representations ([**REP1-044**], NE-255), for OWFs considered in the cumulative and in combination assessments, including Five Estuaries, the latest publicly available data have been used (e.g. as provided in updates to assessments during a DCO examination). Thus, North Falls and Five Estuaries have used the same data. Differences may still occur, for example where an Applicant and Natural England approach is provided for a given OWF (where it is considered appropriate both values are considered in the North Falls cumulative and in combination assessments with alternative totals). North Falls has also applied adjustments to collision risk values for other OWFs based on the latest SNCB (2024) advised avoidance rates, which other OWFs may not have done.
REP7-090_f9		20	F31	In the SADEP Examination, Natural England could not rule out AEOI for guillemot at FFC SPA from an estimated an in-combination annual mortality of 1,498 guillemot based on 70% displacement and 2% mortality, resulting in a reduction in population growth rate of 1.4%. Under the same parameters, the Applicant estimates an in-combination mortality of 1,172 guillemot which results in a 0.5% reduction in population growth rate. It would be useful to fully understand the differences in the in-combination assessment (and PVA) the Applicant presents compared to that from which SoS concluded that AEOI could not be ruled out in combination for guillemot at FFC SPA in the SADEP consent decision.	No change.		No change. We note the Applicant's response to this point in REP6-060 and anticipate updated in-combination assessments for key SPAs and qualifying species will be presented in the RIAA at Deadline 7.		The Applicant responded on the Natural England query about the differences in in-combination assessment and PVA for North Falls and SADEP in [**REP3-039**]. The Applicant has since provided updated in combination totals for North Falls for predicted guillemot mortality at the FFC SPA at Deadline 7 [**REP7-050**]. Following the consent decision for Rampion 2, where the Secretary of State concluded that AEoI could not be ruled out beyond reasonable scientific doubt for in-combination effects on guillemot at FFC SPA, and noting that the effects of R2 are similar to North Falls for this species, the Applicant accepts that the Secretary of State is likely to consider the contribution of North Falls to be material also, such that AEoI cannot be ruled out **([REP6-007**], Section 1.2, [**REP6-023**], Section 2.2).
REP7-090_f10		21	F32	In the SADEP Examination, Natural England could not rule out AEOI for razorbill at FFC SPA. As similarly noted for guillemot, despite considering very similar in-combination data, the Applicants PVA has resulted in a significantly lower reduction in growth rate than that calculated by SADEP. It would be useful to fully understand the differences in the in-combination assessment (and PVA) the Applicant presents compared to that from which Natural England previously concluded that AEOI could not be ruled out in combination	No change.		No change. We note the Applicant's response to this point in REP6-060 and anticipate updated in-combination assessments for key SPAs and qualifying species presented in the RIAA at Deadline 7.		The Applicant responded on the Natural England query about the differences in in-combination assessment and PVA for North Falls and SADEP in [**REP3-039**]. The Applicant has since provided updated in combination totals for North Falls for predicted razorbill mortality at the FFC SPA at Deadline 7 [**REP7-050**]. While noting Natural England's view in relation to AEoI for razorbill at the FFC SPA, the Applicant maintains its position as set out in ([**APP-178**], Section 4.4.4.7.3.1) that AEoI can be ruled out for this species at this SPA.

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				for razorbill at FFC SPA in the SADEP consent decision.					
REP7-090_f11		25	F37	The Applicant outlines the current situation regarding the area of the OTE SPA currently subject to in-combination displacement impacts on RTD arising from OWFs. It is stated that 49% of the SPA is within 12km of an OWF and thus impacted. The addition of North Falls will result in displacement impacts across a further 2% of the SPA (i.e., an additional 54.38km2). Natural England consider this to be a meaningful contribution. We note a minor discrepancy between the project alone and in-combination assessment. The former refers to an area of 54.5km2 being impacted, this being defined as 1.4% of the SPA area. The minor discrepancy in area impacted and the percentage of the OTE SPA that are represents should be clarified and the documents updated, as necessary. Natural England note that the project has reduced the scale of the proposed OWF and increased the distance from the array area to the OTE SPA, which we welcome. However, given the scale of the impact to RTD, if no other mitigation measures are available, then efforts should be focussed on ensuring that appropriate compensatory measures can be delivered that make a meaningful contribution to the existing AEOI. Thus, we welcome the submitted (without prejudice) report on potential compensation measures for RTD.	No change.		No change.		As acknowledged by Natural England, the minor discrepancy in the area of overlap between the OTE SPA and 12km buffer of North Falls (excluding areas of overlap with the 12km buffers of other OWFs) has been clarified. As stated above for REP7-090_f1, and REP7-090_f6, The Applicant's position remains that an adverse effect on the integrity of red-throated diver within the OTE SPA can be ruled out for the Project alone and in-combination during construction/decommissioning and operation, in the context of existing sources of disturbance and displacement to this species within the SPA within the zone of influence (12km buffer) of North Falls. Acknowledging the view of Natural England, without prejudice compensation proposals for RTD at the OTE SPA have been developed through the EPP and continue to be progressed. Updates were provided at Deadline 6 for the Compensation Document [**REP6-15/016**] and the Outline Compensation Implementation and Monitoring Plan [**REP6-017/018**].
(G) Offshore Ornithology Compensation									
REP7-090_g1		1	G1	Currently there is uncertainty regarding the current state of anthropogenic disturbance at southwest auk colonies and its relative importance compared to other factors such as food availability and predation. No observational evidence has been presented, although the proposed measures have successfully reduced recreational disturbance of other species. Overall, we consider the right measures at the right sites should deliver legitimate benefits.	No change.		No change.		The Applicant updated the Outline Guillemot and Razorbill CIMP **[REP6-025/026]** at Deadline 6 to confirm site selection and design of the compensatory measure will be informed by surveys. Initial field surveys of shortlisted guillemot and razorbill colonies including colony counts, productivity, observations of anthropogenic (and other) disturbance and responses to disturbance are underway throughout the 2025 breeding season. The compensation steering group will be consulted on the findings of these surveys during the post-consent development of the final plan. Therefore, the Applicant does not agree there has been no change on this matter but it is noted that this has been classified as not making a material difference to the decision-making process.
REP7-090_g2		2	G3, G11	No observational evidence is presented regarding the current state of anthropogenic disturbance at the colonies. The Applicant has carried out a qualitative assessment from a desk-based study looking at generic	No change.		No change.		Please see response above regarding ongoing surveys and collating evidence of disturbance to inform the development of the final plan.

