

ExQ1:
Responses due by Deadline 3: 19 March 2025



EN010125: Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited for the Dogger Bank South Offshore Wind Farms Project

The Examining Authority's Written Questions and requests for further information

Issued on 28 February 2025

The following table sets out the Examining Authority's (ExA's) Written Questions and requests for information - ExQ1. If necessary, the Examination Timetable allows the ExA to issue a further round of written questions in due course. If this is done, the further round of questions will be referred to as ExQ2.

Questions are set out using an issue-based framework derived from the Initial Assessment of Principal Issues provided as Annex C to the Rule 6 letter of 24 September 2024 [\[PD-002\]](#). Questions have been formulated as they have arisen from representations, examination of the issues and to address the assessment of the application against relevant policies.

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

Each question has a unique reference number which starts with an alphabetical code, followed by an issue number (indicating that it is from ExQ1) and a question number. For example, the first question on air quality is identified as AQ.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are answering a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions an [editable version of this table is available in Microsoft Word](#).

Please note that to ensure the thorough examination of issues, several questions were drafted prior to Deadline 2. Whilst every effort has been made to update these questions, if information has already submitted that would answer a question, then please signpost the ExA to the relevant submission.

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Finally, the draft Development Consent Order (DCO) includes five Deemed Marine Licences (DMLs) (Schedules 10 to 14). Therefore, to minimise repetition/ explanation, where a question refers to a DML the reference will be to DML1 (Schedule 10) but will apply to all the draft DMLs unless otherwise stated.

Responses, unless otherwise stated, are due by Deadline 3: 19 March 2025

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Abbreviations Used

Abbreviation	Definition
ADR	Alternative Dispute Resolution
AEol	Adverse Effects on Integrity
ALC	Agricultural Land Classification
ANS	Artificial Nesting Structure
AQMA	Air Quality Management Area
BNG	Biodiversity Net Gain
BoR	Book of Reference [REP2-006]
CA	Compulsory Acquisition
CAA	Civil Aviation Authority
CAH	Compulsory Acquisition Hearing
CEA	Cumulative Effects Assessment
CNP	Critical National Priority
CO2e	Carbon Dioxide Equivalent
DAS	Design and Access Statement [REP2-027]
DBS	Dogger Bank South
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
Defra	Department for Farming and Rural Affairs
DESNZ	Department for Energy Security and Net Zero
DML	Deemed Marine Licence
draft DCO	Draft Development Consent Order [REP1-004]
EIA	Environmental Impact Assessment
EA	Environment Agency
EPUK	Environmental Protection UK
ERLP	East Riding Local Plan 2012-2029 (2016)
ERYC	East Riding of Yorkshire Council
ES	Environmental Statement
ExA	Examining Authority
FFC	Flamborough and Filey Coast
GLVIA3	Guidelines for Landscape and Visual Impact Assessment Third Edition (2013)

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Abbreviation	Definition
HAT	Highest Astronomical Tide
HCC	Hull City Council
HPAI	Highly Pathogenic Avian Influenza
HRA	Habitats Regulations Assessment
HVAC	High Voltage Alternating Current
HVDC	High Voltage Direct Current
IAQM	Institute of Air Quality Management
IDB	Internal Drainage Board
ISH	Issue Specific Hearing
JNCC	Joint Nature Conservation Committee
KSIMP	Kittiwake Strategic Implementation and Monitoring Plan [APP-053]
km	Kilometres
LIR	Local Impact Report
LLFA	Lead Local Flood Authority
LSE	Likely Significant Effect
LWS	Local Wildlife Site
m	Metre
MAFF	Ministry of Agriculture, Food and Fisheries
MCA	Maritime and Coastguard Agency
MCZ	Marine Conservation Zone
MHWS	Mean High Water Springs
MMO	Marine Management Organisation
MRF	Marine Recovery Fund
MSA	Mineral Safeguard Area
MSL	Mean Sea Level
MW	Mega Watt
NE	Natural England
NH	National Highways
NFFO	National Federation of Fishermen's Organisations
NPPF	National Planning Policy Framework 2024
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project

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Abbreviation	Definition
oCoCP	Outline Code of Construction Practice [REP1-025]
oCTMP	Outline Construction Traffic Management Plan [AS-020]
oEMP	Outline Ecological Management Plan [REP2-029]
oLMP	Outline Landscape Management Plan [REP2-031]
oMMMP	Outline Marine Mammal Mitigation Protocol [REP2-047]
OWF	Offshore Wind Farm
oWSI	Outline Written Scheme of Investigation [APP-246]
PA2008	The Planning Act 2008
PAM	Passive Acoustic Monitoring
PEIR	Preliminary Environmental Information Report
PEXA	Practice and Exercise Area
PINS	The Planning Inspectorate
PRoW	Public Right of Way
R	Receptor
RSPB	Royal Society for the Protection of Birds
RIAA	Report to Inform Appropriate Assessment
RR	Relevant Representation
s	Section
SAC	Special Area of Conservation
SFRA	Strategic Flood Risk Assessment
SNCBs	Statutory Nature Conservation Bodies
SoCG	Statement of Common Ground
SoR	Statement of Reasons [AS-146]
SoS	Secretary of State
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TJB	Transition Joint Bay
TP	Temporary Possession
UK	United Kingdom
UKCoS	UK Chamber of Shipping
UK	United Kingdom

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Abbreviation	Definition
UXO	Unexploded Ordnance
WMS	Written Ministerial Statement
WR	Written Representation

The Examination Library

References in these questions set out in square brackets (eg [APP-100]) are documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: [EN010125-000619-Dogger Bank South - Examination Library.pdf](#)



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ExQ1	Question to:	Question
Broad, general and cross-topic questions		
BGC.1.1	The Applicants, East Riding of Yorkshire Council (ERYC) and Hull City Council (HCC)	<p>Neighbourhood Plans</p> <p>Can you confirm whether there are any relevant made or emerging neighbourhood plans that the Examining Authority (ExA) should be aware of?</p> <p>If there are can you:</p> <ol style="list-style-type: none"> 1. Provide details, confirm their status and, if they are emerging, the expected timescales for their completion? 2. Provide a copy of the made plan or a copy of the latest draft? 3. Indicate what weight you consider the ExA should give these documents? <p><i>ERYC comment - Cottingham Neighbourhood Plan is made plan in the vicinity of the proposed converter stations. ERYC does not consider weight needs to be given to this plan. A link is attached here</i> https://www.eastriding.gov.uk/planning-permission-and-building-control/planning-policy-and-the-local-plan/neighbourhood-planning/cottingham-neighbourhood-plan/</p>
BGC.1.2	The Applicants, ERYC and Any Interested Party	<p>Central Government policy and guidance</p> <p>In addition to the Written Ministerial Statement (WMS) on the Marine Environment (January 2025) are you aware of any updates or changes to Government policy or guidance relevant to the determination of this application that has occurred since it was submitted? If yes, what are these changes and what are the implications, if any, for the application?</p> <p>For example, please provide a table setting out any changes to the updated National Planning Policy Framework (NPPF) published in December 2024 that have implications for the Proposed Development and if the Proposed Development would comply with the updated NPPF.</p> <p><i>ERYC comment – no additional responses.</i></p>
BGC.1.3	The Applicants and National Grid	<p>Clean Power 2030 Action Plan</p> <p>What implications does the publication of the Clean Power 2030 Action Plan (Department for Energy Security and Net Zero (DESNZ), 2024) have for the Proposed Development?</p> <p>For example, page 66 suggests that there will be a change to the grid connection process and that updated grid connection offers will be provided by the end of 2025 – what implications could this have for the grid connection for the Proposed Development, and do you consider that this is sufficiently secured?</p>

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BGC.1.4	The Applicants	Strategic Spatial Energy Plan Does the Government's Notice to commission a Strategic Spatial Energy Plan (DESNZ, October 2024) has any implications for the Proposed Development? If so, what are these and would it affect any of the conclusions reached in the Environmental Statement (ES)?
BGC.1.5	The Applicants	Marine Plans Can you provide a plan identifying the areas covered by the East Inshore and East Offshore Marine Plans (noting that terrestrial and landfall related policies have been scoped out of assessment) and the North East Inshore and North East Offshore Marine Plans, in relation to the Order Limits and the Proposed Development?
BGC.1.6	ERYC and HCC	Updates on development Can you provide an update on any planning applications that have been submitted, or consents that have been granted, since the application was submitted that could either affect the Proposed Development or be affected by the Proposed Development and whether these could affect the conclusions reached in the ES? <i>Planning application reference 24/03819/STPLF received for a 400kv substation adjoining Creyke Beck sub-station. This should be considered in cumulative impact terms.</i>
BGC.1.7	The Applicants and National Grid	Birkhill Wood National Grid Substation <ol style="list-style-type: none"> 1. Is there any update on the status of the proposals for the proposed Birkhill Wood National Grid Substation? When is this likely to come forwards as a planning application and when is its projected construction and operation? 2. Does the takeover by the new publicly owned National Energy System Operator in October 2024 from National Grid have any implications for the Proposed Development? 3. Would the grid connection offer [AS-152] from National Grid provide sufficient capacity to receive the maximum potential generating capacity from the Proposed Development?
BGC.1.8	The Applicants	Other consents and permits Other Consents and Licences [REP1-023] confirms that other consents, licences and permits would be required for the Proposed Development. Can you: <ol style="list-style-type: none"> 1. Provide an update on progress with obtaining these consents, licences and permits? 2. Include a section providing an update on these consents, licences and permits in any emerging Statements of Common Ground (SoCG) that are being drafted with the relevant consenting authorities?
BGC.1.9	The Applicants	Operational period

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		The assessments in the ES assume an operational period of 30 to 32 years for the Proposed Development before it is to be decommissioned. Should this period of time be specified and secured as a requirement of the draft Development Consent Order (DCO)? If not, might this allow for a longer operation period to occur and what implications would this have for the assessments and conclusions of the ES?
BGC.1.10	The Applicants	Cumulative effects The ExA notes the information provided in the Cumulative Effects Assessment Screening [APP-101] and in each topic area of the ES regarding cumulative effects. Can you provide a table that presents an assessment of cumulative impacts including the likely significant effects of the Proposed Development with third party developments, including a summary of likely residual cumulative effects that have been assessed as significant in Environmental Impact Assessment (EIA) terms after embedded and applied mitigation, and identify those without any further mitigation or monitoring proposals (and explain why)? Can you provide a plan to identify the cumulative developments considered in the ES, with reference to the Order Limits? The ExA directs the Applicants to the recent submission to the Mona Offshore Wind Farm (OWF) as an example. This is listed as [REP3-063] within the Mona OWF examination library.
BGC.1.11	The Applicants	Approach to Cumulative Effects Assessment (CEA) In many subject areas in the ES, it is assumed that other projects will mitigate their own impacts through secured measures to reach a conclusion that there would be no significant cumulative impacts, without any further consideration of the interaction with the Proposed Development. Can you justify this approach to CEA, and corresponding mitigation?
BGC.1.12	The Applicants	Change Request 2 Whilst noting your response to ERYC on this matter [AS-152] , pages 58 and 59], can you provide further justification as to why the construction period would remain unchanged, given that Change Request 2 results in the proposed converter stations being approximately half the size of those previously proposed?
BGC.1.13	The Applicants	Onshore Substation Zone The application documentation makes many references to the Onshore Substation Zone which is defined as, ' <i>Parcel of land within the Onshore Development Area where the onshore converter station infrastructure (including haul roads, temporary construction compounds and associated cable routing) would be located</i> '. However, the application does not include proposals for a substation, this being the subject of a separate application by National Grid. To minimise potential confusion could you use 'onshore converter station zone' when referring to this area and amend your documentation as necessary?

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Air quality and health		
Air Quality		
AQ.1.1	The Applicants, ERYC and HCC	<p>Air quality assessment baseline</p> <p>ES Chapter 26 [APP-208, table 26-9] confirms that baseline data from the Councils are from 2018 to 2022. Is this information representative of the current air quality baseline, given it was predominantly gathered during the COVID19 pandemic when air quality data could have been disproportionately affected? Is there newer air quality information available that should be utilised for air quality modelling?</p> <p><i>ERYC comment - The Council's 2024 Annual Status Report of Air Quality is available on the council's website at https://www.eastriding.gov.uk/environment/pollution/air-pollution/air-quality-monitoring/ and includes data from the 2023 monitoring year. Data from the council's network of Zephyr units is also available to access via the web portal at: https://portal.earthsense.co.uk/EastRidingPublic/ These data sources can be used to assist in the validation of modelling undertaken by the applicant.</i></p>
AQ.1.2	The Applicants	<p>Air quality assessment baseline</p> <p>ES Chapter 26 [APP-208, paragraph 107] states that, 'East Riding of Yorkshire Council undertakes monitoring of NO₂, PM₁₀ and PM_{2.5} within the study area at one roadside continuous monitoring site (Bev_Zephyr)...'. Within the same paragraph it also states, 'East Riding of Yorkshire Council does not undertake monitoring of PM10 or PM2.5.107'. Clarify if ERYC does undertake monitoring of PM₁₀ and PM_{2.5} and, if so, at what valid data capture level you consider that the data would be reliable for model validation?</p>
AQ.1.3	The Applicants, ERYC and HCC	<p>Air quality assessment methodology</p> <p>The Applicants: ES Chapter 24 [APP-195] confirms that traffic modelling of junctions 1 to 13 within Hull would be carried out post-determination of the application to allow for baseline conditions to be consolidated following major highway improvements to the A63 Castle Street. Can you clarify the following:</p> <ol style="list-style-type: none"> 1. How has this been accounted for in the air quality assessment? 2. If further modelling of junctions 1 to 13 was carried out as proposed post-determination, would further air quality modelling also be undertaken? If not, why not? If so, how would this be secured? 3. How would mitigation be captured if required?

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		<p>ES Chapter 26 [APP-208] confirms that the A63 Castle Street improvements in Hull and the A164 and Jocks Lodge Improvement Scheme were considered as part of the cumulative air quality effects assessment. Therefore, can the cumulative assessment be considered reliable if more traffic (and potentially air quality) modelling would be required post-determination?</p> <p>The Councils: Can you provide a view on the above matters?</p> <p><i>ERYC comment – This is considered to be a matter for Hull CC as they have an air quality management area within the city whereas no such AQMA exists in ERYC's area.</i></p>
AQ.1.4	The Applicants	<p>Air quality assessment</p> <p>Where ES Chapter 26 [APP-208] presents the 'worst case scenario' in terms of emissions, is this also the same as 'predicted absolute emissions' required by National Policy Statement (NPS) EN-1 paragraph 5.2.9? If not, can you explain the difference and where in the ES the predicted absolute emissions are provided?</p>
AQ.1.5	The Applicants	<p>Air quality assessment</p> <p>Can you signpost where ES Chapter 26 [APP-208] presents absolute concentrations as a result of the Proposed Development after mitigation as required by NPS EN-1 paragraph 5.2.9? If this information is not provided, should it be and would it affect the conclusions reached?</p>
AQ.1.6	The Applicants	<p>Air quality assessment</p> <p>Can you confirm if there would be any eutrophication impacts as a result of the Proposed Development as required by NPS EN-1 paragraph 5.2.9? Can you signpost to where you demonstrate this was considered, and how it was assessed?</p>
AQ.1.7	The Applicants	<p>Air Quality Strategy for England (Department for Environment, Food and Rural Affairs (Defra))</p> <p>NPS EN-1 paragraph 5.2.12 states that the Secretary of State (SoS) should have regard to the Air Quality Strategy in England, or any successors to this. ES Chapter 26 [APP-208] refers to the 2007 version of the Air Quality Strategy in England in the document references, however the most recent version was published in 2023. What effect do any changes to this updated document have on the conclusions reached in ES Chapter 26? Can you update the application documents as necessary?</p>
AQ.1.8	The Applicants and ERYC	<p>Air quality effects during construction</p> <p>The Applicants: NPS EN-1 paragraph 5.7.9 states that construction should be undertaken in a way that reduces emissions, such as the use of low emission mobile plant during construction as appropriate, and that consideration should be given to making this mandatory in DCO requirements.</p>

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ExQ1	Question to:	Question
		<p>Can you signpost where in the outline Code of Construction Practice (oCoCP) [REP1-025] there is a commitment to the use of low emission vehicles or plant?</p> <p>The Applicants and ERYC: Should this be a mandatory requirement, and if not, why not?</p> <p><i>ERYC - this should be a mandatory requirement and would expect to see details within the oCoCP</i></p>
AQ.1.9	The Applicants	<p>Air quality effects during construction</p> <p>ES Chapter 26 [APP-208], paragraph 229] defines the sensitivity of receptors – can you confirm how many receptors would be affected by effects of PM₁₀? If this is more than 100, would this increase the sensitivity of receptors to human health effects of PM₁₀ to high? If so, how does this affect the findings of the ES?</p>
AQ.1.10	The Applicants	<p>Air quality effects during construction</p> <p>The oCoCP [REP1-025] identifies the likelihood of concrete batching plants at the two proposed main construction compounds. Given these could be sources of substantial amounts of particulate matter, can you signpost to where they have been considered in terms of air quality effects? If they have not been considered, can you explain why not?</p>
AQ.1.11	ERYC	<p>Air quality effects during construction</p> <p>The oCoCP [REP1-025] states that bonfires and burning of waste materials would be avoided – should the oCoCP include a stipulation for no bonfires and burning of waste materials to avoid nuisance and adverse effects on air quality?</p> <p><i>ERYC comment - we believe this should be a mandatory requirement and would expect to see details within the oCoCP</i></p>
AQ.1.12	HCC	<p>Air Quality Management Area (AQMA)</p> <p>Are you satisfied that the Proposed Development would not result in conflict with any of the objectives of the Hull AQMA No.1?</p>
AQ.1.13	The Applicants	<p>Cumulative effects</p> <p>Can you justify why only projects located within 500 meters (m) of the onshore development area were identified as potentially having cumulative effects from construction phase dust and particulate matter [APP-208], paragraph 308]? Are there other projects such as the A164 and Jocks Lodge Improvement Scheme that should be included to assess whether they could contribute dust and particulate matter to the extent that the cumulative effects become significant?</p>
AQ.1.14	The Applicants and HCC	<p>Cumulative effects</p>

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		<p>The Applicants: ES Chapter 26 [APP-208, paragraph 319] confirms that the in-combination increase in traffic flows associated with Dogger Bank South (DBS) East, DBS West and other identified schemes would cumulatively exceed the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK) screening criteria (IAQM and LP, 2017) on road links. It suggests, however, that mitigation would not be required, because traffic associated with DBS East and DBS West would account for only a small proportion of the total traffic generated. Justify your approach with reference to policies that support your stance, noting the requirements of NPS EN-1 paragraph 5.2.12 and Planning Inspectorate (PINS) guidance on cumulative effects assessment¹, which states that, '<i>as a minimum, applicants are expected to include the mitigation necessary to address impacts associated with their proposed Nationally Significant Infrastructure Project (NSIP). Apportionment of effect and mitigation between projects may be acceptable subject to justification and agreement with relevant consultation bodies. This would need to be evidenced in the Environmental Statement.</i>'</p> <p>Can you provide details of the likely process contribution, ie modelling of the future air quality scenario with committed development but without the Proposed Development, in comparison to the cumulative future scenario with the Proposed Development.</p> <p>The Applicants and HCC: Would the cumulative effects result in conflict with any of the objectives of the Hull AQMA No.1?</p>
AQ.1.15	The Applicants	<p>Cumulative effects</p> <p>ES Chapter 26 [APP-208, paragraph 321] suggests that it would be unlikely that there would be a significant cumulative effect associated with traffic emissions at human receptors. How is this justified when paragraph 319 confirms that the in-combination increase in traffic flows associated with DBS East, DBS West and other identified schemes would cumulatively exceed the IAQM and EPUK screening criteria (IAQM and EPUK, 2017) on road links?</p>
AQ.1.16	The Applicants	<p>Securing mitigation</p> <p>ES Chapter 26 [APP-208, table 26-3] states that the Proposed Development would commit to the implementation of best practice dust mitigation measures as per the oCoCP. However, the wording in the oCoCP [REP1-025] states that when undertaking general works certain dust control measures 'may' be implemented as required. Do you consider that the use of the words 'may' or 'should' commit the Applicants to the implementation of mitigation measures? Should these be replaced with 'must'. If not, why not?</p>

¹ [Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment - GOV.UK](#)

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Health		
AQ.1.17	The Applicants	<p>NPS EN-1</p> <p>The ExA notes the socio-economic benefits identified in ES Chapter 27 [APP-214] associated with job opportunities from construction, operation and maintenance of the Proposed Development. However, what opportunities have been taken to promote local improvements to encourage health and wellbeing, which consider impacts on vulnerable groups within society and those with protected characteristics under the Equality Act 2010 in accordance with NPS EN-1 paragraph 4.4.6?</p>
AQ.1.18	The Applicants	<p>Mitigation</p> <p>ES Chapter 27 [APP-214, table 27-3] presents embedded mitigation measures, including those regarding construction noise on page 43. However, not all of the mitigation measures listed in the table regarding construction noise are in the oCoCP [REP1-025], for example plant to operate at low speeds. Can you review all mitigation set out in table 27-3 to ensure that all necessary measures are captured in the appropriate associated documents?</p>
AQ.1.19	The Applicants	<p>Converter stations</p> <p>If the converter stations were to include gas insulated switch gear, would sulphur hexafluoride be used? If so, how would leakage be controlled operationally and through the draft DCO to avoid a risk to public health or the environment?</p>
AQ.1.20	The Applicants	<p>Significance of effects</p> <p>Can you provide further justification that the public health benefits from energy security to vulnerable groups during operation of the Proposed Development would result in a moderate beneficial effect, which would be significant [APP-214]? Can you provide examples of other made DCOs where similar moderate beneficial (significant) effects on human health were identified?</p>
Aviation, radar, military and communications		
ARMC.1.1	Civil Aviation Authority (CAA), Maritime Coastguard Agency (MCA) and Trinity House	<p>Colour of offshore structures</p> <p>The colour requirement for the proposed offshore structures differs between International Civil Aviation Organisation and Trinity House [APP-125, paragraphs 35 and 36]. Condition 11 of Deemed Marine Licence (DML) 1 [REP1-004] states, '<i>the undertaker must paint all structures forming part of the authorised scheme yellow (colour code RAL 1023) from at least HAT to a height as directed by Trinity House. Unless the MMO otherwise directs, the undertaker must paint the remainder of the structures grey (colour code RAL 7035)</i>'. Could you comment on the appropriateness of the colour secured in the DML condition, whether the colour requirement inconsistencies are resolvable, and provide appropriate justification?</p>

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ARMC.1.2	CAA, Defence Infrastructure Organisation and Marine Management Organisation (MMO)	Notification periods Are you supportive of the fourteen and five-day notification periods in Condition 12 of DML 1 [REP1-004] and do you have any other comments on the condition as drafted? The ExA notes this condition is repeated in other DMLs and will consider comments received relevant for all instances.
ARMC.1.3	The Applicants	Consultation Can you signpost to evidence of consultation with the Met Office, CAA, NATS (formerly known as the National Air Traffic Services) and any aerodrome likely to be affected by the Proposed Development, including the organisations support for the findings of the submitted assessment and any associated mitigation? If you have not consulted these organisations, explain how you can demonstrate compliance with NPS EN-1 paragraph 5.5.39.
ARMC.1.4	The Applicants	Offshore platform and helicopter operators ES Chapter 15 [APP-125, Table 15-14] identifies consultation with offshore platform and helicopter operators to agree appropriate mitigation to safeguard oil and gas helicopter operations. Can an update on this consultation be provided including when details of any proposed mitigation would be made available to the Examination?
ARMC.1.5	Defence Infrastructure Organisation	Southern Managed Danger Areas In your Relevant Representation [AS-002], you explain the Proposed Development is within Low Flying Area 11. In addition, the Proposed Development is identified within the Southern Managed Danger Areas [APP-125, section 15.5.3] and [APP-126, Figure 15-2]. To aid the ExA in considering compliance with NPS EN-1 paragraph 5.5.59, can you confirm whether the Proposed Development would unacceptably limit military training, in isolation and cumulatively with other projects, including low flying aircraft operations.
ARMC.1.6	The Applicants	Size of small wind turbines ES Chapter 5 [REP1-009, paragraph 57] explains small wind turbine models on the market today have capacities of 15 to 16 Mega Watts (MW). Table 5-2 [REP1-009] identifies the small turbine rotor blade diameter as 259m. Assuming a 34m lower blade tip clearance above mean sea level, could the Applicants clarify if the maximum tip height for small turbines above Mean High Water Springs (MHWS) would be 293m? If not, what would the maximum tip height be to achieve 15 to 16 MW?
ARMC.1.7	The Applicants	Power density In response to Issue Specific Hearing (ISH) 2 agenda item 3, action point 11 [AS-155], you explain that constructing a wind turbine array with a power density above 5MW/km ² would be sub-optimal. Can you

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ExQ1	Question to:	Question
		quantify the impact to energy generation efficiency and explain if there are lower and upper acceptable power density thresholds?
ARMC.1.8	MCA	<p>Search and Rescue aircraft</p> <p>ES Appendix 15-3 [APP-129, paragraph 49] states, '<i>In summary, although a reduction in helicopter access under CAT Regulations would impose a logistic restriction on a gas installation, it would not result in a reduced level of safety, as SAR helicopters would still be able to access an installation</i>'. Can you comment whether, should emergency and icing conditions coincide, an additional reliance on Coastguard Search and Rescue aircraft would be acceptable? If not, why not?</p>
Benthic and intertidal ecology and relevant Habitats Regulations Assessment (HRA) aspects		
BE.1.1	The Applicants and Natural England (NE)	<p>Securing commitment to bundle export cables</p> <ol style="list-style-type: none"> 1. NE's Risk and Issue log [REP2-069] states that it welcomes the Applicants' commitments to bundling the export cables for each project as mitigation as it would halve the number of trenches needed for each array. The ExA notes the reference to cable bundling in the Cable Statement [REP2-039] and commitment C188 regarding cable bundling in the Commitments Register [REP2-025] but could the Applicants advise how this commitment is secured directly in the draft DCO itself as per NE's advice [REP2-069]? 2. Is NE satisfied with the wording of commitment C188 in the Commitments Register [REP2-025]?
BE.1.2	The Applicants	<p>Penetration or disturbance of the substratum below the surface of the seabed</p> <p>NE advised in its Relevant Representation (RR) [RR-039, point C29] that penetration or disturbance of the substratum below the surface of the seabed should be screened in for the operation and maintenance phase for Dogger Bank and Special Areas of Conservation (SAC). NE's Risk and Issue log [REP2-069] suggests this issue has progressed and that the Applicants have clarified this impact was screened in. Can you update that the relevant Tables (6-4, 6-6) in the Report to Inform Appropriate Assessment (RIAA) [AS-051] to reflect this, as NE advises? If not, explain why not.</p>
BE.1.3	The Applicants	<p>Benthic habitats as supporting habitats for bird and marine mammal features</p> <p>NE states in its RR [RR-039] that appropriate consideration and assessment of potential impacts on the conservation objectives for Special Protection Areas (SPAs) and SACs where the benthic habitats serve as supporting habitats for bird and marine mammal features, including Flamborough and Filey Coast (FFC) SPA and the Southern North Sea SAC, has not been adequately undertaken. The ExA is aware of the Applicants response to this in its response to NE's RR [AS-048] but this issue remains</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		unresolved in NE's Risk and Issues Log [REP2-069] . Can you explain the latest status of this issue and how the Applicants intend to resolve this disagreement with NE before the close of the Examination?
BE.1.4	The Wildlife Trusts	<p>The Dogger Bank SAC review of consents</p> <p>The ExA notes that your Written Representation (WR) [REP1-088] requested confirmation that a Review of Consents as required by the Competent Authority under Section 33 of the Offshore Habitats Regulations has been undertaken for Dogger Bank SAC and that if a Review of Consents has not been undertaken you state this must be delivered urgently. Can you clarify your concerns in this regard, including where, with whom and at what stage you believe actions lie?</p>
BE.1.5	NE	<p>Dogger Bank SAC – use of as built habitat loss</p> <p>You stated [RR-039, C34] that the Applicants had calculated an as built estimate of habitat loss for consented projects within the Dogger Bank SAC, that you disagree with this approach and advise that consented parameters should be used to inform habitat loss estimates for assessment within Dogger Bank SAC. The Applicants responded [AS-048, page 101] that whilst as-built numbers have been included in the RIAA Part 2 [AS-051] for reference, the 11.71km² footprint quoted in paragraph 19 (section 6.4.1.1.3) [AS-051] is the consented footprint and this was used in the in-combination assessment presented in paragraph 114 (section 6.4.2.5.2), not the constructed footprint. Can you confirm whether the Applicants' response addresses your concern? If not, why not?</p>
BE.1.6	NE, The Wildlife Trusts and the Lincolnshire Wildlife Trust	<p>Compensation for Adverse Effects on Integrity (AEol) of the Dogger Bank SAC</p> <p>At Deadline 2, the Applicants confirmed that the principal compensation proposed in the Project Level Dogger Bank Compensation Plan revision 2 [REP2-012] would be the designation of a new protected site or extension of an existing site to offset predicted impacts on the Dogger Bank SAC sandbank feature, which would be delivered strategically, via Defra, through contribution to the Marine Recovery Fund (MRF). Do you agree with the Applicants' statement in their Deadline 2 cover letter page 4 [AS-158] that, '<i>...the Applicants believe that the compensation measure proposed by the Applicants is accepted by Natural England and the delivery mechanism confirmed by Defra and DESNZ, hence this does not need further debate.</i>'</p> <ol style="list-style-type: none"> 1. Do you agree with the Applicants' conclusion in section 2.3.3, paragraph 27 of the Extension of the Dogger Bank SAC for HRA Derogation Compensation rationale and evidence base [APP-062], that an extension of the Dogger Bank SAC to the north would encompass an equivalent (or greater) area of habitat to that lost, that inclusion of greater area of more stable sediments to the north may increase the overall ecological function, and that it would not decrease the overall structure and function of the SAC? If not, explain why not. 2. Has your position on whether habitat disturbance effects should contribute to AEol of the Dogger Bank SAC and the level of compensation required suggested by the Applicants

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>changed or remained the same since further evidence was submitted by the Applicants? Explain your answer.</p> <ol style="list-style-type: none"> Does the WMS on the Marine Environment published on 29 January 2025 and the <i>Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance</i> published by the DESNZ on 29 January 2025 change your concerns on compensation proposals for the Dogger Bank SAC? Provide reasons for your answer. Comment on the adequacy and conclusions of Appendix 3 to the RIAA - Habitats Regulations Assessment- Project Level Dogger Bank Compensation Plan Revision 2 [REP2-012] submitted by the Applicants at Deadline 2. Provide reasons for your answer.
BE.1.7	NE, The Applicants	<p>Recovery of Sandbank Habitat Following Habitat Damage [AS-025]</p> <p>The ExA notes the Applicants' position on Annex I sandbank habitat of the Dogger Bank SAC in their cover letter to their Deadline 2 submissions [AS-158] and their suggestion that the ExA requests NE to provide justification or evidence to support their position that the habitats within Dogger Bank SAC do not recover promptly from disturbance from construction activities. The ExA notes that NE has commented on the Review of Evidence on Recovery of Sandbank Habitat following Habitat Damage [AS-025] in its Deadline 2 submission Appendix C2.1 [REP2-065] and has provided a link to an article providing evidence on its position.</p> <ol style="list-style-type: none"> Does NE have any further evidence it could cite regarding this issue? Does NE's Deadline 2 submission Appendix C2.1 [REP2-065] address the Applicants' concern? Can the Applicants' confirm how this is to be resolved by the close of the Examination.
BE.1.8	NE	<p>Recovery of Sandbank Habitat Following Habitat Damage [AS-025]</p> <ol style="list-style-type: none"> The ExA notes that you give a reason why your conclusion not to rule out AEol for the Dogger Bank SAC [RR-039], reinforced in section 4 of Appendix C2.1 at Deadline 2 [REP2-065] is different from that of Hornsea Project Three and the North Norfolk Sandbanks and Saturn Reef SAC, or Norfolk Boreas and Norfolk Vanguard Projects and the Haisborough, Hammond and Winterton SAC, as raised by the Applicants [AS-025]. The ExA also notes you state [REP2-065] that the situation is currently at an impasse in regards to this issue between yourselves and the Applicants. Is this your final position? Is there anything else either you or the Applicants could do to move this issue forward by the close of the Examination? Given evidence provided by the Applicants [AS-025] does NE consider the construction effects of the Proposed Development to meet the temporary and reversible criteria set by NE for consideration of small-scale habitat loss with SACs in relation to AEol? Explain your response.

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>3. Can you comment on the Applicants' reasoning on page 21 [AS-025] in regards to whether the scale of habitat loss on Dogger Bank SAC would be regarded as inconsequential?</p> <p>4. Can you comment on the reliability and applicability of the evidence of recovery times to disturbance presented in Table A-1 [AS-025]?</p>
BE.1.9	The Applicants	<p>Recovery of Sandbank Habitat Following Habitat Damage [AS-025]</p> <p>The ExA would find it helpful if Figure A-1 [AS-025] was resubmitted with a key indicating greater quantification of bathymetry depths, particularly for depth ranges indicated by the green, yellow and orange shades.</p>
BE.1.10	The Applicants	<p>Potential for an AEol on Dogger Bank SAC resulting from disturbance or damage to Annex I sandbanks from cable installation</p> <p>Do you wish to respond to NE's statement in section 4 of Appendix C2.1 at Deadline 2 [REP2-065] that it, '<i>... does not believe that the evidence provided allows for Plan Level HRA conclusions (as signed off by the Secretary of State) to be 'superseded' by the project level assessment as proposed by the Applicant at [AS-025] Paragraph 39 Page 17.</i>'</p>
BE.1.11	The Applicants	<p>Unexploded ordnance (UXO) clearance within the Dogger Bank SAC</p> <p>The ExA notes NE's advice in Appendix F2 [REP2-067] that a hierarchy of mitigation for UXO clearance is committed to within the Dogger Bank SAC, following a similar approach to that of Dogger Bank A, which includes UXOs being relocated to areas with a surface sandy layer greater than 5m. Explain if this is part of the proposed commitments, providing signposts to the relevant parts of the application. If this commitment has not been proposed, explain why.</p>
BE.1.12	The Applicants	<p>Post-consent monitoring of benthic communities</p> <p>In NE's updated advice on Benthic and Intertidal Ecology Appendix C2.1 [REP2-065], it refers to the MMO's review of environmental data associated with post-consent monitoring of licence conditions of offshore wind farms 2014, which discusses evidence and monitoring approaches for impacts on benthic communities. Can you explain how your proposed monitoring aligns with this advice from the MMO?</p>
BE.1.13	The Netherlands Ministry of Infrastructure and Water Management	<p>Transboundary 32 Response – The Netherlands</p> <p>Can you comment on whether the Applicants have adequately addressed your concerns [OD-012] in their response [AS-117] in relation to benthic ecology. If not, explain what is outstanding and provide suggestions as to how they could be resolved.</p>
BE.1.14	The Applicants	Biotope sensitivity methodology

ExQ1 for the Dogger Bank South Offshore Wind Farms Project

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<ol style="list-style-type: none"> 1. The sensitivity of habitats and biotopes to temporary physical disturbance (as summarised in ES Chapter 9 [APP-085, table 9-15]) were taken directly from the MarLIN website. Can you provide further detail about the purpose and context of that source, and comment on whether it provides an adequate basis for the EIA, including potential scenarios where <i>in-situ</i> substratum glacial sediment layers were penetrated or disturbed during construction activities? 2. Other sources were used as the basis for the Marine Conservation Zone (MCZ) assessment of biotope sensitivity (Stage 1 MCZ Assessment [APP-240], paragraph 26). Are the two approaches consistent? 3. Can you specifically respond to NE's comment [RR-039], reiterated at Deadline 2 in NE's advice on benthic and intertidal ecology Appendix C2.1 [REP2-065], that it 'strongly disagrees' with the approach taken to valuing benthic receptors, noting that all of the biotopes identified within the Dogger Bank SAC are representative of Annex I sandbank communities and, as such, should be considered of high value?
BE.1.15	The Applicants	<p>Mitigation for permanent habitat loss to the Annex 1 feature of the Dogger Bank SAC</p> <p>Can you respond to NE's request in its advice on benthic and intertidal ecology Appendix C 2.1 [REP2-065] that it would welcome further consideration by the Applicants of mitigation measures to avoid permanent habitat loss, noting that it has advised against Option 3, to dispose of sediment outside the designated SAC, due to the conservation objectives of the site being hindered.</p>
BE.1.16	The Applicants, NE	<p>HRA conclusions for the Flamborough Head SAC</p> <ol style="list-style-type: none"> 1. The ExA is aware of the disagreement between the Applicants and NE regarding the conclusions of the RIAA for the Flamborough Head SAC in relation to Annex I habitat, the Applicants' response to this issue [PDA-013] and NE's comments on this at Deadline 2 [REP2-065] section 5. How are the Applicants planning to resolve this issue by the close of the Examination? 2. If the SoS was to agree with NE in the final HRA and conclude an AEoI due to damage to qualifying habitat features in the Flamborough Head SAC, what compensation could be secured?
Commercial fisheries		
CF.1.1	MMO	<p>Approach to surveys</p> <p>Can you comment on the Applicants' approach to undertaking surveys, the identified limitations [APP-120, Table 2.2.2] and whether these would cause significant uncertainty or unreliability to the assessment [APP-117, paragraph 45]? Please comment on whether further survey or engagement could have reasonably been undertaken. Your response should include justification.</p>
CF.1.2	The Applicants	Definitions

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>The National Federation of Fishermen's Organisations (NFFO) raised its concerns in relation to the commercial fisheries assessment definitions during the Preliminary Environmental Information Report (PEIR) consultation [APP-119] and reiterated these in representations [RR-034] and [REP1-076]. Can you provide justification that the definitions of sensitivity, magnitude of impact and significance of effect provided in Tables 13-10, 13-11 and 13-12 respectively in Chapter 13 of the ES [APP-117] are appropriate and can be relied on for reaching a reasoned conclusion on the significant effects of the Proposed Development on the environment? The following examples may help highlight the ExA's observations:</p> <ul style="list-style-type: none"> • A receptor with limited operational range, no ability to deploy alternative gear or dependent on a single fishing ground that is affected for up to a year would be assessed as reversible and a minor adverse effect. • A receptor with limited spatial adaptability and tolerance or limited ability to deploy alternative gear can be affected for 7 years and lose 10% annual earnings, would be assessed as reversible and a minor adverse effect. • A receptor with limited spatial adaptability and tolerance or limited ability to deploy alternative gear can be affected for 30 years and lose 50% annual earnings, would be assessed as reversible and a moderate adverse effect. <p>Can you provide justification, in addition to that provided in your response to January 2025 action points [AS-155], to support the definitions used? This should include evidence:</p> <ul style="list-style-type: none"> • that a commercial fishing receptor could reasonably accommodate a 50% reduction in its annual value of landings and not consider that a high magnitude of impact; and • that a commercial fishing receptor could reasonably accommodate and recover from 30 years of impact.
CF.1.3	The Applicants and NFFO	<p>Alternative fishing grounds</p> <p>The Applicants: Can you provide, or signpost where it can be found in the application documents, an assessment of alternative fishing grounds in terms of relative production quality and the quantified displacement distance specific to fishing vessels operating in the study area? This should avoid generic receptor group and North Sea extent level assessments.</p> <p>NFFO: Can you comment on, or provide information regarding alternative fishing grounds in terms of relative production quality and displacement distance specific to fishing vessels operating in the Proposed Development area?</p>
CF.1.4	The Applicants	<p>Effects on commercial fishing group receptors</p> <p>Your response to ISH2 agenda item 5, action point 18 [AS-155] explains that the commercial fishing group receptors differ between the proposed offshore export cable corridor and array areas.</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		Can you provide evidence to demonstrate how separating the offshore export cable corridor as its own scenario does not lessen the effects within the assessment? For example otter trawls are identified as minor adverse for loss or restricted access to fishing grounds for both the Dogger Bank SAC byelaw revoked and the offshore export cable corridor scenarios [APP-117] , Table 13-59]. Would the assessment identify a different outcome if the scenarios were not separated? This question applies to all receptors for all potential impacts identified in Chapter 13 [APP-117] .
CF.1.5	The Applicants	Justification of vessel sensitivities <ol style="list-style-type: none"> 1. Can you clarify in detail if the 'medium' sensitivity of the dredge gear receptor group for potential impacts 1, 2 and 6 [APP-117], Table 13-59] is consistent with the definitions provided in Table 13-10 of ES Chapter 13 [APP-117]? Particular consideration should be given to the receptor group's dependence on a specific area for scallop, opportunity to fish reasonable alternative grounds and 'limited' availability to deploy alternative gear types. 2. Can you clarify if the 'medium' sensitivity of the inshore static gear receptor group for potential impacts 1, 2 and 6 [APP-117], Table 13-59] is consistent with the definitions provided in Table 13-10 of ES Chapter 13 [APP-117]? Particular consideration should be given to the receptor group's entitlement to only fish for shellfish and opportunity to fish reasonable alternative grounds?
CF.1.6	The Applicants	Impact on intertidal netters Can you justify the magnitude of impact on intertidal netters from the Proposed Development as negligible when the duration is identified up to two years [APP-117] , paragraph 119]? Explain how this is consistent with the definition provided in Table 13-11 of ES Chapter 13 [APP-117] .
CF.1.7	The Applicants	Vessel steaming times The assessment of effect to vessel steaming times appears to only consider the impact of safety zones for maintenance activities during the operation phase in ES Chapter 13 [APP-117] , section 13.6.2.3]. Can you clarify if there would be additional steaming times due to fishing vessels permanently travelling to alternative fishing grounds and if this has been included in the assessment? If not included, explain why and if it would alter any conclusions of the assessment.
CF.1.8	The Applicants	Long term effects Can you explain, or signpost where this is provided in the application documents, how the proposed mitigation would enhance any potential medium and long-term positive benefits to the fishing industry and commercial fish stocks?
Outline Fisheries Liaison and Co-existence Plan		
CF.1.9	The Applicants	Cooperation agreements

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		Clarify why cooperation agreements may only be considered for 'static gear fishers' [AS-082, paragraph 52], and whether this would be consistent with the commitment to 'encourage coexistence through disruptions payments and cooperations agreements in accordance with FLOWW guidance' implied for all relevant fishing gear receptor groups in ES Chapter 13 [APP-117, Table 13-59].
CF.1.10	The Applicants, MMO, NFFO	<p>Alternative Dispute Resolution (ADR)</p> <p>The Outline Fisheries Liaison and Co-existence Plan (Revision 2) [AS-082, paragraph 54] states, 'Both parties have to agree to refer their dispute to ADR, which will be undertaken by a mutually agreed third party by both sides of the dispute. ADR will be considered as an escalation process and an effort to avoid any contentious and unpreferable legal procedures. Mediation is the preferred ADR mechanism, which is confidential in nature'.</p> <p>Explain what would happen in the event of a dispute where both parties didn't agree to refer it to ADR? In addition, how would the costs of the ADR process, including access to any expert and legal advice, be covered?</p>
Cumulative effects		
CF.1.11	MMO and NFFO	Do you agree with the Applicants' conclusion that, 'cumulative magnitude of effect during the operational phase due to loss or restricted access to fishing grounds is expected to be lower than that presented during construction as many fishing practices can resume access across the Offshore Export Cable corridor, Array Areas and within other constructed wind farms' [APP-117, paragraph 438]?
CF.1.12	The Applicants	Can you clarify how you conclude 'no likely change' for cumulative magnitude of effect associated with Eastern Green Link 3 and 4 [APP-117, para 402] if sufficient information has not be provided?
CF.1.13	The Applicants	Can you provide justification to conclude 'low' cumulative magnitude of effect associated with Eastern Green Link 2 for dredgers and the inshore static fleet [APP-117, paragraph 401].
Compulsory Acquisition and Temporary Possession of land and rights		
General questions		
CA.1.1	The Applicants	<p>Compliance with Department for Communities and Local Government (DCLG) Guidance</p> <p>Can you advise whether the Book of Reference (BoR) [REP2-006] is fully compliant with DCLG Guidance²? If not, can you amend as necessary?</p>
CA.1.2	Affected Persons and Interested Parties	Known inaccuracies

² Planning Act 2008, Guidance related to procedures for the compulsory acquisition of land, DCLG, September 2013

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		Are any Affected Persons or Interested Parties aware of any inaccuracies in the BoR [REP2-006] , Statement of Reasons (SoR) [AS-146] or Land Plans [AS-145] ? If so, can you set out what these are and provide the correct details?
CA.1.3	The Applicants	Diligent enquiry into land interests There are a significant number of plots in the BoR [REP2-006] that include an unknown interest in the land. Could you provide a list of the plots where there is an unknown interest and detail for each plot what actions you have taken to try and identify who holds the interest and summarise what further steps will you be taking to identify these interests during the Examination?
CA.1.4	The Applicants	Possible error Section 4.6 of the Funding Statement [REP2-008] makes reference to Article 43 of the draft DCO [REP1-004] as dealing with funding. Article 43 of the draft DCO submitted into the Examination deals with the abatement of work abandoned or decayed. Can you check the reference and amend as necessary?
CA.1.5	The Applicants	Clarification regarding number of temporary construction compounds The SoR [AS-146] , paragraph 4.14] states that two main compounds would be required per project. Can you clarify what you mean by this, ie would there be a total of four main compounds, and how many compounds would be required if the projects were completed either sequentially or concurrently? Reference is also made to the Transition Joint Bay (TJB) construction compound, a satellite temporary construction compound in the landfall zone, a temporary construction compound associated with the Onshore Substation Zone and trenchless crossing construction compounds – can you confirm how many temporary compounds are being proposed?
CA.1.6	The Applicants	Clarification regarding use of ‘legal’ decarbonisation targets In the SoR [AS-146] , section 5], you use the term ‘legal’ decarbonisation targets for renewable energy. Can you explain why you have used the term legal and what you mean by this?
CA.1.7	The Applicants	Additional detail regarding job numbers In the SoR [AS-146] , paragraph 5.14], construction jobs are split into those delivered in the Humber Region (760) and those across the United Kingdom (UK) (1,190). Can you confirm whether the figure for those across the UK is inclusive or exclusive of the jobs in the Humber Region? In the SoR [AS-146] , Paragraph 5.15], the number of jobs from operation and maintenance is provided as a UK figure. Can you provide details of the number of operation and maintenance jobs that would be provided in the Humber Region?
CA.1.8	The Applicants	Clarification regarding calculation of carbon emissions

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		The SoR [AS-146] , paragraph 5.19] states that the projects would avoid 91.8 million (individually) and 183.4 million (sequentially) tonnes of carbon dioxide equivalent (CO2e). Can you clarify why sequentially it wouldn't be 183.6 tonnes of CO2e that would be saved.
CA.1.9	The Applicants	<p>Crossing agreement v protective provision</p> <p>At Compulsory Acquisition Hearing (CAH)¹ on the 14 January 2025, you advised that for offshore interests you were proposing to use crossing agreements rather than Protective Provisions to protect other parties' assets. Can you:</p> <ol style="list-style-type: none"> 1. Explain why a crossing agreement would be preferential to a protective provision? 2. Provide an update as to progress with these negotiations, or signpost where this information can be found if it has already been provided? 3. Indicate whether these agreements will be completed before the close of the Examination and, if not, how these assets would be protected in the absence of such an agreement?
How it is intended to use the land, alternatives and whether rights sought are legitimate, proportionate and necessary		
CA.1.10	All relevant planning and highway authorities and National Highways (NH)	<p>Reasonable alternatives/ necessity</p> <p>In your roles as the local planning authority and the highway authority are you aware of:</p> <ol style="list-style-type: none"> 1. Any reasonable alternatives to Compulsory Acquisition (CA) or Temporary Possession (TP) for land sought by the Applicant? 2. Any areas of land or rights that the Applicant is seeking the powers to acquire that you consider would not be needed? Please identify which plots these are and explain why you consider they would not need to be acquired. <p><i>ERYC comment – comments awaited and will forward.</i></p>
CA.1.11	The Applicants	<p>Meaning of incidental</p> <p>The SoR [AS-146], paragraph 12.2] states that each plot of land described in the BoR [REP2-006] is required either for the purposes of the projects, or is needed to facilitate, or is incidental to the projects. Can you provide further detail as to what is meant by incidental and how this differs from land needed to facilitate?</p>
CA.1.12	The Applicants and National Grid	<p>Connection from convertor station to proposed new substation</p> <p>The current proposal seeks to acquire land for a cable connection from the proposed convertor station to the proposed new National Grid substation – why is this part of this application and not part of the application for the proposed new substation?</p>
CA.1.13	The Applicants	Need for land

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>One of the possible development scenarios would be that only either DBS East or DBS West would be built. However, the draft DCO is seeking to acquire the land necessary for the construction of both DBS East and DBS West.</p> <ol style="list-style-type: none"> 1. What is the difference in the land needed for the implementation of only either DBS East or DBS West and that which would be required to build out both DBS East and DBS West? Are you able to provide this information in the form of a map or plan? 2. How would the Application comply with the requirements of s122 of the Planning Act 2008 (PA2008) if only one of the projects was built out? 3. How would the draft DCO ensure that, if only one project was built out, only the land required for that project would be taken and how would it prevent the land not required from potentially suffering from blight?
Individual objections, issues and voluntary agreements		
CA.1.14	Any Affected Persons	<p>Affected Persons' issues and concerns</p> <p>Do any Affected Persons have concerns that they have not yet raised about the legitimacy, proportionality or necessity of the CA or TP powers sought by the Applicant that would affect land that they own or have an interest in?</p>
CA.1.15	The Applicants	<p>The Equalities Act 2010</p> <p>Could you clarify:</p> <ol style="list-style-type: none"> 1. How you have had regard to the Equalities Act 2010 in relation to the powers sought for CA and TP? 2. If any Affected Persons have been identified as having protected characteristics? If so, what regard has been given to them?
CA.1.16	The Applicants and The Crown Estate	<p>Update on achieving consent for the offshore export cable corridor</p> <p>The SoR [AS-146], paragraph13.1] advises that two applications have been made to The Crown Estate through The Crown Estate's Cable Route Identification and Approval Process for the proposed Offshore Export Cable Corridors. Can you provide an update on the progress of these applications and, if they have not yet been consented, the timeframe for their determination?</p>
CA.1.17	The Applicants and relevant statutory undertakers including Network Rail and the	<p>Update on negotiations</p> <p>The Applicants: The SoR [AS-146], paragraph 13.18] states that draft Protective Provisions are under negotiation and that the Applicants are currently seeking to agree the form of Protective Provisions with the affected undertakers. Schedule 15 of the draft DCO [REP1-004] includes the standard Protective Provisions for the protection of electricity, gas, water and sewerage undertakers (part 1) and the protection for operators of electronic communications code networks (part 2) in addition to bespoke</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
	Environment Agency (EA)	Protective Provisions for the protection of the EA (part 3), drainage authorities (part 4) and for Network Rail Infrastructure Ltd (part 5). Can you provide details of any further bespoke Protective Provisions that are likely to be added to the draft DCO and the timeframe for their agreement? The Statutory Undertakers: Can you provide an update on progress regarding the agreement of Protective Provisions and whether you consider that they will be agreed before the close of the Examination?
CA.1.18	The Applicants	Crossing and proximity agreements Which Interested Parties are you progressing crossing and proximity agreements with? Are there any Interested Parties who have requested crossing and proximity agreements (or similar) that you do not intend to progress? If so, which are these and why?
CA.1.19	The Applicants, ERYC and The Crown Estate	Plot 18-006 Can you provide further detail as to what is happening with plot 18-006? Is it Crown Land or has it been de-trunked? <i>ERYC comment - This refers to A1079 which has been de-trunked</i>
CA.1.20	The Applicants	Article 15 You advised [AS-039] that the purpose of this Article was to allow the undertaker to use private roads without the need to temporarily possess them for construction and operation. Can you confirm that the owners and users of these private roads are aware of this Article and the powers being sought? If not, why not?
Funding		
CA.1.21	The Applicants	Project costs and job numbers for development of either Dogger Bank (East) or Dogger Bank (west) In the SoR [AS-146] , paragraph 5.16], the cost of building both projects together is given as £7 billion. As two of the possible development options would be to build only either Dogger Bank (East) or Dogger Bank (West) what would be the project costs and job numbers if the option of only building out one wind farm was pursued? Paragraph 5.17 states that the expenditure during the operation and maintenance of the projects 'together' would amount to around £177 million per annum with a total Gross Value Added of £1 billion over the projects' lifetime. What would be the figures if only one of the projects was built out? Also, can you provide further details of how these figures were calculated?
CA.1.22	The Applicants	Viability

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		In the SoR [AS-146] , paragraph 15.13], you state that you are confident that the projects will be commercially viable. Given Vatenfall's decision in 2023 to stop development of the Norfolk Boreas wind farm and its decision to review the viability of Norfolk Vanguard, what evidence can you provide to demonstrate that the Proposed Development would be viable and that if the Order was made that it would be constructed?
CA.1.23	The Applicants	Blight The SoR [AS-146] , paragraph 15.15] advises that the likelihood of a blight claim would be minimal and that to date no blight notices had been received. Can you confirm if this is still the case?
CA.1.24	The Applicants	Funding model The Funding Statement [REP2-008] , section 4.3, paragraph 46] states that the proposed funding model has been successfully deployed on most RWE projects to date. The same paragraph advises that, due to the experience of the stakeholders in delivering similar projects, the Applicants are confident that the required funding would be available for the Compulsory Acquisition powers at the point at which they would be called on. Can you provide further details of what these projects are and how relatable they are to the Proposed Development?
CA.1.25	The Applicants	Funding shortfalls The Funding Statement [REP2-008] , section 4.3, paragraph 51] states that the auditors have confirmed that they see no concerns regarding the Proposed Development's ability to meet its financial obligation for the next 18 months. Although the document is dated February 2025, this statement does not appear to have been updated from the original funding statement [APP-033] , section 4.3, paragraph 40]: <ol style="list-style-type: none"> 1. Can you confirm this statement is still correct? 2. 18 months from February 2025 would be August 2026, but you are seeking 7 years for implementation (Requirement 1) - what evidence do you have that you could meet your financial obligations for this time period?
CA.1.26	The Applicants	Cost of funding for HRA compensatory measures The Funding Statement [REP2-008] , Section 5.2, paragraph 62] states that the cost of compensation is estimated at £173 million but details have not been provided as to how this figure is made up due to the commercially sensitive nature of ongoing contract negotiations. Whilst the ExA note this, it needs to have confidence that the figure proposed is realistic and would cover the costs of the proposed compensation. Therefore, could you please provide any additional information that would help reassure the ExA that the proposed compensation sum would be appropriate.

ExQ1:

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ExQ1	Question to:	Question
Other Matters		
CA.1.27	The Applicants	<p>Acquisition of other land or rights Are any land or rights acquisitions required in addition to those sought through the draft DCO before the Proposed Development could become operational?</p>
Draft Development Consent Order		
DCO.1.1	The Applicants	<p>Precedents Notwithstanding that drafting precedent has been set by previous DCOs or similar Orders, full justification should be provided for each power and provision taking into account the facts of this particular DCO application.</p> <p>Where drafting precedents in previous made DCOs have been relied on, these should be checked to identify whether they have been subsequently refined or developed by more recent DCOs so that the DCO provisions reflect the SoS's current policy preferences. If any general provisions (other than works descriptions and other drafting bespoke to the facts of this particular application and draft DCO) actually differ in any way from corresponding provisions in the SoS's most recent made DCOs, an explanation should be provided as to how and why they differ (including but not limited to changes to statutory provisions made by or related to the Housing and Planning Act 2016).</p> <p>Can you provide a list of all the previous DCOs that have been used as a precedent for the drafting of this draft DCO or signpost where in the application documentation this can be found?</p>
Articles		
DCO.1.2	The Applicants	<p>Possible typo Paragraph 3 of the preamble refers to 'documents that accompanies the application' should this be either 'documents that accompany' or 'documents that accompanied'?</p>
DCO.1.3	The Applicants, ERYC, HCC, the Holderness and Beverley Internal Drainage Board (IDB), the EA and any other Interested Parties	<p>28 days deemed consent A number of the Articles which require the submission of an application for consent or approval include drafting (eg Article 10(5), Article 13(2), Article 16 (9), Article 18(1) etc) that would mean that if the discharging authority or organisation fails to notify the undertaker of a decision then the details submitted within 28 days would have deemed consent.</p> <p>Applicants: Why have you used 28 rather than the usual 56 days?</p> <p>All other parties: Is 28 days a reasonable amount of time to enable you to discharge an application? If not, why not, and what would be an appropriate time period?</p>

ExQ1:

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ExQ1	Question to:	Question
		<i>ERYC comment - ERYC remain of the view that 28 days is insufficient time to determine these requirements. ERYC will need to consult both internal and external consultees and be led by their advice/recommendations. 28 days is not sufficient time to carry out those consultations and seek clarifications or amendments if needed. It is expected in those cases it would lead to applications being refused to avoid deemed consent</i>
DCO.1.4	The Applicants, Northern Powergrid (Yorkshire) PLC and Yorkshire Water Services Ltd	<p>Article 5 (8) (c) and (d) Applicants: Why does this Article exempt the undertaker from seeking consent from the SoS to transfer or lease the benefits of the provisions of the Order to either Northern Powergrid (Yorkshire) PLC and Yorkshire Water Services Ltd? Northern Powergrid (Yorkshire) PLC and Yorkshire Water Services Ltd: Do you have any comments you wish to make on the drafting of this Article?</p>
DCO.1.5	The Applicants	<p>Article 5 (13) The drafting of this paragraph appears to be unprecedented. Can you:</p> <ol style="list-style-type: none"> 1. Explain why such drafting is needed? 2. Provide an example of a made DCO that contains the same or similar drafting?
DCO.1.6	The Applicants and ERYC	<p>Article 7(2) Is this drafting necessary? If it is necessary, given that Requirement 19 would require the submission and approval of a code of construction practice that must accord with the oCoCP, is the current drafting, which refers to both the oCoCP and the requirements in Schedule 2, necessary?</p> <p><i>ERYC comment – comments awaited and will forward.</i></p>
DCO.1.7	ERYC and HCC	<p>Article 9 (4) Article 9 (4) seeks to disapply a number of the provisions of the 1991 Act including:</p> <ol style="list-style-type: none"> (a) Section 56 (power to give directions as to timing of works); (b) Section 56A (power to give directions as to the placing of apparatus); (c) Section 58 (restriction of works following substantial road works); (d) Section 58A (restriction of works following substantial street works); (e) Section 61 (protected streets); and (f) Schedule 3A (restriction on works following substantial street works). <p>Are you satisfied with the disapplication of these provisions and if not, why not and which sections?</p> <p><i>ERYC comment –</i></p>

ExQ1:

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ExQ1	Question to:	Question
		<p>(a) <i>The LHA cannot agree to disapply this because it could cause serious highway safety concerns regarding any works within the highway and the timings may be crucial to other planned works or other local events</i></p> <p>(b) <i>- LHA cannot agree with disapplying this due to any apparatus on the highway should have written consent</i></p> <p>(c) <i>LHA no objections</i></p> <p>(d) <i>LHA no objections</i></p> <p>(e) <i>LHA no objections as we only have very limited protections</i></p> <p>(f) <i>LHA have no objections</i></p>
DCO.1.8	The Applicants, ERYC and Interested Parties	<p>Article 11 As currently drafted, there is nothing in the Article that would require any land that is used for a temporary public right of way to be reinstated once it is no longer required. Should there be and if not, why not?</p> <p><i>ERYC comment - Reinstatement of the Public Rights of Way surface and width should be to at least the standard that was there prior to commencement or any changes to the surface agreed between the applicant, the highway authority (ERYC Countryside Access Team) and the owner/occupier of the land. Reinstatement of any route used as a temporary PRoW, that does not form part of the PRoW, would be down to the applicant and the owner/occupier so long as it does not affect or interfere with the enjoyment of the PRoW.</i></p>
DCO.1.9	The Applicants and Relevant Highway Authorities	<p>Article 14 (2) The paragraph as drafted currently uses the word 'limiting' in reference to paragraph (1). Why is such a broad term necessary and why is the more specific 'without prejudice to the generality of' not used?</p> <p><i>ERYC comment – no response.</i></p>
DCO.1.10	The Applicants, the EA and IDBs	<p>Article 16 (8) Are you satisfied that the drafting of 8(a) would include the internal drainage board or one which the IDB has permissible rights over. If not, why not and should it? Why does 8(b) refer to the Water Resources Act 1991 and not the 2016 Regulations and should it?</p>
DCO.1.11	The Applicants	<p>Article 17 (11) To improve the precision of the drafting, should the following wording be inserted in 17(11): 'Section 13 (refusal to give possession to acquiring authority) of the 1965 Act(a) applies to the entry onto or</p>

ExQ1:

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ExQ1	Question to:	Question
		possession of land under this Order by virtue of section 125 (application of compulsory acquisition provisions) of the 2008 Act.'
DCO.1.12	The Applicants	Article 23 (6)(b) In the supplementary agenda to CAH1 [EV3-001] , question CAH1.SA.12], the ExA suggested that reference to the benefits should be included in the drafting. In response [AS-040] you advised that you would amend the drafting accordingly. However, not all the suggested drafting has been included in the most recent draft of the DCO [REP1-004] . Can you review whether the suggested drafting 'is vested or belongs or benefits ' should be included in the drafting? If not, why not?
DCO.1.13	The Applicants	Article 23 (7)(a) In the supplementary agenda to CAH1 [EV3-001] , question CAH1.SA.13], the ExA suggested that reference to the benefits should be included in the drafting. In response [AS-040] you advised that you would amend the drafting accordingly. However, not all the suggested drafting has been included in the most recent draft of the DCO [REP1-004] . Can you review whether the suggested drafting 'is vested or belongs or benefits ' should be included in the drafting? If not, why not?
Schedule 1		
DCO.1.14	The Applicants	Work No 2A/ 2B In the supplementary agenda to ISH1 [EV4-001] , question ISH1.S1.01], the ExA highlighted that work No 2A/ 2B refers to ' <i>offshore electrical platforms</i> ' but that Article 2 did not include a definition for offshore electrical platforms. In response [AS-039] you advised that this was an error and that a definition would be added to the draft DCO. The latest version of the draft DCO [REP1-004] has not been updated to include this definition. Can you review and amend as necessary?
Requirements		
Unless the question relates to drafting, questions on requirements can be found in the relevant topic section.		
DCO.1.15	The Applicants and ERYC	Proposed converter station design Requirement 9 of the draft DCO [REP1-004] captures the detailed design requirements for the converter stations. Requirement 9(3)(d) requests the details of 'external appearance and materials' – should this refer to the ' <i>dimensions, external appearance and materials of the buildings</i> '? If not, how would the dimensions of the converter stations be assessed by the local planning authority? <i>ERYC comment - agree that it should refer to "dimensions, external appearance and materials".</i>
DCO.1.16	Relevant Highways Authorities	Requirement 15(2) In the supplementary agenda to ISH1 [EV4-001] , ISH1.S2.13], the ExA requested the relevant highway authorities to review the list in Requirement 15(2) to ensure that the necessary details are listed, and if