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				factors such as proximity to coastal paths, nearest settlement, and levels of localised recreational activity. These factors alone do not necessarily result in disturbance that might cause egg or chick losses. Only field-based observation, either through monitoring or communication with site managers/landowners is likely to yield this information. We understand that other projects working on similar compensation proposals have undertaken (relatively limited) field observations at some southwest UK auk colonies. We urge collaboration on this aspect.					As stated in the Outline Guillemot and Razorbill CIMP [**REP6-025/026**], the Applicant is exploring collaboration and A Letter of Comfort from Cornwall Wildlife Trust [**REP3-010**] shows that Cornwall Wildlife Trust could provide the necessary services that would be required to deliver a collaborative measure.
REP7-090_g3		3	G4	Natural England consider the Applicant should seek to compensate for their impacts to auks at FFC SPA under a 70% displacement and 2% mortality scenario. Natural England advise the consideration of a compensation ratio of 1:1 to be inappropriate. However, we do believe that given the nature of the measure proposed, the difficulties of quantifying benefits (as well as potential for subsidiary benefits to nontarget species) and the small scale of predicted impacts, a pragmatic approach to scaling the measure is appropriate.	No change.		Progressed. Natural England do not agree with the Applicant's position on the required scale and target of the compensatory measure. However, the scale of implementation required under our advised parameters is fully detailed in REP6-024, including the application of ratios. Our advice on quantification of both scale and targets for compensatory measure remains as detailed in REP4-060. We would highlight that scaling the measure to account for the 95% UCI impact is to address the uncertainty of the impact estimate and give some comfort that the measure could, theoretically, account for that level of impact should it occur. Thus, having a small impact is not justification for scaling the measure according to the mean impact. However, we do consider it appropriate for the measure to target the mean impact when setting success criteria.		As stated in the Compensation Document **[REP6-023/024]**, the mean values of predicted mortality are used to calculate compensation scale, in accordance with the approach taken by the Secretary of State in consenting Rampion 2, which based the compensation quantum for guillemot on the mean predicted impact value and compensation for razorbill was not required (DESNZ, 2025a). It is not reasonable to inflate the compensation scale due to the impact being small and it is noted that the impact of North Falls is comparable to Rampion 2.
REP7-090_g4		5	G6, G12	Natural England highlight that implementation 4 breeding seasons prior to an impact occurring (at the operational phase) will risk impacts arising in advance of the measures being functional. Further, we highlight the risk of impacts arising at the construction phase. Guillemots reach breeding age maturity at 6 years old, thus it will take at least 7 breeding seasons after compensation measures are implemented for young fledged to recruit into the adult breeding population and thus provide compensation for the project's impacts. The equivalent values for razorbill are 5 and 6, respectively. Therefore, if the Applicant wishes to retain the current implementation date, we consider that the scale of the requirements be increased to address the risk of 'mortality debt' accruing in the early years of the project.	No change.		No change.		As set out in the Guillemot and Razorbill Compensation Document [**REP6-023/024**], while it is recognised that the average age of recruitment for guillemot and razorbill is respectively 6 and 5 years, to avoid delays to the Project and meet the Project objectives in the Habitats Regulations Derogation Provision of Evidence [**REP7-015/16**] the measure would be deployed 3 breeding seasons prior to the operation of North Falls. It is acknowledged that some mortality would accrue as mortality debt, but given the small scale of the predicted impact and long-term implementation of the compensation measures it is considered this debt would be recovered during the life of the Project. The Applicant updated the Compensation Document and the Outline Guillemot and Razorbill CIMP [**REP6-025/026**] at Deadline 6 to confirm mortality debt will be considered during site selection and design of the compensatory measure to ensure it is recovered over the life of the compensatory measure. Mortality debt will be reviewed as part of ongoing monitoring, in accordance with the Outline Guillemot and Razorbill CIMP [**REP6-025/026**], and the need for additional measures/ adaptive management would be considered in consultation with the steering group.

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REP7-090_g5		6	G7	We note that no sites have yet been secured, although we understand that discussions are underway with other developers. We would recommend that a sufficient number of sites are secured, either by the Applicant alone or in collaboration with other Projects, as soon as possible.	No change.		Progressed. Natural England note the Applicant's intention to secure sites once the scale of compensation required has been decided (REP6-024). However, it is encouraging that baseline data collection on both auk populations and recreational disturbance has commenced this year which will be essential to inform final site selection. We do not anticipate that further progress can be made on this issue in examination.		Noted. In accordance with the Outline Guillemot and Razorbill CIMP [**REP6-025/026**], the final site selection will be completed post consent as part of the development of the final CIMP. This process will be informed by ongoing stakeholder consultation, surveys of breeding colonies and studies into levels of potential disturbance.
REP7-090_g6		11	G25	We would welcome confirmation as to whether a colour-ringing scheme could be undertaken at the “Kittiwakery” to track natal philopatry there (and recruitment elsewhere) for the purposes of establishing site connectivity with, and overall coherence of, the national site network.	No change.		No change.		In accordance with the Outline Kittiwake CIMP [**REP6-021/022**], consideration will also be given to colour-ringing of chicks during the post-consent development of the detailed plan, in consultation with the Compensation Steering Group.
REP7-090_g7		12	G26	None of the sites under consideration have been secured yet, and further work is needed around defining success according to the ratio of impact to observed productivity and assumed level of consequent recruitment. There is a risk that the limiting factor to LBBG population growth could be food supply, in which case improving nesting habitat may have no or little impact. However, predator exclusion fencing has a successful track record in increasing some LBBG colonies in the UK and predator control has been shown to be effective for regulating mammalian predation of seabird eggs/chicks. Therefore, we consider that habitat management, combined with one or more of these other measures, could prove effective. Moreover, assuming that the selected site is colonised, we feel that a 4ha site should be able to deliver the required level of compensation over the lifetime of the project. See also G36 below.	No change.		No change.		Further detail on defining success criteria was included in the Outline LBBG CIMP **[REP6-013/014]** at Deadline 6. The Applicant welcomes Natural England’s confirmation that a 4ha site is appropriate. The requirement to deliver compensation is secured through Schedule 15 of the DCO and therefore the onus is on the Applicant to secure a suitable site and positive liaison is ongoing with landowners, as shown in the Habitats Regulations Assessment Land Rights Tracker [9.75, Rev 2]. See also response to G32b / REP7-090_g10 below.
REP7-090_g8		14	G30 a	Regarding predator management, Natural England broadly welcome the Applicant’s intention to create a minimum 4ha area of predator exclusion. We consider the extent of the proposed area would be adequate based on the nesting densities as presented in Table 6.3. It would be useful for context if the lower end of the recommended Natural England/RSPB nesting density range (0.002 nests per m2) was also presented, as well as for a higher compensation ratio (e.g. 3:1) although we anticipate that 4ha will remain sufficient. We note that a joint compensation scheme with Five Estuaries OWF is being considered but there is no detail of consideration of the implications for habitat extent to account for combined impact levels. See also G36 below.	No change.		Progressed. We note that in REP6-014 the Applicant states, *"Should a collaborative option be taken forward, the extent of compensation would meet the combined scale of compensation required for both projects and would be discussed with the LBCSG."*		Noted. The Applicant welcomes Natural England’s confirmation that this has progressed.