ExQ1:

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ExQ1	Question to:	Question
		<p>they were not, to provide details of what they wanted to see in the list and why. Because the Preliminary Meeting was adjourned the Hearing was cancelled and the ExA did not receive a response to this question. Can you provide a response?</p> <p><i>ERYC comment – the LHA suggest that swept paths should be included in access details.</i></p>
DCO.1.17	Historic England and ERYC	<p>Requirement 18(2) In the supplementary agenda to ISH1 [EV4-001, ISH1.S2.18], the ExA asked that you confirm that the list of information to be included in 18(2) for each scheme is complete and, if not, to provide details of what additional information you would wish to see included in the list and why. Because the Preliminary Meeting was adjourned, the Hearing was cancelled and the ExA did not receive a response to this question. Can you provide a response?</p> <p><i>ERYC comment - The wording of Condition 18, which pertains to Onshore Archaeology, is sufficient in ensuring that the archaeological potential of the development will be adequately evaluated and will allow for provision to be made for the investigation and recording through mitigation strategies of the archaeological remains. As noted in the wording of the condition, each phase of the archaeological scheme will not commence until an approved written scheme of investigation has been submitted and approved, and which accords with the outline onshore written scheme of investigation</i></p>
Ecology and nature conservation		
ENC.1.1	The Applicants	<p>NPS compliance - biodiversity management strategy NPS EN-1, paragraph 5.4.36 states that that, ‘Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision for biodiversity awareness training to employees and contractors so as to avoid unnecessary adverse impacts on biodiversity during the construction and operation stages.’ The outline Ecological Management Plan (oEMP) [REP2- 029] references the provision of toolbox talks provided to staff throughout the construction period. Do you consider the information to be provided would be sufficient to comply with the policy and requirement for a biodiversity management strategy? Can you clarify how and where the content of the proposed toolbox talks would be agreed and secured?</p>
ENC.1.2	The Applicants	<p>Temporary loss – hedgerows Your response to the ISH2 supplementary agenda question ISH2.9.15 [REP1-050] states, ‘As the Strategy has assumed that all hedgerows removed along the Onshore Export Cable Corridor will be reinstated within two years, the Applicants were not required to include the total length of hedgerow temporarily lost in the BNG metric calculations.’ However, section 18.10.4.3 of the Biodiversity Net Gain (BNG) Strategy [APP-157] refers to the temporary loss and reinstatement of hedgerows within 6</p>

ExQ1:

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ExQ1	Question to:	Question
		years. Can you clarify the proposed reinstatement period for hedgerow following temporary loss and confirm that the appropriate length of hedgerow has been included in the BNG calculations?
ENC.1.3	The Applicants	Raventhorpe Embankment Local Wildlife Site (LWS) ES Chapter 18 [REP2-019] , Table 18-14] in relation to the Raventhorpe Embankment LWS states that, 'a small section will be affected by the construction of a temporary haul road crossing'. Can you explain the extent of effects from the proposed temporary haul road crossing on the Raventhorpe Embankment LWS, noting that the Obstacle Crossing Register [REP2-014] shows the proposed use of trenchless crossing techniques for this location? How would a haul road be constructed here with the noticeable difference in elevation between the embankment and adjoining fields?
ENC.1.4	NE	Bentley Moor Wood Ancient Woodland - air quality effects from horizontal directional drilling compounds Your Deadline 1 submission [REP1-066] regarding air quality impacts from non-road mobile machinery or 1. on Bentley Moor Wood ancient woodland is noted. However, could you confirm whether you are aware that trenchless crossing compounds (which are not shown on the Works Plans (onshore) [REP2-005]) would be situated within 200m of Bentley Moor Wood? If so, are you satisfied that the proposed air quality mitigation measures would be adequate, or if not, what are your concerns and how could they be resolved?
ENC.1.5	The Applicants	The Management of Hedgerows (England) Regulations 2024 The Hedgerow Regulations (1997) are referenced in ES Chapter 18 [REP2-019] . The Management of Hedgerows (England) Regulations 2024 came into force in May 2024. Would the 2024 Regulations have any implications for the Proposed Development and the assessment of effects in the ES? If so, please update the documents as necessary.
ENC.1.6	ERYC and The Applicants	Local Nature Recovery Strategy The ExA understands that ERYC is currently progressing the development of a Local Nature Recovery Strategy with the aim of completion by early 2025. ERYC: Can you provide an update on its preparation? Applicants: With reference to paragraph 4.6.12 of NPS EN-1, clarify to what extent the Strategy has been or would be considered in the review of off-site compensation proposals to be provided as part of the final BNG Strategy? <i>ERYC comment - ERYC is the Responsible Authority for the development of the Hull and East Yorkshire Local Nature Recovery Strategy. The draft strategy has progressed through a statutory consultation with Supporting Authorities and has been subject to an assessment panel led by Natural</i>

ExQ1:

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ExQ1	Question to:	Question
		<i>England which supported progressing to statutory consultation. The draft document is currently progressing through the ERYC approval process with a view to statutory public consultation taking place in summer 2025 and full publication is anticipated to take place in early 2026.</i>
ENC.1.7	The Applicants	<p>Embedded mitigation</p> <p>Embedded mitigation measures in relation to terrestrial ecology are set out in ES Chapter 18 [REP2-019], table 18-4] and are also presented in the oEMP [REP2-029], table 1-1]. However, the information provided in the two tables would not appear to align and some of the embedded mitigation measures in the ES Chapter are missing from the oEMP, such as roosting bats or designated sites. Can you clarify why some of the embedded mitigation measures in the ES would not need to be included in the oEMP?</p>
Fish and shellfish ecology		
FSE.1.1	NE	<p>Worst-case location for the assessment of underwater noise impacts on herring</p> <p>Action point 34 from ISH2 [EV5-003] stated:</p> <p><i>'Natural England [RR-039] stated that the assessment of underwater noise impacts on herring does not use the worst-case location. Provide a response to the suggestion made by the ExA during ISH2 on whether a reassessment based on the most south-westerly point of the proposed DBS West array could result in greater overlap with the 'high' and 'very high' herring spawning potential habitat and whether this could result in a greater impact outcome? If so, would a reassessment be undertaken and submitted?'</i></p> <p>Can you comment on the Applicants' response to this question [REP1-051]?</p>
FSE.1.2	The Applicants	<p>Underwater noise modelling for herring</p> <ol style="list-style-type: none"> 1. Can you respond to NE's response to ISH2 Underwater noise action point 34 [REP1-063] Annex 2] in which it disputes your assertion that underwater noise modelling for herring was previously agreed during the Evidence Plan Process and Expert Topic Group meetings? 2. How do you intend to resolve the disagreement regarding underwater noise impacts on herring with NE prior to the close of the Examination?
FSE.1.3	The Applicants	<p>Fish and shellfish ecology worst case scenario</p> <p>Table 4-4 [AS-141] does not include reference to Impact 4 under Operation and Maintenance effects (page 45). Can you confirm whether this is correct or whether Impact 4 has been omitted and update the document as necessary?</p>
FSE.1.4	The Applicants	<p>Herring spawning potential areas</p> <p>Can you submit enlarged images of Figure 10-8 in ES Chapter 10 – Fish and Shellfish Ecology - Figures [APP-092] focusing on the East and West array areas in order to view the 'recoverable injury'?</p>

ExQ1:

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ExQ1	Question to:	Question
		and ' <i>mortality/potential mortal injury</i> ' contours more precisely, in relation to the herring spawning potential areas?
FSE.1.5	The Applicants	Sensitivity grading Can you explain the rationale for a conclusion of medium sensitivity for the eggs and larvae of demersal fish and pelagic fish species and for shellfish (ES Chapter 10 [APP-091] , paragraphs 144 and 145)?
FSE.1.6	The Applicants	Fish population recovery times Can you provide references or other evidence to support the recovery time assumption that impacts on fish populations would be negligible or minor, based on their recovery within two to ten years?
FSE.1.7	The Applicants	Fish habituation to impulsive noise NE's RR [RR-039] does not agree that the references that you use (Chapman and Hawkins, 1969; Peña <i>et al</i> , 2013) to justify fish habituation to impulsive noise from pile driving are applicable and advises that habituation should not be taken into account in the assessment. Is there any other supporting evidence to justify the use of habituation in addition to your statement in your response to NE's RR [AS-048] ?
FSE.1.8	The Applicants	Lincolnshire Wildlife Trust concerns Could you signpost where direct damage and impacts to fish and shellfish are considered in the ES? The ExA notes your response [PDA-013] to the Lincolnshire Wildlife Trust's RR [RR-028] , which suggests that this matter was not scoped out of the assessment as impacts to fish and shellfish were considered in the RIAA, but would welcome clarity on whether the assessment presented in the RIAA in relation to the Conservation of Offshore Marine Habitats and Species Regulations 2017 can be taken to fulfil the separate legal requirements set by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
FSE.1.9	The Applicants	Sensitivity of sandeel habitat to disturbance The Lincolnshire Wildlife Trust [RR-028] disagrees with your appraisal of sensitivity to sandeel habitat disturbance. Can you provide clarification of your rationale and respond to the Trust's concerns about this and related matters such as the cumulative assessment, mitigation and 'due diligence' as they do not appear to have been addressed in your response [PDA-013] to the Lincolnshire Wildlife Trust's RR [RR-028] ?
FSE.1.10	The Applicants	Dogger Bank SAC and Southern North Sea SAC – expansion of receptors to FFC SPA and cumulative impacts with Dogger Bank D OWF

ExQ1:

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ExQ1	Question to:	Question
		<ol style="list-style-type: none">1. Can you expand Document 6.1.2 Appendix B - Sandeel Habitat Potential in the Dogger Bank SAC and Southern North Sea SAC [APP-050] to include the FFC SPA receptors, as advised by NE [RR-039], E1.4]? If not, why not?2. Regarding cumulative impacts from OWFs as set out in the RIAA Appendix B – Sandeel Habitat Potential in the Dogger Bank SAC and Southern North Sea SAC [APP-050], the ExA notes that information including an EIA Scoping Report dated June 2024 is available for Dogger Bank D OWF. Can the above document be updated to include Dogger Bank D OWF, based on the information currently available? If so, please can this be actioned and submitted into the Examination?
FSE.1.11	The Applicants	Heat maps for herring and sandeel Can you respond to the MMO's concern expressed in its Deadline 2 submission [REP2-061] that only a single year (2020) of vessel monitoring data has been used to inform the heat maps for both herring and sandeel? The MMO states a minimum of 10 years of data should be presented with respect to the heat maps for both herring and sandeel. The MMO suggests this should either be corrected to present 10 years of vessel monitoring data, or the Applicants should be able to demonstrate why the spatial data provided in the 2020 vessel monitoring data is more expansive than the sum of 10 years of vessel monitoring activity.
FSE.1.12	The Applicants	Sandeel habitat assessment The MMO has expressed disappointment that you have not actioned a previous request to supplement the sandeel habitat assessment with data from the North Sea Sandeel Survey, which is carried out in Sandeel Area 1 in December each year [RR-030] . Can this data be presented now or later in the Examination? If not, can you provide a justification for why not?
FSE.1.13	The Applicants	Temporal restriction on all piling and UXO clearance activities during the Banks herring spawning season The MMO considers the removal of the electrical switching platform from the offshore export cable corridor to be positive, as it would remove the need for piling to be carried out within an area of high potential herring spawning habitat near Flamborough Head [REP2-061] . However, it maintains its recommendation for a temporal restriction on all piling and UXO clearance activities during the Banks herring spawning season (1 August – 31 October inclusive). The MMO considers this necessary because of underwater noise behavioural impacts that would occur over a large area of the main Flamborough Head spawning ground, with the potential to disturb adult herring engaged in spawning at the spawning ground and the deterrence of adult herring migrating towards the spawning ground. The MMO maintains that underwater noise impacts on herring should be appropriately mitigated but that you have not provided any further information as to how underwater noise disturbances on herring

ExQ1:

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ExQ1	Question to:	Question
		could be mitigated. How do you respond to this position and how are you intending to resolve this disagreement by the close of the Examination?
FSE.1.14	The Netherlands Ministry of Infrastructure and Water Management	Transboundary 32 response – The Netherlands Can you comment on whether the Applicants have adequately addressed your concerns [OD-012] in the Applicants' Responses to Regulation 32 Transboundary Consultation Responses [AS-117] in relation to fish and shellfish ecology? If you are not satisfied, can you explain why not and provide suggestions as to how they could be resolved?
Geology and ground conditions		
GGC.1.1	The Applicants	Impacts on existing utilities ES Chapter 19 [APP-158] , paragraph 148] states, ' <i>Potential impacts associated with the Onshore Development Area on existing utilities, in relation to electricity cables, telecommunications and high pressure gas pipelines, are discussed in Volume 7, Chapter 21 Land Use</i> '. Can you signpost where in ES Chapter 21 [REP2-022] contamination and ground gas effects on existing utilities are assessed?
GGC.1.2	The Applicants	Utility corridor mitigation ES Chapter 19 [APP-158] , paragraph 209] states, ' <i>if utilities corridors for the Projects are within land affected by contamination, construction of clean or lined service corridors will be installed to protect land users and utilities</i> '. Can you clarify: <ul style="list-style-type: none"> • What is meant by lined corridors and would these be impermeable? If so, how have these been assessed in the ES? (For example, impacts on groundwater flows.) • Would this be limited to new utility corridors serving the Proposed Development or would existing utilities be retrospectively lined? • Are utility providers supportive of the approach?
GGC.1.3	Environment Agency and ERYC	Landfill contamination Are any of the identified historic landfill sites of concern to you and, having regard to Requirement 19 of the draft DCO and the Outline Pollution Prevention Plan [REP1-025] , Appendix D], do you consider that any further assessment is necessary at this stage? Please provide reasoning with your response. <i>ERYC comment – it is assumed the matter above should refer to Requirement 29 of the draft DCO and not requirement 19. There are no specific concerns with the landfill sites identified. Requirement 29 includes a robust methodology for assessment of the risk of any contamination and ground investigations work conducted within the vicinity of the historical landfill located at Catfoss did not encounter landfill waste in the boreholes adjacent to the Onshore Export Cable Corridor. We are satisfied that Requirement 29 and the OPPP can effectively deal with any unexpected contamination</i>

ExQ1:

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ExQ1	Question to:	Question
		<i>encountered during the construction phase. We would defer to the EA on the matter of risk to groundwater as they may wish to comment on this aspect.</i>
GGC.1.4	The Applicants	Contamination removal ES Chapter 19 [APP-158, paragraphs 96 and 125] explains if areas of concern or contamination are encountered, a remediation strategy would be developed and agreed with the relevant bodies. Can you explain if excavation and removal of contaminants would be a potential remediation approach? If so, can you confirm how the impact of this activity has been assessed in the ES? (For example, additional vehicle movements to facilitate material removal, a longer construction phase.)
GGC.1.5	The EA	Contamination remediation and mitigation Are you content that any remediation or mitigation potentially required, but not yet identified, in relation to contamination, perched waters within made ground, or groundwater from dewatering activities could be delivered within the Order Limits?
GGC.1.6	The Applicants	Contamination remediation and mitigation Chapter 5 [REP1-009, Figure 5.9] provides a typical cross section of the proposed onshore export cable corridor but it is unclear where tanks, lagoons and surface water drainage features would be constructed. Can you update this figure and evidence that all likely remediation and mitigation features, together with other project related spatial constraints, could be delivered within the Order Limits of the proposed onshore export cable corridor?
GGC.1.7	The Applicants	Cumulative effects assessment Can you provide justification to support the conclusion of no potential for significant cumulative effects in ES Chapter 19 [APP-158, Table 19-14]. Further, many of the entries only refer to no construction phase overlap. Could this be updated to include the assessment of the potential for operation phase overlaps and associated impacts?
Mineral resources		
GGC.1.8	The Applicants	Mineral Safeguard Area (MSA) ES Chapter 19 [APP-158, Table 19-11] explains affected areas of sands and gravel are 0.03% and chalk is 0.002% of the total MSA within the ERYC administrative boundary. Can you identify the percentage of affected area relevant to the specific mineral availability within the ERYC MSA?
GGC.1.9	The Applicants	Mineral risk assessment ES Chapter 19 [APP-158, paragraph 199] explains a mineral risk assessment may be 'undertaken to determine the amount of mineral at risk from sterilisation and the viability of extraction. Where viable,

ExQ1:

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ExQ1	Question to:	Question
		<i>consideration will be given to the extraction of the mineral resource during construction'. Given the mineral risk assessment may be undertaken, explain how this mitigation can be relied upon to reduce the magnitude of impact to negligible [APP-158, paragraph 200]? Your response should consider whether the mineral risk assessment should be committed to and how this should be secured.</i>
GGC.1.10	The Applicants	Mineral risk assessment Should the mineral risk assessment find prior extraction of the mineral is viable [APP-158, paragraph 199], can you provide or signpost where the environmental impact of extracting, handling and transporting extracted materials has been assessed in the ES? If this hasn't been assessed, explain how you have considered the worse-case scenario.
Designated sites		
GGC.1.11	The Applicants	Local geological site sensitivity Can you explain why local geological sites are identified as low sensitivity in ES Chapter 19 [APP-158, Table 19-7]? This appears to be inconsistent with the documents referenced in response to ISH2 agenda item 13, action point 43 [AS-155]. Specifically, Table 2 of the <i>Institute of Environmental Management & Assessment Guide: A New Perspective on Land and Soil in Environmental Impact Assessment</i> and Table 3.11 of <i>Design Manual for Roads and Bridges, LA 109 Geology and Soils</i>) both seem to identify such a receptor as medium sensitivity. (The ExA notes the ES is consistent with the above the referenced documents elsewhere. For example, Agricultural Land Classification (ALC) grade 3b is consistent with the guidance documents and identified as 'medium sensitivity' in [APP-158, Table 19-7] and [REP2-022, Table 21-6].)
GGC.1.12	The Applicants	Local geological site Can you explain how the Skipsea Drain Local Geological Site has been protected against harm or loss from the Proposed Development, and what opportunities have been taken to enhance it?
GGC.1.13	The Applicants	Geological Site of Special Scientific Interest (SSSI) buffer zones What is the justification for the selected buffer zones used to assess the potential geological effects of the Proposed Development [APP-161, paragraphs 12 and 13]. Explain why it is appropriate to use varying buffer zones (250m and 1000m) and provide references to support this.
GGC.1.14	The Applicants	SSSI impact risk zones ES Chapter 19 [REP1-013, Figures 19-3a to 19-3c] states, ' <i>The whole route is impacted by SSSI impact Risk Zones</i> '. Can you explain what this means, which SSSIs this refers to and how this has been assessed?
GGC.1.15	The Applicants	Geological effects on SSSIs

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>Can you provide, or signpost where it can be found in the application documentation, the potential geological effects on Withow Gap SSSI and Skipsea Bail Mere SSSI? ES Chapter 18 (revision 4) [PDC-002, paragraph 119] states this is within ES Chapter 19 [APP-158] but there appears to be no explicit reference to these SSSIs in that chapter.</p> <p>Similarly, can you provide, or signpost where it can be found in the application documentation, the assessment of potential geological effects on Burton Bushes SSSI?</p>
Good design		
GD.1.1	ERYC and the Applicants	<p>Converter stations</p> <p>ERYC: Are you satisfied that you would have access to sufficient design expertise to ensure good design of the converter stations when discharging Requirement 9 of the draft DCO [REP1-004]? Do you envisage the need for a Planning Performance Agreement to ensure that you have sufficient resources for discharging this requirement?</p> <p><i>ERYC comment - ERYC are able to access professional design services if required and this is covered within an existing PPA with the applicants which includes post-consent discharge of requirements. The PPA allows for discussions and agreement on the need for additional professional advice where needed.</i></p> <p>Applicants: Have you discussed this matter and the potential need for a PPA with ERYC? If this is deemed necessary by the Council, should reference be made to this in the Design and Access Statement (DAS) [REP2-027]?</p>
GD.1.2	The Applicants	<p>Converter stations</p> <p>Can you provide more information on the detailed Environmental Colour Assessment referred to in the DAS [REP2-027] and how this would integrate structures and fencing into the landscape? What would this involve?</p>
GD.1.3	The Applicants	<p>Converter station zone</p> <p>The DAS [REP2-027, paragraph 196] states that visual screening could be required where there may be receptors. Can you explain what you mean by 'visual screening' and indicate where this could be required? Paragraph 196 also suggests acoustic fencing might be required in specific locations. However, paragraph 203 appears to contradict this and states that no additional mitigation measures would be required due to negligible effects on receptors from noise. Can you clarify if and where</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		acoustic fencing would be required? If it is required, can you provide details of its visual appearance, where it would be secured and - if it is not secured - should it be?
GD.1.4	The Applicants	Converter station zone The DAS [REP2-027 , paragraph 210] assumes that planting hedges over the existing high-pressure gas pipelines would be acceptable, subject to consultation with the owners of these assets. What are the implications if consent from the owners to plant hedges over the high-pressure gas pipelines was not given? How would this affect the outline landscaping plans and what would be the effects on the landscape and visual assessment?
GD.1.5	The Applicants	Design review What architectural input was provided when designing the converter stations and has there been any independent review of the design of the converter stations? If not, why not? If so, who was this from, what were the recommendations and were they incorporated in the design?
GD.1.6	The Applicants	Design and Access Statement The DAS [REP2-027 , Plate 4-7] shows the proposed converter stations with the larger footprint prior to Change Request 2. Can you update this plate, and review and update any others in the document that show the larger converter station footprint?
GD.1.7	The Applicants	Infrastructure security What consideration have you given to the protection of the proposed onshore and offshore infrastructure from acts of vandalism and the threat of terrorist attack?
GD.1.8	The Applicants	The Holford and Horlock Rules ES Chapter 4 [AS-017 , Table 4-1] refers to the Holford and Horlock Rules as applicable to the Proposed Development. With references to NPS EN-5 paragraphs 2.9.17 and 2.9.19, can you set out in detail how the Holford and Horlock Rules informed and influenced your site selection for the Proposed Development?
GD.1.9	The Applicants	Alternatives Could any existing, consented or proposed infrastructure in the offshore and onshore environments (such as that serving Dogger Bank A/ Dogger Bank B/ Hornsea Project 4 OWFs for example) be utilised for transmission of electricity generated by the Proposed Development? Can you provide evidence to support your answer?
GD.1.10	ERYC and HCC	Site selection Do you consider that there are any additional sites that should have been considered in the Applicants' site selection and alternatives assessment [AS-017]? If so, can you set in detail why you consider this to be the case?

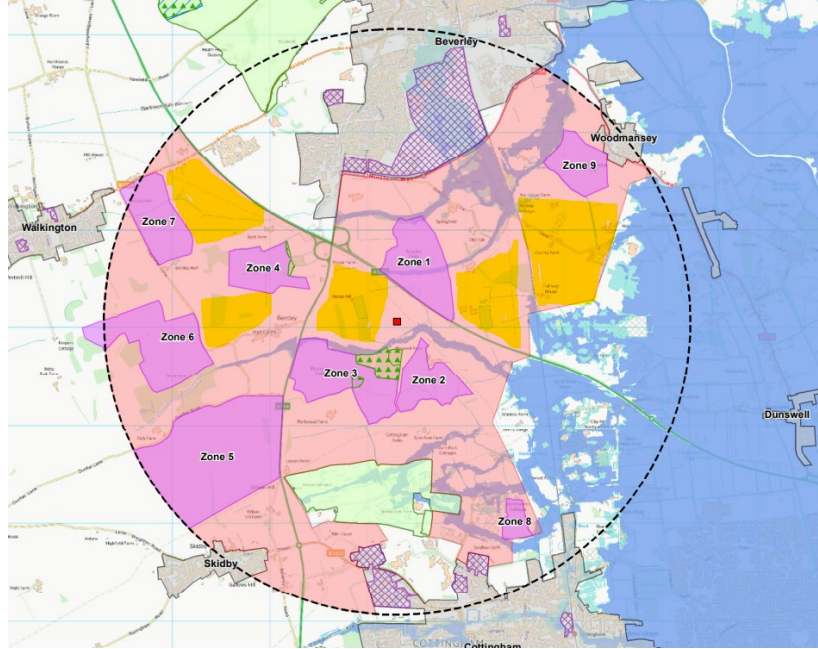
ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<i>ERYC comment - No additional sites were identified by ERYC in the pre-application discussions.</i>
GD.1.11	The Applicants	Site selection <i>ES Chapter 4 [AS-017, table 4-2] presents key stakeholder responses to site selection and the assessment of alternatives. Whilst table 4-2 does state that comments made by key stakeholders were taken account of, it does not say how. Can you set out what changes were made to site selection as a result of these consultation responses?</i>
GD.1.12	The Applicants	Site selection – converter stations How was the initial 3km area of search radius for the location of a substation from Creyke Beck determined? ES Chapter 4 [AS-017, paragraph 16] confirms that you were informed of an updated location for the substation connection at Birkhill Wood. However, it appears that the area of search was not updated to focus on Birkhill Wood to determine the site selection process for the location of other elements of the Proposed Development (ie the cable route and converter stations). As the area of search was not updated once the location of connection at Birkhill Wood was provided, could there be alternative options for the location of the Proposed Development which had been initially discounted? If so, can you provide more details on the suitability of these options?
GD.1.13	The Applicants	Site selection – converter stations Why were the areas highlighted in orange below not included in the substation zone long list (map taken from [AS-011]):

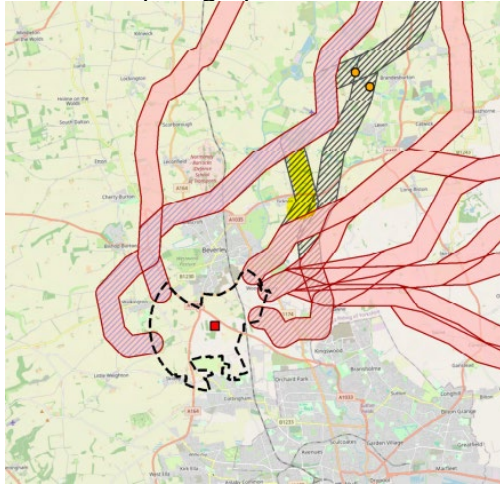
ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		
GD.1.14	The Applicants	<p>Site selection – converter stations Provide a list of constraints for Zone 4 considered during the site selection process (in the context of tables 4-11, 4-12, 4-13 of ES Chapter 4 [AS-017]) – how might this be compared to your decision to discount other converter station zones?</p>
GD.1.15	The Applicants	<p>Site selection – converter stations ES Chapter 4 [AS-017], paragraph 90] states that when the two high voltage alternating current (HVAC) options were removed from the design envelope, this left two options for the converter stations: two high voltage direct current (HVDC) converter stations in Substation Zone 4 (co-located); or, one HVDC converter station in Substation Zone 1 and one HVDC converter station in Substation Zone 4. Why was an option of two HVDC converter stations in Substation Zone 1 (co-located) not considered?</p>
GD.1.16	The Applicants	<p>Site selection – converter stations Change Request 2 reduces the maximum footprint of the converter stations. If the maximum footprint of the converter stations had been reduced at earlier stage in the site selection process, would this</p>

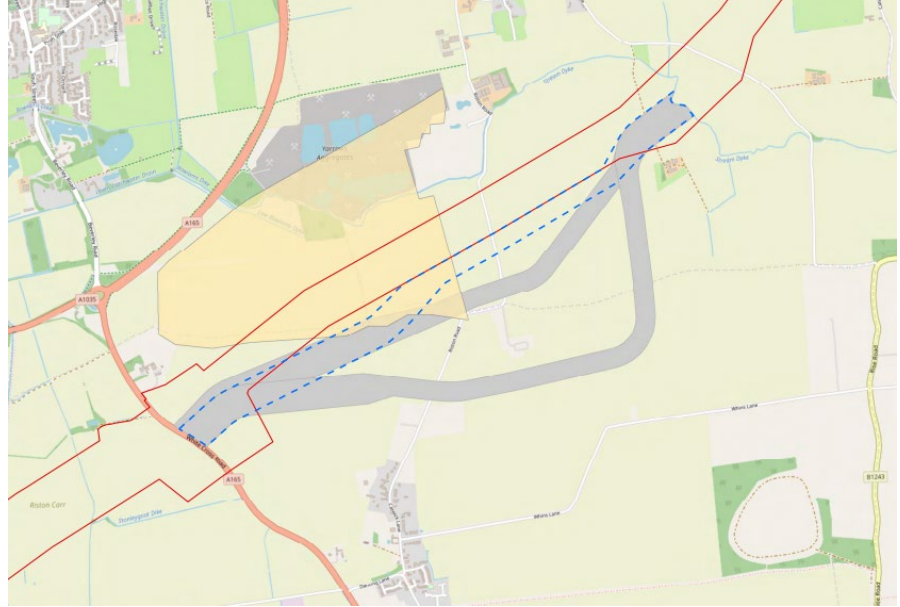
ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		have resulted in more of the sites discounted at the long or short list stage being considered further? Has reconsideration of other sites previously discounted for the converter stations been made following the reduction in size of the converter stations and if so, what did this identify?
GD.1.17	The Applicants	Site selection – cable route Why did the initial site selection process consider a cable corridor width of 2km? If the size of the cable route had been reduced at earlier stage in the site selection process, would this have resulted in more of the sites discounted at the long or short list stage being considered further?
GD.1.18	The Applicants	Site selection – cable route Why was the highlighted section shown from figure 4-24 [APP-068] in yellow below removed during evaluation of the long list as this section does not appear to be affected by Brandesburton ponds (in relation to paragraphs 149-152 of ES Chapter 4 [AS-017])? 
GD.1.19	The Applicants	Site selection – cable route ES Chapter 4 [AS-017, paragraphs 173 and 174] suggests that the cable route was amended to avoid a mineral safeguard area. However, the option taken forwards (blue dotted line) shows the route passing through part of a mineral safeguard area (shown in orange) – see figure 4-33 [APP-068] extract below. Can you explain why there appears to be a discrepancy and why the mineral safeguard area could not be avoided entirely?

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		
Habitats Regulations Assessment (HRA) general (HRA aspects specific to a topic are covered in that topic area, for example Offshore Ornithology)		
HRA.1.1	The Applicants	<p>Table summarising the European sites and effects screened in for each specific qualifying feature</p> <p>For clarity, could you provide a table summarising the European sites and effects screened in for each specific qualifying feature (that is, where it was not possible to conclude no Likely Significant Effects (LSE))? With the exception of offshore ornithology [Table 4-7 of APP-045], this has not been provided.</p>
HRA.1.2	The Applicants	<p>In-combination effects at screening stage</p> <p>For the screening stage, your RIAA did not identify specific projects for the in-combination assessment in relation to features of terrestrial European sites, or specific projects for the in-combination assessment in relation to marine ornithological features of European sites. The HRA Screening [APP-049] explained that the potential for in-combination effects would be explored in subsequent stages of the assessment.</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		For all sites for which a LSE has been excluded from the project alone, can the Applicants provide a robust rationale for the conclusion of no LSE from the project in-combination with other plans or projects?
HRA.1.3	NE	Prey items for other species of conservation value <ol style="list-style-type: none"> 1. Provide a response to the Applicants' response to ISH2 Action point 22 [AS-155] regarding allocation of a 'low' value for habitats or species that provide prey items for other species of greater conservation value. 2. Given the number of other OWFs for which the Applicants' state [AS-155] this approach has been deemed acceptable by the SoS in the past, justify why you believe this approach is not acceptable for the Proposed Development.
HRA.1.4	NatureScot	Scottish sites Could you confirm whether you are in agreement with the Applicants' conclusions presented in the Screening Assessment [APP-049] and RIAA [AS-085] for the relevant Scottish sites?
HRA.1.5	The Applicants	Condition of qualifying features For clarity, could you provide a summary table listing the qualifying features of the European sites assessed in the RIAA [APP-045] ; [AS-051] ; [APP-047] and [AS-085] which are in unfavourable condition or have a restore Conservation Objective target?
HRA.1.6	The Applicants	Humber Estuary Ramsar site qualifying features In respect of terrestrial ecology, the HRA Screening Report [APP-049] identifies the bird qualifying features of the Humber Estuary SPA and Ramsar as screened into the assessment. The RIAA Part 1 [APP-045] lists the bird qualifying features of the Humber Estuary SPA (at Section 5.4), but the bird qualifying features of the Humber Estuary Ramsar site are not identified. The assessment appears to focus on the SPA, with minimal reference to the Ramsar. Notwithstanding the above, the RIAA Part 1 [APP-045] goes on to conclude that there would be no AEoI on the Humber Estuary SPA and Ramsar, alone or in-combination [APP-045] . Can you confirm whether the conclusions presented in the RIAA Part 1 [APP-045] for the Humber Estuary SPA apply equally to the Humber Estuary Ramsar and if so, explain how that conclusion was reached in view of the minimal reference to the Ramsar site? Can you update the document as necessary?
HRA.1.7	NE	Designated nature conservation sites with features for which outstanding concerns remain <ol style="list-style-type: none"> 1. The ExA notes Table 5.1 and Table 5.2 in your RR [RR-039] helpfully list designated nature conservation sites and national sites with features for which outstanding concerns remain. The ExA would find it very helpful if you could update these tables stating if you no longer have a concern with the feature of a site with a brief explanation as to why. Conversely, if concerns remain for a feature, a brief explanation of the reasons would be helpful. Can these be

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>submitted into the Examination at Deadline 3, Deadline 5 and again with your final position at the close of the Examination? If there has been a change to the level of your concern between deadlines, the ExA would find it helpful if you could resubmit these tables at the next deadline along with an explanation.</p> <p>2. Can you confirm that you are satisfied that there would be no AEol from the Proposed Development for all designated nature conservations sites not listed in Table 5.1 [RR-039]?</p>
HRA.1.8	The Applicants	<p>Update of the RIAA to include additional features of the Humber Estuary SAC</p> <p>1. NE's RR point B46 [RR-039] noted a number of features for the Humber Estuary SAC which had been screened in for assessment but for which an assessment had not been carried out. In your response [AS-048], you acknowledged that estuaries, coastal lagoons, and <i>Salicornia</i> and other annuals colonising mud and sand Atlantic salt meadows should have been assessed in the RIAA. The updated RIAA [AS-051] submitted in November 2024 (section 6.6) does not appear to have been updated to reflect this. Can you explain why, and provide a timetable for doing so if it is still your intention?</p> <p>2. In your response [AS-048] to NE's RR point B46 [RR-039], you stated that Change Request 1 would be supported by the Project Change Request 1 – Environmental Assessment Update [document reference: C1.1], which will describe any resultant changes to the assessment conclusion presented in the ES and RIAA. The ExA is unable to locate this document. Could you provide a cross reference to this information?</p>
HRA.1.9	The Applicants	<p>In combination assessments in the RIAA – inclusion of Dogger Bank D</p> <p>The ExA notes that the Applicants consider [AS-048], [PDB-006] and [AS-085] that there is insufficient information at this stage to include Dogger Bank D OWF in the in-combination assessments in the RIAA for the Humber Estuary SAC and all the offshore ornithology in-combination assessments. The ExA understands that a PEIR is not yet available for Dogger Bank D OWF but is aware that other information including an EIA Scoping Report dated June 2024 is available. The ExA notes that the advice from NE is that Dogger Bank D OWF should be included in the in-combination assessments [RR-039], G5, G51, B48] and that NE's advice at D2 remains unchanged [REP2-069] regarding inclusion of Dogger Bank D in the in combination assessments for the offshore ornithology assessments and the Humber Estuary SAC. In addition, Dogger Bank D OWF would be a Tier 2 project as per the Planning Inspectorate's Advice Page: <i>Nationally Significant Infrastructure Projects: Advice on Cumulative Effects Assessment</i>. Having regard to the above, can you provide revised in-combination assessments to include Dogger Bank D OWF?</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
Historic environment		
Onshore		
HE.1.1	The Applicants and ERYC	<p>Non-designated heritage assets Can you confirm if there are any non-designated, locally listed heritage assets that would be impacted by the Proposed Development and have not been referenced in the application documents, and, if so, what the degree of harm would be, with justification?</p> <p><i>ERYC comment - We can confirm that there are no additional non-designated, locally listed buildings that we have currently identified that would be affected by the development that have not already been mentioned in the application documents.</i></p>
HE.1.2	The Applicants	<p>East Riding Local Plan 2012-2029 (2016) (ERLP) policy ENV3:B Table 8 of ERLP identifies heritage assets in the East Riding, including the Yorkshire Wolds, which should be considered as an archaeological landscape of national significance. Policy ENV3:B states that the significance, views, setting, character, appearance and context of heritage assets, both designated and non-designated, should be conserved, especially the key features that contribute to the East Riding's distinctive historic character including the nationally important archaeology of the Yorkshire Wolds. How has the national significance of the Yorkshire Wolds archaeological landscape been considered in the assessment of effects on archaeology in ES Chapter 22 [AS-092]?</p>
HE.1.3	The Applicants	<p>NPS EN-1 NPS EN-1 (paragraph 5.9.9) states, '<i>The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these along with how the mitigation hierarchy has been applied in the ES</i>'. Can you signpost where in the ES the mitigation strategy has been applied or, if it has not been applied, can you provide this information? Can you signpost where opportunities have been taken to enhance or better reveal the significance of heritage assets affected by the Proposed Development in accordance with NPS EN-1 paragraph 5.9.15?</p>
HE.1.4	Historic England and EYRC	<p>NPS EN-5 and the Electricity Act 1989 Do you consider that the Applicants have had regard to the desirability of protecting sites, buildings and objects of architectural, historic or archaeological interest, and have done what they reasonably can to mitigate any effects in accordance with NPS EN-5 paragraph 2.2.10 and Schedule 9 of the Electricity Act 1989? If not, why not?</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<i>ERYC comment - From the information that we have, we are content that the applicant has had regard to the desirability of protecting sites, buildings, and objects of architectural, historic, or archaeological interest, and has done what they reasonably can to mitigate any effects. There will, however, still be some residual harm to several heritage assets.</i>
HE.1.5	The Applicants	Assessment methodology The CEA in ES Chapter 22 [AS-092] does not appear to consider effects on historic landscape character: can you signpost to where this has been considered, or if it hasn't, explain why?
HE.1.6	Historic England	Assessment methodology Could you provide a view on the responses to WQ7 and WQ8 (page 59) of the Applicants' Responses to January 2025 Action Points' [AS-155] regarding the methodology for defining the level of importance of heritage assets? Do you agree with the Applicants' stance that increasing the importance of Grade II listed buildings to high importance would not affect the overall findings of the ES?
HE.1.7	Historic England and ERYC	Assessment methodology Can you review the Applicants' Responses to Issue Specific Hearing 2 Supplementary Agenda Questions Appendix A Heritage assets, the effects and the attributed level of harm in response to ISH2 10.9 [REP2-059] – do you agree with the Applicants' assessment and conclusions? If not, why not? <i>ERYC comment - we would generally agree with the applicant's assessment and conclusions within their response provided to ISH2 10.9. However, we are not convinced by the impact assessment set out in table 1-2 for the Heavy Anti-Aircraft Gun site 350m west of Butts Farm. While we would agree that the pre-mitigation harm would be less than substantial, we would conclude that the level of impact would be higher than that concluded by the applicant. We would also conclude that there would be residual less than substantial harm, even following the mitigation measures.</i>
HE.1.8	The Applicants	Temporary effects on the setting of designated and non-designated heritage assets Can you provide further justification for your view that changes in setting due to construction activities would be temporary and of sufficiently short duration that they would not give rise to material harm [AS-093 , paragraph 286], given that construction work could take a number of years to complete and that some of the effects from construction at the converter stations area would not be reversible.
HE.1.9	The Applicants	Degree of harm to designated and non-designated heritage assets Can you provide further justification for the following conclusions in table 1.1 of The Applicants' Responses to Issue Specific Hearing 2 Supplementary Agenda Questions Appendix A Heritage assets, the effects and the attributed level of harm in response to ISH2 10.9 [REP2-059]: <ul style="list-style-type: none"> • APS_080/ MHU21207 – less than substantial harm at the lower end of the scale would be reduced to no residual harm, but no mitigation is proposed.

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<ul style="list-style-type: none"> 1145F – substantial harm would be reduced to no harm, following archaeological recording of items of interest.
HE.1.10	ERYC	<p>Effects on Catfoss Hall Grade II listed building</p> <p>The ExA notes your response to ISH2.10.1, ISH2 Supplementary Agenda Questions [REP1-056]. Which element(s) of the construction works do you consider would be harmful to the setting of Catfoss Hall (works for the cable route immediately adjacent to Catfoss Hall, the proposed construction compound further south of Catfoss Hall, the nearby proposed works to the highway, or any combination of these elements), and why?</p> <p><i>ERYC response - It is considered that the works when taken as a cumulative total will have a harmful effect on the significance of Catfoss Hall- incorporating the impact of both the works for the cable run itself and the nearby site compound. This harm relates to the impact that these works will have on contribution made by its setting to its significance.</i></p> <p><i>This setting is characterised by its open and agricultural nature. This gives the listed building a sense of separation and isolation, which also contributes positively to the ability to be able to understand its historic function and relationship with its landscape.</i></p> <p><i>The construction phase of the development will be a visually intrusive intervention. It will also result in an increase in the noise and activity within its immediate setting- this will in part result from the construction works themselves, but also from the presence of the site compound close to the access road to Catfoss Hall. However, it is acknowledged that this will result in a temporary harm, to one element of the significance of the listed building. The harm will therefore be less than substantial, and the impact will be low.</i></p>
HE.1.11	The Applicants	<p>Effects on Catfoss Hall Grade II listed building</p> <p>Can you signpost where the effects on Catfoss Hall have been considered in the ES or supporting documents, including the effects from construction on its setting, noting that Catfoss Hall is not referenced in the Onshore Infrastructure Settings Assessment [APP-178] or 'The Applicants' Responses to Issue Specific Hearing 2 Supplementary Agenda Questions Appendix A Heritage assets, the effects and the attributed level of harm in response to ISH2 10.9' [REP2-059]?</p> <p>The ExA notes your response REP1-056: 6 [REP2-058] regarding ERYC's comments on designated heritage assets. Can you provide further detail about the level of harm that the construction works would cause to this specific heritage asset.</p>
HE.1.12	The Applicants	<p>Effects on the Black Mill Grade II listed building</p> <p>What would be the distance between any areas of construction associated with the Proposed Development and the Black Mill? How long would work on the cable corridor take in the vicinity of</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		Beverley Westwood? Can you respond to the concern raised by ERYC [REP1-056] that the Proposed Development would be, 'likely to result in the introduction of distracting works associated with construction, within these longer views of the mill, which would have a potential impact on how the asset is viewed and experienced during the construction phase of the works'?
HE.1.13	ERYC	<p>Effects on listed buildings</p> <p>In your Local Impact Report (LIR) [PDC-007], you reference potential harm to the significance of 'Cobble Hall', which the ExA understands to be a listed building. However, this building is not referenced in your responses to the ExA's follow up queries on the effects on heritage assets [REP1-056]. Can you confirm if you consider Cobble Hall to be affected by the Proposed Development and, if so, how the significance of the heritage asset would be impacted?</p> <p><i>ERYC response - We do consider Cobble Hall (grade II, list entry number 1249504) to be negatively affected by the construction phase of the development. The building is a cobble and brick-built house, sat on a slight rise in the landscape. Its setting is defined by its relationship to the open landscape in which it sits. This allows its architecture to be better appreciated, as well as providing evidence of its historic context. The introduction of the cable path will result into a visual intrusion into this setting, an intensification of activity and an increased audial impact. This will impact on the ability to appreciate the building within wider views within the wider landscape, and harmfully alter the calm and open setting in which it is (and has historically been) experienced. This harm would be limited to the construction phase, and it would affect part of one element that contributes to its significance. The harm would therefore be less than substantial and the impact low.</i></p>
HE.1.14	The Applicants	<p>Significance of effects on non-designated heritage assets</p> <p>You conclude that when assessed individually there would be less than substantial harm to non-designated heritage assets [REP2-059], Table 1.1]. Has the cumulative effect (when considered together) on non-designated heritage assets been considered? If so, can you signpost this in the application documentation or, if not, why not and if a cumulative assessment might affect the overall findings in the ES?</p>
HE.1.15	The Applicants	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>How long would construction work in and around the converter station zone that could affect the setting of the heavy anti-aircraft gunsite scheduled monument take on a worst-case scenario? How would these works affect the setting of this asset?</p>
HE.1.16	The Applicants and Historic England	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p>

ExQ1:

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ExQ1	Question to:	Question
		The Onshore Infrastructure Settings Assessment [APP-178] notes that the battery operated as a mixed sex regiment which used women from the Auxiliary Territorial Service to operate radar, communications systems and other support roles, and that it was used also as a training facility, allowing batteries from around the country to gain operational experience. Can you explain how the gunsite and wider area would have been operated for these specific historic uses and consider whether the effects of the Proposed Development on its setting might be take on a different significance in relation to them.
HE.1.17	ERYC	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>Can you provide further justification for your view [PDC-007] that the proposed converter stations would result in substantial harm to the scheduled monument? Do the changes to the scale of the proposed converter stations as a result of Change Request 2 affect your view regarding the significance of harm on the scheduled monument? Why so, or why not?</p> <p><i>ERYC comment - The council would like to amend this section- this assessment in our previous comments should have concluded that the impact on the significance of the Scheduled Monument was less than substantial, as per paragraph 208 of the NPPF. However, given that the development would considerably reduce the wider visibility looking out of the site (an element that is key to understanding the functioning of the gun battery, which relied upon wide visibility splays to operate), the level of impact would fall at mid to high end of the spectrum of impact covered by paragraph 208 of the NPPF. The fact that the converter stations are of a considerable scale and massing- and would thereby continue to intrude on, and curtail, the contribution made by the setting of the Scheduled Monument, even with the amendments, means these amendments do not change our overall conclusion. We would therefore continue to conclude that the development would cause less than substantial harm to its significance.</i></p>
HE.1.18	ERYC, Historic England	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>The Applicants suggest in response to ERYC's LIR [REP1-048] that for substantial harm to occur 'solely through change to setting, the vast majority of the significance of the asset would need to derive from its setting, and that all, or approaching all of the contribution of that setting would have to be lost'. The Applicants state that, 'in this case, much of the value of the asset is intrinsic to its fabric, which would not be affected, and key elements of the setting comprising the designed fields of fire and the relationship to the wider battery site and views of the gun emplacements from that wider battery site, that contribute to setting would be preserved'. Do you agree with these statements – why, or why not?</p>

ExQ1:

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ExQ1	Question to:	Question
		<p><i>ERYC response - We agree with the conclusion that the impact on the significance of the Scheduled Monument will be less than substantial, rather than substantial.</i></p> <p><i>However, we do not agree with the supposition that ‘much of the value is intrinsic to the fabric’, even if we do agree that the conservation of the fabric of the battery is important to understanding its significance and how it operated. However, we would highlight that the function of the battery is much better understood as part of its wider, open, setting- which allows an understanding of why it was located in this particular location and how it functioned when it was in operation- both key elements of understanding its historic significance.</i></p> <p><i>It is also agreed that the ability to appreciate the interrelationship between physical elements of the battery site is key element which contributes to its significance. However, we would note that the ability to appreciate this interrelationship is not just appreciated in a vacuum within the site, but that it is also appreciated in the views that look through and out from the site, which provide an ability to appreciate the group as a whole.</i></p>
HE.1.19	The Applicants	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <ol style="list-style-type: none"> 1. Historic England states that the significance of the scheduled monument is derived from values, including evidential, historic, aesthetic and communal value [REP1-059]. Can you signpost to where these values have been considered in the ES and to what extent these values would be affected as a result of the Proposed Development? 2. The ExA notes your comments in response to Historic England’s WR [REP2-057], that you consider that the principal contribution of the heritage asset’s setting would remain unaffected by the converter stations. However, how would other contributions made by the asset’s setting be affected? 3. To what extent do you consider that the proposed converter stations would be an ‘overbearing presence’ on the scheduled monument as suggested by Historic England [REP1-059]?
HE.1.20	The Applicants	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>Provide further justification for your conclusion [REP2-059], table 1-2] that there would be no residual harm to the heavy anti-aircraft gunsite, 350m west of Butt Farm, given that ES Chapter 22 [AS-092] identifies a residual minor adverse effect on the setting of heritage assets.</p>
HE.1.21	The Applicants, Historic England and ERYC	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>The Onshore Infrastructure Settings Assessment [APP-178] notes that there are 60 well-preserved examples of heavy anti-aircraft gunsites in England. How many of these are located in the East Riding? Are these heavy anti-aircraft gunsites usually within open, rural sites and do they form part of a network? Do you consider the heavy anti-aircraft gunsite nearby to Butt Farm to be a particularly well-preserved or special example, and if so, why?</p>

ExQ1:

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ExQ1	Question to:	Question
		<i>ERYC response – no information available at the current time and defer to Historic England expertise.</i>
HE.1.22	Historic England	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>The Applicants' oEMP [REP2-029] confirms that, '<i>Permanent lighting at the Onshore Converter Stations has been designed to be directed inwards and provided only to essential areas of the site such as key routes and building entrances. This would produce minimal levels of overspill and help maintain dark corridors along key ecological features during the operation phase such as hedgerows and ancient woodland</i>'. Furthermore, Requirement 9 of the draft DCO [REP1-004] would require the submission of detailed design parameters, including details of external lighting, which would need to be agreed by the local planning authority prior to installation. Does this address your concerns regarding understanding the effects from lighting during the operation of the converter stations on the scheduled monument? If not, how do you propose that this matter could be resolved before the close of the Examination, given that the Applicants have stated that they do not intend to provide night-time visualisations of the converter stations?</p>
HE.1.23	Historic England	<p>Significance of effects - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>With reference to your comments in 4.8 of your WR [REP1-059], you state that the '<i>harm to the significance of the designated site will remain at "major adverse", and not "minor adverse" as suggested by the Applicants</i>'. Can you clarify if you consider the magnitude of effect on the heritage asset as a result of the Proposed Development to be high adverse or medium adverse with reference to ES Chapter 22 [AS-092, table 22-8]?</p>
HE.1.24	Historic England	<p>Mitigation - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>With reference to your comments [REP1-059, 4.10], which request that the maximum height, footprint, landscaping scheme and precise location of the converter stations should be fixed as part of any DCO, the ExA notes that Requirement 9 of the draft DCO [REP1-004] would secure the maximum height and footprint of the converter stations. Furthermore, the converter stations would be limited to Work Nos. 25A and 26A/ B, and the DAS [REP2-027] states that the converter stations must be located to the south of these areas. The draft DCO [REP1-004] would secure areas of permanent landscaping (Works Nos. 27A/ B, 20A/ B), which are reflected in the indicative landscaping scheme shown in ES Chapter 23 [REP2-024, Figure 23-6]. Does this address your comments regarding securing maximum parameters? If not, how would you want the parameters to be secured through the draft DCO or supporting documents, noting the outline stage of the proposals? If appropriate, can you provide any preferred drafting?</p>
HE.1.25	The Applicants, Historic England and ERYC	<p>Mitigation - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>Given the proximity of the proposed converter stations to the scheduled monument, if a DCO was made, should Historic England be consulted on the detailed design plans that would be submitted to</p>

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ExQ1	Question to:	Question
		<p>discharge Requirement 9? If not, why not, or if so, how should this be secured? If appropriate, can you provide any preferred drafting.</p> <p><i>ERYC response - We believe that Historic England should be consulted on the detailed design plans. This is because while we believe that the detailed design will not be able to mitigate or fully avoid causing harm to the significance of this asset, it will determine the exact level of harm caused- which could vary noticeably depending on the exact details. Given the question relates to whether Historic England should be consulted, we would also suggest that greater weight should perhaps be afforded to their answer to this question.</i></p>
HE.1.26	The Applicants	<p>Mitigation - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>During ISH2 you stated that views of low-level clutter serving the converter stations would be screened from the scheduled monument by proposed planting, to create a sense of separation. Can you define what you mean by 'low level clutter' or low-level elements of the converter stations area? Can you provide an indicative layout drawing to identify these items?</p> <p>The ExA notes that following ISH2, Requirement 9 of the draft DCO [REP1-004] has been updated to secure the maximum height and footprint for each converter station. However, it still remains unclear how the draft DCO or supporting documents would ensure that the lowest level elements of the proposed converter station area would be screened by the proposed landscaping. For example, the heights of the lowest elements are not specified in the draft DCO or supporting documents. In light of this, how can the ExA and SoS have confidence that any proposed planting would be of a sufficient height to mitigate the effects from these elements, and how would this be secured?</p> <p>The ExA notes that ES Chapter 23 [REP2-024], Figure 23-15a4] appears to show that only the proposed fencing would be permanently screened by planting, and that there would be views of the external paraphernalia at Year 10 post construction during the winter months. How would this ensure a sense of separation between the scheduled monument and proposed converter stations?</p>
HE.1.27	The Applicants, ERYC	<p>Mitigation - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>During ISH2, the Applicants advised that the proposed landscaping had been designed to work with the historic landscape and reflect existing woodland areas. Do you consider that the proposed landscaping to the north of the converter stations would appear as woodland, or as boundary trees when viewed from the scheduled monument?</p> <p>Is it locally characteristic for areas of woodland to be bounded by hedgerow as shown in ES Chapter 23 [REP2-024], Figure 23-15a4]?</p>


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ExQ1	Question to:	Question
		<p><i>ERYC comment - The figure referred to [REP2-024, Figure 23-15a4] sets out to provide an impression of the mitigation planting from the anti-aircraft battery. It certainly appears, in winter at least, to be a 'boundary of trees' and not a woodland. However, the planting belt as now indicated (Fig 26.3) is around 30m in depth. It would, in ERYC's view, present more of an impression of a woodland belt than the photomontage suggests.</i></p> <p><i>Some woodlands do have hedgerow boundaries, although the reality is that these often grow out to become indistinguishable from woodland edge planting. The photomontage suggests a hard-edge clipped hedgerow. Whilst this would assist with initially providing a tighter hedge structure, it would be appropriate to allow the hedge to grow out as the planting develops, to provide a more in-character appearance.</i></p>
HE.1.28	The Applicants	<p>Public benefits - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>How would the options proposed for interpretation and investigation of the heavy anti-aircraft gunsite [REP1-050, ISH2.10.13] be secured through the draft DCO or supporting documents?</p>
HE.1.29	Historic England	<p>Enhancements - heavy anti-aircraft gunsite, 350m west of Butt Farm</p> <p>Can you comment on the Applicants' proposed enhancements to interpretation and investigation of the heavy anti-aircraft gunsite [REP1-050, ISH2.10.13]?</p>
HE.1.30	Historic England	<p>Archaeological mitigation</p> <p>Can you confirm if the Applicants' understanding of your concerns regarding cumulative effects [REP2-057] are correct? That is, that they were not regarding the EIA CEA, as per the methodology set out in ES Chapter 6 [APP-076] and Appendix 6-1 Onshore Cumulative Effects Methodology [APP-077], but referenced the opportunity for collaboration on landscaping between schemes? If this is not the case, why not, and what further information do you seek to address this concern?</p> <p>Does the Applicants' response [REP2-057] to your comments on Onshore Archaeology and Cultural Heritage [REP1-059] address your concerns regarding these matters? If not, can you explain why and suggest what could be done to resolve them?</p>
HE.1.31	Historic England and the Applicants	<p>Archaeological mitigation</p> <p>Historic England: Can you comment on the acceptability of the proposed outreach and engagement activities, set out under ISH2.10.14 and ISH2.10.15 [REP1-050], including the Applicants' suggestion that Historic England would need to lead any cross-project forums?</p> <p>Historic England and the Applicants: How would you propose that any outreach and engagement activities could be secured by the draft DCO?</p>
HE.1.32	Historic England	<p>Archaeological mitigation</p>


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ExQ1	Question to:	Question
		Are you satisfied with the wording of Requirement 18 of the draft DCO [REP1-004] ? Do you consider the list of information to be included in 18(2) for each scheme to be complete? If not, could you provide details of what additional information you would wish to see included in the list and why?
HE.1.33	The Applicants	<p>Mitigation: Indicative Landscape Plan [REP2-024, Figure 23-6]</p> <p>The indicative Landscape Plan shows a pinch point along the access road, immediately adjacent to the scheduled monument next to Butt Farm and indicates that there would not be space for the hedgerow to continue along the access road to screen views of the access road (see highlighted section below). Why is this the case?</p>  <p><i>This question is also repeated in the landscape and visual interest section (see LVI.1.5). You may therefore want to link the answers to these questions</i></p>
HE.1.34	The Applicants	<p>Mitigation: Indicative Landscape Plan [REP2-024, Figure 23-6]</p> <p>Meadow grassland appears to be proposed within the Order Limits between the scheduled monument and views towards the access road further south of the scheduled monument (see highlighted area below) – why is this, when hedgerow could potentially be utilised to obscure some views to the converter stations?</p>

ExQ1:

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ExQ1	Question to:	Question
		 <p><i>This question is also repeated in the landscape and visual interest section (see LVI.1.6). You may therefore want to link the answers to these questions.</i></p>
HE.1.35	The Applicants	Mitigation: Indicative Landscape Plan and Outline Landscape Management Plan To assist the ExA with its assessment, can you provide a visualisation of the access road from the scheduled monument? Could the outline Landscape Management Plan (oLMP) [REP2-031] be updated to include reference to how landscape planting would be used to mitigate the effects on the scheduled monument and any objectives or principles on how this would be achieved?
HE.1.36	The Applicants	Decommissioning How would the draft DCO [REP1-004] secure the protection of designated and non-designated heritage assets during decommissioning?
HE.1.37	The Applicants	Decommissioning and cumulative effects ES Chapter 22 [AS-092] , table 22-13] states that, ' <i>cumulative effects during the decommissioning phase are assumed to be the same as those identified during the construction phase.</i> ' Table 22-16 also states that, ' <i>it is anticipated that the decommissioning impacts would be similar in nature to those of construction.</i> ' Table 22-17 states that, ' <i>Inter-relationships and the identified impacts associated with the decommissioning phase would be no greater than those identified for the construction phase.</i> ' However, paragraph 326 suggests that the effects from decommissioning could be worse than

ExQ1:

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ExQ1	Question to:	Question
		construction, but also suggests that the effects from decommissioning are unknown. Can greater clarity be provided on the likely effects from decommissioning and ensure that these conclusions are consistent throughout the ES? On a precautionary basis, should the effects from decommissioning be assumed to have a significant adverse effect, unless it can be demonstrated otherwise?
Hydrology and flooding		
HF.1.1	The Applicants	<p>Local flood risk data</p> <p>The extract from the ERYC online data viewer provided in Appendix D of the Applicants' Responses to Hearing Acton Points January 2025 (revision 2) [AS-155] only includes Flood Zone 3b and does not identify the risk of flooding in relation to the Proposed Development. Can you provide updated figures at an appropriate scale with the Proposed Development overlaid? This should include all sources of flooding as identified in the Level 1 Strategic Flood Risk Assessment (SFRA).</p>
HF.1.2	Environment Agency, ERYC and Lead Local Flood Authority (LLFA)	<p>Climate change data for the sequential test</p> <p>The Applicants' response to ISH2 agenda item 11, action point 26 [AS-155] explains the Environment Agency 2013 River Hull and Holderness Drain Flood Mapping Study has been used as to inform the sequential test including the future risk of flooding. Given this study is 12 years old, could you confirm if its findings are considered the most relevant for identifying the current and future risk of flooding for the Proposed Development? If not, please identify which other sources should be used.</p> <p><i>ERYC comment – no response and believe it is one for the Environment Agency to respond to.</i></p>
HF.1.3	The Applicants	<p>Flood water displacement during construction</p> <p>Can you quantify the increased risk of flooding elsewhere due the proposed material stockpiles, earthworks and temporary construction compounds within Flood Zone 3 during the construction phase, [AS-155], ISH2 agenda item 11, action point 29]? It would be useful if a plan could be provided to identify where the displaced water is likely to affect.</p>
HF.1.4	The Applicants	<p>Haul road crossings of watercourses</p> <p>Can you explain why the 23 off route (haul road only) temporary watercourse crossings are not included in Table 20-13 of ES Chapter 20 (revision 2) [REP1-014] and therefore how the environmental affects have been assessed?</p>
HF.1.5	Environment Agency	<p>Geomorphological survey scope</p> <p>Can you comment whether limiting the scope of the geomorphological survey [APP-166] to Water Framework Directive waterbodies is appropriate for informing the assessment of likely effects from the Proposed Development? If not, please explain why, and how the Applicants might resolve this.</p>

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ExQ1	Question to:	Question
HF.1.6	Environment Agency	<p>Water Environment Regulations compliance assessment scope</p> <p>Can you confirm if you agree with the waterbodies identified with Table 20-3-3 of the Water Environment Regulations Compliance Assessment (revision 3) [REP1-016], the parameters identified in Tables 20-3-4 and 20-3-5 [REP1-016] and the outcome of scoping assessment? Specific consideration should be given to the general approach that the Proposed Development only affects small proportions of each catchment, habitat or area as justification for scoping out.</p>
HF.1.7	Environment Agency, ERYC, Beverley and North Holderness IDB and Yorkshire Water	<p>Cumulative effects assessment</p> <p>Can you comment on the Applicants' CEA in ES Chapter 20 (revision 2) [REP1-014], section 20.8], with specific consideration to the approach of identifying other schemes and the criteria used for subsequent shortlisting?</p> <p><i>ERYC response – response being sought to forward when received.</i></p>
HF.1.8	Environment Agency, ERYC and Yorkshire Water	<p>Water resources</p> <p>The Applicants identify aquifers, groundwater source protection zones, groundwater abstractions, surface water abstractions and drinking water safeguard zones relative to the Proposed Development [APP-164], Figures 20-1a to 20-3c]. The Applicants have submitted updated Figures 19-8a to 19-8c [REP1-013] that identify local authority managed commercial and domestic potable abstraction wells, and licensed groundwater and surface water abstractions. The figures include an additional 50m buffer.</p> <p>In context of this updated information, can you comment on the assessment of likely effects of the Proposed Development on these hydrogeological and hydrological receptors including any proposed mitigation? Your response should consider the details in ES Chapter 19 [APP-158], section 19.6.1.2]. In addition, could the EA comment or clarify whether it objects to the Proposed Development in the context of the updated information and the groundwater protection remarks in its Relevant Representation [RR-015]?</p> <p><i>ERYC comment – no response and believe it is one for the Environment Agency or Yorkshire Water to respond to.</i></p>
Landfall zone		
HF.1.9	The Applicants and LLFA	<p>Fluvial and pluvial flood risk</p> <p>The Applicants: The landfall site is identified at high risk of surface water flooding in Figure 20-4-4-a [APP-168]. However, paragraph 124 of the Flood Risk Assessment [APP-168] states this is considered low risk. Similarly, paragraph 118 of the Flood Risk Assessment [APP-168] states 'there would be no fluvial risk to the Landfall Zone'. However, there are watercourses located within the landfall zone</p>

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		<p>which have associated crossings WX-001 and WX-002 [REP2-014]. Could the Flood Risk Assessment [APP-168] be reviewed and clarify if the aforementioned assessment of risk is accurate?</p> <p>LLFA: Given the access needs for those using Cliff Road, and the immediate adjacent high risk of flooding within the landfall zone and export cable corridor, can you comment whether any mitigation would be likely to be achievable and if it is appropriately secured?</p> <p><i>ERYC response – Have reviewed the FRA and note that there are some areas with low to high risk of flooding within the landfall zone, without knowing the details of what will be within the temporary construction compound zones it is difficult to assess. However if there is any raising of ground levels or any large structures within the zone which may displace water then there should be some mitigation to store the displaced water during a flood event.</i></p>
HF.1.10	The Applicants	<p>Groundwater risk for export cables</p> <p>ES Chapter 5 [REP1-009, table 5-25] identifies the indicative trenchless crossing depth at the landfall zone as 20m. How has the effect of the export cables at the landfall zone on groundwater flood risk been assessed, given paragraph 192 [APP-168] states, 'the target depth for the Onshore Export Cables will be between 1.6m and 2m below ground'?</p>
HF.1.11	The Applicants	<p>Groundwater risk at transition jointing bays (TJB)</p> <p>ES Chapter 5 [REP1-009, table 5-25] identifies the proposed TJBs as 5m x 20m each. Can you confirm the likely depth of the proposed TJB and signpost where the volume of subterranean impact of these TJBs to groundwater has been assessed?</p>
Outline Code of Construction Practice		
HF.1.12	Environment Agency, Beverley and North Holderness IDB and LLFA	<p>oCoCP content and quality</p> <p>Can you comment on the details provided in the oCoCP (revision 3) [REP1-025] related to flood management, the drainage strategy, surface water management plan and watercourse crossings including:</p> <ul style="list-style-type: none"> • If the level of detail is sufficient to frame the necessary mitigation of the potential effects during construction and operation of the projects. • If there is reasonable certainty of the quality and content of the future detailed CoCP, whether the approval bodies identified in Tables 3-2 and 3-3 of the oCoCP (revision 3) [REP1-025] would be appropriate. • If the measures listed for temporary culverts in section 6.3.2.6 of the oCoCP (revision 3) [REP1-025] would be appropriate for permanent culverts, as suggested in paragraph 205 of the same document.