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REP7-090_g9		16	G31	Lesser black-backed gulls reach breeding age maturity at 4-5 years old. Therefore, offspring fledging from a compensation site established 3 breeding seasons before commencement of operation will not have recruited into the adult breeding population. As a result, the proposed timing of delivery will result in the accumulation of mortality debt. In addition, colonisation in year 1 is far from guaranteed. This debt will need to be recovered in future years, and the debt will compound if a suitably sized colony is not established quickly. This risk does not appear to have been specifically addressed by the Applicant. We note that lesser black-backed gulls return to their nest sites from late February and therefore suggest that the compensation area is made available before this time in Year 1 to allow pairs to scope the area before nesting commences (usually in April), in the hope that this minimises the accrual of mortality debt.	No change.		Progressed. The Applicant maintains their intention to implement the measure 3 breeding seasons before the point of impact. We continue to advise that as such, the measure will not be delivering compensation at the point of impact. However, we do note the update in REP6-012 that "The aim would be to install the compensatory measure between September and January so that it is available to LBBGs prospecting for nest sites from late February in the first of the three breeding seasons prior to operation." in line with our advice to maximise the chances of early colonisation.		Noted. The Applicant welcomes Natural England's confirmation that this has progressed. The Applicant updated the Outline LBBG CIMP [**REP6-013/014**] at Deadline 6 to confirm mortality debt will be considered through adaptive management, if required. A difference of one year would result in a mortality debt of 2.3 (mean) collisions, however as shown in Section 5 of the Lesser Black Backed Gull Compensation Document [**REP6-011/012**] there is sufficient overcompensation in the proposed 4ha, compared to the area required to compensate the predicted collisions per annum and therefore over the life of the Project, a delay of one year would have a de minimis impact on the overall success of the compensatory measure.
REP7-090_g10		17	G32 a	We note that none of the sites under discussion have currently been secured and we would encourage the Applicant to secure agreement for this measure at an appropriate site with a landowner as soon as possible. Regarding Lantern Marshes, we understand that there have been positive discussions between North Falls and the National Trust in respect of this site and accept that an appropriately designed permanent predator exclusion fence would provide benefits beyond the management currently being undertaken by the landowner.	No change.		We understand that the Applicant intends to submit a substantially updated CIMP document due to a change in status of the Lantern Marshes site. Therefore we will defer full review and comment on the updated CIMP submitted at D6 (REP6-014) in anticipation of a new version at D7.		In light of the National Trust's revised position at Deadline 7 [**REP7-084],** the Applicant has updated the Lesser black backed gull Compensation Document [7.2.2, Rev 3] and the Outline Lesser black backed gull Compensation Implementation and Monitoring Plan [7.2.2.1, Rev 3] to reflect that Lantern Marshes is no longer a project-led option for North Falls. The Applicant has retained a number of options throughout the Examination process to ensure there is resilience in the ability to deliver compensatory measures and the Applicant remains confident that a suitable site can be secured. Positive liaison with landowners for the other site options is ongoing, as reflected in the Habitats Regulations Assessment Land Rights Tracker [9.75, Rev 2]. Final site selection will be undertaken post consent, in consultation with the LBBG compensation steering group, as secured by the Outline Lesser black backed gull Compensation Implementation and Monitoring Plan [7.2.2.1, Rev 3].
REP7-090_g11		18	G32 b	Regarding the Five Estuaries partnership sites (VE2/Outer Trial Bank), we understand that the Applicant is in discussion regarding potential collaboration at these locations. Natural England are highly supportive of this collaboration and would welcome further information regarding how this will be achieved.	No change.		Progressing. Collaboration between the projects is ongoing. However, the site is not yet secure nor identified as the preferred option.		Liaison with Five Estuaries is ongoing regarding potential collaboration. Final site selection will be undertaken post consent, in consultation with the LBBG compensation steering group, as secured by the Outline Lesser black backed gull Compensation Implementation and Monitoring Plan [7.2.2.1, Rev 3].
REP7-090_g12		22	G37, G43, G46	Nesting rafts and habitat management are technically feasible however, site selection is likely a critical factor to the success of this measure. Therefore, we are concerned that no sites have been shortlisted or secured and the Applicant should seek to secure sites as soon as possible. We are not	No change.		Progressed. We note the Applicant's position that securing sites through landowner agreements is not appropriate for an in-principle measure. We continue to advise that efforts are made to at least short-list sites and it is encouraging to see that ongoing survey		Surveys of sites on Shetland and mainland Scotland are being undertaken from May to September 2025 which will inform the detailed site selection and commercial arrangements post consent. A progress report on surveys is included in the Red Throated Diver Compensation Document [**REP6-015/016**] submitted at Deadline 6. As RTD compensation is

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				convinced that the Applicant will be able to demonstrate sufficient control over rafts deployed in Finland in the long term and would consequently recommend that should this measure at this location be progressed, it is done so on a trial basis alongside more extensive deployment in Scotland. We are not persuaded that the provision of 20 nesting rafts would result in significant gains for red-throated diver and therefore represent a meaningful contribution to support the coherence of the UK NSN. See also G44 below.			effort is being applied to this end as outlined in REP6-016.		provided on a without-prejudice basis, it is not considered reasonable to expect landowners to enter into agreements for land which may not be required. The Red Throated Diver Compensation Document [**REP6-015/016**] and the Outline Red Throated Diver CIMP [**REP6-017/018**] submitted at Deadline 6, include further information and clarification on the compensation scale. The Applicant's position remains that deploying compensation measures (rafts and/or habitat management) at 20 lochs is an appropriate scale.
REP7-090_g13		23	G40	Natural England agree with the Applicant that there is no robust way to scale the level of compensation to be delivered due to the mismatch between the expected benefits (increased productivity) and the impact (habitat loss/degradation). Nevertheless, we do consider that the scale of impact is significant. Therefore, in very broad terms, we would expect that significant benefits should be expected to arise from any delivery of a compensation measure (or package of measures). We recommend a more ambitious approach to the nest raft measure, as part of a commitment to a clearly defined package of measures.	No change.		Progressed. We retain our concerns around the scale of the measure proposed as previously detailed in REP3-061 and REP5-110. However, we do note the updated information presented by the Applicant in REP6-016 and REP6-018 which quantifies the potential benefits of peatland management to restore lochans in Shetland. As previously advised in our response to ExQ2 (REP5-110), we consider such restoration work could offer a more compelling compensatory measure than raft installation due to the potential for broader ecological benefits to be realised. It could also be argued that restoring habitat is more closely aligned with the nature of the impact (which is essentially habitat loss) than a more simple increase in breeding productivity through raft provision at existing breeding sites. However, it remains difficult to advise on the sufficiency of the measure to be delivered across 20 sites when these sites could be for either i) nest raft installation, ii) habitat management to benefit existing breeding birds or iii) habitat management to restore or provide new breeding sites.		The Red Throated Diver Compensation Document [**REP6-015/016**] and the Outline Red Throated Diver CIMP [**REP6-017/018**] submitted at Deadline 6, include further information on compensation scale. The Applicant's position remains that deploying compensation measures (rafts and/or habitat management) at 20 lochs is appropriate. Calculations under different scenarios of compensation management and location of lochs indicate that between 6-14 additional fledglings could be produced per year. Juveniles in their first non-breeding season could be expected to use marine SPAs designated for non-breeding RTDs. Consequently, a contribution to the National Site Network could be deemed to have been made in the first non-breeding season after compensation lochs have been successfully used by RTDs. In relation to the contribution to the NSN, the Applicant welcomes the Deadline 5 response from Natural England to ExQ2 [**REP5-110**], 'Natural England has advised that "The success of the measure, as proposed by the Applicant, relates to the increased productivity of breeding RTD on rafts, or in habitat subject to other management actions. Thus, a benefit is (potentially) accruing as soon as a pair is breeding on a raft or at improved habitat. There is no mortality debt concern due to the nature of the impact. Therefore, and in the absence of any evidence regarding how quickly rafts or improved habitat will be occupied and/or result in improved productivity, Natural England consider implementation of the measure one breeding season in advance of construction commencing to be adequate.
REP7-090_g14		24	G41, G43, G46	Natural England consider the proposal to contribute to the identification of a strategic sanctuary area through data collection requires considerable further work from the Applicant to more clearly define the aims and objectives. As a clear scheme of work is not yet evident, we cannot comment on the scale/extent of this measure. We note that discussions with SPR are in the early stages and confirm our support for such a collaboration, noting that the contribution	No change.		No change. We note that the Applicant continues to engage with SPR and expects to be invited to a working group as detailed in REP6-016 and REP6-059. Natural England consider this issue is unlikely to be resolved during examination, but continue to advise that a 'package of measures' approach would be preferable.		As noted in the Red Throated Diver Compensation Document [**REP6-015/016**] the Applicant continues to engage with ScottishPower Renewables (SPR) over the potential for collaboration to support the development of a potential sanctuary area within the OTE SPA, and expects to be invited to contribute to a working group being established by SPR. The Applicant's position is that the breeding habitat enhancement scale is appropriate in itself and therefore a package of measures is not required.