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ExQ1	Question to:	Question
HF.1.13	The Applicants	Surface waterbody discharge rate Can you clarify whether the proposed discharge rates to receiving waterbodies would be no greater than existing during the construction and operation phases, including where waterbody catchments are altered? If so, it would be useful to update paragraphs 178 and 184 of the oCoCP (revision 3) [REP1-025] , and any other relevant paragraphs and application documents, to ensure this is clarified.
Drainage matters		
HF.1.14	The Applicants	Infiltration testing Paragraph 60 of the Outline Drainage Strategy revision 3 [REP2-031] states, ' <i>site investigation and infiltration tests for the site have been undertaken. The desktop studies suggest that the underlying strata on site will be unsuitable for the disposal of surface water to ground via infiltration. However, this will be reviewed once results of the site investigation are available</i> '. Can the Applicants confirm when the outputs from the site investigation will be available and if infiltration is found to be feasible, how this will be reflected in the Outline Drainage Strategy [REP2-031] ?
HF.1.15	Beverley and North Holderness IDB and LLFA	Accommodating drainage features constructed within the Order Limits associated with the export cable corridor Are you satisfied that ground and surface water treatment and attenuation features could be constructed within the export cable corridor, assuming a worse case that the proposed haul road would be 100% impermeable?
HF.1.16	The Applicants	Drainage works outside the Order Limits Your response to ISH2 agenda item 11, action point 31 [AS-155] explains discharges for the land drainage scheme and surface water management plan may be required outside the Order Limits. Can you signpost where the environmental impact for the works outside the Order Limits has been assessed in the ES?
HF.1.17	LLFA	Converter station access road culvert sizing Paragraphs 37 and 38 of the Outline Drainage Strategy revision 3 [REP2-031] explain watercourses would pass below the proposed permanent access road to the proposed converter station and a suitably sized culvert would need to be provided to maintain existing flows. Would it be useful for the Applicants to commit to an expected minimum design standard? If so, what would this be? (For example, no increased risk of flooding for all storm events up to 1% annual exceedance probability plus an allowance for climate change.)
HF.1.18	The Applicants	Drainage and landscape sections Can you update Appendix A of the Design and Access Statement [REP2-027] to include the following:

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		<ul style="list-style-type: none"> a cross section through the proposed attenuation pond with the same orientation as the cross-section C-C proposed finished ground levels to all cross-sections the indicative location of swales and permeable paving the indicative widths of the labelled features eg biodiverse grassland, sustainable drainage area.
HF.1.19	The Applicants	<p>Post-construction discharge volume</p> <p>Can you confirm the post-construction surface water discharge volume would be no greater than the pre-existing volume for the proposed converter substation and access road development areas, and signpost where this is secured?</p>
Infrastructure and other users		
IOU.1.1	The Applicants	<p>Written Ministerial Statement</p> <p>Does the WMS from the SoS for DESNZ 'Oil and Gas Overlaps with Offshore Wind Projects' (UIN HCWS504) (24 May 2024) have any implications for the Proposed Development in relation to the assessment of marine infrastructure and other users? If so, what are they or, if not, why not?</p>
IOU.1.2	The Applicants	<p>NPS EN-3</p> <p>ES Chapter 16 [REP1-011] refers to effects from interactions with other offshore wind farms, including the crossing of the export cables for the Hornsea Project Four OWF. Which paragraph(s) of NPS EN-3 or the EIA Regulations do you consider relevant to the assessment of this matter?</p>
IOU.1.3	The Applicants and The Crown Estate	<p>The Crown Estate Leasing</p> <p>Provide a summary of the process for licensing rounds for offshore wind farms and how licences are obtained. What considerations does The Crown Estate take account of when issuing a lease for an offshore wind farm? Setting aside wake loss, are there other matters which The Crown Estate considers during the leasing process, which are also considered as part of the DCO application process?</p> <p>Can a copy of The Crown Estate's Round 4 Information Memorandum be submitted into the Examination?</p>
IOU.1.4	The Applicants	<p>EIA Regulations</p> <p>EIA Regulation 14(3)(a) states that an ES must, '<i>where a scoping opinion has been adopted, be based on the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)</i>'. The ExA has heard the views of all parties in relation to your removal of wake loss effects from the originally submitted ES and notes your view that wake loss does not represent a material consideration in the assessment of the</p>

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ExQ1	Question to:	Question
		application [REP2-058]. Given that the relevant scoping opinion [APP-232] explicitly states that, <i>'turbine spacing and potential wake-wake interactions'</i> should be considered in the ES, can you demonstrate how the ES currently complies with the EIA Regulations, given that it now makes no reference to wake loss and does not provide any explanation as to why this is the case.
IOU.1.5	The Applicants	<p>NPS EN-3 wake loss</p> <p>You state [REP2-058] that the <i>'the only fair and objective reading'</i> of NPS EN-3 paragraph 2.8.44 <i>'is that existing offshore wind farm projects were not regarded as 'other offshore infrastructure' given the separation of 'other offshore infrastructure' in section 8 of the NPS. Could an alternative interpretation of this be that 'other offshore infrastructure' was separated to identify and assess effects from interactions with other existing offshore infrastructure (rather than providing direction for assessing site selection for a proposed offshore wind farm as contained within the previous paragraphs), which could therefore include other offshore wind farms? If not, why not?</i></p>
IOU.1.6	The Applicants, Ørsted Hornsea Project Three (UK) Limited and Ørsted Hornsea Project Four Limited (Ørsted IPs), Dogger Bank Offshore Wind Farm Project 1 Projco Limited, Dogger Bank Offshore Wind Farm Project 2 Projco Limited, and Dogger Bank Offshore Wind Farm Project 3 Projco Limited (Projco IPs)	<p>NPS EN-3 wake loss</p> <p>Do you consider that existing offshore windfarms are relevant to NPS EN-3 paragraph 2.8.345 as <i>'other offshore industries'</i>? If not, why not? If so, has the site selection and site design of the Proposed Development been made with a view to avoiding or minimising disruption or economic loss? Are there any design solutions which could resolve concerns regarding wake loss? Explain your answers.</p>

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ExQ1	Question to:	Question
IOU.1.7	The Applicants	NPS EN-3 wake loss In the context of NPS EN-3 paragraphs 2.8.200 and 2.8.344, can you demonstrate how you have worked with the operators of existing offshore wind farms that could have been affected by the Proposed Development during the pre-application and pre-examination stages to minimise negative impacts on annual energy yield from wake loss, given that concerns were first raised in the pre-application stage and were initially scoped into the ES.
IOU.1.8	The Applicants	Wake loss The Ørsted IPs [REP1-086] and Projco IPs [REP1-071] refer to the need to consider the overall net effects from wake loss on annual energy production in relation to climate change. The ExA notes your responses on this matter [REP2-058] , but do you consider that wake loss could be of relevance to the EIA Regulations in terms of assessing the impact of a project on climate change (such as the contribution to the abatement of fossil fuel generation within the UK grid during the operational phase)? Explain your response. The ExA notes that net effects from wake loss do not appear to be considered in ES Chapter 30 [APP-222] or ES Chapter 30 [APP-224] . The ExA also notes that technical notes setting out the effects of wake loss on net greenhouse gas emissions have been submitted to other offshore wind farms examinations, including Mona Offshore Wind Farm, and therefore requests that one is submitted for the Proposed Development.
IOU.1.9	Ørsted IPs	Wake loss Can you provide an assessment and evidence to demonstrate the extent of suggested wake loss and effects on annual energy production from the Proposed Development on Hornsea Project 3 and Hornsea Project 4 OWFs which are referenced in your Deadline 1 submission [REP1-086] ? Can you provide this information in kWh and as a percentage of annual energy production? Can you advise the installed capacity and the generating capacity of each offshore windfarm, and confirm what load factor you use to calculate the generating capacity? What is the operational lifespan of each offshore wind farm and how long would wake loss likely be a concern? Can you set out whether you consider any potential effects from wake loss would be significant in EIA terms and how you have derived this conclusion? Do you consider that any effects from wake loss on Hornsea Project 3 or Hornsea Project 4 would affect their operational viability? If so, can you provide evidence to demonstrate to what extent this would be the case? Provide this information at no later than Deadline 4 (25 April 2025) if you are unable to provide it by Deadline 3.
IOU.1.10	Projco IPs	Wake loss The ExA understands that you intend to provide an assessment of the effects from wake loss from the Proposed Development on annual energy production for Dogger Bank A, Dogger Bank B and Dogger

ExQ1:

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ExQ1	Question to:	Question
		Bank C OWFs at Deadline 4 [REP1-071] . Can you provide this information in kWh and as a percentage of annual energy production? With that submission, can you set out whether you consider any potential effects from wake loss would be significant in EIA terms and how you have derived this conclusion? Can you provide the installed capacity and the generating capacity of each OWF, and confirm what load factor you use to calculate the generating capacity? What is the operational lifespan of each OWF and how long would wake loss likely be a concern? Are you able to provide evidence to demonstrate your stance [REP2-071] that the Proposed Development would have an effect on the operational viability of Dogger Bank A, Dogger Bank B or Dogger Bank C OWFs and to what extent this would be?
IOU.1.11	The Applicants	Wake loss Notwithstanding your position that wake loss effects do not form a material consideration in the assessment of this application, what percentage and kWh of annual energy production loss did your assessment of the effects from wake loss on Dogger Bank A offshore wind farm show? How did you determine that this would have a negligible effect? How would these effects compare with the likely effects on Rhyl Flats as a result of Awel y Môr Offshore Wind Farm?
IOU.1.12	Ørsted IPs and Projco IPs	Wake loss What resolution do you seek regarding wake loss and if appropriate, how would you wish to see this captured in the draft DCO or any supporting documents? If the ExA and SoS were to determine that wake loss was a relevant consideration under NPS EN-3, can you comment on whether a requirement along the same lines as Requirement 25 of The Awel y Môr Offshore Wind Farm Order 2023 (requiring a wake loss assessment post-consent) would be justified and would meet the relevant legal and policy tests?
IOU.1.13	The Applicants	Update to ES Chapter 16: Infrastructure and other uses Figure 16-2 [AS-010] Can you update figure 16-2 to ensure that all the offshore infrastructure is correctly colour coded to reflect the current situation of offshore wind farm projects and their status? For example, Outer Dowsing is in examination (shown as in pre-application), Sheringham and Dungeon Extensions are consented (shown as in planning), and Dogger Bank D is in the pre-application stage (shown as in planning). Also, can you clarify what is meant by 'Government Support on Offer' on the key?
IOU.1.14	The Applicants	Oil and gas licensing Can you provide an update on the 33rd oil and gas Licensing Round and any potential projects that could affect the Proposed Development (or vice versa), noting the comments from INEOS UK SNS Limited [RR-025] and INEOS UK SNS Limited on behalf of ONE-Dyas UK Limited [RR-026] ? Have any additional oil or gas blocks been opened since submission of the application that could be affected by

ExQ1:

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ExQ1	Question to:	Question
		the Proposed Development? If so, what are the potential effects and how would the Proposed Development mitigate them?
IOU.1.15	The Applicants	Other potential infrastructure Can you provide an update on the proposed third Eastern Green Link HVDC cable and the fourth Eastern Green Link HVDC cable, and whether any updates or changes affect the findings of your ES? Can you also provide an update on the proposed Continental Link Multi-Purpose Interconnector in planning by National Grid, and whether any updates or changes affect the findings of your ES?
IOU.1.16	Ministry of Defence	Ministry of Defence submarine practice and exercise area (PEXA) Can you provide details of the extent, purpose and current status of the submarine PEXA listed on admiralty charts in the region of the Order Limits into the Examination? Do you consider that the Proposed Development is likely to have any interactions with the PEXA which would lead to a significant effect(s), or would require mitigation?
IOU.1.17	The Applicants	Ministry of Defence PEXA What mitigation could be put in place to avoid any effects on the submarine PEXA identified?
IOU.1.18	The Applicants and BHP Petroleum Great Britian Limited	Co-location, crossing and proximity, co-operation and co-existence agreements The Applicants: Can you provide the following information? <ul style="list-style-type: none"> • A table that can be updated routinely during the Examination on discussions regarding progress towards any co-location, crossing and proximity, co-operation and co-existence agreements between both existing and proposed offshore infrastructure, which includes expected timescales for completion of such agreements. • If such agreements are not completed before the close of the Examination, can you explain how protection for these assets could be secured through the draft DCO? • The Projco IPs [REP2-071] suggest that proximity agreements have not been discussed with them, and that in place of a proximity agreement a requirement would be necessary to secure one. Can you provide an update and explain how you intend to progress this matter? BHP Petroleum Great Britian Limited and the Applicants: Both parties have reported a lack of engagement with each other regarding the management of asset crossings and proximity agreements [REP1-070] and [REP2-057] . What are you plans to liaise with each other on this matter and can you provide an update in the above format?
Landscape and visual interest		
LVI.1.1	The Applicants	NPS EN-5 The Policy Compliance Assessment Tables [APP-227] do not appear to set out how the Proposed Development would accord with NPS EN-5 paragraph 2.14.2, notably: how adverse effects have been

ExQ1:

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ExQ1	Question to:	Question
		address through the mitigation hierarchy; how the Proposed Development provides environmental improvements in line with the Environmental Improvement Plan and environmental targets; and, how you have co-ordinated construction planning for the proposal with other similar projects in the area on a similar timeline. Can you update the document to address these matters?
LVI.1.2	ERYC	<p>Residential Visual Amenity Assessment</p> <p>The Applicants consider [REP1-050] that given the distance and the existing and proposed screening, impacts on views from nearby residential properties of the converter stations would not be so great as to potentially breach the residential visual amenity threshold, and therefore a Residential Visual Amenity Assessment is not necessary. What is your opinion and do you agree with the Applicants?</p> <p><i>ERYC comment - The Applicant's view is reasonable and, given the distances involved and the reduction in size arising from Change request 2, we would concur that it is unlikely that impacts on views would be so great as to breach the Residential Visual Amenity Threshold. Descriptors provided in LI TGN-02-2019 (RVAA), such as "blocking the only available view from a property", or 'overwhelming views in all directions'; and 'unpleasantly encroaching' or being 'inescapably dominant from the property'" are unlikely to apply to properties at Bentley or Butt Farm.</i></p> <p><i>Drone imagery provided here https://www.2bconsultancy.co.uk/download/DoggerBankSouth-ConvertorStn/index.html gives an impression of intervisibility at 24m (the height of the tallest convertor buildings). It shows that, as stated by the applicant, some properties at Bentley would have relatively open views towards the convertor station. We concur that proposed planting (as illustrated at Figure 23-8e Viewpoint 2: Copleflat Lane, Bentley) would substantially mitigate the effects of the development. Nonetheless, the convertor station would be readily noticeable during construction and in early stages of operation. It would be appropriate to provide the residents of Bentley with a clear impression of what their initial experiences would be, via photomontage or 3D modelling presentation.</i></p>


ExQ1:

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ExQ1	Question to:	Question
LVI.1.3	ERYC	<p>Visualisations</p> <p>Following submission of additional visualisations [REP2-024], do you have any further comments?</p> <p><i>ERYC comment - The winter viewpoints are helpful and carried out to a high standard, although the degree of leaf cover indicated in January (Figure 23-7e Viewpoint 1: Butt Farm) appears optimistic by comparison with the existing situation. Conversely, as noted in the response to Q HE.1.27, Figure 23-15a4 Cultural Heritage Viewpoint 2: Anti Aircraft Battery at Butt Farm, the mitigation planting appears a little thin for a 30m belt with evergreen mix.</i></p> <p><i>Figures 23-15a3/a4 Cultural Heritage Viewpoint 2: Anti Aircraft Battery at Butt Farm do not include the access road - presumably not modelled - but quite a significant element in this view.</i></p> <p><i>ERYC is unclear what the is the significance and purpose of the red dots that appear to be part of the switchgear in this view (and also Figure 23-7d Viewpoint 1: Butt Farm). Do they indicate an actual red features of a design which is otherwise deliberately recessive?</i></p> <p><i>Figure 23.17c Viewpoint 10: A164 - the development appears quite nestled into the view of Bentley. However, parallax, arising from the difference in distance between Bentley and the Converter Station, would mean that it would appear quite distinct for vehicle users moving north-bound on the A164.</i></p> <p><i>ERYC observes, as queried by the Inspectorate (LVI.1.5), that the gap at the access road entrance to the site is a weak point for the mitigation planting, limiting the ability to mitigate views from footpaths to the north and north-west. Review and optimisation of mitigation potential would be useful at this point.</i></p>
LVI.1.4	ERYC	<p>Lighting</p> <p>Do you have any outstanding concerns regarding the effects from lighting from the Proposed Development during construction or operation?</p> <p><i>ERYC comment - ERYC is not comfortable with the lack of detail as regards lighting. The Applicant has explained the need to have a contractor on-board in order to provide more detail for both construction and operational phases, and this is understood. Furthermore the applicant has been pressed on this point and has undertaken to follow industry best-practice in minimising effects of lighting. However, lighting should remain a key consideration and, if examples from other similar developments can provide information on approaches in advance of a lighting design, that information should be made available for consideration.</i></p>
LVI.1.5	The Applicants	<p>Mitigation: Indicative Landscape Plan [REP2-024, Figure 23-6]</p> <p>The indicative Landscape Plan shows a pinch point along the access road and indicates that there would not be space for the hedgerow to continue along the access road to screen views of the access</p>


ExQ1:

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ExQ1	Question to:	Question
		<p>road (see highlighted section below). Would this result in a large gap in the hedgerow and if so, why is this the case? Has the effects from this been considered in the ES?</p>  <p><i>This question is also repeated in the Historic Environment section (see HE.1.33). You may therefore want to link the answers to these questions</i></p>
LVI.1.6	The Applicants	<p>Mitigation: Indicative Landscape Plan [REP2-024, Figure 23-6]</p> <p>Meadow grassland appears to be proposed within the Order Limits between the scheduled monument and views towards the access road further south of the scheduled monument (see highlighted area below) – why is this, could hedgerow or a continuation of the proposed woodland be utilised to mitigate views to the converter stations in this location?</p>

ExQ1:

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ExQ1	Question to:	Question
		 <p><i>This question is also repeated in the Historic Environment section (see HE.1.34). You may therefore want to link the answers to these questions</i></p>
LVI.1.7	The Applicants	Landscape mitigation In your summary of oral representations from ISH2 [REP1-049] , you state that advanced planting at the converter stations is in the Commitments Register [REP2-025] . Can you signpost to this commitment, or if it is not, update the Commitments Register as required?
LVI.1.8	The Applicants	Landscape mitigation Draft DCO [REP1-004] Requirement 5 requires that reinstatement works must be carried out as soon as reasonably practical and in any event within 12 months of completion of a relevant phase. Could the reinstatement works be time limited to within a maximum of 6 months of completion of a relevant phase, which was the timeframe specified in the Awel y Môr offshore wind farm DCO? How is the 'former condition' determined?
LVI.1.9	The Applicants	Landscape mitigation In the Change Request 2 cover letter [AS-152] , you state that the changes represent the preferred option from a landscape and visual impact perspective, as the changes allow, ' <i>greater opportunities to integrate mitigation planting into nearby woodlands to the north and west and provide more effective screening in the east</i> '. However, Figure 23-6 [REP2-024] now appears to show less enhancement of the ancient woodland to the east, less permanent landscaping to the north-east and less woodland planting to the south-east. Furthermore, the band of woodland screening views of the converter stations from the south appears to be narrower at the eastern end. How does this reduction in

ExQ1:

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ExQ1	Question to:	Question
		landscape mitigation affect the findings of the landscape and visual impact assessment and has this been reflected in instances where this would change the prepared visualisations? If it has not been reflected in the visualisations but should, can you update them as necessary?
LVI.1.10	The Applicants and ERYC	<p>Landscape monitoring</p> <p>The outline Landscape and Ecological Strategy for East Anglia Two OWF [REP13-007] referred to an 'adaptive planting management scheme' for tree and shrub planting in parts of the Order Limits. This sought to address the quality and annual growth of different blocks of tree and shrub planting, with monitoring against agreed objectives, options to suspend or extend the management periods for discrete areas of such planting (or zones) and target-specific measures to improve such areas, in cases where the planting did not establish satisfactorily for any reason. This was intended to de-risk the timely delivery of planting, achieve optimum levels of plant growth and condition and provide greater confidence that effective screening from the tree planted areas would be achieved before the end of the adaptive planting management period. Should this be applied to the Proposed Development, particularly for the converter station area? If not, why not?</p> <p><i>ERYC Comment - An adaptive planting management scheme, as opposed to simply following a specification-based management scheme, would be appropriate for this project, to maximise performance of planting mitigation. It is noted that the applicant intends to carry out planting as early as possible, for the same reason; this adaptive approach would support the principle of maximising benefits from such planting.</i></p> <p><i>ERYC would also like to be assured that if the planting is carried out early in the Construction phase, any possible damage to or effects upon the planting, from construction, can be picked up through a maintenance/replanting regime of sufficient duration.</i></p>
LVI.1.11	The Applicants and ERYC	<p>Outline Landscape Management Plan</p> <p>The outline Landscape and Ecological Strategy for East Anglia Two [REP13-007] included the following principles for the detailed Landscape Management Plan:</p> <ul style="list-style-type: none"> • A detailed scheme of tree and shrub planting and aftercare. This will include details of soil restoration and ground preparation, species choice, stock size, spacing, protection and a program of weed control and aftercare. • A scheme of protection to demonstrate how new tree and hedge planting will be protected against deer, rabbits / hares etc. The detail will also indicate a variety of access gates within the detail for badgers or other creatures that may have, for instance, established routes through the restored areas.

ExQ1:

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ExQ1	Question to:	Question
		<p><i>EYRC response: All of the suggested topic headings are useful and relevant, and should be included in the oLMP at the appropriate level of detail</i></p> <ul style="list-style-type: none"> <i>A process to deal with incidents of ash die back, where relevant to the onshore development area, including removal of diseased specimens and re-planting of replacement native species (non-ash species).</i> <i>Details of local provenance suppliers of plant material for inclusion within the specification.</i> <i>Details of the implementation and maintenance of landscaping, including management of trees, hedgerows and grassland in the longer term.</i> <p>Should these (or similar) be included within the oLMP [REP2-031]? If not, why not?</p>
LVI.1.12	The Applicants	<p>Outline Landscape Management Plan</p> <p>The oLMP [REP2-031] notes that ‘opportunities will be explored’ to deliver offsite planting within the wider area, but that this would need voluntary agreement from landowners. What weight should the ExA and SoS give to this? Was this taken into account in the landscape and visual impact assessment? How would any offsite planting be maintained?</p>
LVI.1.13	The Applicants	<p>Outline Landscape Management Plan</p> <p>There is limited information in the oLMP [REP2-031] or the DAS [REP2-027] regarding landscaping of the access road to the converter stations. Can you update the documents to provide landscape design parameters for the access road, including the entrance to the converter stations from the main highway, information on the proposed swales or filter drains and how the diversion of the Walkington Footpath Public Right of Way would be dealt with from a landscape perspective. Would the access road surface be constructed from permeable materials, given the limited volume of traffic which would use the access road during operation of the Proposed Development? If this is not possible, why not?</p>
LVI.1.14	The Applicants	<p>Above ground installations</p> <p>Other than features associated with the converter stations, would there be any other permanent above ground installations associated with the onshore elements of the Proposed Development, notably in relation to Work No. 34B of the draft DCO [REP1-004]? If there would be further above ground structures, how have these been assessed in the landscape and visual assessment?</p>
LVI.1.15	The Applicants and ERYC	<p>Maximum design parameters</p> <p>The Applicants: Requirement 9 of the draft DCO [REP1-004] would secure the maximum height and footprint of the converter stations. How does the draft DCO ensure that all the other maximum design parameters assessed in the ES would not be exceeded?</p> <p>The Applicants and ERYC: Should all maximum parameters assessed in the ES be secured by the draft DCO?</p>

ExQ1:

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ExQ1	Question to:	Question
		<i>ERYC comment - ERYC consider it would be clearer and more precise if all maximum parameters are included in the draft DCO.</i>
LVI.1.16	The Applicants	<p>Trees</p> <p>ES Chapter 23 [APP-192] confirms that hedgerow trees cannot be replanted over the cable easement. The oLMP [REP2-031] states that all trees which need to be removed would be replaced.</p> <ol style="list-style-type: none"> 1. How would the removal of trees during construction be monitored? 2. Where would trees that could not be replaced over the cable easement be replaced? 3. How would the new locations for the trees be determined, and would the local planning authority be consulted on this? 4. How would this be secured?
LVI.1.17	The Applicants	<p>Replacement trees and hedges</p> <p>The oLMP [REP2-031], paragraph 14] confirms that where removal of trees and hedgerows would be necessary to facilitate construction, these would be replaced within two years along the onshore export cable corridor. Can you clarify what would be the trigger for reinstatement to begin and where this would be secured? If necessary, update the oLMP to include this trigger.</p>
LVI.1.18	The Applicants	<p>Replacement trees and hedges</p> <p>The oLMP [REP2-031] states that '<i>Planting of trees has been avoided within the indicative areas for the onshore cables and 400kV connection. Planting of trees within 6m of the pipelines has also been avoided. It is assumed that planting hedges over these features will be acceptable, subject to consultation with the owners of these assets.</i>' Has replanting of trees been discussed with the owners of these assets and does the landscape and visual assessment assume that such mitigation would be in place? If not, why not?</p>
LVI.1.19	The Applicants	<p>Replacement trees and hedges</p> <p>It appears that the same commitment for replacement tree and hedgerow planting within two years is not made for the onward cable route to the Proposed Birkhill Wood National Grid Substation, landfall or the converter station zone. Why is this?</p>
LVI.1.20	The Applicants	<p>Trees</p> <p>Have you identified any locations or receptors where the restrictions on planting trees over the cable easement would lead to views of the convertor station remaining? If so, signpost the ExA to this assessment and any proposed mitigation.</p>
LVI.1.21	The Applicants	Replacement hedgerows

ExQ1:

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ExQ1	Question to:	Question
		Are the growth rates of replacement hedgerows accounted for in the ES in terms of landscape and visual effects? If not, why not, and if it was would it affect the conclusions?
LVI.1.22	The Applicants	<p>Cumulative effects</p> <p>Paragraph 7.26 of the Third Edition Guidelines for Landscape and Visual Impact Assessments (GLVIA3) suggests that cumulative landscape effects should be considered in terms of consequences for key landscape characteristics and how compatible the development would be with key landscape characteristics such as scale and pattern.</p> <p>ES Chapter 23 [APP-192] offers limited justification for your determination of the likely significant cumulative effects, and draws attention to where it considers there would or would not be significant effects. ES Chapter 23 [APP-192], paragraphs 395 to 400] does not clarify whether any significant cumulative effects would be in relation to landscape character, visual amenity, or both.</p> <p>Furthermore, paragraph 7.36 of GLVIA3 suggests that the most significant cumulative visual amenity affects may need to be illustrated by visualisations to indicate change in views and visual amenity. Consideration must also be given to the way in which sequential views would be experienced with regards to cumulative effects. No such consideration appears to have been offered in ES Chapter 23. In addition, despite significant adverse cumulative effects being identified, ES Chapter 23 does not propose any additional mitigation measures. Paragraph 7.41 of GLVIA3 suggests ways in which mitigation can reduce cumulative effects.</p> <p>In light of the above, can you review the cumulative effects identified in ES Chapter 23 [APP-192] with regard to GLVIA3 guidance and provide a more comprehensive assessment of these effects, with consideration of mitigation to address any significant effects?</p>
Land use and agriculture		
LUA.1.1	The Applicants	<p>Cumulative effects assessment</p> <p>The method of screening for CEA appears largely based on spatial overlap with other projects [REP2-022], Table 21-16]. How does this appropriately assess cumulative impact of agricultural land loss, for example at a regional level?</p>
LUA.1.2	The Applicants	<p>Updated guidance</p> <p>Confirm, with justification, if the 2000 Ministry of Agriculture, Fisheries and Food (MAFF) guidance being superseded by the Good Practice Guide for Handling Soils in Mineral Workings by the Institute of Quarrying (2021) has an impact on the Proposed Development and its associated impact assessment and mitigation. If it does, please update the application documents to reflect this.</p>
Agricultural land		
LUA.1.3	The Applicants	Agricultural land sensitivity

ExQ1:

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ExQ1	Question to:	Question
		Can you explain why the sensitivity of ALC grade 3a is differentiated between temporary and permanent land take in Table 21-6 of ES Chapter 21 [REP2-022] and why this is inconsistent with Table 2 of <i>Institute of Environmental Management & Assessment Guide: A New Perspective on Land and Soil in Environmental Impact Assessment</i> and Table 3.11 of <i>Design Manual for Roads and Bridges, LA 109 Geology and Soils</i> [AS-155] , agenda item 13, action point 43]? Explain why reference to temporary and permanent land take in this way is appropriate given that they are also used to define the magnitude of impact in Table 21-8 [REP2-022] .
LUA.1.4	The Applicants	ALC survey The survey samples for the proposed converter station appear to have been undertaken during the winter season (January 2024) [REP1-025] , Appendix A]. Could seasonal soil wetness have affected the results and the ALC? If so, explain to what degree and how you plan to address this in the assessment.
LUA.1.5	The Applicants	Private agreements In order to reduce the significance of effect to minor adverse, in the Applicants' response to ISH2 agenda item 13, action point 42 [AS-155] and ES Chapter 21 (Revision 3) [REP2-022] , you advise private agreements or compensation with landowners in line with the compulsory purchase compensation code would be used as mitigation. What assurance can the Applicants provide the ExA that these agreements will be in place prior to the end of the Examination and can therefore be relied on? If they are not in place, how would this effect the conclusions of the ES?
LUA.1.6	Albanwise Ltd, Albanwise Synergy Ltd and Ulllyotts (Rural) Limited on behalf of J L White & Son and Butt Farm Caravan, Camping & Glamping Site and any other Interested Parties	Sterilised and impractical land Please identify the locations which you believe would become sterilised or impractical to farm, and have not been included within the Applicants' assessment, as referred to in your Relevant Representations [RR-001] , [RR-002] and [RR-054] and Written Representations [REP1-068] and [REP1-069] . Your answer should include: a plan identifying the location; the quantum area of land affected; a Land Plot reference number (or nearby Land Plot reference number) from the submitted Land Plans (revision 2) [PDA-004] ; and appropriate justification to explain the aforementioned effects.
LUA.1.7	The Applicants	Proposed cable depth Your response to written representations [REP2-057] , section 2.4], explains there would be a minimum of 1.2m depth below the subsoil interface and the uppermost part of the proposed cable duct. The

ExQ1:

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ExQ1	Question to:	Question
		<p>same response then refers to an Option and Deed of Grant that would entitle the depth between the restored surface to the top of the protective tile, to be reduced to 1.1m. These statements appear contradictory therefore can you clarify:</p> <ul style="list-style-type: none"> • What would be the minimum depth between the restored surface and the protective tile? • What would be minimum depth between the restored surface and the uppermost part of the proposed cable duct? • How would these depths be verified during and post construction? • Can you signpost where the minimum depths and verification is secured?
LUA.1.8	The Applicants	<p>Soil restoration</p> <p>Your response to written representations [REP2-057], reference REP1-073:15] suggests soil reinstatement along the onshore export cable corridor might not be undertaken post construction where the Applicants and landowner agree reinstatement wouldn't be required. Can you explain how this is consistent with the finding of various chapters in the ES which are reliant on this mitigation measure to reduce the significance of effect? In your response, consider how the reinstatement could be verified (for example through the submission of independent verification reports and georeferenced photographic evidence to ERYC).</p>
LUA.1.9	Albanwise Ltd, Albanwise Synergy Ltd, Ulllyotts (Rural) Limited on behalf of J L White & Son and Butt Farm Caravan, Camping & Glamping Site, East Yorkshire Concrete Products Limited and Mr Alexander Douglas Robinson and any other affected party	<p>Restrictive covenants</p> <p>Do you have any comments related to the rights and restrictive covenants in Schedule 7 of the draft DCO [REP1-004]? In your response, please consider if any restrictive covenants would inhibit continuation of agricultural activities.</p>
LUA.1.10	The Applicants	<p>Restrictive covenants</p> <p>Where the proposed restrictive covenants of the draft DCO [REP1-004], Schedule 7] require the landowner to obtain written consent from the undertaker, could you confirm:</p>

ExQ1:

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ExQ1	Question to:	Question
		<ul style="list-style-type: none"> • Would there be any cost to the landowner in applying for the consent? • Would there be time limits for the undertaker to respond to such a request? • If the landowner requires specialist advice to prepare an application, how would this be funded? • Would there be a right to appeal a refusal and what would be the process?
Agri-environmental stewardship schemes		
LUA.1.11	The Applicants	Ecological assessment ES Chapter 21 (revision 3) [REP2-022, paragraph 130] suggests that ecological losses associated with impacts on land subject to agri-environmental stewardship schemes are assessed in ES Chapter 18 [PDC-002]. The ExA is unable to find any references to agri-environmental stewardship schemes in that Chapter. Could you provide a specific signpost to this assessment?
LUA.1.12	The Applicants	Assessment baseline The EIA has been undertaken with a baseline identified at the time of the surveys and desktop assessment. ES Chapter 21 identifies several agri-environment stewardship schemes that are actively improving land within the Proposed Development area with some ongoing until at least December 2028 [AS-155, agenda item 13, action point 48]. Can you explain how this changing baseline environment is assessed, and how any additional mitigation could be identified and secured?
LUA.1.13	The Applicants	Operation phase assessment clarification Can you clarify why the proposed onshore converter station is shown within a countryside stewardship scheme in ES Chapter 21 Figures (revision 2) [AS-113, Figure 21-3c] while paragraph 172 [REP2-022] states, ' <i>The Onshore Converter Station (s) would not be located within an area under an existing agri-environmental scheme and so there would be no change during the operational phase?</i> ' Please update the application documents as necessary.
LUA.1.14	NE	Agri-environment stewardship schemes policy Can you comment on the implications of the Proposed Development for agri-environment stewardship schemes and delivery of the Government's 25-year Environment Plan and other related strategies?
Marine archaeology		
MA.1.1	The Applicants and Historic England	Direct impact on potential heritage assets – assessment of significance ES Chapter 17 [APP-133, paragraph 235] acknowledges that, ' <i>although measures will be taken to reduce, as far as possible, the potential for impact to previously undiscovered heritage assets it is still possible that unexpected discoveries may be encountered during construction</i> '. Paragraph 238 then concludes that, ' <i>...effects may be considered non-significant in EIA terms (ie anticipated to be no worse than negligible magnitude and minor adverse significance)</i> '.

ExQ1:

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ExQ1	Question to:	Question
		<p>Applicants: How can the impact be assessed as negligible when there remains potential for encounter?</p> <p>Historic England: Do you consider the assessment conclusions to be appropriate? If not, explain why not?</p>
MA.1.2	The Applicants	<p>Cumulative effects assessment - mitigation approach</p> <p>ES Chapter 17 [APP-133, paragraph 345] states that, '<i>for the projects, avoidance through micro-siting, where possible, or further investigation of the eight A2 anomalies is recommended as mitigation. Whilst this mitigation varies to that recommended for Hornsea Project 4, the objective is the same, to ensure avoidance of known heritage assets as far as possible</i>'. Can you explain the difference in approach to mitigation taken for the Hornsea 4 OWF and why you consider your approach for the Proposed Development to be more appropriate?</p>
MA.1.3	The Applicants and Historic England	<p>Assessment of geophysical data – buffer zone</p> <p>Applicants: ES Appendix 17.2 [APP-136, paragraph 1.1.8] confirmed that, '<i>survey data were not obtained from the buffer, and only from the corridor itself</i>'. Considering the likely use of jack-up vessels and anchoring events within the construction buffer, and consequently the potential for disturbance to potential heritage assets, can you justify why surveys would not be required for the buffer zone? Do you propose to undertake surveys at a later stage? If so, how are they secured?</p> <p>Historic England: Do you consider detailed surveys should be undertaken for the buffer area? If not, explain why not.</p>
MA.1.4	The Applicants	<p>Outline Written Scheme of Investigation (oWSI) (Offshore) - further geoarchaeological assessment and analysis</p> <p>Recommendations are made in the oWSI (Offshore) [APP-246] for further geoarchaeological assessments and analysis including reference to planned surveys for 2024 ([APP-246, paragraph 120]).</p> <ol style="list-style-type: none"> 1. Can you clarify the proposed timescales for any additional survey work and whether any results would be provided during the Examination? 2. Are you proposing to include any conclusions into an updated oWSI (Offshore)? 3. In addition, could the oWSI (Offshore) be amended to include indicative timescales of all proposed additional surveys?
Marine and coastal processes		
MCP.1.1	The Applicants	Changes to bedload sediment transport due to cable installation at landfall

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>A summary of the likely significant effects on the marine physical environment is provided in ES Chapter 8 [APP-080], Table 8-67]. With reference to '<i>changes to bedload sediment transport due to cable installation activities at landfall</i>', the significance of effect pre-mitigation has been assessed as minor adverse. No indication has been given of any proposed mitigation, though the residual effect is considered to be negligible adverse.</p> <p>Section 8.7.3.9 of ES Chapter 8 [APP-080] would not appear to reference or provide an explanation of the reduction of the significance of effect from minor adverse to negligible adverse. Can you explain?</p>
MCP.1.2	NE	<p>Baseline characterisation - sediment transport pathways</p> <p>In your RR [RR-039], you raised concerns that only limited information is currently available on sediment transport pathways for the majority of the export cable corridor and array area and that additional information would aid the understanding of the baseline characterisation and assessment of potential changes to sediment transport pathways arising from the proposed built structures. The Applicants responded to your RR [AS-048], reference RR-039: B19] and, in addition, confirmed at ISH2 [EV5-008] that they have acquired site-specific high-resolution data and consider that these would be more appropriate than regional models to identify mobile sediment features. Are you content with the Applicants' explanation in relation to the baseline characterisation of sediment transport pathways and that a sufficient assessment has been undertaken and provided in this regard? If not, why not?</p>
MCP.1.3	The Applicants	<p>Cable protection in the nearshore</p> <p>With reference to the discussions held at ISH2 in relation to proposed cable protection requirements in the nearshore, and with regard to NE's Deadline 2 submission [REP2-064], can you provide further evidence that the proposed limited height of 50cm would not disrupt or significantly change nearshore or longshore sediment transport pathways towards the Humber Estuary SAC or Spurn Point? In addition, can you clarify where the maximum height of 50cm cable protection within the 10m depth contour is secured in the draft DCO?</p>
MCP.1.4	The Applicants and the EA	<p>Cable protection in the nearshore</p> <p>The SoCG between the Applicants and the EA [REP1-029], paragraph 18] suggests that the cable protection measures for the nearshore environment are not currently agreed. No further information is provided in the submitted RR [RR-015] on this matter. Can you provide further details on the issues raised and the work required to resolve this? Can the issue be resolved before the close of the Examination?</p> <p>EA: Do you have any comments on the updated Coastal Erosion Technical Note [AS-116]?</p>
MCP.1.5	The Applicants	<p>Cable protection in the nearshore</p> <p>Your response to the MMO WR in [REP2-057], reference REP1-074:2.3.1] suggests that further information about ground conditions is available to understand the requirement for cable protection for</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		specific areas within the nearshore area but this would not appear to have been publicly shared yet. Can you signpost this or provide the information and explain whether it would allow for a refinement of the proposed cable protection requirements within the nearshore area? If not, why not?
MCP.1.6	The Applicants, MMO and NE	<p>Water quality information – array area</p> <p>Applicants: ES Chapter 8 [APP-080, paragraph 107] states that, '<i>site specific water quality information is not available for the Array Areas</i>', and reference is made to the 2010 Quality Status Report with the location of the site in the Region II 'Greater North Sea'. Can you explain why you consider the document, which was prepared 15 years ago, to remain relevant? Should further surveys be undertaken for the array area to understand and assess site specific water quality? Can you also signpost or provide a plan showing the Order Limits in relation to the Region II boundaries?</p> <p>MMO and NE: Do you accept the information provided in relation to water quality or do you consider that additional surveys should be undertaken to assess water quality within the array areas? Please explain your view.</p>
MCP.1.7	The Applicants	<p>Sediment contaminants sample locations</p> <p>ES Chapter 8 [APP-080, tables 8-15 and 8-16] confirms the site-specific data collected for metals, polycyclic aromatic hydrocarbons and total hydrocarbon content. Figure 8.8 [APP-081] shows the individual sample locations referenced in the tables. Can you clarify the sample locations of ST168, ST172 and ST178? Whilst they are included in the tables, they would not appear to be shown in the figure for the offshore export cable corridor and their location is currently unclear.</p>
MCP.1.8	The Applicants	<p>Sediment contaminants</p> <p>Paragraph 83 of the Disposal Site Characterisation Report [REP2-035] concludes that, '<i>site-specific information relating to sediment contaminant concentrations do indicate that elevated levels of contaminants are likely to present a risk to water or sediment quality if disturbed.</i>' This would appear to be at odds with the findings earlier in the report, suggesting that there is no risk with regard to sediment contaminants. Can you clarify?</p>
MCP.1.9	The Applicants	<p>Exposure of cables post decommissioning</p> <p>ES Chapter 5 [REP1-010, section 5.6.2.7] briefly explains the proposed decommissioning works at the landfall location. Noting your Deadline 2 response to ERYC [REP2-057] and the MMO [REP2-058], referencing the proposed location of the TJBs, can you clarify if cables below the cliffs, on landfall and within the intertidal zone would be left <i>in situ</i> following decommissioning of the Proposed Development? If they would remain, noting the proposed cliff erosion data set out in the Coastal</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		Erosion Technical Note [AS-116] , what is their likelihood of exposure and do you have a procedure in place for any accidental exposure post decommissioning? In addition, your Deadline 2 response in [REP2-057] and [REP2-058] explains that beach profile monitoring would not be required and that any potential risks to your assets would be monitored over the lifetime of the projects. Can you signpost or clarify how this would be secured and explain how the proposed monitoring would ensure there would be no impact on any natural coastal processes?
MCP.1.10	The Applicants and NE	Flamborough Front monitoring Applicants: Your response to NE's RR [AS-048] is noted, however: <ol style="list-style-type: none"> 1. Can you justify why monitoring of potential changes to the stratification, currents and primary productivity of the Flamborough Front would not be required? 2. Why do you consider there would be a disadvantage to using remote sensing techniques? 3. Can you explain how the Proposed Development would differ from Hornsea 4 OWF, where a detailed monitoring programme was agreed between the Applicant, MMO and NE? 4. How do you seek to address the concerns raised by NE if monitoring was not agreed? NE: Has the submission of Change Request 1 altered your position in relation to a requirement for a monitoring programme? If so, how? In addition, do you agree with the Applicants' assessment that the Proposed Development would only result in localised changes, while the Front is considered to be of regional importance and would therefore not be affected?
Marine Conservation Zone Assessment		
MCZ.1.1	The MMO and NE	Do you agree with the Applicants' conclusion to the Phase 1 MCZ Assessment [APP-240] ? If not, explain why. A cross reference to a point in a WR or Issues Log would be acceptable.
MCZ.1.2	The MMO and NE	Are you satisfied that the Applicants' proposed mitigation reduces the risk of activities associated with the Proposed Development to a level that has no significant risk of hindering the conservation objectives of the Holderness Inshore and Holderness Offshore MCZs? If so, are you satisfied with the way this is secured in the draft DCO? If not, can you explain how you consider the draft DCO should be amended?
MCZ.1.3	The MMO	Would you be able to exercise your functions to further the conservation objectives of the Holderness Inshore and Holderness Offshore MCZs if the Proposed Development was to go ahead?
Marine mammals and relevant Habitats Regulations Assessment (HRA) aspects		
MM.1.1	The Applicants	<ol style="list-style-type: none"> 1. How do you respond to the following recent governmental policy papers, other guidance documents, statements and reports? <ul style="list-style-type: none"> • <i>Reducing marine noise</i>, published by Defra on 21 January 2025.

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<ul style="list-style-type: none"> Joint Nature Conservation Committee (JNCC), NE and the Centre for Environment, Fisheries and Aquaculture Science positions on the use of quieter piling methods and noise abatement systems when installing offshore wind turbine foundations 2025. JNCC guidelines for minimising the risk of injury to marine mammals from UXO clearance in the marine environment. Defra, Impacts of underwater noise from offshore wind - ME5610. Defra, Management of underwater noise from offshore wind - ME5611. JNCC Impulsive noise in the Southern North Sea SAC and other harbour porpoise SACs (2022–2024, December 2024). <p>2. Can you consider your assessment and mitigation measures in light of the above and amend your application documents and proposals as necessary?</p>
MM.1.2	The Applicants	<p>Underwater noise abatement and the draft Site Integrity Plan</p> <p>Both the MMO [RR-030], [REP1-075], [REP2-061] and NE [RR-039], [REP1-067] and [REP2-067] have raised significant concerns regarding your approach to noise abatement. NE states [RR-039] it does not agree with your assessment in the ES that the mitigated impacts of permanent threshold shift from piling would be minor adverse or negligible for all marine mammals. These concerns were reasserted at Deadline 2 by both NE [REP2-067] and the MMO [REP2-061]. Will you be taking NE's advice to reduce underwater sound at source for example by reducing the maximum hammer energy or by committing to the use of noise abatement systems? The ExA notes your responses to these concerns [REP2-058] but can you explain how you intend to resolve this disagreement by the close of the Examination, especially in light of the recent Marine Noise Package released by Defra, (see question ExQ MM 1.1.)?</p>
MM.1.3	The Applicants	<p>Hammer energy</p> <p>Can you clearly state your intentions regarding piling commencement and the percentage of the maximum hammer energy this represents within the Outline Marine Mammal Mitigation Protocol (oMMMP) [REP2-047], as per NE's point in Appendix F2 of its Deadline 2 submission [REP2-067]?</p>
MM.1.4	The Applicants	<p>Evidence regarding Passive Acoustic Monitoring (PAM) equipment</p> <p>Can you provide evidence to demonstrate the proposed PAM equipment and methodology would effectively monitor the whole mitigation zone for all marine mammals, and that animals that vocalise infrequently such as baleen whales and seals have been considered? If this is not possible, can you update the oMMMP to include commencing and re-starting piling during times of good visibility only, as per NE's advice in Appendix F2 of its Deadline 2 submission [REP2-067].</p>
MM.1.5	The Applicants	<p>Cumulative and in-combination assessments</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		NE does not agree to scoping out permanent threshold shift from the CEA and in-combination assessments for the reasons it explains in its RR ([RR-039], NE ref F16 and F29). The ExA notes your response to these issues [AS-048], but these remain issues in NE's latest Risk and Issue log at Deadline 2 [REP2-069]. Do you intend to revisit these matters? If not, why not?
MM.1.6	The Applicants	Assessment approach ES Chapter 11 [APP-095 , paragraph 45] explains that value was one of the factors used to conclude the level of sensitivity of a marine mammal receptor, then section 11.1.3.4.2 goes on to describe a value modifier that the assessor can use where appropriate. Could this assessment methodology for marine mammals therefore double count the value of the receptor in reaching a conclusion on sensitivity? Explain your response.
MM.1.7	The Lincolnshire Wildlife Trust	Noise propagation modelling In the pre-application consultation, you were said to be disappointed that noise propagation modelling had not been used in the marine mammal PEIR assessments. Are you content that this has been properly addressed by the Applicants in ES Chapter 11 [APP-095] and Appendix 11.3 [AS-137]? If not, please explain why not and set out what needs to be done to address your concerns.
MM.1.8	The Applicants and the MMO	Procedure after breaks in piling In relation to mitigation measures and breaks in piling operations, reports of pre-application discussions between you suggest a difference of opinion over the need to adhere to the JNCC guidance that a pre-piling search and soft-start procedure should be repeated before piling recommences when the delay has been more than ten minutes. The ExA notes the Applicants' response to RRs [PDA-013] stating that the oMMMP would be updated to follow the breaks in piling procedure in the JNCC guidelines for piling (2010). The ExA notes updates have been made to the oMMMP [REP2-047] since this issue was raised particularly to section 3.1.2 but is not aware that specific updates in relation to this issue have been made to section 3.1.6 'Breaks in piling'. Can the Applicants and the MMO respond as to whether this is an outstanding issue or whether it has been resolved? If it is outstanding, can you explain why and how it is intended to be resolved by the close of the Examination?
MM.1.9	The Applicants	Assessment of grey seal disturbance generally NE [RR-039] disagrees with your conclusion of negligible effects on grey seals through disturbance during piling events at each of DBS East, DBS West and both projects together. It believes the magnitude of impact should be high, as up to 30.62% of the South East England management unit could be disturbed, leading to a moderate and significant impact. NE has maintained this position in its latest Risk and Issue log [REP2-069] and in Appendix F2, its comments and advice on marine

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		mammals [REP2-067] . Do you intend to revise this assessment, and, if not, why not? How are you intending to resolve this disagreement by the close of the Examination?
MM.1.10	The Applicants	<p>Indirect impacts through effects on prey species</p> <p>The ExA notes your response to ISH2 [AS-155] confirms there was nothing unusual in the assessment and in allocating prey species with a low value, and that this approach is consistent with other projects. The ExA also notes that at Deadline 2 NE has maintained its disagreement related to the risk of AEol to marine mammal SAC features as a result of impacts on prey species [[REP2-069]]. It states this is due to the fact that consideration has only been given to temporary construction impacts on prey in the RIAA rather than the indirect effects of permanent spawning habitat loss that could also occur. Can you respond to this concern from NE, explaining how you intend to resolve this disagreement before the end of the Examination?</p>
MM.1.11	The Netherlands Ministry of Infrastructure and Water Management	<p>Transboundary 32 Response – The Netherlands</p> <ol style="list-style-type: none"> 1. Can you comment on whether the Applicants have adequately addressed your concerns [OD-012] in the Applicants' Responses to Regulation 32 Transboundary Consultation Responses (Revision 1) [AS-117] in relation to marine mammals? If not, explain why not and provide suggestions as to how they could be resolved. 2. Are you able to provide any information on the potential effects to migratory bats across the North Sea? For example: <ol style="list-style-type: none"> a. Is there any information regarding the altitude at which migratory bats fly across the North Sea? b. Is there any viable mitigation that could be considered for any potential effects to migratory bats?
MM.1.12	The Applicants and NE	<p>HRA conclusions for the Southern North Sea SAC, Humber Estuary SAC and Berwickshire & North Northumberland Coast SAC</p> <ol style="list-style-type: none"> 1. The ExA notes there is currently disagreement between the Applicants and NE over conclusions of the RIAA for the Southern North Sea SAC in relation to harbour porpoise and the Humber Estuary SAC and Berwickshire and North Northumberland Coast SAC in relation to grey seal. The ExA also notes NE's advice in its Deadline 2 submission on marine mammals [REP2-067] that noise reduction committed to should be sufficient to demonstrate that the Applicants have contributed to reducing the disturbed area of the Southern North Sea SAC. How are the Applicants intending to resolve this disagreement with NE by the close of the Examination?

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		2. If the matter was to remain outstanding at the close of the Examination and if the SoS was to agree with NE and decide AEoI for the above features of these sites, what compensation could be secured?
Noise and vibration		
NV.1.1	The Applicants and ERYC	<p>Construction working hours Section 5.2 of the oCoCP [REP1-025] states that, '<i>no activity where significant noise is audible beyond the Onshore Development Area will take place outside of these hours [...] apart from under the following circumstances...</i>'. Do you consider this statement to be in accordance with the wording of Requirement 20 of the draft DCO [REP1-004]? Clarify the definition of 'significant noise' and whether any changes may be required, either to the wording in the oCoCP or Requirement 20?</p> <p><i>ERYC comment – The wording of Section 5.2 above is awkward and unenforceable. Audible is not a precise form of wording – audible to whom, where and when? Also – 'significant noise' is undeterminable to whom, where and when? Noise from each construction activity will vary depending on what activities are taking place outside the core hours in what location. It is understood that there are circumstances where the applicants may seek a Section 61 of the (Control of Pollution Act 1974) with the local authority and whilst this is not widely used it is appropriate because we then get to look at individual circumstances and proposed mitigation with the applicant/developer in relation to work to be undertaken and location in relation to the nearest sensitive receptors. Another way to look at this might be to include something along the lines of 'No plant or machinery in the construction of this project shall be used outside the agreed core hours 7am – 7pm Monday to Saturday and at no time on Sundays or Bank Holidays unless agreed in writing with the Local Authority.' There may be some work activities that involve no plant and machinery and can take place within the Onshore development Area without any impact whatsoever. When considering a Section 61 agreement with the contractor we would be mindful of British Standard BS4142:2014 Methods for rating and assessing industrial and commercial sound together with British Standard BS5228 -1:2009 +A1:2014 Code of Practice for noise and vibration on construction and open sites. A combination of these guidance documents and specific circumstances can be considered to protect residential amenity for neighbours.</i></p>
NV.1.2	The Applicants and ERYC	<p>Construction working hours The oCoCP [REP1-025] has been amended to include the following wording in paragraph 35: '<i>As detailed in section 6.7.2, prior to agreement of the final Code of Construction Practice (secured through Draft DCO Requirement 19), the Applicant and /or their Principal Contractor will consult with ERYC and agree a process for determining areas where, in advance of construction, core working hours may not</i></p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p><i>be appropriate and a Section 61 (of the Control of Pollution Act 1974) consent must be obtained by the Principal Contractor(s) for certain activities.'</i></p> <p>Can you confirm the detailed locations that you consider to be noise sensitive and where core working hours may not be appropriate. Do you believe these could be agreed during the Examination? If not, why not?</p> <p><i>ERYC comment – it is not considered that specific locations for a section 61 agreement could be agreed in advance during the examination process because currently we do not know exactly what items of plant and equipment will be required for each element of work in each location. Whilst it is appreciated that we have background noise levels at various noise sensitive receptors this will be useful when considering the circumstances of each area and any mitigation required. It is expected that best practice will be used and that the majority of the work could be completed within core hours and that work outside core hours will be limited to exceptional/emergency circumstances on a case by case basis</i></p>
NV.1.3	ERYC	<p>Construction working hours</p> <p>Do you consider the wording of Requirement 20 of the draft DCO [REP1-004] fully aligns with the provisions made in the oCoCP [REP1-025] (covered by Requirement 19) in relation to the proposed construction working hours?</p> <p><i>ERYC comment – It is considered that the wording of Requirement 20 of the draft DCO fully aligns with the provisions made in the oCoCP [REP1-025] (covered by Requirement 19)- paragraph 35 (page 38) of the oCOCOP, in relation to the proposed construction working hours.</i></p>
NV.1.4	The Applicants	<p>Compliance with NPS EN-1</p> <p>Paragraph 5.12.6 of NPS EN-1 states that where noise impacts are likely to arise from the proposed development, the Applicant should include '<i>the identification of noise sensitive receptors and noise sensitive areas that may be affected</i>' in the noise assessment. Noise sensitive receptors are detailed in the assessment of the existing noise environment in ES Chapter 25 Noise [REP1-019], section 25.5]. However, there would not appear to be any reference to any noise sensitive areas.</p> <ol style="list-style-type: none"> 1. Have any been identified? If yes, where is this explained and where are they located? 2. Clarify whether existing Public Rights of Way (PRoW) could be classified as noise sensitive areas? If not, why not?
NV.1.5	The Applicants	<p>Baseline noise environment</p> <p>The ExA notes various discrepancies between ES Chapter 25 Noise [REP1-019], table 25-16] and Noise Figure 25-1 [APP-202]. Could you review and correct as necessary any inconsistencies and</p>

ExQ1:

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ExQ1	Question to:	Question
		<p>confirm that an appropriate assessment of all receptors has been undertaken? Do you consider an update is required to ES Chapter 25 Noise [REP1-019] to take account of the correct baseline noise environment or the oCoCP [REP1-025] in relation to any proposed mitigation?</p> <p>Examples of discrepancies include (but are not limited to):</p> <ol style="list-style-type: none"> 1. Impacts in relation to construction vibration have not been considered for receptors (R) R5, R37 and R51 notwithstanding the location of the receptors within the buffer for construction vibration. 2. R29 is identified in table 25-16 as residential, but figure 25-1 identifies this receptor as education. 3. R29 is identified in table 25-16 as residential, but figure 25-1 identifies receptor as education. 4. R33 is identified in table 25-16 of as residential, but figure 25-1 identifies receptor as healthcare. 5. Impacts in relation to construction vibration have been considered for receptor R34 in table 25-16, however, the receptor is not located within the vibration buffer on figure 25-1. 6. R39 and R42 are identified as education and healthcare respectively in table 25-16, however, both are shown as residential on figure 25-1.
NV.1.6	The Applicants	<p>Noise effects on tourism</p> <p>Receptor R4 (Strawberry Field Holiday Park) and Receptor R39 (Butt Farm) (as shown on Noise Figure 25-1a and 25-1h [APP-202]) are identified as residential receptors. However, they are both also used for tourism purposes, including camping and caravan accommodation. Can you clarify if and how effects on tourism have been considered as part of the noise assessment? Can you explain why it was considered appropriate to include tourism uses as part of the residential classification?</p>
NV.1.7	The Applicants and ERYC	<p>Noise effects on tourism</p> <p>The ExA notes that the camping and caravan site at Butt Farm would be located closer to the proposed onshore converter station than the host dwelling at Butt Farm, which is identified as noise sensitive receptor R39 (as shown on Noise Figure 25-1h [APP-202]). Do you consider the camping and caravan site should be identified and assessed as a separate receptor or should the original receptor at R39 be moved closer to the onshore converter station to take account of the ancillary uses? If not, explain why not. If yes, do you consider the baseline noise environment has been appropriately assessed as part of the ES or would the application documents require updating?</p> <p><i>You may wish to link the answer to this question with the answer to SET.1.6</i></p> <p><i>ERYC comment - Whilst it is appreciated that the camping and caravan site may be nearer to the onshore converter station it is appropriate that R39 remain at the permanent dwelling on the site. The</i></p>

ExQ1:

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ExQ1	Question to:	Question
		<i>planning and DCO process is intended to protect residential amenity where by the users of the caravan and camping site are by their very nature transient. As far as understood, it is not a static site with 12 month occupancy. Having looked at the distance between the caravan and camping site and Butt Farm itself and taking into account the difference in those distances to the Onshore Converter Stations it is not believed there would be a discernible difference between the two.</i>
NV.1.8	The Applicants	Construction noise – onshore converter station Table 25-3-6 of Appendix 25.3 Construction Noise Assessment [REP1-021] identifies the predicted construction noise levels at the proposed onshore converter station site for receptors R39 and R42. As shown on Noise Figure 25.1h [APP-202] , receptors R43, R66 and R67 appear to be closer to the onshore converter station than receptors R39 and R42 but they would not appear to have been considered for further assessment. Can you explain why receptors R43, R66 and R67 were not assessed in relation to construction noise at the onshore converter station?
NV.1.9	The Applicants	Cumulative effects assessment ES Chapter 25 Noise [REP1-019] , table 25-25] considered receptor R43 in relation to potential cumulative effects with the A164 and Jocks Lodge scheme. Can you clarify why receptors R66 and R67 have not been considered in the assessment, noting that both also adjoin the A164 and Jocks Lodge Junction Improvement works? In addition, can you clarify why receptor R47 has not been considered in the assessment of cumulative effects in relation to Creyke Beck Solar Farm (as identified in table 25-25 of ES Chapter 25 Noise [REP1-019])? For further clarification, can you explain or provide a plan showing the detailed location of the solar farm in relation to the proposed Order Limits?
NV.1.10	The Applicants	Operational noise onshore converter station You confirmed at the ISH2 on 16 January 2025 [REP1-049] that at this stage no decision has been made whether an air insulated switch gear design or gas insulated switch gear design enc.1.4 would be pursued as part of the onshore converter station. Could you clarify whether there would be any difference in terms of the potential operational noise or vibration effects on surrounding sensitive receptors? Could you confirm that the worst-case scenario has been assessed as part of the Operational Noise Assessment [APP-207] ?
Offshore and intertidal ornithology and relevant Habitats Regulations Assessment (HRA) aspects		
The following questions have been superseded by those contained within Annex A of the ExA's Rule 17 letter dated 3 March 2025 [PD-016] in response to the submission by NE of new and updated information [AS-159], [AS-160] and [AS-161].		