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				made by North Falls needs to be clearly distinct from the DCO requirements of SPR. However, we also highlight that compensatory measures should be demonstrated as being securable and deliverable within the time frames of Examination. As the provision of nesting rafts alongside habitat management does not directly address the impact of the project, data collection to inform the identification of sanctuary areas does not represent a compensatory measure itself, and there are uncertainties about the level of benefit that might accrue at the UK NSN, Natural England advise that these measures should be proposed as a package. Consideration should be given not just to the spatial elements of the relevant datasets but also the temporal elements, to future-proof any proposed sanctuary areas for the lifetime of the Project with respect to trends in other anthropogenic activities. See also G44 below.				
REP7-090_g15		26	G45	Success of the nest raft/habitat management measures relies heavily on the Applicant's ability to quantify existing productivity as this measure relies on improvements to existing productivity. Identification of sites with an established (or implementable) monitoring baseline outside of the existing SPA network designated for RTD, and with no current nesting raft provision or habitat management programme, would therefore seem critical. We expect that final site selection could prove challenging and recommend that the Applicant accelerates their work in this area.	No change.		Progressed. It is encouraging that the Applicant has undertaken survey work at some short listed sites, as detailed in REP6-016. Natural England do not anticipate further progress on this issue within the examination will be possible. We do retain some concerns around final site selection and establishing a baseline from monitoring data within the required time frames.		Final site selection will be undertaken post consent, in consultation with the RTD compensation steering group, as secured by the Outline RTD Compensation Implementation and Monitoring Plan [**REP6-017/018**]. Where required, control lochs will be considered to facilitate monitoring. The success of raft provision will be evaluated by comparing breeding success between lochs with rafts and control lochs, i.e. with no rafts or natural islands. Breeding success at control lochs, as well as other information on breeding success on mainland Scotland, will be used as a baseline, against which success of the compensatory measure (rafts) will be assessed. The success of the measure to restore breeding lochans for RTDs through peatland management is unlikely to require control lochs. This is because peatland restoration is likely to be carried out on lochs which are currently unsuitable for breeding RTDs (i.e. baseline breeding success is zero).
(H) Onshore Ecology and Ornithology									
REP7-090_h1		3	H3	A net loss is expected in watercourse module biodiversity units, which is not being addressed, even through Biodiversity Net Gain. Please see reference point 37.	No change - BNG is not yet mandatory for NSIPs, although good practice would have required 10% across all modules (area, linear and watercourse). As noted below - locally we may have a list of projects / actions linked to the emerging LNRS's that could provide opportunities for watercourse enhancement in the wider area.		No change.		The Applicant has agreed that exploring opportunities for achieving 10% BNG will follow the mitigation hierarchy set out in response "REP6-081_h" of 9.102 Applicant's Response to Deadline 6 submissions [**REP7-053**]. This will include seeking out local opportunities if additional biodiversity units are required, including the now published Essex LNRS.
REP7-090_h2		6	H8	Further reductions to the Maximum Design Scenario (MDS) should be considered to minimise environmental impacts including (but not exclusively) reducing the working corridor and cable crossings.	No Change since Deadline 5.		No change.		The Applicant previously responded to this point in response "REP5-109_h1" in Applicant's Response to Natural England's Deadline 5 submissions [**REP6-059**].

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
REP7-090_h3		15	H17	Mitigation for vehicles damage at the compensation location in Orfordness is 'reduced speed limited'. Considering habitats present on the site, there should be a commitment to use preapproved access routes only, avoiding areas of vegetated shingle, all staff driving vehicles should be given a full briefing on site protocols prior to any access to the site and speed limits should be monitored and repeat breaches reported.	No change, pending review of the updated LBBG CIMP at Deadline 6.		In progress. In the updated CIMP, it confirms that habitat and species surveys pre-design and construction will inform micro-siting of fence line to avoid damage to 'other' protected habitats and species. However, movement of heavy machinery and mitigation for vehicle movements is not covered in either document beyond speed limit restrictions. Therefore, this issue is progressing as detailed pre-design surveys and/or site selection may reduce risk.		The Applicant understands NE's concerns related to habitats on Lantern Marshes and the access route to this site, however Lantern Marshes has now been removed from consideration for project-led compensation. In accordance with the Outline LBBG CIMP [7.2.2.1, Rev 3], the site selection and final plans, including mitigation will be developed in consultation with the Compensation Steering Group.
REP7-090_h4		16	H18	It is important to consider that material could build-up where LBBG Compensation/fencing crossed current drainage areas at Orfordness, and that blockage could then change the path of draining water and, therefore, change hydrological processes. Documents should be updated to include a requirement to remove any build-up of material on the fence as a mitigation.	No change, pending review of the updated LBBG CIMP at Deadline 6.		In progress. This is not specifically addressed in the updated CIMP [REP6-014], although, there is a commitment to regular inspection and maintenance that would capture this issue.		The Applicant understands NE's concerns relate primarily to Lantern Marshes, however this site has now been removed from consideration for project-led compensation. In accordance with the Outline LBBG CIMP [7.2.2.1, Rev 3], regular checks will be undertaken of the fence for debris, along with clearance as required. The final plan, including mitigation will be developed in consultation with the Compensation Steering Group.
REP7-090_h5		25	H28	There is no commitment here to avoid work in functionally linked land, this is particularly relevant to Hamford Water SPA but applies to all functionally linked land within the red line boundary. Commitments to avoid work on functionally linked land to avoid impacts to supporting habitats and/or disturbing Annex I bird features during sensitive periods. If this is not possible then a management plan would be required to ensure impacts are sufficiently minimised.	No change.		No change.		The Applicant previously responded to this point in response "REP6- 089_h11" of the Applicant's Response to Natural England's Deadline 6 Submission [**REP7-052**].
REP7-090_h6		32	H33	The Applicant's commitment to exploring opportunities to deliver a minimum 10% BNG and advise that this should be secured by requirement in the DCO.	Progressing. We note [REP5-025] that North Falls are exploring opportunities to deliver a minimum or 10% BNG for the onshore elements of the project. However, we advise that they should meet 10% on area and hedgerow modules. As noted below, we may have local project opportunities (linked to the LNRS) that could help with the watercourse shortfall.		No change.		The Applicant has agreed that exploring opportunities for achieving 10% BNG will follow the mitigation hierarchy set out in response "REP6-081_h" of 9.102 Applicant's Response to Deadline 6 submissions [**REP7-053**]. This will include seeking out local opportunities if additional biodiversity units are required, including the now published Essex LNRS.
REP7-090_h7		33	H34	Any deviation from BNG best practice and principles should continue to be justified and clearly reported. Updates to metric calculations over time are required to reflect design iterations and developments are encouraged to continue to maximise their potential biodiversity outcomes throughout the detailed design process. For consistency, everything within the Red Line Boundary (Order Limits) should be included in the BNG baseline calculations, including any retained habitats.	No Change. Our original advice applies. We would recommend that the approach to BNG continues to be justified and explained (as they have done in reports to date). To note on the RLB / Order Limits point - the current consultation suggests that the Order Limits will be used to baseline BNG for NSIPs, meaning any projects submitting DCOs after the 'go live' date of May 26 will have to follow that guidance.		No change.		Noted.
REP7-090_h8		34	H35	(a) The project is not currently proposing to commit to achieving 10% BNG in the watercourse module due to the complexity of creating and enhancing watercourse units. Watercourses should be factored into the statutory credit calculations given the	No change - but note that locally we may have a list of projects / actions linked to the LNRS that could provide opportunities for watercourse enhancement in the wider area.		No change.		The Applicant has agreed that exploring opportunities for achieving 10% BNG will follow the mitigation hierarchy set out in response "REP6-081_h" of 9.102 Applicant's Response to Deadline 6 submissions [**REP7-053**]. This will include seeking out local