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
OR.1.1	NE	<p>Impact on the razorbill feature of the FFC SPA</p> <ol style="list-style-type: none"> 1. What is your position in relation to the Applicants' conclusion of the razorbill assessment provided in the RIAA Part 4 of 4 [AS-085] for construction and operational displacement mortality impacts from the project alone, and in combination, and the Applicants' provision of a derogation case on a 'without prejudice' basis? 2. Do you agree with the Applicants' that when the Population Viability Analysis is applied to the project alone and in combination, razorbill displacement would not represent an AEol of the FFC SPA? If not, why not?
OR.1.2	The Applicants, NE and the Royal Society for the Protection of Birds (RSPB)	<p>Displacement, mortality and apportionment values for razorbill and guillemot on the FFC SPA</p> <p>For the assessment in the Guillemot [and Razorbill] Compensation Plan [AS-089] relating to the razorbill and guillemot features of the FFC SPA, which values of displacement, mortality and apportionment presented in the RIAA [AS-085], should the ExA rely on for its recommendation and ultimately the SoS rely on were they to decide AEol for razorbill and guillemot on the FFC SPA? Justify your response with evidence.</p>
OR.1.3	NE	<p>Displacement, mortality and apportionment values for auks</p> <p>Can you comment on whether applying rates greater than 50% displacement and 1% mortality to the auks at risk is justified in combination with the estimation of seasonal abundance and apportioning, as has been queried by the Applicants [AS-158]?</p>
OR.1.4	NE and the RSPB	<p>Seasonal abundance, apportioning and displacement risk for guillemot</p> <p>Can you respond to the Applicants' statement in the RIAA [AS-085, paragraph 236] that based on NE's guidance to estimate seasonal abundance and apportioning for guillemot?</p> <p><i>'...over 73% of the FFC SPA guillemot population is apparently present on all UK wind farms through the course of the year and at risk of displacement, despite the fact that offshore wind farms actually make up approximately 6% of the area within 300km of the FFC SPA.... It is not difficult to envisage that, with the addition of a small number of wind farms the current assessment methods could predict more birds are at risk of displacement than are present in the population.'</i></p>
OR.1.5	NE and the RSPB	<p>Seasonal abundance, apportioning and displacement risk for razorbill</p> <p>Can you respond to the Applicants' comment in the RIAA [AS-085, paragraph 314] that based on NE's guidance to estimate seasonal abundance and apportioning for Razorbill?</p> <p><i>'...suggests that 40% of the FFC SPA razorbill population is apparently present on UK wind farms through the course of the year and at risk of displacement. This highlights the precautionary basis of the methods used to estimate seasonal abundance and apportioning since offshore wind farms make up approximately 6% of the area within 300km of the FFC SPA... Indeed, it is not difficult to envisage</i></p>

ExQ1:

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ExQ1	Question to:	Question
		that, with the addition of a small number of wind farms the current assessment methods could predict more birds are at risk of displacement than are present in the population.'
OR.1.6	NE and the RSPB	Population Viability Analyses for guillemot and razorbill from the FFC SPA Are you satisfied with the Population Viability Analyses undertaken for guillemot and razorbill in the RIAA [AS-085]? Justify your response with evidence.
OR.1.7	NE	Calculation of adult baseline mortality of kittiwake The Applicants resubmitted the RIAA [AS-085] in November 2024 based on comments in your Relevant Representation [RR-039]. Can you comment on whether the calculation of adult baseline mortality of kittiwake is now in line with your recommendation or not.
OR.1.8	NE	Distance of the Proposed Development from the FFC SPA The Applicants have updated the minimum distance of the Proposed Development from the FFC SPA for the kittiwake apportioning in the breeding season. Are you content with the distance used in the RIAA [AS-085]? If not, why not?
OR.1.9	NE and the RSPB	Population Viability Analyses for kittiwake from the FFC SPA Are you satisfied with the Population Viability Analyses undertaken for kittiwake and presented by the Applicants in the RIAA [AS-085]? Explain your response.
OR.1.10	The Applicants	FFC SPA seabird assemblage feature 1. Can you signpost where in the RIAA [AS-085] and its Appendix A [APP-049] reference to the seabird assemblage qualifying feature, other than the puffin component feature, of the FFC SPA and the rationale for not screening it into the assessment is set out? 2. Can you comment on the RSPB's suggestion [RR-049] and WR [REP1-087] that an AEoI of this feature could not be ruled out for the Proposed Development alone and in combination through a combination of collision mortality and displacement mortality?
OR.1.11	NE and the RSPB	Kittiwake and auk compensation quantum The ExA notes that Appendix H1 to NE's Deadline 1 Submission, NE's Advice on Seabird Compensation Calculations [REP1-065], maintains its advice that the Hornsea 3 Stage 2 method should be used for all compensatory measures where it is necessary to calculate the requirement in terms of the number of breeding pairs as it is considered the most ecologically realistic. 1. Can you provide a response to the Applicants' statement [REP1-049] and [AS-158] that the Hornsea Three Stage 2 method recommended by NE to be used to calculate the scale of kittiwake and auk compensation required is unsuitable as: i) the method is not freely available in full such that it can be readily replicated;

ExQ1:

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ExQ1	Question to:	Question
		<p>ii) it is unnecessarily complicated and extremely difficult to interpret; and</p> <p>iii) results in double-counting of the effects of mortality and thus an overestimation of compensation quantum?</p> <p>2. Can you provide a response to the Applicants' concern in their Deadline 2 cover letter [AS-158] that the Hornsea 3 stage 2 method was developed for kittiwake, a species for which there is demographic information available which is not available for auks.</p>
OR.1.12	The Applicants	<p>Kittiwake and auk compensation quantum</p> <p>Can you provide a response to NE's Appendix H1 to NE's Deadline 1 Submission, NE's Advice on Seabird Compensation Calculations [REP1-065], which states that the Hornsea 4 method could be used where it is not possible to populate the Hornsea 3 stage 2 method adequately due to limited demographic information regarding the species under consideration provided that the calculations are updated using philopatry data to account for the need of the colony to sustain itself.</p>
OR.1.13	The Applicants	<p>Kittiwake and auk compensation quantum</p> <p>The ExA notes comments from NE in its Deadline 1 submission Appendix H1 [REP1-065] regarding the recommended use of the Hornsea 3 and 4 methods and the use of the 95% upper confidence limit predicted impact value as opposed to the central impact value. Can the Applicant submit a list into the Examination of OWFs for which kittiwake or auk compensation has been required, setting out the justification for the final compensation calculation method used which was accepted by the SoS, including whether the compensatory measures were scaled against the 95% upper confidence limit predicted impact value or the central impact value.</p>
OR.1.14	NE	<p>Hornsea 3 Stage 2 methodology spreadsheet</p> <p>Does NE have access to the Hornsea 3 Stage 2 methodology spreadsheet? If so, could this be shared with the Applicants so the exact methodology can be replicated? If the spreadsheet cannot be shared, can NE provide an alternative way for the Applicants to ensure the methodology they have used correctly follows the Hornsea 3 Stage 2 methodology?</p>
OR.1.15	NE and the RSPB	<p>Kittiwake compensation quantum</p> <p>1. Can you provide comment on the Applicants' apportioned impact as presented in the RIAA [AS-085] and Project level Kittiwake Compensation Plan [REP2-010]?</p> <p>2. Could NE elaborate on the evidence for the case of using the upper 95% upper confidence limit vs the mean, and 100% vs 53% adult apportionment?</p>
OR.1.16	The Applicants	<p>Applicants' compensation proposals</p> <p>Can you respond to the detailed criteria for assessing compensation proposals, documented in section 5 of the RSPB's WR [REP1-087]? For each criteria the RSPB has set out, can you explain in full:</p> <p>1. If it is required by law or is a recommendation?</p>

ExQ1:

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ExQ1	Question to:	Question
		2. Whether and how your proposed compensation would meet each criterion?
OR.1.17	NE	<p>Applicants' kittiwake compensation proposals</p> <p>Do you agree with the Applicants' statement in their Deadline 2 cover letter on page 5 [AS-158]: 'For Kittiwakes at the FFC SPA the principal compensation proposed by the Applicants in the Project-Level Kittiwake Compensation Plan [REP2-010], is the delivery of Artificial Nesting Structure(s) (ANS). This aligns with the primary measure identified by the Kittiwake Strategic Compensation Plan [APP-053] and with DESNZ guidance (DESNZ, 2025) which confirmed the inclusion of offshore ANS within the Library of Strategic Compensation Measures and the eligibility of Round 4 offshore wind projects to deliver this measure. Guidance also states that projects wishing to rely on this measure ahead of the MRF being operational need to deliver offshore ANS on a project led or collaborative basis, and that where possible developers should construct fewer and larger offshore ANS placed in optimal sites. As such the Applicants' believe that the compensation measure proposed is accepted by Natural England as a member of the kittiwake steering group. The delivery mechanism is confirmed by Defra and DESNZ, hence this does not need further debate'. If not, explain why not.</p>
OR.1.18	The Applicants	<p>Applicants' kittiwake compensation proposals</p> <p>The ExA notes your response to the RSPB's questions from its RR [RR-049] in The Applicants' Responses to Relevant Representations (Revision 1) [PDA-013]. You referred to updates due to be submitted at Deadline 1 for many of these. Can you now respond in full to the questions from the RSPB, documented in section 6 of the RSPB's WR submitted at Deadline 1 [REP1-087]? These are:</p> <ol style="list-style-type: none"> 1. Based on the Applicants' expert knowledge, its initial assessment of the Areas of Search and ongoing evaluation work, what does it consider are the likely engineering and manufacturing requirements of such a structure? 2. What would these requirements mean in terms of the supply chain and logistics pathways eg access to specialist installation vessels, and how might this be affected by each of the sequential and concurrent wind farm construction scenarios? 3. How might this translate into lead in times for the installation of bespoke offshore Artificial Nesting Structure (ANS), and how does this relate to the Applicants' sequential and concurrent development scenarios? 4. What is the Applicants' understanding of when the organisation responsible for commissioning and construction of an offshore ANS under the Kittiwake Strategic Implementation and Monitoring Plan (KSIMP) process would be identified and how might this affect the lead in times?

ExQ1:

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ExQ1	Question to:	Question
		5. What is the Applicants' understanding of how these lead times would be affected by the different implementation routes it has identified e.g. via The Crown Estate KSIMP, the MRF or by the project alone?
OR.1.19	The Crown Estate and the Applicants	<p>Applicants' kittiwake compensation proposals</p> <p>Can you respond in full to the questions from the RSPB, documented in section 6 of the RSPB's WR [REP1-087]? These are:</p> <ol style="list-style-type: none"> 1. What steps has The Crown Estate taken to secure a marine licence for an offshore ANS in the alternative Areas of Search? 2. Assuming no steps have been taken as no decision has yet been taken on the preferred location for any offshore ANS under the KSIMP, what is the Applicants' and The Crown Estate's view on the implications of this for the implementation timeline for any such offshore ANS?
OR. 1.20	The Applicants	<p>Applicants' kittiwake compensation proposals</p> <p>The RSPB has highlighted [REP1-087] paragraph 6.14] Hornsea Four's change in approach to delivery of its kittiwake compensation, switching from offshore ANS to onshore ANS stated in their final Kittiwake Compensation Implementation and Monitoring Plan, paragraph 2.1.1.5. Can you evaluate the key, foreseeable risks to meeting the fabrication and installation programme for the offshore ANS and specify the measures the Applicants' plan to put in place to mitigate these risks, particularly in light of the recent Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance published by DESNZ on 29 January 2025?</p>
OR.1.21	NE and the RSPB	<p>Applicants' kittiwake compensation proposals – compensation ratio</p> <ol style="list-style-type: none"> 1. Does the RSPB agree with the compensation ratio of 2:1 proposed for kittiwake compensation by the Applicants in the Project Level Kittiwake Compensation Plan [REP2-010]? 2. Having considered the Applicants' response ([PDB-006] H 0.1.5 and H8), is NE content with the justification provided for a compensation ratio of 2:1 for kittiwake? (A signpost to a relevant entry on your risk tracker would be sufficient.)
OR.1.22	NE and the RSPB	<p>Kittiwake compensation proposals – offshore ANS</p> <p>Section 6.3 of the Applicants' Project Level Kittiwake Compensation Plan [REP2-010] states that three candidate offshore ANS sites have been selected for progress to site investigation surveys to confirm suitability and that the Applicants are seeking to undertake geophysical surveys for the three candidate sites in April and May 2025, and geotechnical surveys later in 2025. The Applicants state that the outputs of these surveys would enable the selection of a project led offshore ANS site by the close of the Examination period. The Applicants go on to state that they anticipate that in Q2 2025, a Marine</p>

ExQ1:

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ExQ1	Question to:	Question
		Licence application would be submitted to the MMO and a Seabed Lease application to The Crown Estate would be submitted with ongoing consultation with fisheries organisations and other key stakeholders in the interim and that stakeholder engagement would continue throughout the site selection process. Do NE, The Wildlife Trusts or the RSPB have any concerns with this suggested approach?
OR.1.23	NE, RSPB and The Wildlife Trusts	Case for reduction in kittiwake breeding seasons for ANS installation Do you have any comments on the Applicants' proposal to reduce the number of breeding seasons ahead of operation of the proposed offshore ANS from three to two seasons, as proposed in the Case for Reduction in Kittiwake Breeding Seasons for ANS Installation [REP2-060] and the Project Level Kittiwake Compensation Plan [REP2-010]? Please signpost or add further evidence to support your position.
OR.1.24	The Applicants	Case for reduction in kittiwake breeding seasons for ANS installation You state in the Project Level Kittiwake Compensation Plan [REP2-010] that you expect to deliver kittiwake compensation requirements in collaboration with Outer Dowsing OWF and that Outer Dowsing OWF submitted a change request into its Examination in February 2025 to amend its draft DCO wording to reduce the number of breeding seasons ahead of operation from three to two. If this proposed change from the Outer Dowsing Applicant is not accepted by the SoS, can you explain how that would impact on your proposals for the Proposed Development, given that the offshore ANS are planned to be delivered collaboratively with Outer Dowsing OWF?
OR.1.25	The Applicants, NE and the RSPB	Dealing with any accrued compensation deficit Section 6.3.6, paragraph 205 of the Project Level Kittiwake Compensation Plan [REP2-010] refers to the concept of 'compensation deficit accrued' should there be a delay to the delivery of the offshore ANS for kittiwakes. The Applicants suggest that this would be so small that it would be paid off over the lifespan of the Proposed Development, or that the scale of compensation could be increased, or alternative measures could be relied on to offset any deficit accumulated during the early years of operation. <ol style="list-style-type: none"> 1. Can the Applicants provide an update to refine their position on this and provide quantitative evidence to support their confidence for a worst case delay between the commencement of operation of the Proposed Development and the availability of compensation measures? 2. Does the confidence equally apply to the scenario for the development of two offshore array sites simultaneously rather just one or the other, for one or two offshore ANSs, and if only two or three breeding seasons were stipulated in any Requirement to provide compensation ahead of operation, rather than four? If so, demonstrate why.

ExQ1:

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ExQ1	Question to:	Question
		<p>3. Do NE and the RSPB wish to provide anything further in relation to the timing of the implementation of compensation or the compensation deficit accrued?</p>
OR.1.26	NE, RSPB and The Wildlife Trusts	<p>Suitability of predator eradication or reduction on the Isles of Scilly as strategic compensation for auks</p> <p>Can you comment on the Applicants' auk compensation proposals in general and particularly the suitability of predator eradication or reduction on the Isles of Scilly as a strategic compensation scheme as proposed by the Applicants in their Guillemot [and Razorbill] Compensation Plan [AS-089] and the latest update provided in the Applicants' Cover Letter at Deadline 2 [AS-158], taking into consideration The Wildlife Trusts' comments in its submission [REP1-088, section 2.4].</p>
OR.1.27	The Applicants	<p>Securing auk compensation</p> <p>Noting the SoS's clear indication in decision letters for other recent offshore wind farm DCO applications that potential derogation and compensation matters should reach a conclusion during the Examination, can you:</p> <ol style="list-style-type: none"> 1. Provide an update on the Auk Compensation Expert Topic Group discussion on predator eradication? 2. Provide further details and a schedule for the Collaboration in Offshore Wind Strategic Compensation study investigating effectiveness of predator eradication for guillemot and razorbill? 3. Detail how the compensation would be secured through any DCO under any scenario (site identified and secured; site identified but not secured; site not identified or secured)? 4. Confirm the locations of the two 'project led' locations referred to in your Deadline 2 cover letter [AS-158] where survey work is being undertaken and provide an update on the survey work to determine suitability for a predator reduction scheme along with estimated timescales for completion of this work and whether decisions on choice of either of these sites could be made by the close of the Examination? 5. Demonstrate adequate connectivity between the proposed sites and the FFC SPA and the National Site Network for these species?
OR.1.28	The Applicants, NE and the RSPB	<p>Adaptive management measures</p> <p>If adaptive management measures beyond predator eradication became required to compensate for impacts on auks, section 5.4 of the Guillemot (and Razorbill) Compensation Plan [AS-089] considers artificial nesting sites, and bycatch reduction, which would rely on the Applicants successfully achieving the process set out in paragraph 204 [AS-089] to engage sufficient skippers to implement adequate</p>

ExQ1:

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ExQ1	Question to:	Question
		compensation. What would be an adequate number of skippers? Is there any evidence that either approach would be achievable in practice?
OR.1.29	The Applicants	<p>NPS EN-3 in relation to offshore ornithology</p> <p>The ExA notes that section 12.4 of ES Chapter 12 [AS-057] gives incorrect paragraph numbers for many of the quoted paragraphs in NPS EN-3. For example, the following quoted text has been referenced in ES Chapter 12 as EN-3 Paragraph 2.8.91 when it is actually EN-3 Paragraph 2.8.101.</p> <p><i>'Applicants must undertake a detailed assessment of the offshore ecological, biodiversity and physical impacts of their proposed development, for all phases of the lifespan of that development, in accordance with the appropriate policy for offshore wind farm EIAs, HRAs and MCZ assessments (See sections 4.3 and 5.4 of EN-1).'</i></p> <p>Can you review and correct all references to the NPS as necessary?</p>
OR.1.30	The Applicants	<p>NPS EN-3 in relation to offshore ornithology</p> <p>The ExA notes that ES Chapter 12 [AS-057] section 12.4 does not reference the following paragraphs of NPS EN-3. Can you explain why the following paragraphs of NPS EN-3 have been omitted? If they were omitted in error, can you explain how the application fulfils these policy requirements in NPS EN-3?</p> <ul style="list-style-type: none"> a) <i>'In developing proposals applicants must refer to the most recent best practice advice originally provided by Natural England under the Offshore Wind Enabling Action Programme, and/or their relevant Statutory Nature Conservation Bodies (SNCBs).'</i> NPS EN-3 paragraph 2.8.105. b) <i>'Applicants are expected to have regard to guidance issued in respect of Marine Licence requirements and consult at an early stage of pre-application with the Marine Management Organisation.'</i> NPS EN-3 paragraph 2.8.108. c) <i>'Applicants should have regard to duties in relation to Good Environmental Status of marine waters under the UK Marine Strategy and MPA target (including any interim target) in England, set under the Environment Act 2021.'</i> NPS EN-3 paragraph 2.8.109. d) <i>'Applicants should explain why their decisions on siting, design, and impact mitigation are proportionate and well-targeted considering real-world evidence gathered from previous deployments.'</i> NPS EN-3 paragraph 2.11.38. e) <i>'Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity as well as negative effects.'</i> NPS EN-3 Paragraph 2.11.40. f) <i>'Applicants are expected to have regard to guidance issued in respect of Marine Licence requirements.'</i> NPS EN-3 paragraph 2.11.41.

ExQ1:

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ExQ1	Question to:	Question
		<p>g) 'Applicants should also have regard to Good Environmental Status under the UK Marine Strategy'. NPS EN-3 Paragraph 2.11.42.</p> <p>h) 'Careful design and siting of the development is likely to be the primary form of impact mitigation, along with the choice of construction and installation techniques'. NPS EN-3 paragraph 2.11.45.</p> <p>i) 'Applicants must always employ the mitigation hierarchy, in particular to avoid as far as is possible the need to find compensatory measures for coastal, inshore and offshore developments affecting designated sites'. NPS EN-3 paragraph 2.11.46.</p> <p>j) 'Aviation and navigation lighting should be minimised and/or on demand (as encouraged in EN-1 Section 5.5) to avoid attracting birds, taking into account impacts on safety. Subject to other constraints, wind turbines should be laid out within a site, in a way that minimises collision risk'. NPS EN-3 paragraph 2.8.240.</p> <p>k) 'Turbine parameters should also be developed to reduce collision risk where the assessment shows there is a significant risk of collision (e.g., altering rotor height). 'Construction vessels and post-construction maintenance vessel traffic associated with offshore wind farms and offshore transmission should, where practicable and compatible with operational requirements and navigational safety, avoid rafting seabirds during sensitive periods and follow agreed navigation routes to and from the site and minimise the number of vessel movements overall'. NPS EN-3 paragraph 2.8.242.</p> <p>l) 'If, during the pre-application stage, SNCBs indicate that the proposed development is likely adversely to impact a protected site, the applicant should include with their application such information as may reasonably be required to assess potential derogations under the Habitats Regulations or the Marine and Coastal Access Act 2009'. NPS EN-3 paragraph 2.8.267.</p> <p>m) 'Applicants should work closely at an early stage in the preapplication process with SNCBs, and Defra, in conjunction with the relevant regulators, Local Planning Authorities, National Park Authorities, landowners and other relevant stakeholders to develop a compensation plan for all protected sites adversely affected by the development'. NPS EN-3 paragraph 2.8.273.</p> <p>n) 'Before submitting an application, applicants should seek the views of the Statutory Nature Conservation Bodies (SNCBs) and Defra, as to the suitability, securability and effectiveness of the compensation plan to ensure that the overall coherence of the National Site Network for the impacted SAC/SPA/MCZ feature is protected. Consultation should also take place throughout the pre-application phase with key stakeholders (e.g. via the evidence plan process and use of expert topic groups)'. NPS EN-3 paragraph 2.8.27.</p>

ExQ1:

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ExQ1	Question to:	Question
		e) 'Not every impact for every project will initially fall within the strategic compensation proposals, so applicants should continue to discuss with SNCBs and Defra the need for site specific or strategic compensation at the earliest opportunity' NPS EN-3 paragraph 2.8.282.
OR.1.31	The Applicants	<p>NPS EN-3 in relation to offshore ornithology</p> <p>The ExA notes that section 12.4 of ES Chapter 12 [AS-057] does not reference paragraph 2.8.110 of NPS EN-3, which states, <i>'The British Energy Security Strategy contains a commitment to reviewing the Habitats Regulation Assessment process for offshore wind farm developments, and powers are included in the Energy Act 2023 to implement this through secondary legislation. Further guidance will be published as a separate document setting out what information assessments must contain. Once final guidance is published, applicants will be expected to comply'</i>.</p> <p>Can you explain whether the final guidance referred to has been published and therefore whether this paragraph is currently relevant to the application?</p>
OR.1.32	The Applicants	<p>NPS EN-3 in relation to offshore ornithology</p> <p>The ExA notes that section 12.4 of ES Chapter 12 [AS-057] omits reference to the last two bullet points of paragraph 2.8.136 of NPS EN-3 which state that, <i>'Offshore wind farms have the potential to impact on birds through: impacts upon prey species and prey habitat; and impacts on protected sites'</i>.</p> <p>Can you explain why these last two bullet points referring to prey species, prey habitat and impacts on protected sites were omitted and if they have any implications for your assessment and the Examination?</p>
OR.1.33	The Applicants, NE, the MMO and the RSPB	<p>NPS EN-3 in relation to offshore ornithology</p> <p>Looking at the evidence in front of the Examination at this time, what is your position in respect of the following tests in NPS EN-3 (which the ExA must consider in its recommendation to the SoS)?</p> <p>a) 'The Secretary of State may consider that monitoring of any impact is appropriate owing to the complex nature of offshore wind development, and the difficulty in establishing the evidence base for marine environmental recovery'. NPS EN-3 paragraph 2.8.296.</p> <p>b) 'The Secretary of State must be satisfied that displacement assessments have been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor'. NPS EN-3 paragraph 2.8.315.</p> <p>c) 'The conservation status of seabirds is of relevance and the Secretary of State should take into account the views of the relevant statutory advisors and be satisfied that cumulative and in-combination impacts on seabird species have been considered'. NPS EN-3 paragraph 2.8.316.</p>
OR.1.34	The Applicants	<p>Relevance of NPS EN-5</p> <p>ES Chapter 12 (section 12.4.1.1) [AS-057] includes NPS EN-5 as a policy consideration, but then makes no further reference to it. Can its relevance be clarified in the context of offshore ornithology?</p>

ExQ1:

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ExQ1	Question to:	Question
OR.1.35	NE	<p>Revised ES Chapter 12 Offshore Ornithology – connectivity</p> <p>Revised ES Chapter 12 [AS-057] indicates that one of the key embedded mitigation measures for offshore ornithology was site selection, with arrays being located at least 100km from the nearest nesting colonies at Flamborough Head and the Filey Coast and, as such, connectivity for most species would be relatively low.</p> <ol style="list-style-type: none"> 1. Do you agree that connectivity for most species would be relatively low? If not, explain why not. 2. Do you agree the site selection is an effective embedded mitigation measure for potential EIA offshore ornithological impacts?
OR.1.36	NE and the RSPB	<p>Consideration of Highly Pathogenic Avian Influenza (HPAI) in the assessment of effects on marine bird species</p> <p>The Applicants have added a section to consider how HPAI has been considered in the assessment of effects on marine bird species into Chapter 12 of the ES [AS-057, section 12.5.2]. Has this adequately addressed your concerns on this issue? If not, what is outstanding and what could the Applicants do to address your remaining concerns?</p>
OR.1.37	The Applicants, NE and the RSPB	<p>Seabirds of conservation concern</p> <ol style="list-style-type: none"> 1. Does the latest status assessment of breeding seabird species in the UK (the 2021 Birds of Conservation Concern 5 review and the update to the second International Union for Nature Red List review of extinction risk, published in British Birds, 2 September 2024, Stanbury <i>et al</i>) affect the marine ornithology assessment and results? 2. Are there implications for the HRA? If so, does the paper need to be made available to the ExA? 3. Do you have any comments on the paper's examination of HPAI to date that might be relevant to the Proposed Development?
OR.1.38	The Applicants	<p>Ornithological mitigation</p> <p>NE stated in its RR [RR-039] that further ornithological mitigation should be considered for the Proposed Development. Specific mention was made of the potential for:</p> <ol style="list-style-type: none"> a) Hotspot modelling of seabird densities and distributions in the study to identify areas where impacts are particularly high, which might be suitable for changes to array size or layout to mitigate impacts. b) Consideration of further mitigation such as: <ol style="list-style-type: none"> i. array reductions, ii. changes to the design or layout of arrays, and iii. increasing the hub height of turbines.

ExQ1:

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ExQ1	Question to:	Question
		The ExA notes the Applicants' response to this representation in Response to NE's Relevant Representations (Appendix G & H) (Revision 01) [PDB-006]. It appears from NE's representation that further mitigation could be feasible than those measures referenced in your response. Can you expand on what further mitigation you have considered in light of NE's representation on this matter and whether the mitigation hierarchy has been fully adhered to for ornithological impacts?
OR.1.39	NE	Decommissioning displacement impacts Your RR [RR-039] advised that an assessment of seabird displacement impacts during decommissioning would be necessary. The Applicants have said [PDB-006] that the decommissioning assessment was assumed to be equivalent to construction, in line with best practice. Are you now content with this matter? If not, why not? (It is sufficient to signpost a relevant entry in your risk log.)
OR.1.40	The Applicants	Conservation value in the derivation of significance ES Chapter 12 [AS-057, paragraph 32] explains that the assessment of significance takes account of conservation value and that, <i>'the narrative behind the assessment is important here; the conservation value of an ornithological receptor can be used where relevant as a modifier for the sensitivity (to the effect) already assigned to the receptor.'</i> 1. Can you signpost where this narrative is provided for each of the ornithological receptors considered for which the modified has been used? 2. Table 12-14 lists the bird species and their Birds of Conservation Concern colour listing. How were these accounted for in each species impact assessment?
OR.1.41	The Applicants	Comparative sea level benchmarks There appeared to be some confusion during pre-application consultation over the use of MSL when describing blade clearance height (rather than highest astronomical tide (HAT)). You have explained in the application documents and your post Preliminary Meeting adjournment submissions [PDB-006] why MSL is used. However, for full transparency, can you: 1. Amend Table 5-2 in ES Chapter 5 – Project Description [REP1-009] to include values presented in MSL, HAT and MHWS? 2. Provide confirmation whether the use of MSL aligns with the requirements of The Crown Estate Record of the Round 4 Habitats Regulations Assessment 2, which specifies 'sea level' rather than 'mean sea level'?
OR.1.42	The Applicants	Scope of Population Viability Analyses studies 1. Can you clarify the intended scope of information in Appendix 12-13, Population Viability Analyses [APP-116]? Paragraph 1 says that this provides details of the Population Viability

ExQ1:

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ExQ1	Question to:	Question
		<p>Analyses for the kittiwake breeding population at the FFC SPA, yet there are tables and figures referring to gannet, razorbill and guillemot.</p> <p>2. In Appendix 12-13, Population Viability Analyses [APP-116], can you clarify the legends of the graphs in terms of the outputs of the various Population Viability Analyses, and what the hatched lines show?</p>
OR.1.43	The Applicants	<p>Collision risk modelling and associated parameters in the draft DCO</p> <p>1. Can calculations be provided to support the statement in the ES Chapter 12, section 12.8.3 paragraph 720 [AS-057] that: <i>'For all species, the worst-case design was the more numerous small wind turbine scenario.'</i> Is this true for both DBS East and West individually and combined? Support your answer with further calculations.</p> <p>2. The ES Project Description Table 5-2 [REP1-009] specifies a maximum number of wind turbines of 57-100 for DBS East and West individually and 113-200 combined. Can you explain how 100 smaller diameter wind turbines of 259m diameter would keep within the specified maximum rotor swept area (for small turbines) specified in Table 5-2 of 5.263 km²? Support your answer with calculations presented in both km² and m².</p> <p>3. The ES Project Description Table 5-2 [REP1-009] specifies a maximum number of wind turbines of 57-100 for DBS East and West individually and 113-200 combined. Can you explain how 57 larger diameter wind turbines of 344.08m diameter would keep within the specified maximum rotor swept area (for large turbines) specified in Table 5-2 of 5.299 km²? Support your answer with calculations presented in both km² and m².</p> <p>4. The control on the number of turbines of a particular diameter is often done by specifying the maximum rotor swept area in a DCO, (for example, see Sheringham and Dudgeon and Awel y Môr). Can you explain why the maximum rotor swept area is not currently included in the DBS draft DCO [REP1-004] and how the current drafting of the draft DCO would control the number and diameter of turbines permitted to be constructed?</p>
OR.1.44	NE, RSPB and The Wildlife Trusts	<p>Collision risk modelling and associated parameters in the draft DCO</p> <p>Following on from written question OR.1.43, do you believe the rotor wind swept area should be included as a parameter in the draft DCO as per other made orders for other offshore windfarms such as Sheringham and Dudgeon and Awel y Môr?</p>
OR.1.45	The Applicants and the RSPB	<p>Digital aerial survey methodology</p> <p>In its RR [RR-049] and again in its WR [REP1-087], the RSPB raised a number of concerns about a perceived lack of methodological detail in relation to the digital aerial survey, and further signposting</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		was provided by the Applicants in response [PDA-013]. Are there any matters outstanding in relation to this? If so, please state what they are and how they could be resolved by the close of the Examination.
OR.1.46	The Applicants, NE and the RSPB	<p>New research findings</p> <p>At least two scientific research papers that may be relevant to the offshore ornithology assessment have been published since the submission of the application—do either of these or any other recent research have any implications for the assessments reported by the Applicant for the EIA and HRA? (1: Davies, JG <i>et al</i>, Influence of wind on kittiwake <i>Rissa tridactyla</i> flight and offshore wind turbine collision risk. Marine Biology 171, 191 (2024). 2: Pollock, CJ <i>et al</i>, Avoidance and attraction responses of kittiwakes to three offshore wind farms in the North Sea. Marine Biology 171, 217 (2024).)</p>
OR.1.47	NE	<p>Greater Wash SPA – qualifying features</p> <p>Along with red-throated diver, paragraph 5.2 and Table 5.1 of your RR [RR-039] identifies common scoter, little gull and little tern from the Greater Wash SPA as features for which outstanding concerns remain. Can you confirm your concerns in relation to these?</p>
OR.1.48	NE	<p>Greater Wash SPA – red-throated diver</p> <p>Regarding potential impacts on red-throated diver in the Greater Wash SPA, you noted that the avoidance of works during the over-wintering period (1st November to 31st March inclusive) has not been included as a mitigation measure [RR-039]. The Applicants are of the view that this measure is not required, but have proposed other measures including use of existing shipping lanes [AS-085]. Can you comment on whether the measures currently proposed by the Applicants are sufficient to rule out AEoI on red-throated diver of the Greater Wash SPA? If not, can you specify what additional measures it considers are necessary to avoid an AEoI of red-throated diver of the Greater Wash SPA?</p>
OR.1.49	The Denmark Environmental Protection Agency	<p>Transboundary 32 response – Denmark</p> <ol style="list-style-type: none"> 1. Have the Applicants adequately addressed your concerns [OD-010] in the Applicants' Responses to Regulation 32 Transboundary Consultation Responses [AS-117]? 2. Do you have any outstanding concerns? If so, please provide further detail and suggest how these could be resolved.
OR.1.50	The Bundesministerium für Umwelt, Naturschutz, nukleare Sicherheit und Verbraucherschutz (Federal Ministry	<p>Transboundary 32 response – Germany</p> <p>Have the Applicants adequately addressed your concerns [OD-011] in the Applicants' Responses to Regulation 32 Transboundary Consultation Responses [AS-117]? If not, explain why not and suggest how these could be resolved.</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
	for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection)	
OR.1.51	The Netherlands Ministry of Infrastructure and Water Management	<p>Transboundary 32 response – The Netherlands</p> <p>1. Have the Applicants adequately addressed your concerns [OD-012] in the Applicants' Responses to Regulation 32 Transboundary Consultation Responses [AS-117] in relation to ornithology? If not, explain why not and suggest how these could be resolved.</p> <p>2. In your Regulation 32 transboundary consultation response [OD-012], you stated that you 'expect considerable habitat loss for various bird species by this new development'. Can you provide any more detail on this point, such as where the habitat loss would occur?</p>
Planning and policy context		
PPC.1.1	The Applicants	<p>Consultation responses regarding site selection and assessment of alternatives</p> <p>Can you provide an overview of comments received during the pre-application stage regarding site selection and assessment of alternatives and the Project Response, as has been provided for most other ES chapters (for example [APP-073], [APP-082], [APP-087])?</p>
PPC.1.2	The Applicants	<p>Mitigation hierarchy and application of Critical National Priority (CNP)</p> <p>The Planning Statement [APP-226], paragraph 497] suggests that there is a presumption in favour of granting consent for the Proposed Development, which, in part, arises from the fact it would deliver CNP infrastructure.</p> <p>Section 4.2 of NPS EN-1 explains that the application of CNP applies following the consideration of the need case, the impacts of the project and the application of the mitigation hierarchy which is to avoid, mitigate and compensate. The exceptions to the presumption for residual impacts are also set out. The flow diagram on page 56 sets out that it is for the SoS to apply CNP if the applicant demonstrates that the mitigation hierarchy, requirements in EN-1 and the relevant technology specific NPS have been applied, as well as any other legal and regulatory requirements.</p> <p>In this context, can you provide a clear statement of your consideration of section 4.2 of NPS EN-1, including the potential exceptions that the SoS should have regard to when applying CNP to decision-making?</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
PPC.1.3	The Applicants	<p>NPS EN-1 Can you expand on how you have taken a co-ordinated approach to onshore transmission, offshore transmission, and offshore generation and interconnector developments with other existing and potential energy providers in accordance with NPS EN-1 paragraph 3.3.80?</p>
PPC.1.4	The Applicants	<p>NPS EN-1 NPS EN-1 paragraph 2.3.7 states that regard should be had to the aims, goals and targets of the Government's Environmental Improvement Plan and other existing and future measures and targets in England. How has the Proposed Development had regard to this?</p> <p>On 30 July 2024, the Government announced a rapid review of the Environmental Improvement Plan to deliver its legally binding targets to save nature. Does this have any implications for the Proposed Development? If so, what are they and would this alter any of the conclusions in the ES or Planning Statement?</p>
PPC.1.5	The Applicants	<p>Needs case ES Chapter 2 [APP-065] presents various potential benefits associated with delivery of the Proposed Development. Given that an application should be presented on a precautionary (worst case) basis, only the benefits of delivering one array area should be presented in Section 2.4 of [APP-065]. For example, paragraph 39 presents employment benefits of the concurrent delivery of both array areas. Can you review this document and present the needs case and potential benefits of the Proposed Development on a worst case scenario basis?</p>
PPC.1.6	The Applicants	<p>Contribution of the Proposed Development Can you signpost in the application documents where you quantify the Proposed Development's contribution to combating climate change, a reduction in greenhouse gas emissions and to energy security? What percentage of the UK's energy consumption could the Proposed Development provide? What percentage of the UK's energy targets could the Proposed Development achieve? What would be the installed capacity and the likely generating capacity of the Proposed Development (confirm what load factor you use in determining this information)? Can you also signpost to where this information is provided for all scenarios (in isolation array area delivery, sequential array area delivery and concurrent array area delivery). If this information has not yet been provided, then can you do so?</p>
Shipping and navigation		
SN.1.1	The Applicants	<p>DFDS consultation response ES Chapter 14 [APP-121], paragraph 309] explains DFDS Seaways confirmed during consultation that there is a no lose approach to the DBS array areas in normal or adverse weather conditions for the</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		Immingham-Gothenburg route and thus there would be no direct impact. Can you provide or signpost to where this consultation response can be found?
SN.1.2	UK Chamber of Shipping (UKCoS) and UK Major Ports Group	Effect on commercial vessels Table B-1, when cross referenced with Table 3-1 and Table 3-2, of the Navigational Risk Assessment [APP-124] identifies a reasonably probable serious cumulative effect of the proposed DBS East and West arrays for commercial vessels. Can you comment on this and confirm you are satisfied that the commercial impact of the proposed development on ports and commercial shipping has been appropriately assessed and mitigated. Please provide justification in your response.
SN.1.3	The Applicants	Significance of effect ES Chapter 14 [APP-121, Table 14-32] identifies vessel displacement, increased vessel to vessel collision risk, collision risk between third-party vessels and a project vessel, and reduction of emergency response capability including search and rescue as 'tolerable with mitigation' for all phases of the project, after considering the embedded mitigation measures. As no additional mitigation measures are proposed, please clarify whether the significance of effect for these hazards is correct.
SN.1.4	The Applicants	Effect on recreational vessels To demonstrate a worse-case scenario has been assessed, can you provide, or signpost where it can be found in the application documents, the vessel displacement assessment for recreational vessels that pass around the arrays? [APP-121], paragraph 116]
SN.1.5	The Applicants	Future case annual frequencies The Navigational Risk Assessment [APP-124, Table C.6] identifies fishing vessel to structure collision annual frequencies including future case uplifts of 10% and 20%. Can you signpost where the future case annual frequencies have been stated in ES Chapter 14 [APP-121] and how they are reflected in the assessment of likely significant effects? For example, paragraph 168 of ES Chapter 14 [APP-121] state, ' <i>it has been assumed that the baseline fishing activity in terms of proximity to wind turbines would not change</i> '.
SN.1.6	UKCoS and The Applicants	Temporal displacement Commercial vessel displacement impacts associated with the Proposed Development in isolation and cumulatively appear to be assessed only based on a percentage increase to the distance of existing shipping routes. Explain if temporal duration should be included in the assessment to reflect distance and the potential for slower vessel speeds navigating multiple obstructions. If so, how would this affect the conclusions reached in the ES? If temporal duration should not be included, provide justification in your response.
SN.1.7	MCA and The Applicants	Compass deviation studies

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		How would the need for pre- and post-construction compass deviation studies be identified, as referred to by the MCA [RR-031] and the subsequent Applicants' response [PDA-013] ? Could the Applicants explain how this is secured in the draft DCO?
SN.1.8	The Applicants	<p>Monitoring for potential shipping and navigation effects The Offshore In-Principle Monitoring Plan [REP2-043], table 1.6] outlines the monitoring proposals for potential shipping and navigation effects. Can you identify the methods for securing each monitoring proposal? In addition, can you define 'periodic monitoring' and clarify that the proposals would be for a minimum of three years, as stated in ES Chapter 14 [APP-121], paragraph 244)?</p> <p>If construction or post-construction monitoring were to reveal that the impacts on vessel routing and safety were greater than those predicted in the Navigational Risk Assessment [APP-124], what mechanisms would there be for adaptive management to address these greater than predicted effects?</p>
Internal array allision		
SN.1.9	The Applicants	<p>Spacing between offshore infrastructure Can you clarify the minimum spacing between the Proposed Development surface infrastructure (such as platforms, substations and bridge links), and in particular how separation distances (widths and heights) would be measured if an accommodation platform were connected to another offshore structure, and where this would be secured?</p>
SN.1.10	The Applicants	<p>Bridge link locations Can you clarify which sensitive bridge link locations have been modelled [APP-124], paragraph 71], which have a qualitative assessment and provide justification for the assessment approach selected?</p>
SN.1.11	The Applicants	<p>Collision and allision risks for bridge links Can you justify why it is appropriate to use a single structure to represent the connected platforms [APP-124], paragraph 71] to model collision and allision risk associated with bridge links, and clarify how that would assess the risk of vessels passing beneath bridge links?</p>
Search and rescue		
SN.1.12	The Applicants	<p>Search and rescue capability Can you provide, or signpost where it can be found in the application documents, justification for concluding the severity of consequence for reduction of emergency response capability including search and rescue as 'moderate' for the DBS projects in isolation but 'serious' when cumulatively assessed [APP-121], Table 14-9)?</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
SN.1.13	The Applicants	Search and rescue operations Can you confirm, or signpost where it can be found in the application documents, how the effect on search and rescue operations has been quantified, including justification that the frequency of occurrence 'extremely unlikely' in Table 14-25 [APP-121] is consistent with the definition in Table 3-1 [APP-124] ?
SN.1.14	MCA and The Applicants	Search and rescue response times Can you confirm if there would be a likely effect on search and rescue response times due to the proposed arrays obstructing the most effective path to an incident and would this be acceptable? Has it been evidenced how this has been minimised?
Socio-economic effects and tourism		
SET.1.1	The Applicants	Supply chain strategy Reference is made throughout ES Chapter 28 [APP-217] to the proposed development of a supply chain strategy. Can you clarify when the document would be prepared and how this would be secured as part of the draft DCO? Would you consult any parties on the final strategy? If so, who would be consulted?
SET.1.2	The Applicants	NPS EN-1 policy compliance Table 28-2 of ES Chapter 28 [APP-217] states that, ' <i>the contribution to the development of low-carbon industries is considered in Section 28.1</i> ' and that, ' <i>the key port locations have not been determined at this stage and socio-economic impacts are assessed at the level of the Local Economic Area, which covers multiple local authorities in the North West of England and Wales. Tourism and recreation impacts are assessed at a more local level.</i> ' Can you signpost or clarify how the Proposed Development would contribute to the development of low carbon industries at the local and regional level as well as nationally? On that basis, do you consider the Proposed Development complies with NPS EN-1, paragraph 5.13.4?
SET.1.3	The Applicants	Primary port location ES Chapter 28 [APP-217] , paragraph 247] states that, ' <i>the Humber Region study area has also been defined based on the assumption that the primary operations and maintenance port would be within the region</i> '. Clarify if a decision on the primary port has already been made? If yes, how is a potential commitment to a specific port within the region secured? If not, how likely is it that the port would be located within the region and when would a decision be made? What are potential implications for the Humber region and the assessment (and in particular ES Chapter 28) if the primary port was not located within the Humber region?
SET.1.4	The Applicants	Cumulative effects assessment

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		ES Chapter 28 [APP-217] does not identify any cumulative effects in relation to demographics, employment or operation and maintenance from the Proposed Development with Hornsea 4 OWF. Why do you consider that there would be no cumulative effects from the Proposed Development and Hornsea 4 OWF in relation to demographics and employment, considering there is ' <i>potential for some overlapping in construction, and during operations and maintenance</i> ', as stated in ES Chapter 28 [APP-217] , table 28-83)?
SET.1.5	The Applicants and ERYC	<p>Local skills and employment</p> <p>The SoCG between the Applicants and ERYC [REP1-028] has highlighted concerns regarding the proposed wording of Requirement 26, Local Skills and Employment. Can you confirm whether this has been resolved and clarify the agreed wording? Is ERYC satisfied with the information provided as part of the proposed Outline Skills and Employment Strategy [APP-230]?</p> <p><i>ERYC – response awaited and to forward.</i></p>
SET.1.6	The Applicants	<p>Butt Farm Caravan and Camping Site</p> <p>ES Chapter 29 [APP-219], table 29-19] lists the significant effects identified at tourism receptors during construction. On what basis did you consider that there would be no adverse effects on the tourism business at Butt Farm Caravan and Camping from traffic and transport, air quality and noise and vibration matters?</p> <p><i>You may wish to link the answer to this question with the answer to NV.1.7</i></p>
SET.1.7	The Applicants	<p>Butt Farm Caravan and Camping Site</p> <p>ES Chapter 29 [APP-219], paragraph 168] states that, '<i>the reinstatement of the landscape via a landscape scheme would help reduce the magnitude of impact from medium to low as reinstated landscape features mature over time</i>'. This would appear to be contrary to the assessment in ES Chapter 29 [APP-219], Section 29.6.2.2], which concludes a medium magnitude of impact at Year 10. Can you clarify your assessment of the magnitude of impact to the tourism business at Butt Farm at Year 10?</p> <p>In addition, can you explain why it is considered appropriate that the magnitude of impact for Butt Farm Caravan and Camping during construction (Impact 2) and operation (Impact 6) as set out in ES Chapter 29 [APP-219] have both been assessed as medium, noting that any landscaping scheme would not be established during the construction phase (or shortly after)?</p>
SET.1.8	The Applicants	<p>Butt Farm Caravan and Camping Site</p> <p>ES Chapter 29 [APP-219], paragraph 177] in relation to potential effects during construction on Butt Farm Caravan and Camping, states that, '<i>the landscape environment is a factor which attracts visitors to the site. However, the facility is not dependent on the landscape environment to attract or</i></p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<i>accommodate visitors</i> '. Why do you consider that the tourism business at Butt Farm would not be dependent on the landscape environment with particular regard to the concerns raised in the Ulllyotts (Rural) Limited on behalf of J L White & Son and Butt Farm Caravan, Camping & Glamping Site RR [RR-054] highlighting a potential negative impact on the business from the Proposed Development?
SET.1.9	The Applicants	Butt Farm Caravan and Camping Site ES Chapter 29 [APP-219] identifies a moderate adverse significance of effect on the tourism asset at the Butt Farm Caravan and Camping Site during both the construction and operational phases. However, ES Chapter 29 [APP-219] , paragraph 181] states that no additional mitigation measures have been identified for the construction phase. Can you explain why this is? Would measures such as fencing or other screening reduce any potentially significant effects during construction?
SET.1.10	The Applicants	Strawberry Fields Holiday Park Strawberry Fields Holiday Park is situated opposite the proposed landfall location, but no effects on the tourism element have been identified for this receptor during construction (Table 29-19 of ES Chapter 29 [APP-219]). Can you explain why you consider that the tourism receptor would not have any potential effects relating to landscape and visual impact, transport and traffic or noise and vibration from the Proposed Development during the construction phase?
SET.1.11	ERYC	Assessment of tourism effects Your LIR does not make reference to the appropriateness of the Applicants' assessment of effects on tourism with particular regard to the close vicinity of the Proposed Development to the Yorkshire Wolds and various coastal towns as well as a number of caravan and camping businesses situated along the onshore export cable corridor, near the landfall and onshore converter station. Do you have any further comments in relation to the potential effects of the Proposed Development on tourism, as detailed in ES Chapter 29 [APP-219] ? <i>ERYC comments – reference is made back to question 1.7. However further comments are being sought.</i>
Traffic and transportation including public rights of way		
TT.1.1	The Applicants	Construction traffic assignment – sections Table 24-2-7 of Appendix 24.2 [AS-019] explains the proposed approach to the assignment of peak construction traffic demand for individual sections. Whilst the sections are described in the table and reference is made to the individual construction access points identified in figure 24-2-2 of [REP1-018] , the extent and location of each section is unclear. Can you provide a plan showing each section as identified in table 24-2-7 of Appendix 24.2 [AS-019] ?

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
TT.1.2	The Applicants	<p>Security access and gate at the onshore converter station</p> <p>Your response [PDA-013] to the RR submitted by Ulllyotts (Rural) Limited on behalf of J L White & Son and Butt Farm Caravan, Camping and Glamping Site [RR-054] references a security gate at the access point off the A1079. Can you expand on the proposed security access and gate from the A1079 for both the construction and operational phase? Can you also confirm whether there would be any other emergency or other accesses for either vehicles or pedestrians to and from the onshore converter station site and, if so, where would they be located? Can you clarify whether there would be any access from the onshore converter station site to Butt Farm?</p>
TT.1.3	NH and HCC	<p>Assessment methodology – driver delay (capacity)</p> <p>Following discussions at ISH2, can you indicate whether you are satisfied with the approach towards the identification and modelling of sensitive junctions in relation to driver delay effects? If not, can you explain any outstanding concerns and the work required by the Applicants to address them?</p>
TT.1.4	The Applicants, NH, HCC and ERYC	<p>Future year traffic flow</p> <p>Do you consider the choice of 2026 as the reference year for background traffic (Section 24.5.5.1 of ES Chapter 24 [APP-195]) to be appropriate? The submission confirms that, at the earliest, construction works would commence in 2026 and could last up to seven years (in a concurrent scenario). However, construction could also commence seven years after consent has been granted which could be in 2032 or 2033, lasting up to seven years (up to 2039 or 2040). Could the Applicants explain if any potential traffic growth between 2026 and 2033 has been considered in the baseline assessment? Are any other schemes of relevance to the Proposed Development expected to come forward during this time?</p> <p><i>ERYC comment – the LHA suggest that this is acceptable as the impacts on the network in the future if HGV levels remain the same would be less and those that currently exceed EATM (IEMA) thresholds may not when taking further future traffic growth into account. However, the LHA would not be opposed to providing further information in relation to the baseline traffic assessment.</i></p>
TT.1.5	The Applicants	<p>Construction traffic impact screening</p> <p>Can you clarify why links 64 and 68 for DBS East and DBS West concurrently (ES Chapter 24 [APP-195], table 24-19]) are listed for further assessment even though they are identified to be below the threshold for further assessment, as illustrated in ES Chapter 24 [APP-195], table 24-18]?</p>
TT.1.6	The Applicants	<p>Assessment of significance – amenity</p> <p>Section 24.6.1.3 of ES Chapter 24 [APP-195] concludes that link 73 should be given a high magnitude of impact (for DBS East and DBS West concurrently) (table 24-24 of ES Chapter 24 [APP-195]) and</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		low sensitivity (table 24-15 of ES Chapter 24 [APP-195]), resulting in a moderate adverse significance of effect. Notwithstanding the assessment, link 73 has not been included in Table 24-26 of ES Chapter 24 [APP-195], which summarises the effects. Can you explain why? Do you consider additional mitigation would need to be secured in relation to link 73 as part of Annex 1 of the outline Construction Traffic Management Plan (oCTMP) [AS-020]?
TT.1.7	The Applicants	<p>Assessment of significance - road safety</p> <p>ES Chapter 24 [APP-195, table 24-16] identifies links 23, 33, 54, 63, 64 and 73 for further assessment. However, the identified links have not been assessed further as part of section 24.6.1.4 (Impact 3: Road Safety) and are not included in table 24-27 of ES Chapter 24 [APP-195]. Can you explain how links were chosen for further assessment and why links 23, 33, 54, 63, 64 and 73 were not considered as part of the significance of effects assessment?</p>
TT.1.8	The Applicants and ERYC	<p>Assessment of significance – driver delay (capacity) - Junction 15</p> <p>ES Chapter 24 [APP-195, table 24-30] provides a summary of the junction sensitivity and magnitude of effects for sensitive junctions 14 to 17. With regard to junction 15, can you provide clarification on the referenced junction improvements?</p> <ol style="list-style-type: none"> 1. What are the proposed timescales for completion? 2. Would there be any implications for either the assessment of the junction already undertaken or on the construction period of the Proposed Development from the works? <p><i>ERYC comment –</i></p> <ol style="list-style-type: none"> 1. <i>This has been completed – further information on the scheme is here:</i> https://www.eastriding.gov.uk/council/plans-and-policies/other-plans-and-policies-information/transport/a164-willerby-roundabout/ 2. <i>No implications on the construction, as above this is complete.</i>
TT.1.9	The Applicants, NH and HCC	<p>Assessment of significance – driver delay (capacity) - Junctions 1 to 13</p> <p>Applicants: Following discussions at ISH2 in relation to the delayed junction modelling for sensitive junctions 1 to 13, what is your view on whether the oCTMP [AS-020] should be updated to provide an explanation of how junction modelling for junctions 1 to 13 would be approached in the potential scenario of the A63/ Castle Street Junction Improvement works not being completed prior to commencement of construction of the Proposed Development?</p> <p>In addition, can you explain whether junctions 1 to 13 have been considered as part of the CEA in ES Chapter 24 [APP-195, Section 24.8, table 24-37]? How was a conclusion on the assessment of cumulative effects reached without having assessed the effects of sensitive junctions 1 to 13? How has</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>this impacted the assessment of cumulative effects with other schemes as set out in ES Chapter 24 [APP-195, table 24-38]?</p> <p>NH and HCC: Can you provide updates on timescales and progress of the A63 Castle Street junctions improvement works and confirm when they are likely to be completed?</p>
TT.1.10	The Applicants and ERYC	<p>Assessment of significance – driver delay (highway geometry) In relation to link 58, ES Chapter 24 [APP-195, table 24-34] explains that it is proposed to widen Ings Road (Link 58) as part of a proposal for a new Household Waste Centre to allow for its use as a construction access (shown as access AC12 on the Access to Works Plan [APP-016]).</p> <ol style="list-style-type: none"> 1. Can you confirm the status of any planning application or appeal for the proposed Household Waste Centre? 2. What is the likelihood of a new planning application being determined during Examination? What are the proposed indicative construction timescales, and do you consider the road widening proposals would be implemented before construction of the Proposed Development would commence? <p><i>ERYC comment – planning permission was refused and appeal deadlines have passed.</i></p>
TT.1.11	The Applicants	<p>Potential effects during operation - proposed operational access strategy ES Chapter 24 [APP-195, paragraph 275] states that details of the proposed operational access strategy are provided in Appendix 24.2 [AS-019]. Can you signpost or provide details of this?</p>
TT.1.12	The Applicants, ERYC, NH and HCC	<p>Abnormal Indivisible Load assessment The Abnormal Indivisible Load Access Report [APP-199, paragraph 9.5] states that, ‘no formal clarification has been obtained from East Riding of Yorkshire Council in terms of structures on the preferred route. It will be necessary to obtain confirmation from East Riding of Yorkshire Council as to the suitability of their structures for the proposed loads and attempts to do this will continue and be reported on separately when obtained.’ Can you provide an update on the discussions?</p> <ol style="list-style-type: none"> 1. Do you consider the measures included in the oCTMP [AS-020] and in the Abnormal Indivisible Local Access Report [APP-199] in relation to abnormal load management to be sufficient and appropriately detailed at this stage? If not, can you outline the additional information that should be included? 2. Could you update the SoCG between the Applicants and the ERYC [REP1-028] and NH [REP1-037] to include the discussions and agreements on the movements of any abnormal indivisible loads?

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<i>ERYC comment – the LHA suggest that this is acceptable and AILs should be reported to adbnomral.loads@eastriding.gov.uk as per typical abnormal load movement procedures and National Highways notification requirements for the movement of Abnormal Indivisible Loads or vehicles by road when not complying with The Road Vehicles (Construction and Use) Regulations 1986</i>
TT.1.13	The Applicants, NH, HCC and ERYC	<p>Outline travel plan measures Applicants: The information in table 3-1 of the oCTMP [AS-020] regarding outline travel plan measures is noted. However, it is unclear whether it is proposed to provide a detailed travel plan, either during the Examination or at a later stage. Can you clarify? Has consideration been given to a Travel Plan Co-ordinator? If not, why not? When would a decision be made, and would this be discussed further with the relevant Highways Authorities? How would the travel plan and any proposed monitoring, review and targets be secured? Do you consider the Proposed Development currently complies with paragraph 5.14.7 of NPS EN-1?</p> <p>NH, HCC and ERYC: Do you consider the information in relation to the outline travel plan measures, including demand management and monitoring, to be sufficient as currently submitted? If not, can you identify the additional information required.</p> <p><i>EYRC comment – the LHA suggest that a travel plan should be submitted once further details for the construction are known and this should be added to the DCO requirements list before construction begins.</i></p>
TT.1.14	The Applicants	<p>Construction access AC8 – opposite Heron Lakes Caravan Park Can you explain the need for the proposed construction access AC8 as shown on page 21 of the Access to Works Plan [APP-016]? Why do you consider this to be the most appropriate location for an access? Can you clarify when you chose this location, as it would not appear to have been considered in the Access Development Strategy [APP-070]?</p>
TT.1.15	The Applicants and ERYC	<p>Emergency beach access AC1 The proposed emergency beach access was discussed at ISH2 and it was agreed that the Applicants would consult with the local authority on the detailed design (such as any ramp, matting or access road as required). Is there any update on discussions and could the Applicants clarify how the proposed commitment would be secured as part of the draft DCO?</p> <p><i>ERYC comment – update being sought to be forwarded.</i></p>
TT.1.16	The Applicants	Cumulative effects assessment

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		<p>Paragraph 290 of ES Chapter 24 [APP-195] notes that some schemes have not been considered as resulting in likely cumulative significant effects due to certain considerations, including where no traffic and transport assessment was submitted as part of an application or where there would be no temporal overlap.</p> <ol style="list-style-type: none"> 1. Can you clarify how a missing transport assessment would conclude that the identified scheme would not have an effect, and consequently should not be considered as part of the CEA? On a cautionary basis, should these schemes be included in the traffic and transport CEA? 2. The ExA notes the recent submission of the Peartree Hill Solar Farm application. Can you explain why this scheme was not considered to result in cumulative effects with construction traffic as part of the assessment in the ES? Can you clarify whether the submission of the application would now have any implications in relation on the assessment of traffic and transport cumulative effects? If not, why not?
TT.1.17	The Applicants ERYC	<p>Public Rights of Way - clarification</p> <p>The PRoW Plan [APP-017], page 15] specifies the location of the 'proposed bridleway in the parishes of Catwick and Leven'. Can you provide clarification on the status of the proposed bridleway? When is it likely to be formally designated and how would any measures as set out in the oPRoW Management Plan (Appendix C to the oCoCP [REP1-025]) be implemented for a proposed PRoW?</p> <p><i>ERYC response - The proposed bridleway raised multiple objections on the informal consultation, this proposal has since been withdrawn with a new proposal put forward. The new proposal is to divert the bridleway northwards and having examined the PROW Plan [APP-017], it does not affect the route of the Dogger Bank South project.</i></p>
TT.1.18	The Applicants	<p>PRoW – Rowley Bridleway No. 13</p> <p>Paragraph 25 of the oPRoW Management Plan (Appendix C to the oCoCP [REP1-025]) states that Rowley Bridleway No.13 would be permanently diverted as part of the Hornsea 4 OWF project and it is expected that those works would be either undertaken at the same time or before the Proposed Development commences. Did you consider the potential scenario of works on the Proposed Development commencing prior to Hornsea 4 OWF, or Hornsea 4 OWF not being implemented at all? Can you explain whether the bridleway would be retained as existing or diverted in line with the proposed changes? How would this be secured if it was not implemented as part of the Hornsea 4 OWF project?</p>

ExQ1:

Responses due by Deadline 3: 19 March 2025

ExQ1	Question to:	Question
		The same paragraph also states that, ' <i>further details of the Hornsea 4 OWF permanent diversion are included in appendix C of the HOWF4 Outline Code of Construction Practice (F2.2)</i> '. Can you signpost where the additional information has been submitted or provide it as necessary?