APPLICANT REF	RELEVANT PROVISION	POINT	NE REF	NE - RELEVANT AND WRITTEN REPRESENTATION	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 6 (COLUMN M OF NE DOCUMENT)	NE RAG AT D6	NE COMMENT CONSULTATION, ACTIONS, PROGRESS AT DEADLINE 7 (COLUMN O OF NE DOCUMENT)	NE RAG AT D7	APPLICANT RESPONSE AT D8
				metric highlights a 29% loss in the watercourse module. (b) a clear audit trail is should be kept of any land assigned for compensation, mitigation and BNG to distinguish what is being delivered for which purpose and where.					opportunities if additional biodiversity units are required, including the now published Essex LNRS.
REP7-090_h9		35	H36	The approach to hedgerow removal is acceptable prior to mandatory BNG, but it does not reflect best practice, or the approach used for TCPA development. Best practice would be to maintain all replaced hedgerows for a minimum of 30 years in line with BNG regulations. Where the long-term management of hedgerows for this period cannot be secured, they should be treated as “habitat loss” within the BNG metric. Once BNG is mandatory, then a legal agreement would be required to secure the management for thirty years where habitats will be lost. The document should be updated to reflect this commitment.	Progressing. The D4 response stated that 'due to a lack of clarity on land that is temporarily acquired for NSIPs, we believe that a 10 year management plan proposal for this project is reasonable' (REP4-065_f1). Note that the approach to temporary land within BNG calculations is being looked at via the current consultation (June 25).		No change.		Noted. The Applicant is following the progress of the current Defra consultation regarding Biodiversity Net Gain for Nationally Significant Infrastructure Projects (Defra, 2025) and is aware that this specific point is under consideration for mandatory BNG for NSIPs, once it comes into force.
REP7-090_h10		36	H37	With regards to cropland and any agricultural grassland. The correct risk multiplier is should be applied within BNG calculations, in line with the Statutory Biodiversity Metric User Guide.	No change.		No change.		The Applicant previously responded to this point in response 'REP4-067_h24' in Applicant’s Response to Natural England’s Deadline 4 submissions [**REP5-055**].
(I) Seascape									
REP7-090_i	No comments - the Applicant notes that no further responses to the Applicant’s comments on the outstanding unresolved matters were provided by Natural England at Deadline 6 or Deadline 7. The Applicant would refer to the comments provided in REP5-110_y in Table 2.8 of Applicant’s Response to Natural England’s Deadline 5 submissions **[REP6-059]** for the Applicant’s position on the residual unresolved matters.								
(J) Landscape VIA									
REP7-090_j	No comments – all items are in agreement.								

2.7 Applicant’s Response to Natural England’s comments regarding Appendix L7 [REP7-091]

Table 2.7 Applicant’s Response to Natural England’s comments regarding Appendix L7 [REP7-091]

REF	SECTION	NATURAL ENGLAND’S COMMENTS	APPLICANT’S RESPONSE
REP7-091_a	1.1	Although the evidence gaps pertaining to bats and offshore wind turbines are acknowledged and a literature review conducted, the Applicant is not proposing to undertake any site-specific offshore monitoring of bats, contrary to the recommendations within Natural England’s Deadline 5 Examiner’s Questions response [REP5-110]. Use of acoustic detectors attached to buoys, boats or existing wind turbines, and surveys utilising night vision aids to gather data on presence/absence and offshore bat behaviour are not proposed, and the Applicant’s review of existing offshore wind farms has for the most part only highlighted the limitations and difficulties existing schemes experienced surveying for bats at sea.	As highlighted in response REP5-110_w in the Applicant’s Response to Natural England’s Deadline 5 submissions **[REP6-059]** the survey methods listed by Natural England here, in particular the use of acoustic detectors on boats, are not well established and their efficacy has not been thoroughly tested. As a result, the data obtained from surveys carried out by other offshore wind farm projects differ widely in their findings. By opportunistically targeting offshore structures, the wider application of the data obtained by these means is limited due to it only showing presence/absence of bats at a specific point. If the Applicant were to commit to undertaking monitoring using these survey methods, there is significant risk that the monitoring would not be successful and the utility of the data for improving the knowledge base regarding migratory Nathusius pipistrelle would be limited. Additionally, the examples of surveys used on other projects (as described at REP5-110_w in the Applicant’s Response to Natural England’s Deadline 5 submissions **[REP6-059]**) have been used for attempting to establish a baseline for those projects, rather than for long-term monitoring. A baseline assessment for North Falls in terms of operational impacts on migratory Nathusius' pipistrelles has already been provided in ES Chapter 23 Onshore Ecology **[APP-037]**.

REF	SECTION	NATURAL ENGLAND'S COMMENTS	APPLICANT'S RESPONSE
REP7-091_b	1.2	The Offshore In-Principle Monitoring Plan (OIPMP) [REP6-032] states that 'There is potential that existing conservation and monitoring projects in the area would have the capabilities to conduct migratory bat monitoring on behalf of North Falls. For example, this could include providing funding to the BCT National Nathusius' Pipistrelle Project (NNPP) or collaborating with the Motus Wildlife Tracking System'. We consider that, it is not sufficient for commitments to undertake monitoring for migratory bats to be unspecified and lack any certainty at this stage in the process. The Applicant, if relying on third parties to provide monitoring on their behalf, should have correspondence with these organisations to confirm if this is possible. Likewise, the OIPMP states that 'where practicable, the project should work collaboratively with Five Estuaries Wind Farm'. It is not clear what constitutes this collaboration, which we consider essential, being practicable and under what conditions this will or will not be possible.	By funding existing projects, the Applicant would be feeding into the wider knowledge base and ensure that better quality, more cohesive results are obtained. Existing projects are likely to have established and standardised methods for data collection, something which is currently lacking from existing offshore wind projects. Additionally, existing projects are able to collate their large datasets onto platforms available in the public domain and for use by other projects for future assessments - for example, Motus' "Explore" page (Motus, 2025). If North Falls were to undertake an independent monitoring exercise, then the data collected would be narrow and localised and its value in contributing to a wider understanding of the degree of bat migration between the UK and continental Europe would be lessened. In order to fill the existing data gap in the topic of offshore migratory bats, the Applicant is of the position that monitoring data of high quality, and which is also readily available and accessible for use on well-established data platforms is the best way to collect more data in the topic of offshore migratory bats and further support that there are no operational impacts on migratory bats. The Applicant would like to clarify that reference to collaboration with Five Estuaries within the Offshore In-Principle Monitoring Plan (Rev 2) **[REP7-023]** has been removed at Deadline 7 at the request of Five Estuaries. It is however stated within Five Estuaries' Offshore In-Principle Monitoring Plan (Revision G) [Five Estuaries REP8A-023] "*where possible, the project would look to work collaboratively with the North Falls Offshore Wind Farm project*". The projects will continue to explore opportunities for collaboration where they exist during the development of the In-Principle Monitoring Plan under Condition 25 to 27 of the DMLs of Schedule 8 and 10, and Conditions 26 and 27 of the DML of Schedule 9 **[REP7-007].** However, for the reasons given above the Applicant considers that contributing to wider studies which extend beyond North Falls (and Five Estuaries) on this topic are most likely to yield the most effective results for understanding the nature of bat migration between the UK and continental Europe. As such, it is not necessary for the Applicant to commit to collaboration with Five Estuaries, as it does not present the best solution for the purposes of monitoring impacts on migratory bats.
REP7-091_c	1.3	Financially contributing to NNPP or MOTUS, even if possible and agreed with the third parties, is not sufficient in our view. This is because it will not provide site-specific data or evidence on which to inform whether mitigation is required or what measures are necessary, as there is no feedback loop proposed to utilise the data being gathered. It will also not address the issue of cumulative impacts from four different wind farm schemes operating in proximity to each other within a potentially important migratory corridor for bats; not least because the impacts of the two existing windfarms (Greater Gabbard and Galloper) on migrating bats are not currently being monitored. Therefore, as well as financially contributing to both these bat monitoring projects and this being secured with the relevant organisations as a feasible option, we advise that there needs to be a commitment to review North Falls's operation in light of the data and information gathered by those bat monitoring projects.	It is not appropriate or proportionate to impose mitigation requirements as no significant effects have currently been identified or sufficiently evidenced in ES Chapter 23 Onshore Ecology [**APP-037**] and subsequent discussions, together representing the best available scientific evidence. The intention of the monitoring exercise referenced in the Offshore In-Principle Monitoring Plan (Rev 2) [**REP7-023**] is to collect more data in the topic of offshore migratory bats.
REP7-091_d	1.4	Furthermore, a mechanism needs to be established to design and deliver a future collaborative strategy for monitoring and, if needed, mitigation. We recommend that the Applicant should together with Five Estuaries convene and promote a Migratory Bat and Offshore Wind Working Group with the operators of the operational wind farms in the vicinity, (currently the two 'parent' sites Greater Gabbard and Galloper offshore wind facilities), Natural England, and other relevant stakeholders.	Such an Offshore Wind Working Group would still only cover a narrow focus of two of the four projects listed, whilst funding existing conservation projects, as proposed, would be a better use of resources for the reasons given above at REP7-091_a and REP7-091_b.
REP7-091_e	1.5	The Working Group should collaborate to carry out migratory bat monitoring in the area; support, develop and utilise national data gathering projects; and, if required, devising and agreeing mechanisms to reduce impacts to migratory bats. This would reduce the risk posed by the complex of wind farm schemes in this part of the North Sea, which may be having cumulative impacts that could be exacerbated by the North Falls project. Another benefit of working collaboratively is that should monitoring indicate that mitigation is required, it can be applied consistently across the different projects and can be periodically reviewed and adapted as new technology and guidance emerges.	The Applicant's position on establishing an Offshore Wind Working Group is set out above in response REP7-091_d.
REP7-091_f	1.5	We also consider that the duration of the OIPMP of six years (including five years construction and one-year post-construction/operation) is not adequate for offshore impacts. If evidence gaps are to be addressed and the potential impact on migratory bats of North Falls OWF scheme properly identified and if required mitigated, contribution to monitoring projects and utilisation of this data should continue for at least 6 years of operation (NatureScot 2021, Rodrigues et al 2015). Mitigation measures, if needed, would need to be enacted for the duration of the operation of the scheme.	The purpose of the onshore acoustic monitoring proposed within the Offshore In-Principle Monitoring Plan [**REP7-023**] is to improve the baseline data within the Tendring peninsula, and to monitor changes to the resident population of Nathusius pipistrelles during and after construction. This is because the Project is undertaking habitat enhancements within the DCO Order limits following the completion of construction (as outlined in the OLEMS **[REP7-027]**) which are being proposed to help improve the habitats for Nathusius pipistrelle and other bat species, and therefore this monitoring will help provide data on the resident population during this time. The six years proposed in the Offshore In-Principle Monitoring Plan (Rev 2) [**REP7-023**] is considered sufficient to monitor these changes associated with the proposed habitat enhancements, and for providing an improved baseline for the resident population. In respect of why it is not appropriate or proportionate to implement mitigation, see response REP7-091_c above.

REF	SECTION	NATURAL ENGLAND'S COMMENTS	APPLICANT'S RESPONSE
REP7-091_g	1.6	It is not possible to provide detailed comments on the onshore proposals for bat survey for migratory bats. It is not clear what surveys would involve as the OIPMP states; 'A survey effort using static detectors and walked transects, as conducted for the ES, specifically in habitat areas at the project's landfall' and that it will be in line with BCT Survey Guidelines (Collins 2023; or equivalent up to date guidelines at the time). However, the surveys set out in the guidance are not designed for this purpose and therefore may not assist in assessing potential impacts on migratory species specifically. The reasons for onshore monitoring are given as 'To improve the evidence base of bat activity at the landfall location of the Project, including identification of individual bats which have migrated between mainland Europe and Essex'. However, acoustic monitoring cannot be used to identify individual bats. This is only achievable through trapping and ringing and/or radio tracking. Therefore, the Applicant needs to set out the full scope of the surveys, including seasonality and timing and how data will be analysed, and how this will allow them to identify individual bats which have migrated.	The full scope of the monitoring surveys will be determined post-consent when existing projects have been consulted and methodologies have been agreed. However, the timing and seasonality of the survey effort will be designed to capture the breeding period, and also the autumn migratory period Mid-August - October. The Applicant notes that Natural England, as the relevant Statutory Nature Conservation Body, will be consulted by the MMO in respect of the Offshore In-Principle Monitoring Plan, as secured by Condition 25 to 27 of the DMLs of Schedule 8 and 10, and Conditions 26 and 27 of the DML of Schedule 9 **[REP7-007]**. The Applicant acknowledges Natural England's point that acoustic monitoring cannot be used to identify individual bats and ringing and/or radio tracking would be more appropriate. The Applicant would clarify (as noted above, REP7-091_f) that acoustic monitoring is proposed to provide monitoring of the resident Nathsuius pipistrelle population, and that monitoring to improve the baseline data about migratory Nathusius pipistrelle is being proposed through funding Motus or the NNPP - as these projects use both radio tracking and ringing. The Applicant also notes that using acoustic survey methods alongside ringing and/or radio tracking via existing projects will improve the wider evidence base for offshore migratory bats by providing data at both individual and population levels.

2.8 Applicant's Response to Natural England's comments regarding Appendix M7 [REP7-092]

Table 2.8 Applicant's Response to Natural England's comments regarding Appendix M7 [REP7-092]

REF	QUESTION	RESPONSE FROM NATURAL ENGLAND	APPLICANT'S RESPONSE
REP7-092_a	**Q10.0.2** **Outer Thames Estuary (OTE) Special Protection Area (SPA)– Red Throated Diver (RTD)** 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 AEoI of OTE SPA (for RTD)?	Natural England considers that from a benthic perspective, the impacts to SPA supporting habitat have been appropriately identified, quantified and evaluated. The AEOI on the OTE SPA relates specifically to the displacement effects of the array on RTD, with an additional contribution to adverse effects from the disturbance/displacement from the cable installation phase. Please see our Deadline 7 R&I log Appendix K7	The Applicant welcomes NE's confirmation that the benthic effects have been appropriately assessed. The Applicant's maintains its position regarding no AEOI of RTD as presented in the RIAA Part 4 Offshore Ornithology [APP-178]. During the pre-application stage, the Applicant reduced the size of the North Falls array area, increasing the distance from the OTE SPA. The remaining array area is 4.5km from the OTE SPA at its closest point. In accordance with Natural England's advice, a 12km buffer has been assessed for red-throated diver displacement. The North Falls array area plus 12km buffer overlaps 2.8% of the SPA area, however all of the area within the 12km overlap of North Falls and the SPA is already within the 12km buffer of an existing OWF and/or overlaps with International Maritime Organisation shipping measures. While red-throated diver of the OTE SPA is in unfavourable condition, Natural England's (2025) condition assessment states that the abundance of non-breeding RTD is meeting its target, with the supporting habitat in decline. Noting there is no management measure in place to reduce the existing disturbance in this area and the abundance of the RTD designated feature is already meeting its target despite the existing disturbance, North Falls will not influence the restoration conservation objective. Thus, as the area of the SPA within 12km of North Falls is already subject to sources of displacement for red-throated divers, the Applicant's position is that an AEOI of red-throated diver within the OTE SPA can be ruled out beyond reasonable scientific doubt for the Project alone and in-combination. However, a derogation case for RTD from the OTE SPA is provided in the Habitats Regulations Derogation Provision of Evidence [**REP7-015/016**], without prejudice of the Applicant's position.
REP7-092_b	**Q10.0.3** **Marine Environment and Physical Processes - Worst Case Scenario (WCS) modelling parameters** (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?	(i) Currently, we seek clarification of the realistic WCS sediment deposition thickness and footprint within KKE MCZ due to construction-related activities to inform the EIA and MCZA. However, in [REP6-059] the Applicant has stated that the potential for concurrent construction activities and overlapping sediment deposition can be clarified in further updates to the hydrodynamic and dispersion modelling by Deadline 7. This will inform understanding of the WCS sediment deposition thickness and extent at the MCZ and may resolve this issue. It will also inform any requirements for pre- and post-construction surveys at the MCZ. (ii) The Applicant has included sandwave recovery monitoring in the IPMP [REP6-032], which is welcomed. We would also advise that where impacts to sandwave-sandbank systems (e.g. Annex I sandbanks within/adjacent to the array) are found to be greater than predicted then the Applicant should ensure remedial action is	(i) The Applicant provided modelling of concurrent activities in the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] at Deadline 7, along with an updated MCZA Report [REP7-019/020] which confirms the worst case scenario (WCS). The KKE MCZ is designated for subtidal sand, mixed sediment and coarse sediment. The dominant sediment type recorded in the North Falls array area during the site- specific benthic survey was medium to coarse sand and therefore any suspended sediment arising from within the array area and subsequent WCS sediment deposition on the eastern edge of the KKE MCZ would be of comparable sediment to the MCZ features. of a feature condition assessment. The initial deposition of sediment from construction works in the array area would occur over a small area of the KKE MCZ and would have a WCS of 5cm to 60cm. As the sediment arising from within the array area is comparable to that of the designated features of the KKE MCZ and will be mobile, driven by the existing physical processes, the effect will be temporary as the sediment is naturally re-distributed by the prevailing waves and tidal currents. Therefore, the MCZA Report [**REP7-019/020**] concludes there will be no significant risk of hindering the conservation objectives of the KKE MCZ.

REF	QUESTION	RESPONSE FROM NATURAL ENGLAND	APPLICANT'S RESPONSE
	(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.	undertaken. In [REP4-041] the Applicant demonstrated that there was a small decrease in seabed preparation/sandwave levelling sediment volume whereas the export cable seabed preparation sediment volume increased significantly.	(ii) The guiding principles for monitoring in the IPMP [7.10, Rev 3] include adaptive management. Where applicable, the Applicant will review an adaptive management approach, in consultation with the MMO and SNCB. The revised sediment volumes were assessed in the RIAA Part 2 [**REP7-013/014**] and MCZA Report [**REP7-019/020**] at Deadline 7.
REP7-092_c	**Q10.0.4** **Margate Long Sands SAC / Kentish Knock East MCZ** 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 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 AeoI or hinderance of the conservation objectives of these sites. (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?	(ii) **MLS SAC**: Natural England is satisfied that the hydrodynamic and dispersion modelling [REP4-040] has demonstrated that sediment dispersion and subsequent deposition within MLS SAC is below MarESA thresholds. As a result, we can advise that sediment deposition impacts from construction are unlikely to result in an AEoI of the site. However, we seek clarification on the WCS cable protection placement adjacent to MLS SAC (both alone and in-combination) and an understanding of whether that WCS has been considered in the modelling assessment, considering potential changes to patterns of erosion and accretion and seabed morphology and features, within MLS SAC. Natural England advises that once this information has been provided it is likely that an AEoI of MLS SAC can ruled out, but that this information is needed to in order to provide the necessary level of transparency in assessment conclusions **For KKE MCZ**: please see our response to ExQ 10.0.3. (iii) Natural England advises that additional potential mitigation options could include conducting seabed preparation during specific tidal conditions (direction and/or flow rate) which would avoid/reduce deposition within KKE MCZ. Firm commitments to the use of measures such as a downpipe and disposal in areas of the same sediment type should also be made in all instances where there is a pathway of effect to KKE MCZ unless otherwise agreed with the MMO in consultation with the relevant SNCB. We also advise that the dispersal and depositional modelling assessment should be updated to incorporate the mitigation measures (including those outlined in [REP6-050]), and all relevant assessments updated in the context of the ecological implications of the modelling results. This will increase understanding of the suitability of the proposed mitigation measures to address the potential hindrance of the MCZ's conservation objectives during construction. Furthermore, whilst not mitigation, we would wish to see the Applicant commit to intensive monitoring of the affected area within the MCZ. This should include consideration of changes to sediment composition, seabed level and morphology and should include thresholds of change to trigger remedial action if impacts are observed to be greater than predicted. This monitoring would need to be included in the IPMP and secured in the DCO/dML.	(ii) The Applicant welcomes Natural England's response. The Applicant provided additional modelling (the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**]) at Deadline 7 based on a highly conservative worst case scenario of cable protection in the offshore cable corridor in proximity to the MLS SAC, taking into account the 150m buffer between cable protection and the SAC. This additional modelling confirms there will be no discernible effect in the SAC from cable protection placed anywhere in the offshore cable corridor. Therefore, the Applicant understands this resolves Natural England's concerns and an AEOI of the MLS SAC can be ruled out. See the Applicant's response to Q10.0.3 above regarding KKE MCZ. (iii) The mitigation option of timing poses a significant co-ordination risk to the project, that could result in an increased risk of cable exposures. As stated in ISH2 by HHFA, the seabed is mobile. This means that co-ordinating cable installation is important to maximise the chances of burying the cables to the required depth i.e. into the non-mobile part of the seabed. The cable install operations require seabed preparation (of which sandwave levelling is one part), followed by cable lay and cable burial. Due to the continuous nature of cable laying, the cable lay vessels operate 24hr a day. To impose a timing condition on seabed preparation could result in the seabed preparation works either being done too early (and hence more infill than expected occurring in the area) or too late (and there not being enough time to fully undertake the required work) to ensure the cable lay is at a depth that means the burial tool can reach its required burial depth – i.e. seabed preparation needs to be just in time for the continuous operation of cable lay. If the cable is not buried into the non-mobile part of the seabed, there is an increased risk of cable exposures over time, which could lead to safety issues for fishers, as was expressed in ISH2. The WCS relates to sandwave levelling by mass flow excavation (MFE). As this is disturbance of sediment at the seabed, rather than sediment disposal, a fall pipe is not relevant to the WCS of MFE. Furthermore, the Hydrodynamic and Dispersion Modelling Report [**REP7-041/042**] shows sediment deposition from disposal of dredged sediment will have no discernible effect on the MCZ taking into account the 1km buffer, therefore limiting the methods for disposal is not required. The Hydrodynamic and Dispersion Modelling Report [REP7-041/042], RIAA Part 2 [REP7-013/014] and MCZA Report [**REP7-019/020**] submitted at Deadline 7 reflect the Applicant's various mitigation commitments. See the Applicant's response to REP7-086_e regarding monitoring. The Applicant maintains that the mitigation and monitoring are appropriate and that there will be no significant risk of hindering the Conservation Objectives of the KKE MCZ.
REP7-092_d	**Q10.0.5** **Compensation – Schedule 15 wording** 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. (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	(i) For compensatory measures to address seabird collision mortality impacts on SPA populations we advise that the measure must remain in place at least for the operational lifespan of the OWF. It may be necessary for the measure to persist beyond this timeframe if monitoring suggests that the impacts estimated as arising at the OWF have not been adequately compensated, leading to the accrual of mortality debt which must be addressed by the measure. We highlight that where appropriate e.g. for Artificial Nest Structures, previous OWF consents have required developers to seek permission from the Secretary of State (SoS), in consultation with Natural England. before decommissioning their compensation.	(i) In accordance with the updated LBBG Outline CIMP, Kittiwake Outline CIMP and Guillemot and Razorbill Outline CIMP, mortality debt would be addressed through adaptive management during the life of the Project, where applicable. As stated by Natural England in REP5-110, mortality debt is not applicable to red-throated diver. The disturbance/displacement effect for RTD would be removed following decommissioning of the Project. Therefore, the Applicant maintains that compensation for all species is required for the life of the Project only.

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	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.	For disturbance/displacement seabird impacts quantified as area of habitat loss, we advise that the compensatory measure should remain in place as long as that impact persists.	
REP7-092_e	**Q10.0.7** **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.	Please see Natural England's response to Q26 in the RIES in the Cover Letter to our Deadline 7 submission.	Please see the Applicant's response to NE's cover letter in Section 2.1.
REP7-092_f	**Q10.0.9** **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 without prejudice derogation case at Deadline 7. 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. 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. 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).	(a) Please see Natural England's response to Q26 in the RIES in the Cover Letter to our Deadline 7 submission. We will review any without prejudice derogations case submitted by the Applicant and respond at Deadline 8.	Please see the Applicant's response to NE's cover letter in Section 2.1.
REP7-092_g	**Q10.0.10** **Kentish Knock East MCZ (KKE MCZ)**	(i) Natural England advises that based on the results of the hydrodynamic and dispersion modelling [REP4-040] at present, that unless further evidence and assessment can be presented to demonstrate otherwise, we consider it likely that the achievement	The KKE MCZ is designated for subtidal sand, mixed sediment and coarse sediment. The dominant sediment type recorded in the North Falls array area during the site-specific benthic survey was medium to coarse sand and therefore any suspended sediment arising from within the array area

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	(i) Confirm if AEoI can be excluded to the KKE MCZ by Deadline 7. (ii) The applicant should otherwise submit a derogations case (on a without prejudice basis) also by Deadline 7.	of the KKE MCZ conservation objectives, which have a 'restore target' will be hindered. However, we consider that if the Applicant can provide clarification on the WCS sediment deposition thickness and extent within the MCZ, and commit to intensive monitoring of the affected area within the MCZ (including changes to seabed sediment composition, morphology and level) including establishing triggers for remedial intervention if impacts are greater than predicted, then we do not consider that MEEB/compensation will be required.	and subsequent sediment deposition on the eastern edge of the KKE MCZ would be of comparable sediment to the MCZ features. It should be noted that the features of the KKE MCZ are not features of conservation importance (FOCI). In accordance with the MCZ project Ecological Network Guidance (JNCC, 2010) these were representative examples of broadscale habitats. Therefore, it is important to note that the habitats protected by the KKE MCZ are not threatened, rare or declining habitats in the wider context of the UK. While the subtidal coarse and mixed sediment features of the KKE MCZ are deemed to be in unfavourable condition this is based on habitat mapping of the MCZ from January 2014 prior to designation of the MCZ and a desk based vulnerability assessment by Natural England in the absence of a feature condition assessment. The initial deposition of sediment from construction works in the array area would occur over a small area of the KKE MCZ and would be between 5cm to 60cm. As the sediment arising from within the array area is comparable to that of the designated features of the KKE MCZ and will be mobile, driven by the existing physical processes, the effect will be temporary as the sediment is naturally re-distributed by the prevailing waves and tidal currents. Therefore, the associated communities can be expected to recover. This is supported by monitoring at Greater Gabbard (CMAS, 2014) which shows the amount and distribution of coarse sediments remained similar pre- and post-construction. In addition, there was no material change to the communities. See the Applicant's response to REP7-086_e regarding monitoring. A derogation case (including without prejudice) has never been required for indirect effects on seabed habitats, such as has been requested for North Falls. Thus, the Applicant considers there is substantial evidence and precedent to support the position that North Falls will not hinder the conservation objectives of the KKE MCZ and therefore a derogation case should not be required.
REP7-092_h	**Q14.0.3** **Natural England Risk and Issues Log: Landscaping and Outline Landscape and Ecological Management Strategy (OLEMS)** Natural England states in its Risk & Issues Log [REP6-089] that it expects "*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*". The ExA notes that the dDCO [REP6-005] was amended and now includes provision for consultation with the SNCB within Requirement 7. 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 Project secured by DCO Requirement. It includes various survey methods and monitoring measures are referred to, for example: <u>Survey Methods</u>: 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]. <u>Monitoring requirements and a requirement to maintain, including potential for re-planting:</u> Section 3.11 of the OLEMS [REP6-035] includes maintenance of landscape planting. It includes that "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" (see Paragraph 248 and following).	(i) The comment referred to within the Risks and Issues log is related to the sufficiency of the wording of Requirement 7 and not to the details provided within the OLEMS. Our comments on the OLEMS remain as per our Risk and Issues Log (ii) Natural England considers that key aspects of the Landscape mitigation should be captured within the requirement to appropriately secure the required mitigation. The OLEMS are high level and do not provide the final detail as it is not possible at this stage. The details will be provided pre-construction within the written landscaping scheme. It is our opinion that Requirement 7 should be amended to ensure that the written landscaping scheme submitted must include details of survey methods, proposed monitoring, and the requirement to maintain and replant due to plant or tree failures. This is needed as these are key aspects of successful mitigation and should be appropriately secured. (iii) The onus is on the Applicant to ensure that ecological functionality is established/reestablished as quickly as possible and this varies depending on the location. Therefore, Natural England advice remains unchanged.	**(i)** and **(ii)** The Applicant's response to outstanding issues in Natural England's Responses to ExQ3 - Appendix K7 - Natural England's Risk and Issues Log [**REP7-090**] are set out above in Table 2.6. (iii) Sections 2.5 and 2.6 of the OLEMS **[REP7-027]** set out the aftercare periods for replacement of failed plants. This includes consideration of local conditions, integration into existing habitat networks and for landscape as well as ecological value. The aftercare approach and duration for habitats at the onshore substation used as part of BNG calculations (30 years) and those along the onshore cable route (10 years) is proportionate. The Applicant understands that this is not a residual unresolved issue in Natural England's Risk and Issues Log **[REP7-090]**, and this has been agreed with other interested parties (e.g. ECC, see Items 20-21 of the Statement of Common Ground with Essex County Council and Tendring District Council **[REP7-065]**).

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	Please can the IPs identified comment on, and respond to, the following: (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?		
REP7-092_i	**Q14.0.4** **Duty to Enhance National Landscape** 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 [REP5-055] and in further information submitted at Deadline 6, in response the ExA's Rule 17 request dated June 6 2025 [PD-014]. 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]. 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]. 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.	Please see Natural England's comments on the Applicant's without prejudice response to the ExA's Rule 17 request [REP6-062] in Appendix I7 to our Deadline 7 submission.	Please refer to the Applicant's Response to Natural England's comments regarding Appendix I7 [**REP7-089**] set out above in Table 2.5.
REP7-092_j	**Q14.0.5** **National Landscape Enhancement Scheme Principles:** Mechanism for Delivery 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]: National Landscape Enhancement Scheme (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.	Please refer to Appendix I7 to Natural England's Deadline 7 submission. Further to our comments provided in Appendix I7 we would like to request the draft wording be amended to include a requirement to consult the relevant SNCB on the National Landscape Enhancement Scheme prior to its approval and discharge.	Please refer to the Applicant's Response to Natural England's comments regarding Appendix I7 [**REP7-089**] set out above in Table 2.5. The Applicant does not propose to make this amendment to the without prejudice draft National Landscape Enhancement Scheme principles submitted at Deadline 6 [**REP6-062**]. The draft DCO Requirement included at Table 1 of [**REP6-062**] states that a National Landscape Enhancement Scheme must be approved by the discharging authority in consultation with Suffolk & Essex Coast & Heaths National Landscape Partnership. The Applicant considers that these organisations would be the two most appropriate parties to consider the National Landscape Enhancement Scheme given the nature of the proposed scheme and its spatial extent.

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	(2) The National Landscape Enhancement Scheme must accord with the principles and fund size set out in the National Landscape Enhancement Scheme principles document. (3) The National Landscape Enhancement Scheme must be implemented as approved. (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. Comments from IPs are specifically sought in relation on the wording of above suggested Requirement, submitted on a without prejudice basis.		
REP7-092_k	**Q14.0.11** **Impact on LCTs** 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 "the magnitude of change is correctly recorded as 'low'" in each case. (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.	We signpost the ExA to our Relevant Representations [REP1-071] advice (including Table 3) where we disagree with the Applicant's assessment regarding the magnitude of change for different landscape character types.	Please see Q14.0.11 in the Applicant's Response to ExA's Third Written Questions **[REP7-051]**.
REP7-092_l	**Q14.0.12** **Natural England: Risk and Issues Log** 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 unless new information is forthcoming, or the Applicant's conclusions change. 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.	Please see Natural England's advice on the Applicant's without prejudice response [REP6-062] to the ExA's Rule 17 request in Appendix I7 to our Deadline 7 submission.	Please see responses to REP7-089_a to REP7-089_j above.
REP7-092_m	**Q14.0.13** **Underestimation of Effects** 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. Please can the Applicant (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.	(ii) As advised in our Relevant Representations [REP1 071], we consider that significance of effects have been underestimated. For further detail please see Table 3 of our Relevant Representations. Where there is a disagreement between the Applicant's and Natural England's assessment in Table 3, it is always the case that the Applicant has in our view underestimated the effects.	Please see Q14.0.11 in the Applicant's Response to ExA's Third Written Questions **[REP7-051]**.

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NORTH FALLS

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HARNESSING THE POWER OF NORTH SEA WIND

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